Willakenzie Area

PLAN

SEPTEMBER 1992

This draft was prepared by the Willakenzie Planning Team, a group of residents and property owners who live and work in the Willakenzie area, aided by staff from the City of Eugene, Eugene Water & Electric Board, Eugene School District 4J, Lane Transit District, Lane Council of Governments, City of Springfield, and Lane County. At the time of adoption, the following staff were part of the project team:

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WILLAKENZIE AREA PLAN

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INTRODUCTION

INTRODUCTION

PLAN PURPOSE

The Willakenzie Plan is intended to provide background information and policy direction for public and private decisions affecting the growth and development of the Willakenzie area. The plan will guide the provision of public services such as sanitary sewers and street improvements. It will serve as a basis for evaluating private development proposals such as zone change requests. It will also provide a common framework for those engaged in the conservation, development, and redevelopment of the area.

CITIZEN INVOLVEMENT IN THE PLANNING PROCESS

The planning process for the Willakenzie Plan began in May 1988. During the summer and fall months of 1988 the following steps were taken to initiate the process:

- A citizen involvement program for the plan was prepared and approved by the Eugene Planning Commission and Citizen Involvement Committee;
- Data was collected on the area for use throughout the planning process;
- All residents and property owners were notified about the impending plan and were encouraged to participate in its development. Notification was provided in neighborhood newsletters, School District 4J publications, and public notices in community newspapers;
- A joint meeting of the Cal Young and Harlow neighborhood associations was held to discuss the plan and creation of a citizen planning team to guide the development of the plan; and
- An "Issues Forum" was held on two evenings in the planning area to allow area residents and property owners to identify issues that they felt should be addressed in the plan.

The Willakenzie Planning Team was formed in November 1988. The team consists of 12 voting members with six neighborhood group representatives, two unincorporated area representatives, three business representatives, and one representative from the sand and gravel industry. Planning team meetings were advertised and were open to the public.

A summary of the draft Willakenzie Plan will be mailed to all residents and property owners in the planning area before public hearings on the plan are held. A series of hearings will be held on the plan prior to its adoption including hearings: 1) in the plan area before the Cal Young and Harlow neighborhood associations; 2) before the Eugene Planning Commission; 3) before the Eugene City Council; 3) before the Lane County Planning Commission; and 4) before the Lane County Board of Commissioners.

PLAN ORGANIZATION AND SUMMARY

The plan consists of an introduction, a section on plan goals, five chapters or elements on specific planning issues, and a section on plan implementation. The various chapters are described below.

Plan Goals
Broad statements of philosophy that describe the intent of the plan. While it is generally recognized that all of the goals may not be completely reached, goal statements help establish a direction for action and serve to describe the desires of the community regarding the area's future.

The Land Use Element
Includes specific policies for all categories of land within the Willakenzie area and indicates specific locations for each land use type. A number of policies and proposed actions in the plan suggest ways in which the adopted Land Use Diagram for the area should change, including: 1) additions to the commercial, special light industrial, and light-medium industrial land base in the planning area; 2) shifts in the proposed location of future medium- and high-density residential designations throughout the area; 3) proposed development standards for commercial and industrial developments in the planning area; and 4) special protective standards for future development on Gillespie Butte.

The plan includes numerous policies directed at maintaining the qualities of existing low-density residential areas. It also includes policies intended to encourage mixed-use development within specified "opportunity areas." Mixed-use development in which residential, office, commercial, and institutional uses are combined in compatible arrangements, is seen as one way in which suburban neighborhoods can be made more vital and more responsive to increased demands on the area's transportation system.

The Transportation Element
A major focus of the plan. The Willakenzie area's streets and highways are heavily used by local and through traffic. Projected traffic volume increases of up to 50 percent on certain streets in the area are a concern to residents and property owners. This plan element contains policies and proposed actions that attempt to: 1) ensure an adequate transportation network for the area within the urban growth boundary (UGB); 2) provide for the development of new major streets in the urbanizable area within the UGB; 3) enhance opportunities for pedestrian, public transit, and bicycle travel within the planning area; and 4) reduce travel demand in the area. The element includes a list of proposed street and bike path improvement projects that, if constructed, will define the future transportation system for the area.

The Public Safety Element
Focuses on police, fire, and emergency medical services within the planning area. The plan contains policies and proposals to ensure improved service to the area and to increase the visibility and potential effectiveness of life safety personnel in the Willakenzie area.

The Public Facilities and Services Element
Includes a discussion of existing services and provides information on policies and proposals for the development of services which will be required as the Willakenzie area grows. The planning area contains about 1,000 acres of urbanizable land which will ultimately be annexed to the city and developed to urban standards. New development in the area will require extensions or other improvements to public facilities and services including, water and electric service, sanitary and storm sewers, schools, and parks and recreation facilities.

The Neighborhood Design Element
Focuses on the environmental character, identity, and visual qualities of the Willakenzie area. The suburban character of the area calls for a particular set of strategies to protect and enhance those qualities that appeal to area residents. This element focuses on visual improvement strategies for major streets; commercial and industrial areas; landmarks, such as Gillespie Butte and Delta Ponds; and neighborhood entrance points. It also proposes site review guidelines for commercial development with the intent of improving visual and functional characteristics of that development, establishes policies for the protection and enhancement of important natural resource areas, and includes policies for encouraging the protection of historic resources in the Willakenzie area.

Plan Implementation
Lists implementation priorities. These implementation priorities are recognized by elected officials as the most important actions to consider in carrying out the intent of the plan.

Appendix
The Appendix contains a variety of materials, including materials from the Issues Forums held in the Willakenzie area at the start of the planning process, demographic information from a variety of sources, informative maps not appropriate for adoption in the plan, and other background materials used in developing the plan.

RELATIONSHIP TO METRO PLAN AND OTHER ADOPTED PLANS

The Willakenzie Plan is a refinement of the Eugene-Springfield Metropolitan Area General Plan (Metro Plan) which was adopted in 1982. The Metro Plan is the guiding document for public decisions affecting the metropolitan area. Refinement plans must be consistent with the direction established by the Metro Plan. Any inconsistencies between the Metro Plan and the Willakenzie Plan will be addressed through amendments to the Metro Plan at the time of plan adoption.

Two geographic regions within the Willakenzie planning area are addressed in existing adopted plans. Both the Goodpasture Island Region and the Coburg-Crescent subarea in the North Region are the subjects of adopted plans. The Coburg-Crescent Special Area Study and the Goodpasture Island Study address land use, transportation, and public facilities issues in those areas. The Willakenzie Plan, upon its adoption, will supersede and take the place of the Goodpasture Island Study and the Coburg-Crescent Special Area Study.

TERMINOLOGY

The plan includes some terms that might need clarification for common understanding:

> **Findings** are factual statements that result from investigations, analyses, or actual observations. They identify issues to be addressed in the plan and provide support for policy statements.

Policies are statements that suggest a specific course of action that will move the plan toward attainment of its goals. Policies are adopted by the City Council as guidance for decision-making within the plan area. City programs, actions, and decisions will be evaluated on the basis of their ability to implement adopted policies in this plan as well as other adopted City goals and policies. Because they are adopted by the council as the City's guide for action in this area, policies are the most important statements in the plan.

Policies in the Willakenzie Plan are preceded by a whole number (e.g., 1, 2, etc.) and are presented in bold print.

Proposed Actions are recognized (but not adopted) by the City Council as possible ways to carry out policies. In some cases, proposed actions will require further analysis and may or may not be carried out as stated in the plan, particularly because of funding limitations. Proposed actions are often ideas produced through public discussion.

Proposed actions are statements which follow a policy to which they apply. The proposed action statement is preceded by a number which indicates that it is a subset of the policy (e.g., 1.1, 1.2, 1.3, etc.)

Residential street in the Willakenzie planning area.

WILLAKENZIE PLANNING AREA GOALS

WILLAKENZIE PLANNING AREA GOALS

The purpose of the planning goals is to set an overall framework for planning in the area and to provide a check against findings, policies, and proposed actions that will be developed in later stages of the planning process. The following goals were derived from statements made at the Willakenzie Issues Forum and from planning team suggestions.

Provide for compatibility between existing and new development.

- Provide a balanced land use arrangement that promotes compatibility between residential and nonresidential uses while fostering environmental enhancement through the application of improved landscaping maintenance standards.
- Protect and improve the existing residential quality of the Willakenzie area.
- Ensure that new development is in scale and harmony with the existing neighborhood character.
- Provide for a range of housing choices.
- Provide opportunities for commercial and industrial development in a manner that is compatible with residential uses and natural values.
- Encourage the application of site development standards that result in reductions in noise, litter, and light pollution from nonresidential uses.
- Provide for the protection and enhancement of land designated park and open space in the Metro Plan and the Park and Recreation Plan as well as significant natural resources in the Willakenzie area, including, but not limited to, wildlife habitat areas, waterways, view sheds, and significant vegetation.
- Preserve important landmarks and historic resources.
- Provide for a transition from urban to rural uses near the edge of the urban growth boundary in a manner that protects the viability of existing rural and agricultural uses.

Develop a transportation network that: a) facilitates safe and convenient vehicular access; b) minimizes through traffic on residential streets; c) minimizes traffic impacts on existing and future land uses; and d) encourages alternative modes of transportation.

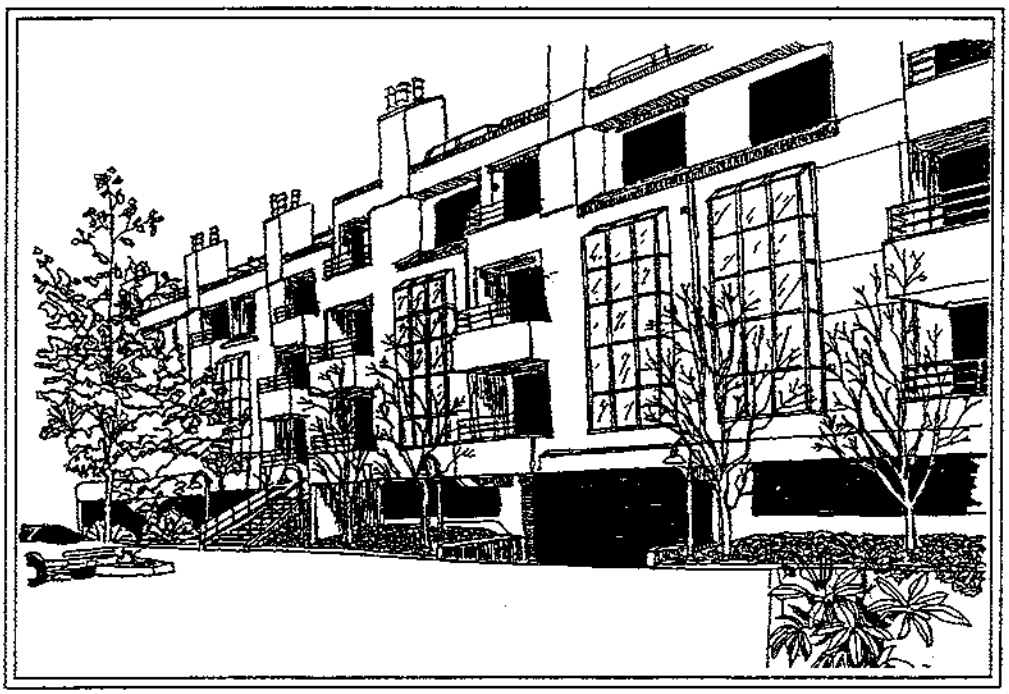
- Minimize the adverse impacts of high volumes of traffic on residential land uses abutting major streets.
- Encourage street tree planting and landscaping along public rights-of-way.

- Provide for the installation of sidewalks where appropriate to ensure pedestrian safety, enhance pedestrian mobility, and encourage pedestrian linkages to transit facilities.

- Reduce reliance on the single-occupant vehicle by providing facilities and services that promote alternate modes of travel.

Provide the people of the Willakenzie area with quality, essential public safety services equal to those provided to other areas of the city. Subscribe and conform to the highest professional standards in an effort to protect the constitutional rights, lives, and property of the citizens consistent with community goals and policies.

Provide for public facilities, services, and utilities in a manner that accommodates orderly, compact, and sequential growth.



The Willakenzie area includes a variety of housing types.

LAND USE ELEMENT

LAND USE ELEMENT

INTRODUCTION

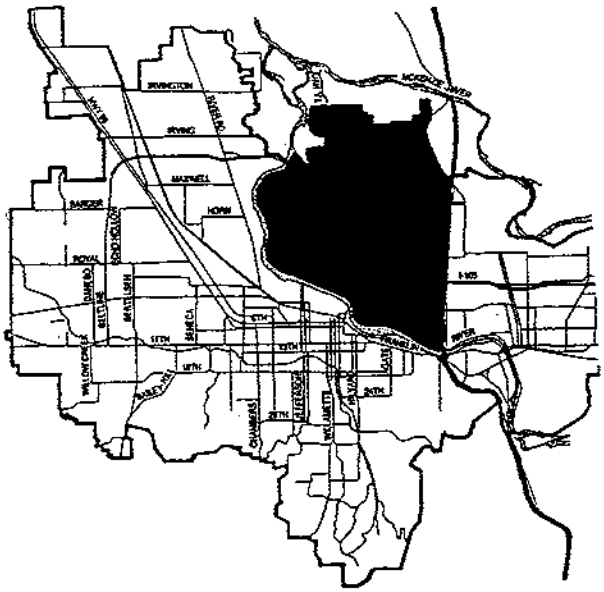
The Land Use Element examines the existing use of land in the planning area and establishes goals and policies for future use of the land. This element also contains a Land Use Diagram which depicts the desired land use pattern for all land within the Willakenzie planning area.

GENERAL DESCRIPTION OF WILLAKENZIE AREA LAND USES

The Willakenzie planning area lies north and east of the Willamette River and of the downtown central business district. The planning boundaries are the river on the south and west sides, the UGB on the north, and Interstate 5 on the east.

The plan area is approximately nine square miles (5,708 acres) in size, contains approximately one quarter of the land area within the incorporated limits of the city of Eugene, and with approximately 20,200 residents, contains about 20 percent of the city's total population. The area is characterized primarily by single-family residential uses, although significant amounts of multiple-family residential, industrial commercial, and public uses, such as Alton Baker Park, also exist in the area. The area contains a large amount of vacant land or land which is not yet developed to its fullest capacity. More than 17 percent of the land area (976 acres) lies between the city limits and the UGB and is undeveloped.

The area is well served by a major arterial street system that provides excellent access to Interstate 5 and Springfield. Access to Eugene is provided via various bridges across the Willamette River. Sand and gravel resource areas exist in the area to the north of the UGB and adjacent to the planning area.



GENERAL FINDINGS FOR THE WILLAKENZIE AREA

The following findings apply to the Willakenzie planning area as a whole or to generalized land use categories within the Willakenzie area.

Land Use Findings

1. The Willakenzie area is primarily a suburban, low-density residential area. Major retail and community commercial development exists in the Valley River area, in various locations along Coburg Road, and along Green Acres Road, east of Delta Highway. There are few industrial uses in the area.

2. Approximately 70 percent of the plan area is designated for residential uses in the Metro Plan. Slightly more than seven percent is designated for commercial uses while less than five percent is designated for industrial uses. More than 15 percent of the total Willakenzie land area is designated Park and Open Space land in the Metro Plan. This area includes Alton Baker Park, the Willamette River Greenway, Delta Ponds, and three 18-hole golf courses.

3. Undeveloped land in private ownership constitutes the greatest single land use type in the Willakenzie area. More than 40 percent of the total land area under private ownership was vacant and available for development in 1986.

4. Within the study area there are 5,708 net acres (excludes streets and alleys). Approximately 83 percent of this total (4,732 acres) is within the corporate limits of the City of Eugene. The remainder, 17 percent (976 acres) is unincorporated.

5. The Willamette River Greenway extends for more than six miles through the planning area.

6. The first annexation of land within the Willakenzie area to the city of Eugene occurred in January 1960. More than 100 annexations were completed between 1960 and 1979. (See Appendix for annexation history of the Willakenzie area.)

7. The Willakenzie Interim Plan, adopted by the Eugene City Council in 1959 and updated in 1967, served as a general land use plan for the Willakenzie area prior to the adoption of the 1990 plan and subsequent adoption of the Eugene-Springfield Metropolitan Area General Plan (Metro Plan).

8. The Metro Plan, adopted in 1982, established land use designations and broad policies for the area.

9. In general, existing zoning is consistent with the Metro Plan.

10. The Metro Plan indicates that a refinement plan is needed for the Chase Gardens area. The Willakenzie Plan is the refinement plan which addresses planning issues in the Chase Gardens area.

11. The Goodpasture Island Study (1975) and the Coburg-Crescent Area Study (1981) are adopted refinement plans for subareas of the Willakenzie planning area. Upon adoption, the Willakenzie Plan supersedes and takes the place of these previously adopted plans.

12. Significant development activity and development pressures are occurring in the Willakenzie area as evidenced by residential and commercial building permit activity, zone change requests, and subdivision applications. Between 1986-88, commercial, industrial, and public projects valued at more than $66 million were announced for construction in the Willakenzie area. Between 1985-88, commercial zone changes were approved for 42 acres of land in the Willakenzie area; this represents 42.5 percent of the total commercial zone change approvals in the city during that period. During the period 1987-88, 14 subdivision applications for the creation of 690 residential building lots were filed with the City for subdivisions in the plan area.

13. Existing public services and facilities are inadequate to serve the existing developed area within the city limits. Development of urbanizable areas will require the extension of existing services or the creation of new facilities and services.

Residential Findings

1. The percentage of owner-occupied dwelling units in the Willakenzie planning area (61 percent) is greater than in the city as a whole (46 percent).

2. The average household size for the Willakenzie area (2.57 persons per household) in 1980 was very close to the citywide average (2.6 persons per household). The trend, both nationally and locally, has been toward a reduction in the average number of persons per household. The average household size for the Willakenzie area in 1988 (2.33 persons per household) reflects that trend.

3. Eighty-three percent of the private, undeveloped land in the Willakenzie area is designated for residential use in the Metropolitan Area General Plan.

4. Almost 16 percent of the existing single-family dwellings in the area designated for low-density residential uses are built on lots exceeding 15,000 square feet in size. (See Appendix). This factor indicates that there are a substantial number of large lots in the area which have not yet been developed to their fullest capacity. If future infill development occurs on these lots, this infill could cause a substantial change in the character of existing neighborhoods.

5. Of the existing residential units, slightly more than 61 percent are single-family residences and slightly more than 21 percent are multi-family residences. (See Appendix).

6. Eighty-eight percent of Willakenzie area residential units have been constructed since 1950. Peak development occurred in the decade 1970-1979 when 33 percent of all residential units were constructed. See Appendix for a breakdown of residential building activity by decade.

7. A windshield survey conducted in 1983 to determine the condition of structures in the Willakenzie area (for the purpose of allocating Community Development Block Grant funds) indicates that residential structures are in good condition.

8. Residential densities in the Willakenzie area are generally lower than densities assumed in the Metro Plan. The Metro Plan assumed 5.15 dwelling units per acre for low-density residential development, 10.86 dwelling units per acre for medium-density residential development, and 25 dwelling units per acre for high-density residential development.

9. The Metro Plan assumed the development of approximately 13,700 new dwelling units on undeveloped land designated for residential uses in the Willakenzie area. Based on Metro Plan density assumptions, and the average household size of Willakenzie area households, approximately 31,900 additional persons could eventually reside in the plan area.

10. With the exception of densities for mobile home development, residential densities in the plan area (by housing type) are lower in the Willakenzie area than in the city as a whole.

Residential Densities by Structure Type, 1986

	Single-Family	Mobile Home	Duplex	Multi-Family
Units (in city)	5230	318	972	1881
Acres (in city)	1391	45	109	127
Units (unincorporated area)	263	220	4	5
Acres (unincorporated area)	147	31	1	1
Total Units	5493	538	976	1886
Total Acres	1538	76	110	128
Density	**3.57**	**7.09**	**8.87**	**14.73**
Eugene City-Wide Density	4.08	6.14	10.11	23.61

Source: Lane Council of Governments Research Division, based on 1986 Parcel File

General Commercial and Industrial Findings

1. A variety of commercial uses exist in the Willakenzie area. Commercial development occurs in a variety of forms, including:

   A. Major Retail Center--Valley River Center is one of two major retail centers in the metropolitan area and is the only major retail center in the Willakenzie area;

   B. Community Commercial--This type predominates in the planning area. Examples of developed community commercial centers are the Oakway Mall located at Coburg and Oakway Roads, Sheldon Plaza at Coburg Road and Cal Young Road, and Delta Oaks Shopping Center at North Delta Highway and Green Acres. Community commercial centers contain a broad range of commercial activities, including office uses, and are intended to serve the general area;

   C. Strip Commercial--This commercial form is located along a portion of Coburg Road and is concentrated between the Ferry Street Bridge and Harlow Road. A limited amount of strip commercial development exists in the vicinity of Coburg Road and Willakenzie Road; and

   D. Neighborhood Commercial--This type is intended to serve small, localized neighborhood areas of about 4,000 people. Only two neighborhood-scale commercial complexes exist in the Willakenzie area, one at Cal Young Road and Fir Acres and the other at Coburg Road and Game Farm Road.

2. As of 1989, commercial land uses occupied less than five percent of the total Willakenzie land area.

3. Approximately three fourths of the 410 acres in the study area designated for commercial development have been developed.

4. Requests for commercial rezoning in the Willakenzie area have focused on expansion of existing commercial nodes in the following locations:

   A. Sheldon Plaza in the vicinity of Coburg Road and Willakenzie;

   B. The east side of Coburg Road south of Willakenzie Road;

   C. The west side of Oakway Road, north of Eastwood Lane;

   D. The area on the north side of Goodpasture Island Road, west of Delta Highway; and

   E. The east side of Coburg Road in the vicinity of Chad Avenue.

5. The Metro Plan established a floating node in the planning area, north of Crescent Avenue and between North Delta Highway and Coburg Road. Floating nodes are intended to accommodate a portion of the forecasted demand for commercial land. The exact location of the floating node is to be determined through the planning process for the Willakenzie Plan.

The Willakenzie floating node was assumed in the Metro Plan, to contain approximately five acres of commercial land and 20 acres of medium-density residential land.

6. During the past ten years, a substantial amount of commercial office development has occurred in the Willakenzie area.

7. As if 1989, approximately 250 acres of land were designated for industrial use in the Willakenzie area. Of that total, approximately 100 acres were designated for light-medium industrial development. The remainder was designated for special light industrial development.

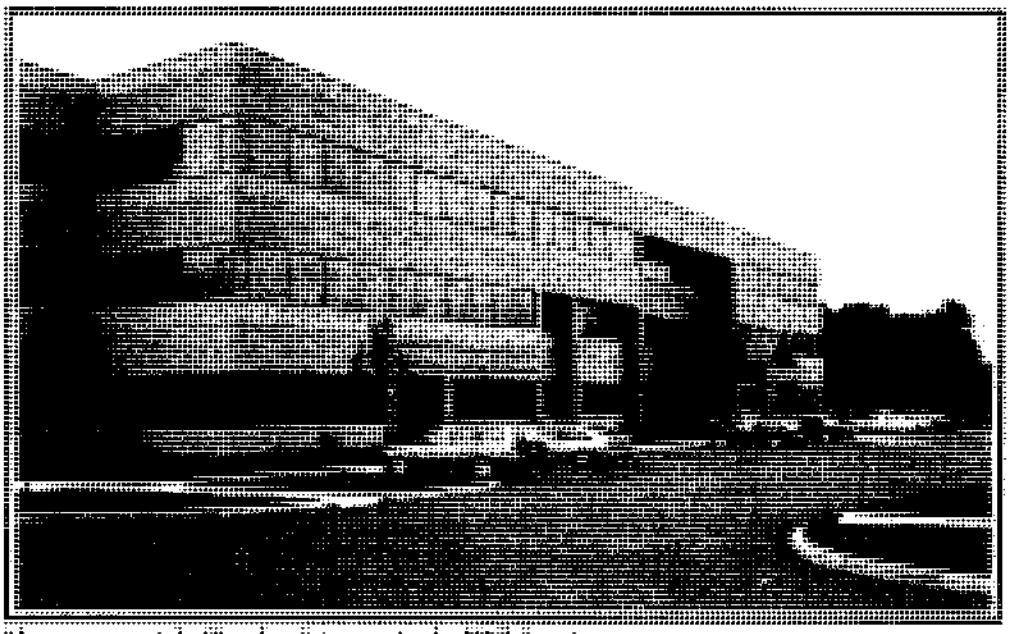
8. Sand and gravel resources occupy significant areas of land along the Willamette and McKenzie rivers adjacent to the planning area.

9. Sand and gravel deposits are an important natural resource. However, activities and truck traffic associated with the extraction and processing of this resource may conflict with the development of other uses in urban and urbanizing areas.

10. Agricultural uses abut the study area on the north and northeast. Where urban and agricultural lands are adjacent to one another, farm use management problems are frequently created.

11. Development of the Gateway commercial area in Springfield east of I-5 will have impacts on the existing transportation system and on commercial land demand within the Willakenzie study area.

12. In the area south of Country Club Road, approximately 30 acres of land designated for medium-density residential use in the Metro Plan have been developed or are planned for commercial office uses.



The commercial office development in the Willakenzie area.

GENERAL POLICIES AND PROPOSED ACTIONS FOR THE WILLAKENZIE AREA

The following policies and proposed actions apply to the Willakenzie planning area as a whole or to generalized land use categories within the Willakenzie area.

Land Use Policies and Proposed Actions

1. The City shall use the Land Use Diagram and accompanying text and policies of the Willakenzie Refinement Plan, as well as other applicable City goals, policies, and plans, to provide policy direction for public decisions affecting the plan area.

2. The City shall ensure that future commercial development and redevelopment in the Willakenzie planning area is sensitive to and compatible with existing and planned development in the surrounding area.

   2.1 Amend the Eugene Code to ensure that commercial developments are attractive, compatible with surrounding land uses, and reflect recommendations in the Willakenzie Plan, the Commercial Lands Study, and other design studies.

   2.2 Apply the /SR Site Review suffix to all parcels zoned or designated for C-1 Neighborhood Commercial or C-2 General Commercial development in the Willakenzie planning area, using the Willakenzie Commercial Siting and Development Guidelines as the review criteria. These guidelines will be used to evaluate commercial development and redevelopment proposals until such time as the City adopts citywide commercial development standards or guidelines.

3. Retain existing significant vegetation whenever possible to provide buffering between residential and nonresidential uses, as well as between low-density and higher density residential uses.

4. Recognize Coburg Road, the Ferry Street Bridge, Beltline Road, Delta Highway, Interstate 5, and the Eugene-Springfield Highway (I-105) as designated entrance corridors to the city as identified in the adopted City of Eugene Entrance Beautification Study.

5. Site review procedures or special development standards shall be considered for properties which abut or face one another, when the uses permitted on those properties are potentially incompatible.

6. Minimize land use conflicts by promoting compatibility between low-density and higher-density residential land uses as well as between residential and nonresidential land uses.

   6.1 Encourage nonresidential land uses to provide landscaping with particular emphasis on parking-lot screening and provision of buffering between residential and nonresidential uses.

7. Mixed-use developments that combine living, working, and shopping opportunities shall be encouraged in the study area.

Residential Policies and Proposed Actions

1. Maintain the existing low-density residential character of existing Willakenzie neighborhoods, while recognizing the need to provide housing for all income groups in the city.

2. Require new medium-density residential development in the Willakenzie area to achieve a minimum density level of 10 dwelling units per acre and new high-density residential development to achieve a minimum density level of 15 dwelling units per acre. If a future citywide code amendment establishes different minimum density levels than are established in this plan, the levels established in the code will take precedence, except in the Chase Gardens High-Density Residential area. Development in this area shall achieve a minimum density level of no less than 15 dwelling units per acre.

   2.1 Amend the Eugene Code to establish minimum density requirements for medium- and high-density residential development within the Eugene urban growth boundary. The suggested minimum density requirements are 10 DU/Acre for areas designated Medium-Density Residential and 15 DU/Acre for areas designated High-Density Residential.

3. Ensure that development plans include street sizes adequate to meet future demands.

4. Encourage a mixture of housing densities and types to address the housing needs of a diverse population.

5. Encourage medium- and high-density residential uses in areas which have good access to commercial services, public open space, schools, parks, transit and other alternative modes of transportation.

6. Require that all new residential development adjacent to Beltline Road, Interstate 5, Delta Highway, and I-105 provide on-site noise buffering between the noise source and the new development.

7. Berms that are used to fulfill a noise-buffering requirement shall be landscaped and irrigated with a permanent irrigation system.

8. Promote compatibility between low-density residential land uses and medium- to high-density residential land uses.

   8.1 Apply the site review /SR suffix to all parcels designated medium- or high-density residential land use which directly abut low-density residential land uses.

General Commercial and Industrial Policies and Proposed Actions

1. The City shall encourage the development of programs to improve the overall appearance of existing and new commercial and industrial areas.

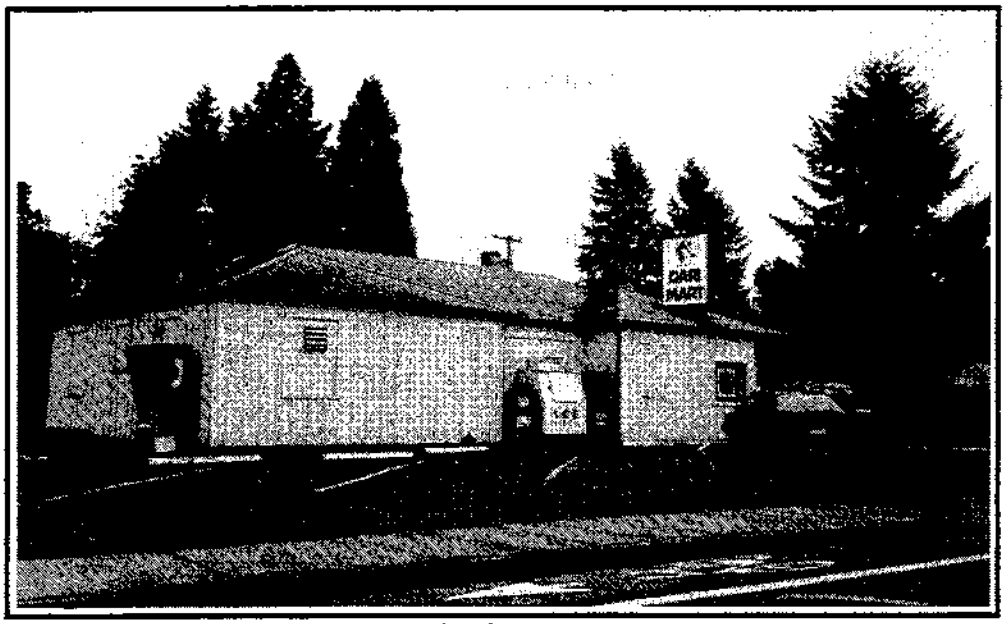
   1.1 Work with the Eugene Water and Electric Board (EWEB) regarding the relocation or underground installation of overhead utility lines (including methods of financing improvements affecting private property owners) in the Oakway commercial and Sheldon commercial nodes.

   1.2 Amend code provisions for parking lot buffering to provide for a more effective means of screening parking and on-site circulation from view.

   1.3 Incorporate standards in the code to require commercial and industrial development abutting entrance corridors to provide attractive landscape plantings in areas which can be seen from the corridors.

2. Minimize the impact of future neighborhood commercial development on adjacent residential uses through the application of Willakenzie Commercial Siting and Development Guidelines.

3. Encourage the consolidation of parking lots, development of joint access, and use of access controls on commercial and industrial developments.



Neighborhood market at Cal Young Road and Fir Acres.

LAND USE DIAGRAM

WHAT IS THE LAND USE DIAGRAM?

The Willakenzie Land Use Diagram represents the general future land use patterns that are desired for the Willakenzie area. It is a graphic expression of the policies found in this plan and is based on a number of factors, including:

1) the type of development that already exists in the area;

2) the type of zoning or other land use regulations already applied to the area;

3) unique physical and social/economic characteristics in the area;

4) ownership patterns in the area; and

5) goals, policies, and land use designations previously adopted by the City Council which have a bearing on the Willakenzie area and, in particular, the Eugene-Springfield Metropolitan Area General Plan.

HOW TO USE THE WILLAKENZIE LAND USE DIAGRAM

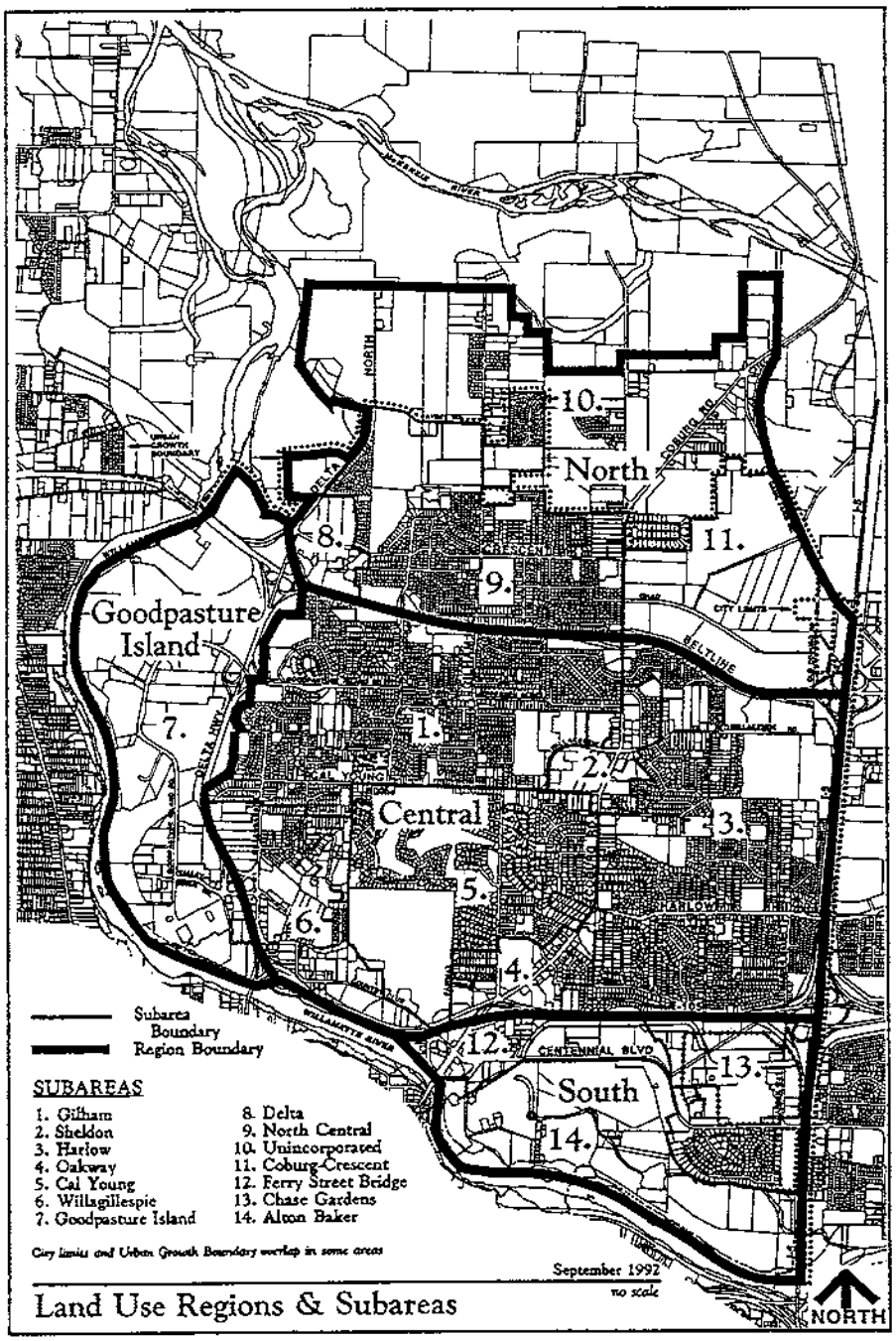
The Willakenzie Land Use Diagram and the accompanying text is meant to be used along with other policies in the Willakenzie Plan and the applicable City goals, policies, and plans to evaluate individual land use proposals. It is intended to be a guide for both public and private actions affecting the growth and development of the area.

The Willakenzie Land Use Diagram is not a zoning map. In many cases, more than one zoning district would be consistent with the recommended land use pattern.

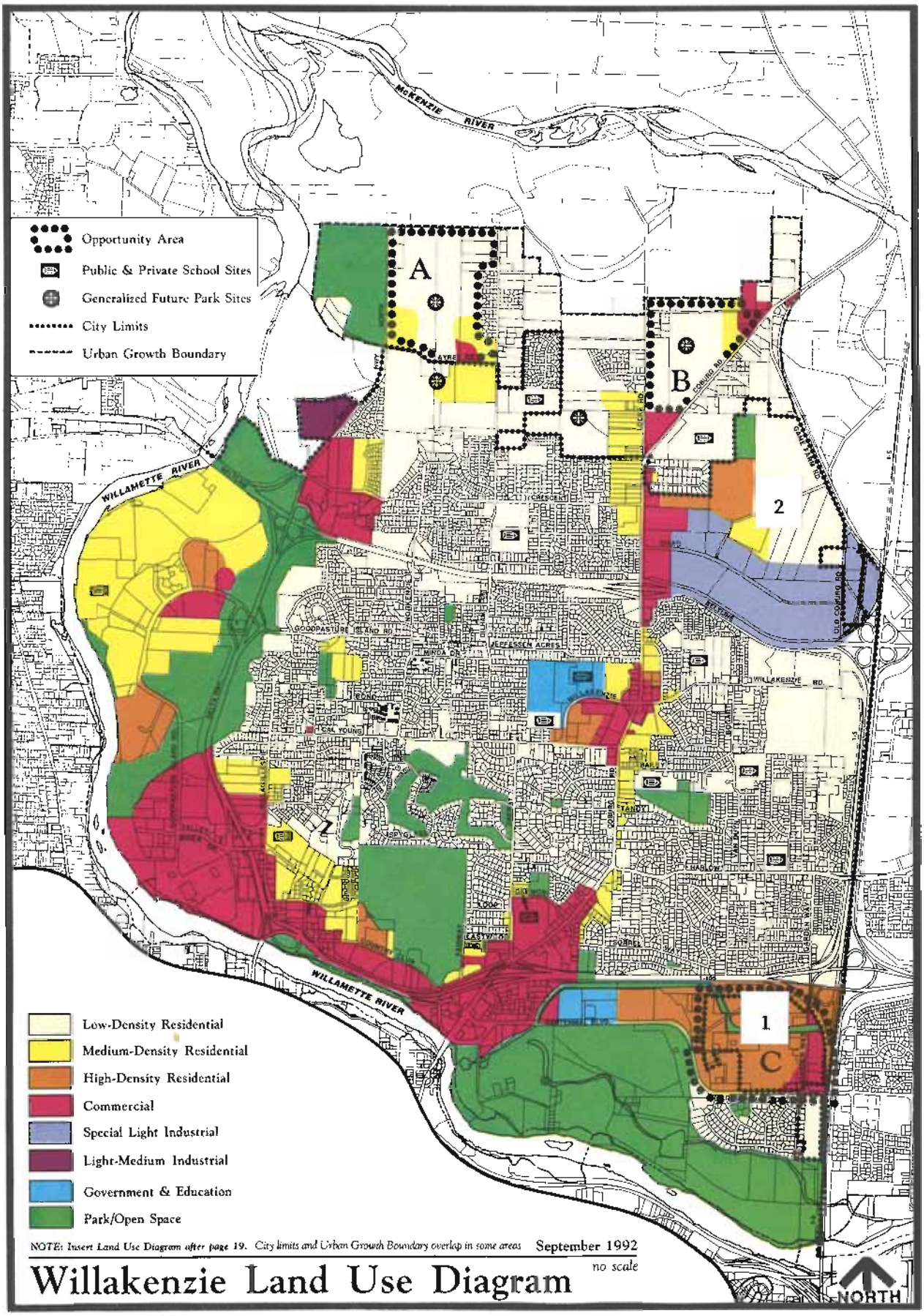
The Willakenzie Land Use Diagram is intended to indicate the type of <u>future</u> development that is desired for the area, while allowing flexibility for previously approved development.

LAND USE REGIONS AND SUBAREAS

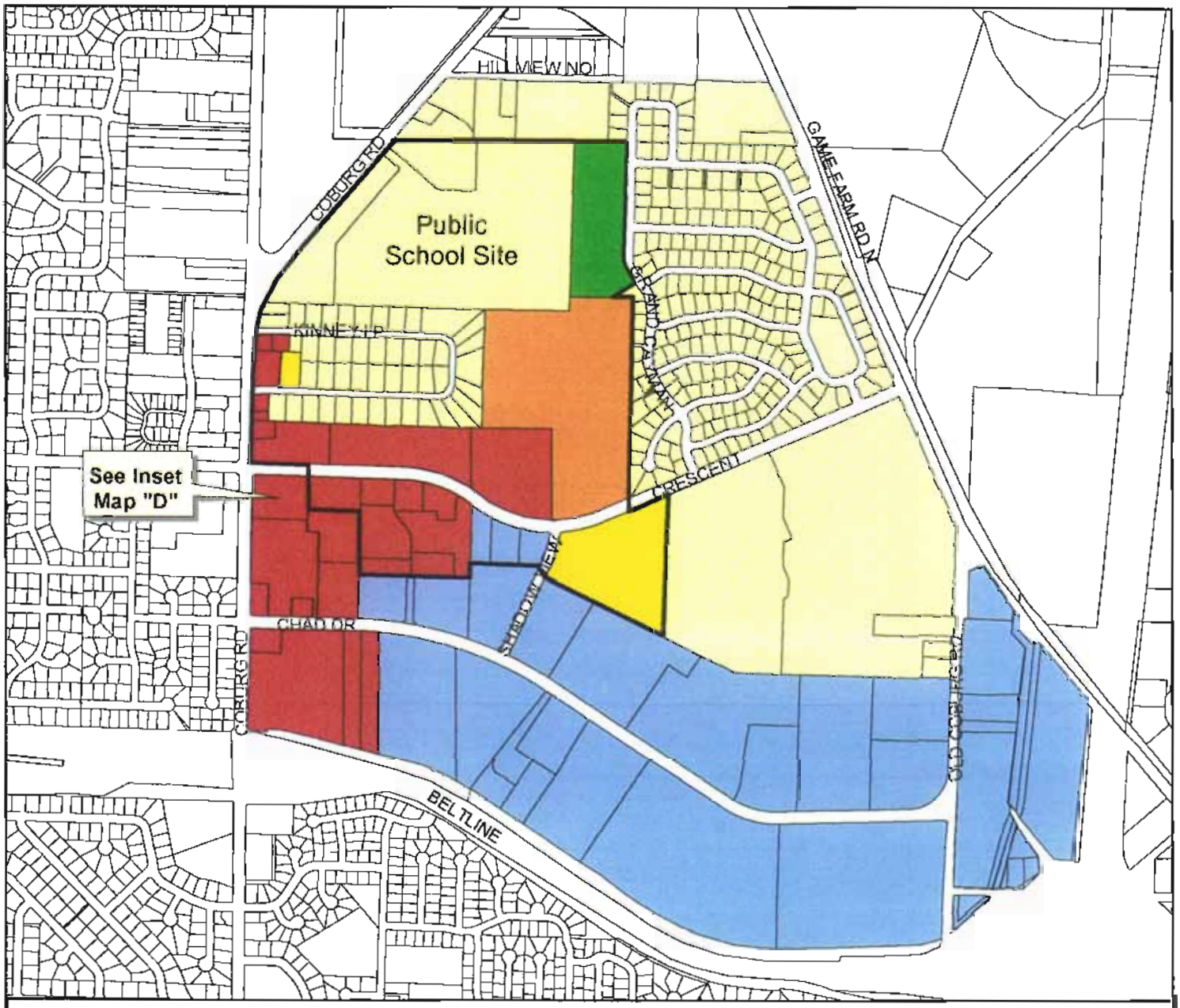
Due to the large amount of land area that is addressed by the Willakenzie Plan, it was necessary to divide the plan area into smaller geographic sections to provide for better clarification of the maps and allow for greater ease in reading and interpreting the plan. These geographic sections will later be referred to as regions and subareas. More specifically, there are four regions: Central Region, Goodpasture Island Region, North Region, and South Region. Each of these regions is further divided into subareas (with the exception of the Goodpasture Island Region). The subareas provide a more detailed discussion of current land use, zoning history, policies, and proposed actions to implement the policies.



Land Use Regions & Subareas



1. SE portion of diagram was amended by Ordinance # 20265 (see page 74A).
2. NE portion of diagram was amended by Ordinance # 20302 (see next page).



Willakenzie Land Use Diagram (Northeast Portion)

- Low-Density Residential
- Medium-Density Residential
- High-Density Residential
- Parks & Open Space
- Commercial
- Campus Industrial
- Crescent Avenue Nodal Development Area

The area shown in color on this map incorporates all amendments to the Willakenzie Land Use Diagram as of December 10, 2003.

N

Amendments to the Willakenzie Land Use Diagram by the authority of the following ordinances:
Ordinance No. 20302 (11/10/03)
Ordinance No. 20282 (2/24/03)
Ordinance No. 20283 (2/24/03).

CENTRAL REGION

A high percentage of land in the central region is developed with low-density residential uses. This subarea was annexed to the city through 33 separate annexations which occurred between 1960 and 1979. The average developed residential parcel size in the region is 16,905 square feet.

The region contains three separate and distinct commercial areas:

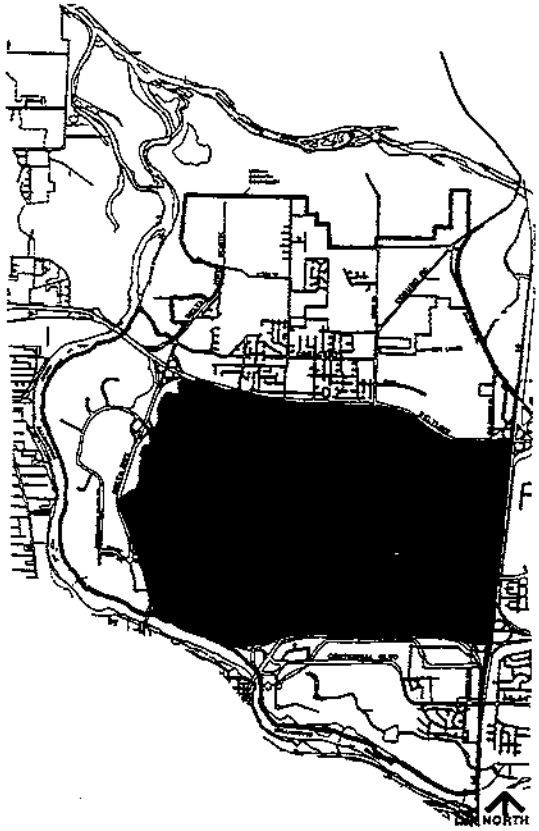
1. The area in the vicinity of Oakway Mall.

2. The area in the vicinity of Sheldon Plaza.

3. The commercial and general office area along Country Club Road and north of the Willagillespie Road/Valley River interchange.

Medium-density residential uses are generally concentrated around these commercial areas.

This region is divided into seven separate subareas to further describe existing land use characteristics and set forth policies to guide future development.



1. Gilham Subarea

This subarea consists primarily of single-family residential uses. It abuts Delta Ponds to the west and Beltline Road to the north. Approximately 24 percent of the total dwelling units in this area are in multi-family structures. Most building lots in the area have been developed.

Excluding public and semipublic uses, there are three nonresidential land uses in this subarea. A neighborhood market at the corner of Cal Young Road and Fir Acres is zoned C-1 Neighborhood Commercial. Greer Gardens is a commercial nursery business which is located on Goodpasture Island Road and which was established in 1961 (prior to annexation of the area). The nursery site is zoned RA Suburban Residential and is a permitted use in this area. The nursery occupies approximately 15 acres of land. The southwest corner of Beltline Road and Coburg Road is developed with an alcohol and drug treatment, inpatient, "specialty hospital" which was granted conditional use approval in 1980. This facility is zoned RA Suburban Residential.

Several tax lots on the northeast corner of Gilham Road and Cal Young Road have been the subject of four zone change requests over the past 20 years, the latest occurring in 1986. The most recent request was for a change of zone from RA Suburban Residential to C-1 Neighborhood Commercial. The zone change request was denied primarily on the basis of incompatibility with surrounding residential uses.

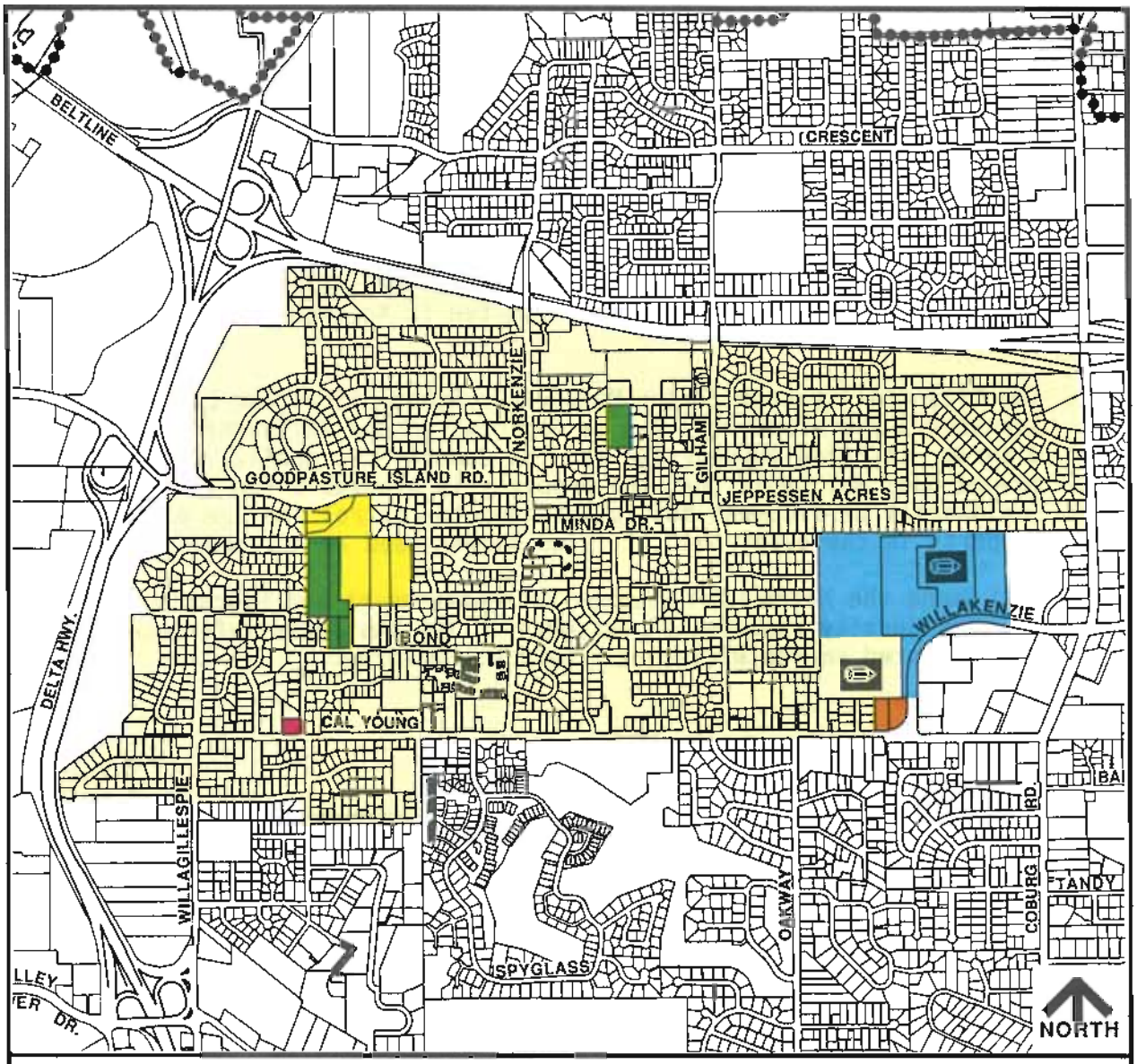
Most of the area is zoned for low-density residential uses except: 1) Sheldon Meadows Community Center, Sheldon High School, and Meadowlark Elementary School sites which are zoned PL Public Land; 2) four parcels which are zoned for medium- and high-density residential uses; and 3) one parcel which is zoned C-1 Neighborhood Commercial and is developed with a neighborhood grocery store. The Metropolitan Plan designations for this area are low-density residential for the residential portion and Government and Education for the Sheldon Meadows complex.

There are two neighborhood parks in the area; 1) Bond Lane Neighborhood Park, which occupies about six acres and is accessed from Bond Lane; and 2) Brewer Park, which is approximately two acres in size and is accessed from Brewer Street.

Gilham Subarea Policies and Proposed Actions

1. The parcels lying south of Goodpasture Island Road, currently occupied by Greer Gardens commercial nursery operation, shall be considered appropriate for medium-density residential development at the time that the property owner wishes to redevelop. In the event that redevelopment of the site occurs, vehicular access to the medium-density development shall be limited to the northeastern end of the site, across Goodpasture Island Road from Ridgeway Drive.

    1.1 Amend the Metro Plan Diagram from low-density to a medium-density residential designation for the above-referenced area, as depicted on the Willakenzie Land Use Diagram.



GILHAM SUBAREA

- Low-Density Residential
- Medium-Density Residential
- High-Density Residential
- Commercial
- Government and Education
- Parks/Open Space
- Public & Private School Sites

No Scale

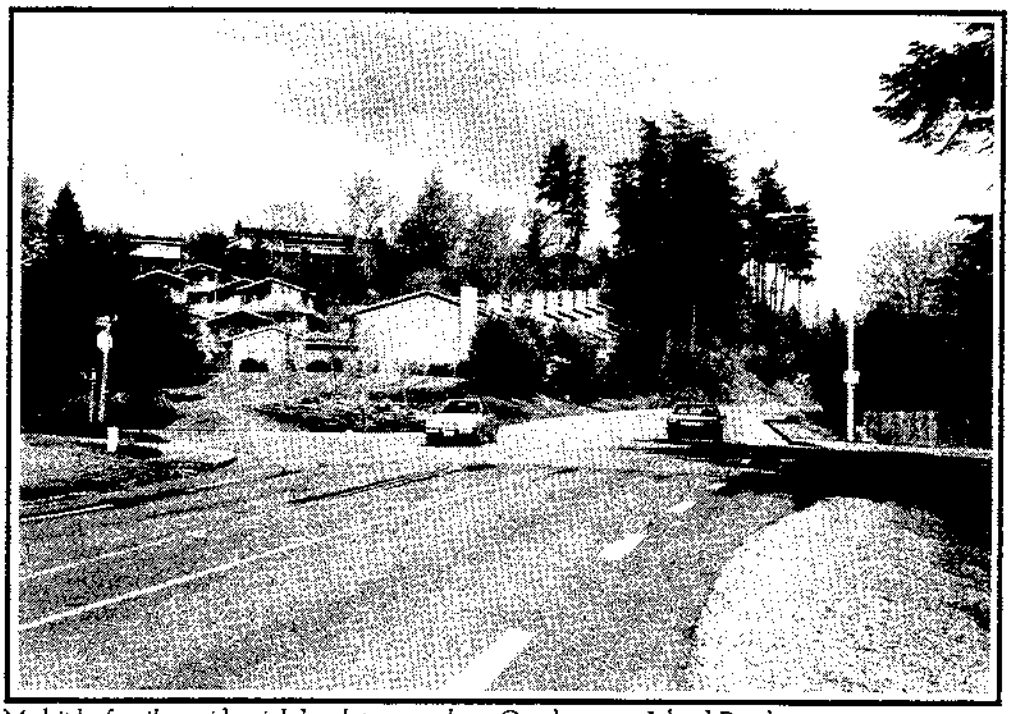
1.2 Place the /SR Site Review suffix on the parcels in conjunction with future rezonings to address compatibility and access concerns.

1.3 Provide for public pedestrian and bicycle access between future medium-density residential uses and Bond Lane Park.

2. Expansion or redevelopment of the neighborhood grocery at the northwest corner of Cal Young and Fir Acres shall conform to Willakenzie Commercial Siting and Development Guidelines and shall be limited to the existing tax lot. This site shall also be limited to Neighborhood Commercial zoning.

3. The City shall recognize the Meadowlark School site (Tax Lot 2200--Assessor's Map 17-03-20-1 0), as depicted on the Willakenzie Land Use Diagram, as being appropriate for low-density residential land use. The change does not imply that the property is available for low-density residential development but is intended to control the use of the property in the event that it is no longer used as a school site.

3.1 Amend the Metro Plan Diagram from Government and Education to a low-density residential designation for the above-referenced area, as depicted on the Willakenzie Land Use Diagram.



Multiple-family residential development along Goodpasture Island Road.

2. Sheldon Subarea

This subarea is characterized by a mixture of land uses ranging from low- and medium-density residential to general office and commercial developments. Approximately 84 percent of the dwelling units in this subarea are in multiple-family structures. This subarea includes approximately 20.8 acres of land designated for commercial use (on the Metro Plan Diagram). There are between 15 and 20 acres of land zoned commercial, and one half acre is still undeveloped.

This subarea contains the Sheldon Plaza Shopping Center. This is a developed commercial center containing approximately 106,000 square feet of commercial uses located on eight acres. The Sheldon Plaza was first developed in the 1970s and contains a wide range of retail uses. In addition to this commercial node, there are a number of street-oriented commercial uses along Coburg Road including fast food restaurants, medical and dental clinics, banks, convenience stores, and other auto-dependent uses.

Directly adjacent to the west of the Sheldon Plaza are approximately 25 acres of land designated in the Metro Plan for medium-density residential development. This area has been the subject of a number of rezonings and land use applications over the last seven years. All of the rezonings involved a change from R-2/PD to R-3/SR (total = 16.25 acres). Tax Lots 4400 and 4411 contain 5.93 acres and are the only lots in this area that retain the original R-2/PD zoning. These two lots are vacant, with the exception of three large radio transmission antennas. In 1986, a conditional use permit for a dental clinic was approved for a portion of Tax Lot 4409.

There are approximately eight apartment complexes in this subarea, including one housing complex for the elderly near Cal Young and Willakenzie roads. In general, these medium-density residential uses are concentrated around existing commercial developments (such as those along Coburg Road). There are no parks in this subarea, nor are there any public schools. There is one church, located on the east side of Coburg Road, east of Cal Young Road.

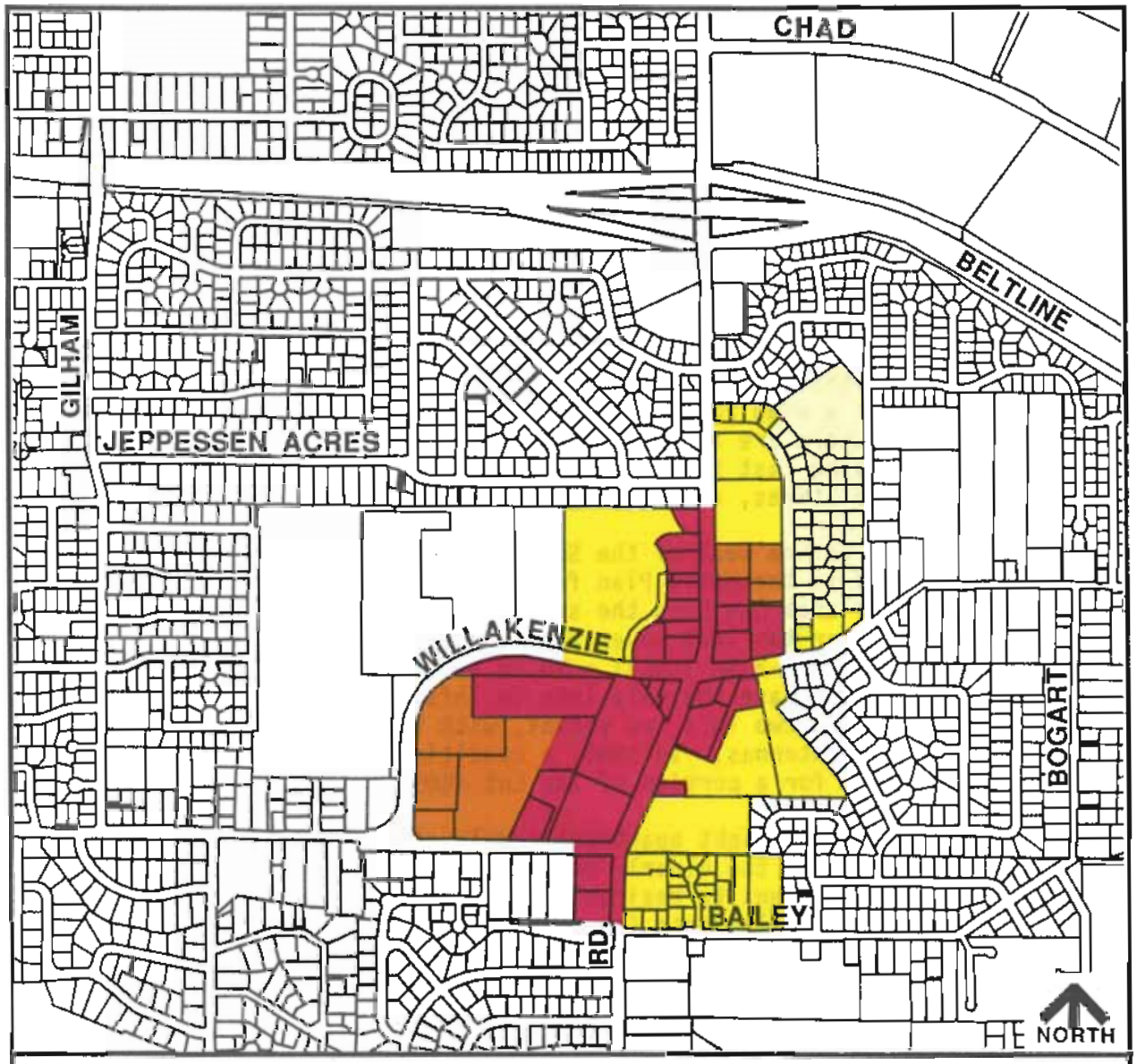
There are two large care facilities for the elderly in this subarea: the Camlu Retirement Apartments at 2811 Bailey Lane and the Green Valley Care Center located at 1735 Adkins Lane. In addition, there is a smaller group care facility/home for the elderly on the east side of Coburg Road, just south of Cal Young Road. It is operated by Senior Professional Care.

Sheldon Subarea Policies and Proposed Actions

1. Encourage development that consolidates parcels into cohesive development sites and limits the number of access points onto Coburg Road.

2. New clinics shall not be allowed in residentially zoned areas.

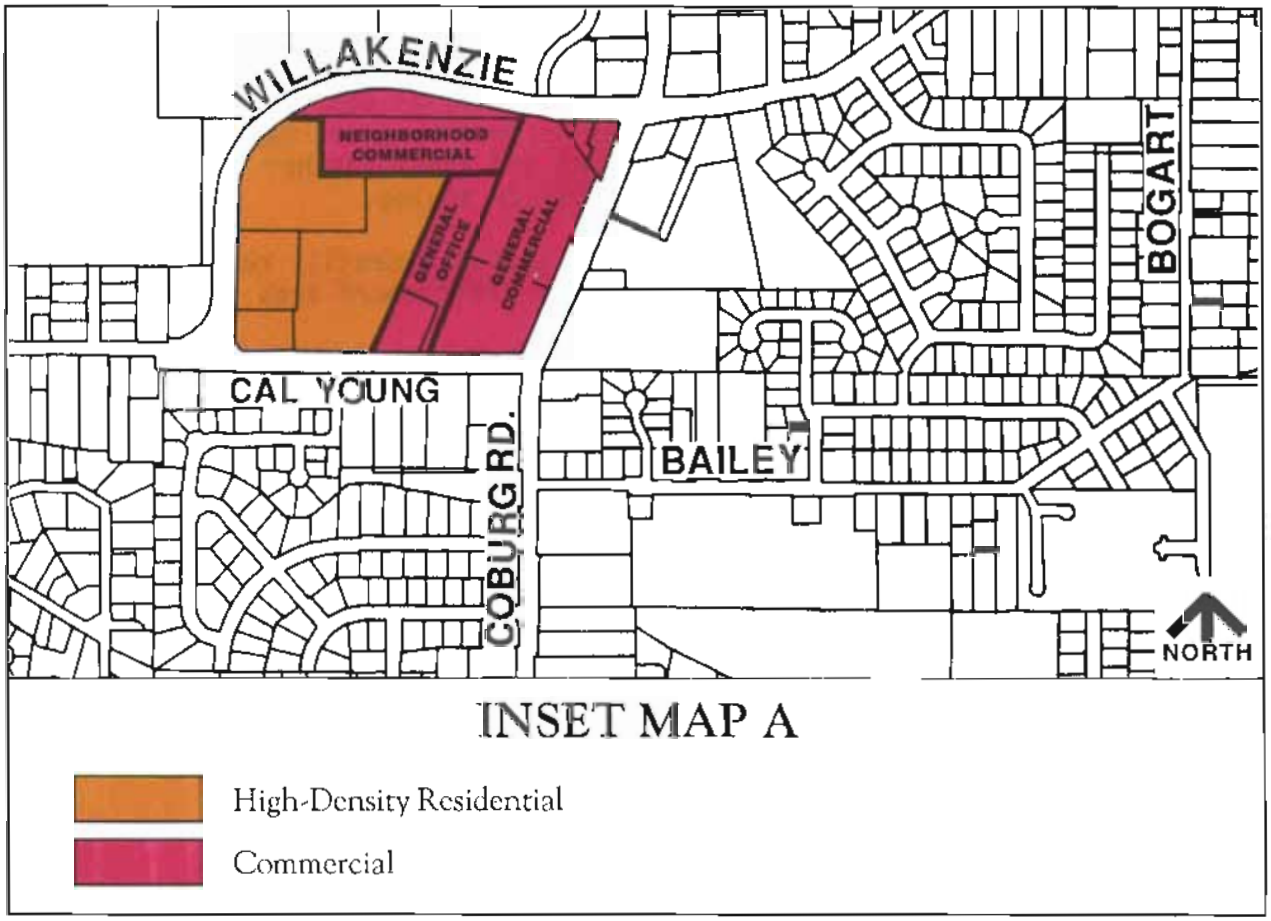
3. Recognize the general office uses located on the southwest corner of Cal Young and Coburg roads and discourage future rezonings of this site and the abutting properties to a more intensive commercial use.



SHELDON SUBAREA

- Low-Density Residential
- Medium-Density Residential
- High-Density Residential
- Commercial

No Scale



4. Recognize the existing general office and commercial uses located along the west side of Coburg Road, north of Willakenzie Road, and discourage future rezonings of these properties.

5. The City shall encourage the location of general office uses as a transition between commercial and residential uses.

6. The existing commercial developments at the northeast and southeast corners of Coburg and Willakenzie Roads shall not be expanded beyond their existing boundaries.

7. Recognize the existing medium- to high-density residential zoning and commercial zoning east of Coburg Road and north of Willakenzie Road (extending to the subarea boundary) and discourage any future commercial rezonings and residential rezonings to a higher density.

8. The City shall recognize the area at the northeast corner of Cal Young and Willakenzie roads (as depicted on the Willakenzie Land Use Diagram and refined by Inset Map A) as being appropriate for a high-density residential land use designation.

   8.1 Amend the Metro Plan Diagram from a medium-density to a high-density residential land use designation for the above-referenced area as depicted on the Willakenzie Land Use Diagram (and as refined by Inset Map A.)

9. The City shall recognize that the area on the north side of Cal Young Road, west of Sheldon Plaza (tax lots 4412 and 1413 and the easterly portion of 4409--Assessor's Map 17-03-20-1 0) as depicted on the Willakenzie Land Use Diagram (and as refined by Inset Map A) as being appropriate for commercial development and shall further recognize that those parcels be limited to General Office zoning.

   9.1 Amend the Metro Plan Diagram from a medium-density residential to a commercial designation for the above-referenced area.

10. The City shall recognize that the area on the south side of Willakenzie Road, west of Sheldon Plaza (tax lots 4400 and 4411--Assessor's Map 17-03-20-1 0) as depicted on the Willakenzie Land Use Diagram (and as refined by Inset Map A) as being appropriate for commercial development and shall further recognize that those parcels be limited to Neighborhood Commercial zoning.

   10.1 Amend the Metro Plan Diagram from a medium-density residential to a commercial designation for the above-referenced area.

Sheldon Plaza commercial area.

3. Harlow Subarea

This subarea abuts Beltline Road on the north, Interstate 5 on the east, and I-105 on the south. It contains the largest amount of undeveloped land in the Central Region. As of 1986, approximately 208 acres of land designated for residential use, representing 40 percent of the total residential land area, was vacant or in agricultural uses. The area consists primarily of single-family structures; approximately five percent of the dwelling units in this area are in multiple-family structures.

There are three public schools in this subarea: Willakenzie Elementary, Washington Elementary, and Monroe Middle School. All three school sites include large open space areas which are frequently used by the public for field sports. There are three parks located in the subarea. Ascot Park, adjacent to Monroe Middle School, is the only developed City park in this subarea. Sorrel Ponds Park and Country Lane Park are both partially developed. There are four churches in this area, located on Vernal Street, Honey Street, North Garden Way, and Coburg/Harlow Road.

A continuous belt of land on the east side of Coburg Road between Harlow Road and Bailey Lane is designated in the Metro Plan for medium-density residential uses. Currently, this area that is adjacent to Coburg Road includes a mixture of single-family dwellings on large lots, multiple-family dwellings, and several churches. Single-family and public uses are located to the west of the area designated for medium-density uses along Coburg Road.

In the extreme northwest corner of the subarea, four parcels on the southeast corner of Beltline Road and Coburg Road are zoned C-2/SR. The area immediately to the east of these parcels, approximately 17 acres in size, is designated in the Metro Plan for medium-density residential uses. However, most of the area designated medium-density residential was subdivided in the late 1970s and is substantially developed with single-family structures.

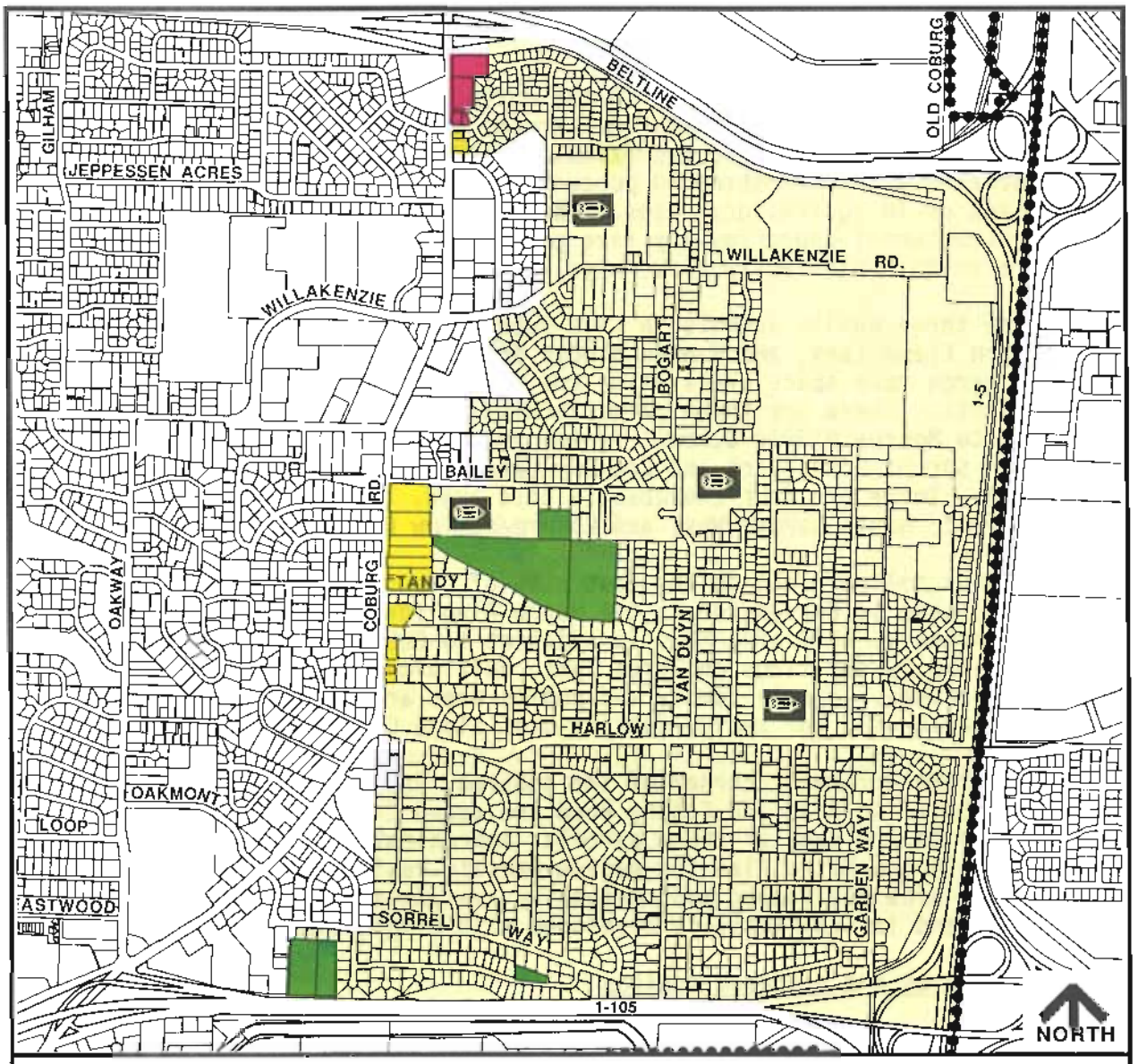
Harlow Policies and Proposed Actions

1. The City shall recognize parcels with frontage on the east side of Coburg Road, between Tandy Turn and Bailey Lane, as being appropriate for medium-density residential development.

2. The City shall require that medium-density residential development on the east side of Coburg Road, between Tandy Turn and Bailey Lane and between Adkins Street and Elysium Avenue, is developed in a manner that promotes compatibility between low-density and medium-density uses, enhances the visual character of Coburg Road (a designated Entrance Corridor), and limits traffic conflicts on Coburg Road and local streets.

   2.1 The City should apply the /SR Site Review suffix to all parcels designated medium-density residential on the east side of Coburg Road between Tandy Turn and Bailey Lane and between Adkins Street and Elysium Avenue.

   2.2 The City should encourage development that consolidates parcels into cohesive development sites and limits the number of access points onto Coburg Road.



HARLOW SUBAREA

- Low-Density Residential
- Medium-Density Residential
- Commercial
- Parks/Open Space
- Public & Private School Sites

No Scale

2.3 The City should encourage site development practices which promote compatibility between medium-density and low-density residential uses and consider aesthetic impacts on the Coburg Road entrance corridor.

3. The City shall recognize that the area on the east side of Coburg Road and east of the Chambers Communication commercial parcels shall be considered appropriate for low-density residential development.

   3.1 Amend the Metro Plan Diagram from a medium-density to a low-density residential land use designation for the above-referenced area, as depicted on the Willakenzie Land Use Diagram. This amendment is recommended to recognize the existing development pattern in the area.

4. With the exception of four parcels (tax lots 4802, 4803, 4804, and 4301--Assessor's Map 17-03-20-4 4), all of which are zoned and designated medium-density residential, the City shall consider the area on the east side of Coburg Road, between Tandy Turn and Harlow Road, as appropriate for low-density residential uses.

   4.1 Amend the Metro Plan Diagram from a medium-density to a low-density residential land use designation for the above-referenced area, as depicted on the Willakenzie Land Use Diagram.

5. The City shall recognize the area at the northeast corner of Coburg Road and Elysium Avenue (tax lots 8700 and 8800--Assessor's Map 17-03-16-33) as appropriate for commercial development. This area shall be limited to General Office zoning.

The plan proposes to maintain the existing low-density residential character of the Willakenzie area.

4. Oakway Subarea

This subarea was annexed to the city in the first Willakenzie annexation occurring in 1960. The commercial area is dominated by Oakway Center, a 285,000-square foot retail/office development built in 1966. Oakway Center is a community commercial-scale shopping center containing a wide range of retail service and office uses. The area has a total of 55 acres designated for commercial use, approximately six acres of which are undeveloped.

Approximately half of the subarea is designated for medium-density residential uses. A substantial portion (66 percent) of the total dwelling units in the area are in multiple-family structures.

Coburg Road and Oakway Road cut through the commercial area. Parcels abutting Coburg Road contain a variety of commercial enterprises including motels, gas stations, fast-food restaurants, convenience stores, and other auto-dependent strip commercial uses requiring access to arterial streets. The Metro Plan discourages the expansion of existing strip commercial developments.

A single-family area on the east side of Coburg Road between Sorrel Lane and Rustic Place is bordered by commercial uses. This area is designated in the Metro Plan for low-density residential uses. Several of the commercial uses in this area have rear-yard parking and inadequate buffering between the commercial and residential properties.

A small commercial area (6.2 acres) exists on the west side of Oakway Road south of Eastwood Lane. In 1988, a 50-foot strip along the south right-of-way line of Eastwood Lane was rezoned from GO General Office to C-2/SR General Commercial with Site Review. In 1973 and 1979, attempts were made to rezone property abutting Oakway Road north of Eastwood Lane for office uses. Both zone change requests were denied. Historically, the City has maintained that commercial uses should not be allowed north of Eastwood Lane.

Oakway Subarea Policies and Proposed Actions

1. This area shall continue to be recognized as appropriate for commercial, general office, and medium-density and low-density residential uses.

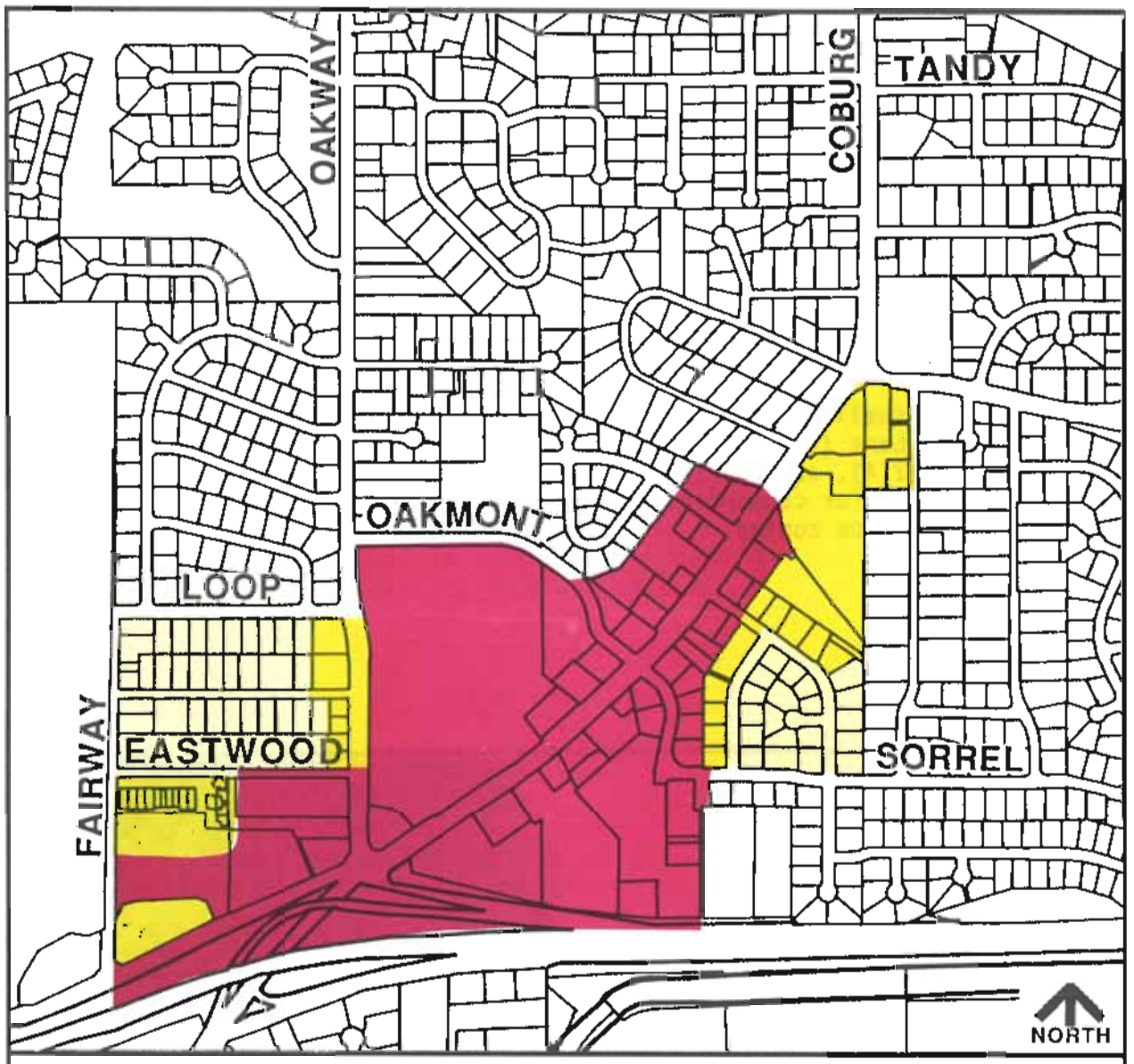
2. The City shall limit commercial and general office development to those areas currently zoned for commercial and general office uses.

3. Parcels having frontage on Oakway Road between Eastwood Lane and Fairway Loop shall be considered appropriate for medium-density residential uses.

   3.1 Apply the /SR Site Review suffix to all parcels having frontage on Oakway Road between Eastwood Lane and Fairway Loop to address compatibility and access concerns.

   3.2 The City should encourage development that consolidates parcels into cohesive development sites and limits the number of access points onto Oakway Road.

   3.3 The City should encourage site development practices which promote compatibility between medium-density and low-density residential uses.



OAKWAY SUBAREA

Low-Density Residential

Medium-Density Residential

Commercial

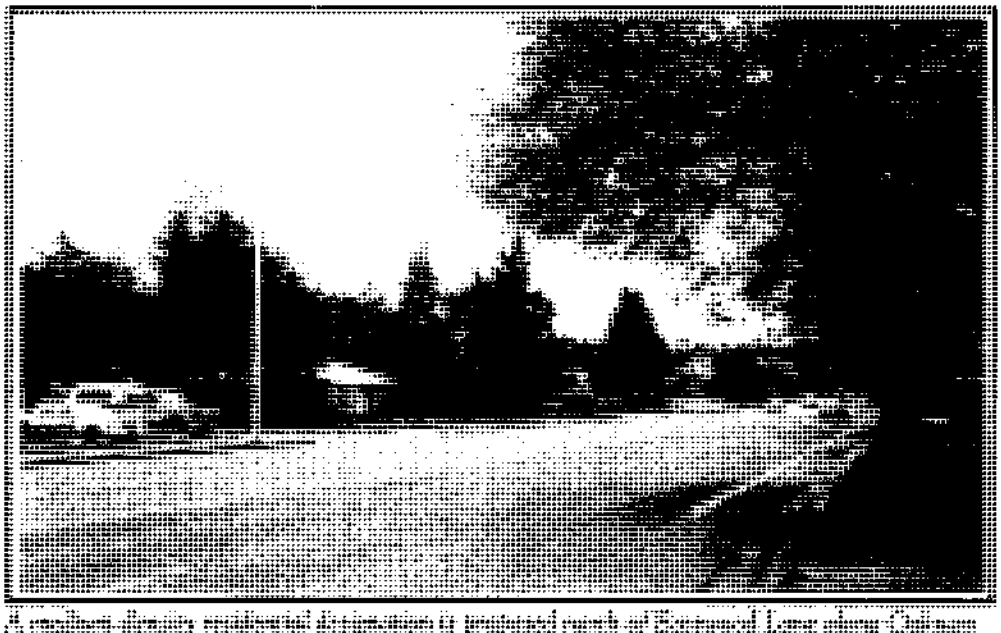
No Scale

4. The residential area which abuts commercial uses on the east side of Coburg Road between Sorrel Way and Rustic Place shall be considered appropriate for medium-density residential uses.

5. The City shall recognize the area north of Eastwood Lane, south of Fairway Loop, and west of Oakway Road (except for those properties described in Policy 3 of the Oakway subarea) as being appropriate for low-density residential use.

   5.1 Amend the Metro Plan Diagram from a medium-density to a low-density residential land use designation for the above-referenced area, as depicted on the Willakenzie Land Use Diagram.

6. The City shall recognize the area east of Fairway Loop and south of Eastwood Lane (the southerly portion of Tax Lot 5004--Assessor's Map 17-03-29-2 4), as depicted on the Willakenzie Land Use Diagram, as being appropriate for commercial development. This area shall be limited to General Office zoning.



A medium-density residential designation is proposed north of Eastwood Lane along Oakway Road.

5. Cal Young Subarea

This subarea consists primarily of single-family and multiple-family residential uses. Approximately 47 percent of the area's dwelling units are in multiple-family structures; many of these are developed at less than 10 units per acre. Few vacant lots remain in the area. The majority of the area is zoned R-1 Low-Density Residential with a lesser amount zoned RA Suburban Residential. One parcel is zoned H Historic. A single parcel on the west side of Coburg Road is zoned R-2 Limited Multiple-Family Residential.

Two 18-hole golf courses have been developed in this area. Both golf courses are designated Park and Open Space in the Metro Plan. There are two park sites: 1) Tandy Turn Neighborhood Park is developed; and 2) Oakmont Neighborhood Park is undeveloped.

Cal Young Subarea Policy and Proposed Action

1. With the exception of those parcels zoned for commercial uses, parcels fronting on Frontier Drive and Antelope Way shall be considered appropriate for low-density residential uses.

    1.1 Amend the Metro Plan Diagram from a medium-density to a low-density residential land use designation for the above-referenced area, as depicted on the Willakenzie Land Use Diagram.

Oakmont Golf Course

CAL YOUNG SUBAREA

Low-Density Residential

Medium-Density Residential

Parks/Open Space

Public & Private School Sites

No Scale

6. Willagillespie Subarea

This subarea consists of a variety of land uses including low and medium-density residential uses, medical and dental offices, general office uses, and commercial uses. Approximately 46 percent of the total dwelling units in this subarea are in multi-family residential use. The remainder of the dwelling units are in single-family use. This subarea contains approximately 50 acres of commercially zoned land, although only 10.5 acres of land are designated in the Metro Plan for commercial use.

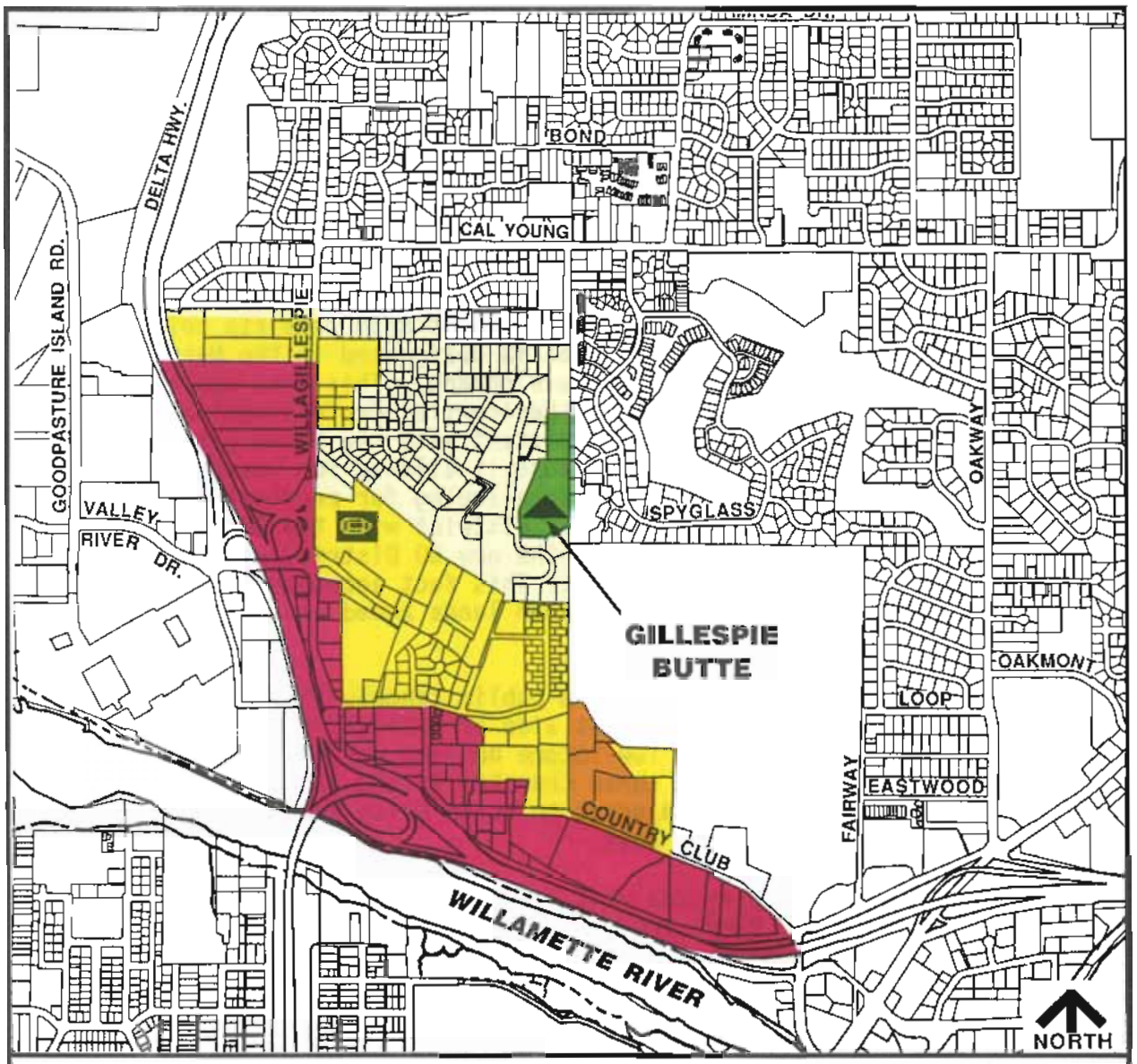
Development along the south side of Country Club Road consists solely of general office uses. However, this area is designated in the Metro Plan for medium- and high-density residential development. This area was annexed to the City in 1979 and rezoned to the RP Residential Professional zoning district. The RP zoning district was consistent with the Metro Plan designation for medium-density residential use because it allowed for residential use in the medium-density range (in addition to allowing for professional office use). In 1984, the City replaced the RP district with the GO General Office District. Unlike the old RP District, the new GO District was considered to be primarily an office zoning district. This fact accounts for the majority of the discrepancy in this subarea between lands zoned and designated for commercial uses.

The Willagillespie subarea includes one public school, the Willagillespie Elementary School, located on the east side of Willagillespie Road. In addition, there is one 25-unit, low-income housing project on Abbey Lane, off Willagillespie Road. There are three churches in the area. EWEB maintains an electrical substation located adjacent to North Delta Highway, north of the Delta Triad, off Willagillespie Road.

The Delta Triad is located on the west side of Willagillespie Road, north of the Delta Highway/Valley River interchange. The Delta Triad is a 3.14-acre commercial office development which is zoned GO/SR General Office District with site review procedures. In 1988, a zone change was approved for a 2.84-acre site (located 2 lots to the north of the Delta Triad) to C-2 General Commercial and GO District. The GO zoning was applied to the first 150 feet of the property (as measured west from Willagillespie Road) and the C-2 to the remaining portion of the site.

The Gheen Irrigation Works is located further to the north, past the Delta Triad and the EWEB Substation. This use has occupied this 10.25-acre site on the west side of Willagillespie for 50 years. Gheen Irrigation Works exists on property zoned RA Suburban Residential District and is a recognized nonconforming use. In addition to the site of the irrigation works, the Gheen family owns approximately 6.28 acres directly across the street on the east side of Willagillespie Road. The larger of these parcels (5 acres in size) is developed with two single-family houses and a paved parking area for the Gheen employees. This paved parking area is a nonconforming use in an RA Suburban Residential zoning District.

Gillespie Butte is located in the easterly portion of this subarea. EWEB owns the top of the butte, but has transferred maintenance rights to the City of Eugene. This publicly owned land on the top of the butte contains approximately five acres and is designated in the Parks Master Plan for a future



WILLAGILLESPIE SUBAREA

- Low-Density Residential
- Medium-Density Residential
- High-Density Residential
- Commercial
- Parks/Open Space
- Public & Private School Sites

No Scale

low-use park site. Adjacent to this site on the north slope of the butte is a pioneer cemetery known as the Gillespie cemetery. This cemetery was first established in 1896 and is a historic resource as noted in the Willakenzie Historic Context Report. In addition, the Metro Plan working papers list the top of the Gillespie Butte as a significant scenic resource.

A number of properties on the higher slopes of Gillespie Butte are subject to the site review zoning subdistrict. This site review subdistrict was placed on these properties in a 1982 zone change initiated by the Eugene Planning Commission. The site review subdistrict was applied to provide protection of the views to and from the top of the butte. Originally, the construction of single-family residences on existing lots was exempted from the site review requirements. The site review process was only required if a property were divided or if more than one dwelling were proposed on an existing lot. In June 1989, the Eugene Hearings Official amended (through a zone change approval) the existing site review subdistrict on the butte to include the requirement of a site review approval for all new single-family dwellings as well.

A number of properties along the flanks of Gillespie Butte are large parcels which are vacant. Development of these parcels has been limited by inability to provide adequate access and concerns regarding protection of the view to and from Gillespie Butte.

<u>Willagillespie Subarea Policies and Proposed Actions</u>

1. The City shall require noise buffering and/or other noise attenuation features for all new residential development abutting I-105 and Delta Highway.

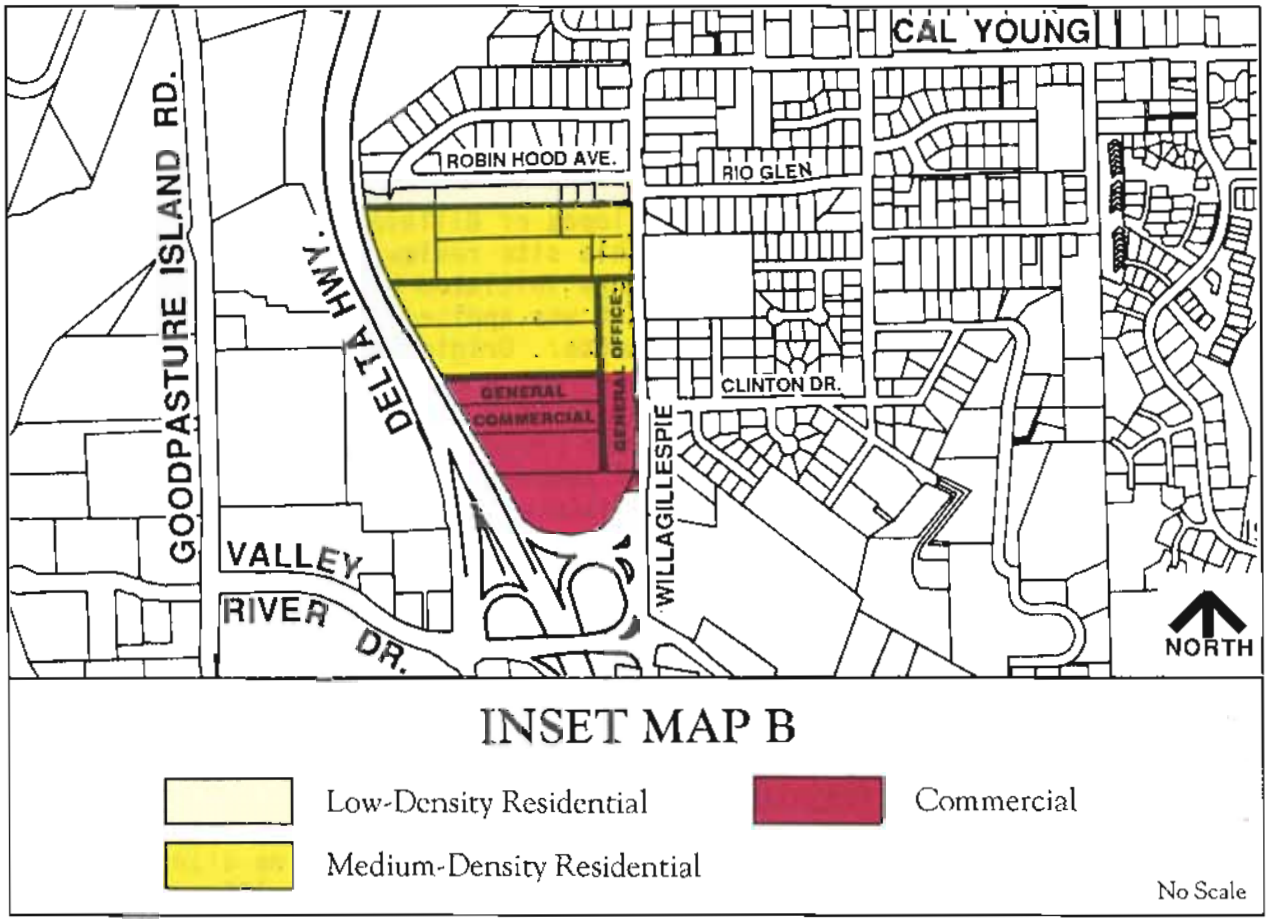
2. The City shall encourage infilling of large, vacant residential parcels and residential parcels which have not yet been developed to their fullest capacity in order to accomplish a compact urban growth form.

3. The City shall ensure that new development and redevelopment occurring on the flanks of the Gillespie Butte will be accomplished in a manner that affords maximum preservation of the natural character of the butte, and is sensitive to topographic constraints, soil conditions, views to and from the butte, and the need for public access to the butte.

   3.1 Amend the existing Site Review provisions for the Gillespie Butte area to address the development criteria set forth in the Gillespie Butte Site Development Standards located in the Neighborhood Design Element.

4. The City shall recognize that the area on the south side of Country Club Road is appropriate for General Office uses and shall discourage any future commercial rezonings of this area.

   4.1 Amend Metro Plan Diagram from medium- and high-density residential to a commercial land use designation for the above-referenced area, as depicted on the Willakenzie Land Use Diagram.



5. The City shall recognize the area along the south side of Robin Hood Avenue and west of Willagillespie Road (one tax lot deep) as appropriate for low-density residential development.

6. The City shall recognize the area west of Willagillespie Road and south of Robin Hood Avenue, as depicted on the Willakenzie Land Use Diagram (and as refined by Inset Map B), as being appropriate for medium-density residential development.

   6.1 Amend the Metro Plan Diagram from low-density residential to a medium-density residential land use designation for the above-referenced area, as depicted on the Willakenzie Land Use Diagram (and as refined by Inset Map B).

7. Recognize the existing parking lot on the east side of Willagillespie Road (between Clinton and Cal Young Road) as a nonconforming use.

8. The City shall recognize the area on the east side of Willagillespie Road, approximately 175 feet to the south of Rio Glen Drive and extending south to Clinton and east to Peever Street, as being appropriate for medium-density residential use.

8.1 Amend the Metro Plan Diagram from low-density residential to a medium-density residential land use designation for the above-referenced area, as depicted on the Willakenzie Land Use Diagram.

9. The City shall recognize the Willagillespie School site (Tax Lot 2900--Assessor's Map 17-03-19-3 0), as depicted on the Willakenzie Land use Diagram, as being appropriate for medium-density residential land use. The change does not imply that the property is available for medium-density residential development but is intended to control the use of the property in the event that it is no longer used as a school site.

9.1 Amend the Metro Plan Diagram from low-density to a medium-density residential land-use designation for the above-referenced area, as depicted on the Willakenzie Land Use Diagram.

10. The City shall provide a pedestrian access to Gillespie Butte prior to new development occurring on the western and southern flanks of the butte.

11. The City shall recognize the area on the north side of Country Club Road (Tax Lots 1100, 1400, 1800, and 2400--Assessor's Map 17-03-30-1 0), as depicted on the Willakenzie Land Use Diagram, as appropriate for high-density residential development.

GOODPASTURE ISLAND REGION

The Goodpasture Island Region, located in the westerly portion of the Willakenzie area, is adjacent to the Willamette River along its southern and western edges. This region, due to its geographical isolation and small size, is the only region which is not divided into subareas. The Willamette River exerts a powerful influence on land uses in the Goodpasture Island region. Prior to 1964, the region was used solely for agriculture and gravel extraction. The rich river-bottom soils and gravel deposits in the area, combined with the annual flood cycles of the river, dictated a rural, rather than an urban use of the land. Over the past 25 years, upstream flood control projects have been completed which minimize flood hazards in the region. During the same time, community growth has created a demand for developable land in close proximity to the urban center. As a result, the Goodpasture Island region is now viewed as a prime area for residential and commercial development.

The Goodpasture Island Study, adopted in 1975, established the current land use designations for the region. The study recommended that the Metropolitan Area 1990 General Plan be amended to limit commercial uses to the area south of the Delta Ponds and to the K-Mart site south of Goodpasture Island Road. The study also recommended that the area north of the Delta Ponds be designated for medium-density residential uses.

The area to the north of the Delta Ponds is mostly vacant or in agricultural uses. During the past 15 years, a number of Planned Unit Development (PUD) proposals have been approved by the City in this region. Approximately 280 acres of land are designated for medium-density residential uses in this region. At full build-out, the medium-density residential area could contain up to 3,100 dwelling units with a population exceeding 7,200 persons. The area designated for high-density uses could accommodate 415 dwelling units with a population of approximately 1,000 persons.

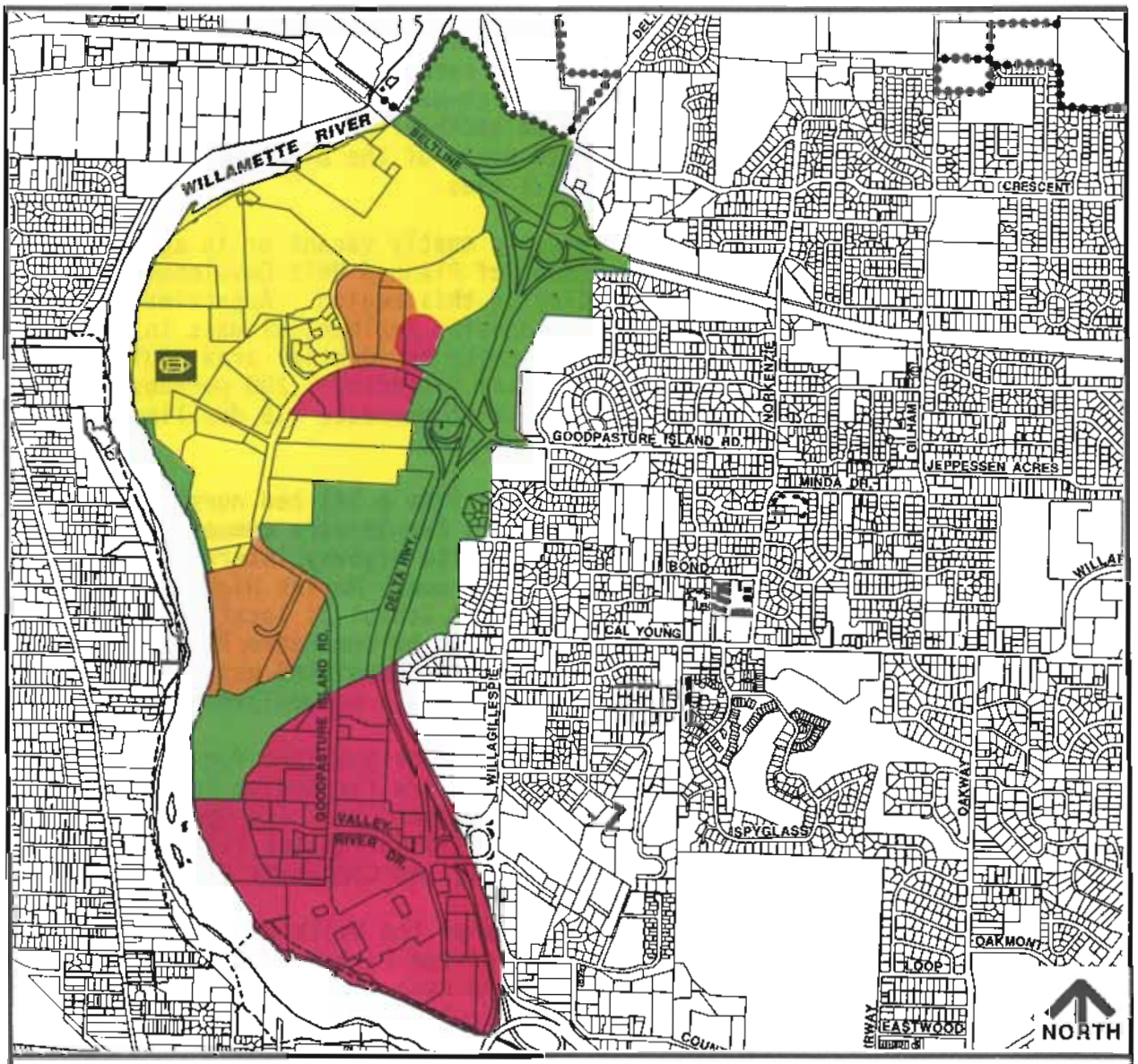
Other uses in the area north of the ponds include a 121-bed nursing home, a credit union office, several retail stores in the 18-acre commercial node south of Goodpasture Island Road (near the Delta Highway interchange), a municipal fire station, a radio transmission tower, Marist High School, and several single-family residences. Marist High School is located on land which is zoned AG Agriculture and which is designated by the Metro Plan for government and education use. Schools are not a permitted use in the AG zoning district; therefore, Marist High School is a nonconforming use.

The Metro Plan includes five separate land use designations for the North Goodpasture area. The two largest allocations are for Medium-Density Residential uses (60 percent of the total area) and Park and Open Space (25 percent of the total area). The Metro Plan also designates land north of the ponds for Education, High-Density Residential, and Community Commercial uses.

Land designated Park and Open Space consists of the Delta Ponds and the Willamette River Greenway on the east bank of the river. The Delta Ponds area contains land owned by the City of Eugene and Lane County and is zoned R-2 Limited Multi-Family Residential and AG Agriculture.

In 1984, the City approved a request to rezone 9.5 acres of land within the Goodpasture Island PUD from R-2 Limited Multiple-Family Residential to C-1 Neighborhood Commercial. The area which was rezoned is north of the K-Mart development along Goodpasture Island Road. The intent of the zone change was to provide for the day-to-day shopping and service needs of the larger Goodpasture Island residential development. In 1987, the owners of the property requested a zone change for this same area from C-1 Neighborhood Commercial to C-2 General Commercial. The request was denied on the basis of inconsistency with the Metro Plan Diagram which limits commercial uses (other than C-1 Neighborhood Commercial development) to the existing developed commercial area.

The area to the south of the Delta Ponds, known as the Valley River area, is completely committed to commercial uses. The Valley River area contains approximately 183 acres of land designated Major Retail Center in the Metro Plan. This area was annexed to the city in a series of 11 annexations occurring between 1972 and 1979. All parcels in the subarea are currently zoned for C-2 General Commercial uses.



GOODPASTURE ISLAND REGION

- Medium-Density Residential
- High-Density Residential
- Commercial
- Parks/Open Space
- Public & Private School Sites

No Scale

Valley River Center, a one-million-square-foot enclosed mall, is the centerpiece development in the area. The construction of Valley River Center in the late 1960's spurred other retail and office development throughout the area, including a 20-acre automobile sales center and more than 16 acres of office development.

A strip of land along the river approximately 150 feet wide is within the Willamette River Greenway. Development within the greenway area must conform to use management requirements consistent with Statewide Planning Goal 15. These requirements, as well as site development guidelines for development within the greenway, are discussed under Willamette River Greenway Development Standards in the Neighborhood Design Element.

The Valley River area is almost completely built out. In fact, very little land south of the Delta Ponds is available for future commercial development. As one of two major retail centers in the metropolitan region, Valley River Center is likely to experience increased retail activity as the Willakenzie area and the city continue to grow.

A series of ponds and sloughs exist in the region to the west of Valley River Drive. These wetland and riparian areas, as identified in the Natural Resource Assessment for Delta Ponds (1989) and in the Natural Resources Special Study (1990) are an integral part of the Delta Ponds ecosystem.

<u>Goodpasture Island Policies and Proposed Actions</u>

1. The City shall require that planned unit development procedures be required for all future residential development in the Goodpasture Island Region to ensure adequate review of the following factors:

   A. Development of a comprehensive circulation system;

   B. Provision of recreation facilities for intended residents;

   C. Provision for pedestrian and bicycle linkages between developments and to the riverfront trail system and the Delta Ponds open-space system;

   D. Sensitivity of development to the natural setting, especially to the Willamette River Greenway and to the Delta Ponds;

   E. Encouragement of a variety of dwelling types, heights, and setbacks; and

   F. Provision for pedestrian linkages to transit stops, where practical.

2. The City shall ensure that future planned unit developments in the Goodpasture Island region shall achieve an overall minimum-density level of 10 units per acre.

3. The City shall ensure that future planned unit developments with frontage along Goodpasture Island Road shall provide adequate setbacks, vegetative and/or structural buffering (i.e. walls or fences) along the road frontage to reduce noise levels within the residential environments.

4. The City shall recognize the area on the west side of Goodpasture Island Road and north of Delta Ponds, as depicted on the Willakenzie Land Use Diagram, as appropriate for medium- to high-density residential development.

   4.1 Amend the Metro Plan Diagram from medium-density to a high-density residential designation for the above-referenced area, as depicted on the Willakenzie Land Use Diagram.

5. Parcels on which specialized or congregate housing facilities are existing or proposed shall be considered appropriate for high-density residential zoning providing that densities do not exceed 36 units per acre.

6. Limited commercial uses are appropriate and desirable within residential planned unit developments when services provided are of a type that will fulfill the day-to-day shopping and service needs of area residents and when those services are to be utilized primarily by the immediate resident population of the North Goodpasture Island residential area. Office uses and vehicle-oriented services including, but not limited to, service stations, repair garages, and drive-in restaurants shall not be permitted in residential PUD commercial areas.

   6.1 Commercial uses that are permitted in the Neighborhood Commercial zoning district shall be encouraged within residential PUDs.

   6.2 Orient restaurants, taverns, and pedestrian-oriented commercial uses toward the Willamette River to enhance public use and enjoyment of the river.

   6.3 Parking lots for residential PUD commercial areas shall, whenever possible, be oriented away from the river.

7. The City shall ensure that limited commercial use areas within residential planned unit developments shall be oriented away from Goodpasture Island Road.

8. The City shall discourage rezoning of land for commercial uses within the area north and west of the Delta Ponds.

9. The City shall ensure that zoning designations for publicly owned land, specifically for the Delta Ponds and Willamette Greenway areas, are consistent with the intended use of the property.

   9.1 Rezone portions of the Delta Ponds and areas along the Willamette River which are under City ownership from R-2/PD Limited Multi-Family Residential with Planned Unit Development procedures to PL Public Land.

10. The City shall discourage further degradation of wetland or riparian areas within the Delta Ponds ecosystem.

10.1 Any filling of the wetland areas north of the existing Valley River Center parking lot shall be consistent with Federal and State regulations and locally adopted wetlands policies.

10.2 Develop programs to discourage dumping of garbage and establishment of transient camps within sensitive wildlife habitat areas.

11. The City shall consider the Marist High School site (tax lots 1801, 1803, and 1702--Assessor's Map 17-04-13-0 0) as being appropriate for medium-density residential development. The change does not imply that the property is available for medium-density residential development but is intended to control the use of the property in the event that it is no longer used as a school site.

11.1 Amend the Metro Plan Diagram from government and education to a medium-density residential land use designation for the above-referenced area as depicted on the Willakenzie Land Use Diagram.

11.2 The City shall initiate a rezoning of the Marist High School site from AG Agriculture to R-2 Limited Multiple-Family Residential District.

Willamette Oaks Retirement Center.

NORTH REGION

The North Region lies north of Beltline Road and is defined on its eastern, northern, and western edges by the UGB. A high percentage of the land in this area (70 percent) is undeveloped. Approximately 50 percent of the land in the region lies outside the city limits but is within the Eugene portion of the UGB. That portion of the region that is within the city limits was annexed to the city through 16 separate annexations occurring between 1960 and 1988.

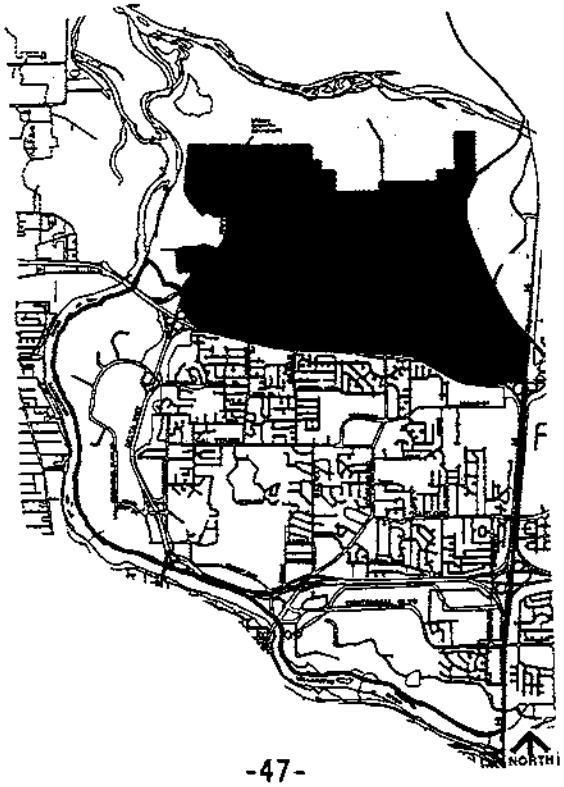
More than 85 percent of the land in this region is designated in the Metro Plan for residential uses. The Metro Plan also established three separate areas for commercial and higher density residential development. These commercial/residential areas are in the following locations:

1. On the western edge of the region near the intersection of Green Acres and Delta Highway is an area designated for commercial and medium-density residential uses.

2. At the intersection of Beltline Road and Coburg Road is an area designated for commercial, medium-density residential, high-density residential and special light industrial uses.

3. Between Delta Highway and County Farm Road and north Crescent Avenue is an area designated as a "floating node." This area is intended to provide for a portion of the forecasted demand for commercial land in the study area. The floating node concept provides for a range of land uses within a general area. In this case, the concept provides for a limited-scale commercial area surrounded by or adjacent to an area designated for medium-density residential uses.

This region is divided into four separate subareas to further describe existing land use characteristics and set forth policies to guide future development.



8. Delta Subarea

This subarea is adjacent to Beltline Road on its southern boundary and the UGB on its western boundary. The subarea contains a variety of land uses, including medium-density residential, general office, general commercial, and light-medium industrial.

In 1987, an amendment to the Metro Plan was approved for a portion of this subarea, specifically, the north side of Green Acres Road, east of North Delta Highway. This amendment increased the commercial land use designation in this area by 10.5 acres. This Metro Plan amendment was followed by a zone change which resulted in a total commercial acreage in this area of 48.5 acres.

The Delta Oaks Shopping Center is developed on approximately 26.5 acres and includes approximately 260,000 square feet of commercial uses. The remaining commercial land in this subarea (approximately 22 acres) is located on the north side of Green Acres Road. In addition to the 48.5 acres of C-2-zoned land in this subarea, there are approximately 9.0 acres of land zoned for general office use.

There are approximately 7.5 acres of medium-density residential land in this subarea. As a result of a 1987 zone change, this area has a maximum allowable density of 20 units per acre. In April 1989, the development of a 102-unit apartment complex was approved on the entire 7.5 acres.

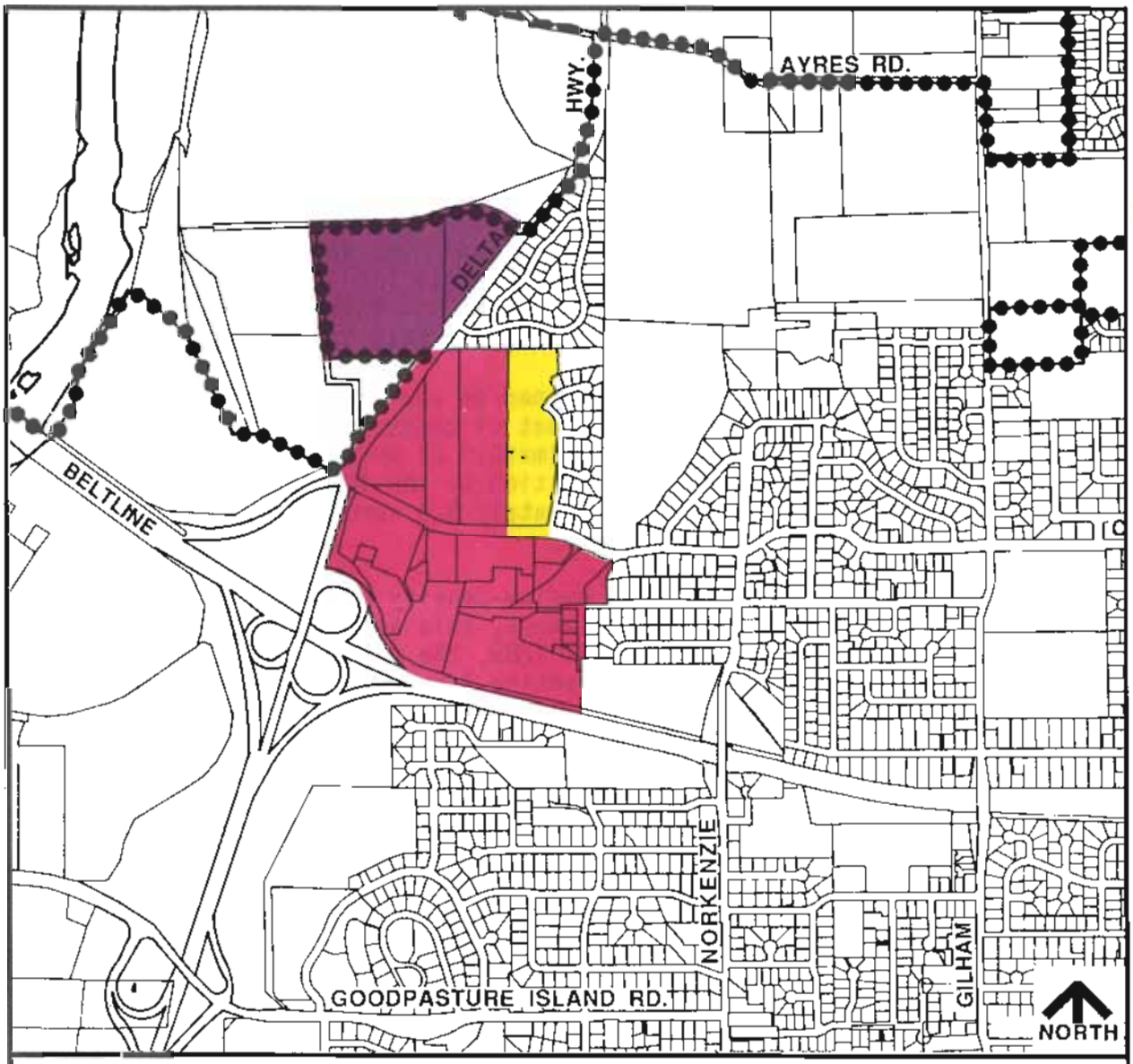
Delta Subarea Policies

1. The City shall limit commercial and general office development to those areas currently zoned for commercial and general office uses and shall discourage any future commercial rezonings in this area.

2. The City shall encourage site development practices which promote compatibility between commercial/general office uses and residential uses.

3. The City shall allow access to commercial- and general office-zoned land only from arterial and collector streets.

4. The City shall encourage development that consolidates parcels into cohesive development sites and limits the number of access points onto Green Acres Road.



DELTA SUBAREA

- Medium-Density Residential
- Commercial
- Light-Medium Industrial

No Scale

9. North Central Subarea

This subarea is bounded by Beltline Road along its southern edge and the city limits along its northern edge. It consists primarily of single-family residential uses. Less than four percent of the subarea is designated for medium-density residential use in the Metro Plan. There are currently no multi-family structures in this subarea. Almost 40 percent of the land in this subarea is undeveloped.

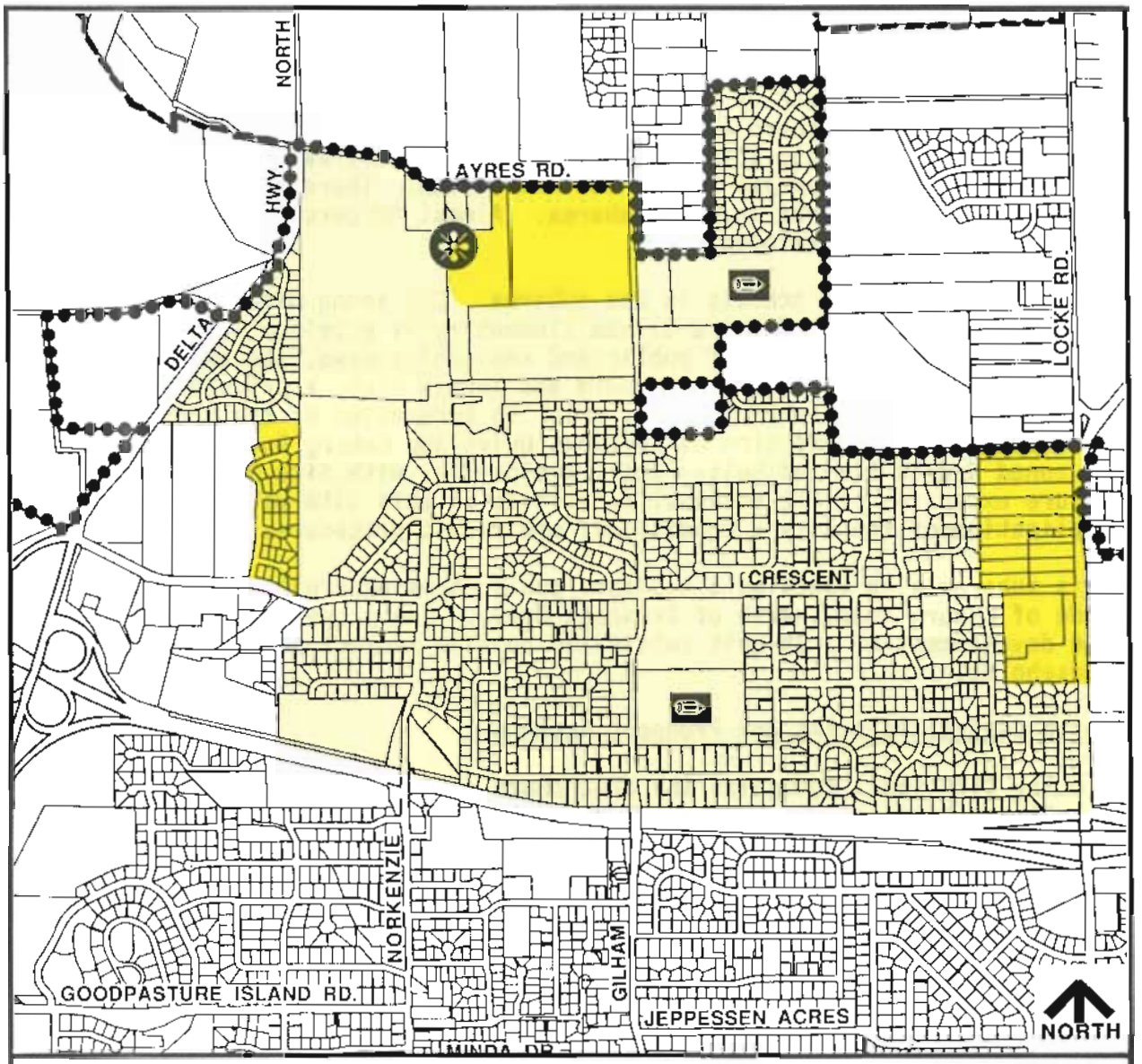
There are two public schools in the subarea. Cal Young Middle School gains access from Gilham Road while Gilham Elementary is provided access from Walton Lane. With the exception of public and semipublic uses, the area contains one non-residential use. The Eugene Swim and Tennis Club, a private recreational facility, was established in 1962, prior to annexation of the property, and is located at the intersection of Crescent Drive and Coburg Road. This facility is zoned R-2/SR Limited Multi-Family Residential with Site Review procedures. Future expansion of recreational facilities on this site will require application of the City's conditional use permit procedures.

This subarea also contains a 4.1-acre public housing project site on the west side of Coburg Road, north of Crescent Drive. The property is committed for the development of a 38-unit subsidized housing project for low-income households.

North Central Policies and Proposed Actions

1. The City shall recognize the area south of the Ayres Road and west of Gilham Road, as depicted on the Willakenzie Land Use Diagram, as appropriate for the medium-density residential land use designation.

    1.1 Amend the Metro Plan Diagram from low-density residential to a medium-density residential land use designation for the above-referenced area, as depicted on the Willakenzie Land Use Diagram. This area shall not exceed 21 acres in size.



NORTH CENTRAL SUBAREA

Low-Density Residential

Medium-Density Residential

Public & Private School Sites

Generalized Future Park Sites

No Scale

10. Unincorporated Subarea

This subarea lies between the city limits and the UGB and includes approximately 800 acres of developable land. The subarea is decidedly rural in character. Agricultural and vacant land uses predominate; several small family farms and orchards exist within the subarea. Four small subdivisions (40 to 60 lots) and two mobile home parks have been developed in the area under the provisions of the Lane County zoning ordinance. There is currently one four-unit, multi-family development in the subarea.

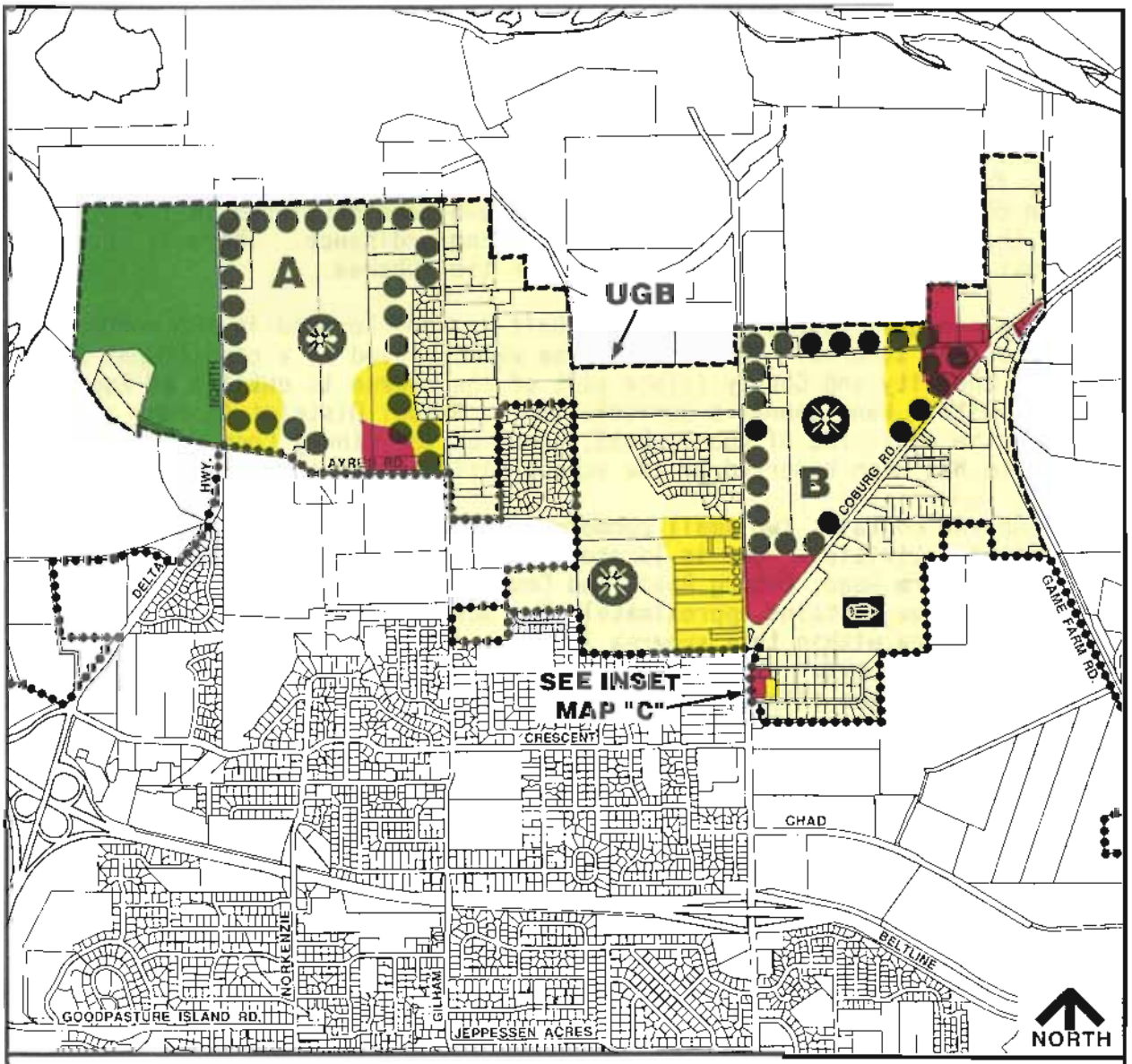
There is one golf course (River Ridge Golf Course) located in the northwestern corner of the subarea. This golf course was approved as a conditional use in 1988 by the City and County (since part of the course is outside of Eugene's UGB and within Lane County's jurisdiction). School District 4J owns a 35-acre site on the east side of Coburg Road, north of the Kinney Loop subdivision. This site has been reserved by the school district for a future school.

This subarea contains two small commercial areas zoned for neighborhood commercial activities. One is located is the vicinity of the intersection of North Game Farm Road, Coburg Road, and County Farm Road. This neighborhood commercial area contains approximately 7.1 acres. The other neighborhood commercial area within this subarea is located at the intersection of Coburg Road and Kinney Loop. This 2.3-acre commercial area contains a variety of uses, including the offices of the Eugene Education Association, an industrial storage facility, a single-family dwelling and a four-unit, multi-family structure. The industrial storage facility is a nonconforming use in the neighborhood commercial zone.

Also in this vicinity is a 14-acre site zoned for General Commercial purposes and developed with the offices of Northwest Pipeline Corporation. This lot is located on the east side of North Game Farm Road and south of Coburg Road. The Northwest Pipeline operation is a nonconforming use since the site is zoned commercial and the use is industrial (more specifically the use would require an I-2 zoning of the property).

In 1985, the City received a request to amend the Metro Plan for a five-acre parcel located at the intersection of Coburg Road and County Farm Road. The plan amendment request was to change the designation from Low-Density Residential to Commercial. The amendment request was approved under the specific condition that the area which was redesignated be rezoned to permit the development of office-based uses only (specifically the GO zone) rather than general commercial uses.

Two mobile home parks, containing approximately 146 spaces, are located in the extreme northeast corner of the subarea (Idle Wheels and Parkside Mobile Home Parks). Both developments are older and fulfill a vital function by providing a low-cost housing alternative to area residents. Neither development is included in the list of "at-risk" mobile home parks in the City's Mobile Home Park Conversion Ordinance because both of the sites are designated for low-density residential land use. However, future development in the area could result in pressures to convert these sites to other uses.



UNINCORPORATED SUBAREA

- Low-Density Residential
- Medium-Density Residential
- Commercial
- Parks/Open Space
- Public & Private School Sites
- Generalized Future Park Sites
- Opportunity Area

No Scale

There are at least three nonconforming uses in residential districts in this subarea: 1) a sanitary service business (equipment storage) located on the east side of Gilham Road, south of Crimson; 2) Schram's Antique Shop located on the east side of Coburg Road, south of the intersection of North Game Farm and County Farm roads; and 3) a local radio station and transmission towers located on Bonnie View Drive, east of Sarah Lane. All three businesses are commercial uses in a residentially zoned district.

Discussion of the Willakenzie Floating Node

The Metro Plan includes a schematic depiction of a floating node which is generally located north of the city limits and between Delta Highway and County
Farm Road. The floating node in this subarea is not specifically located in the Metro Plan, although that plan does set forth specific criteria for reviewing and locating the floating node. According to the Metro Plan, floating nodes are intended to accommodate a portion of the forecasted demand for commercial land in a given area. The Willakenzie area floating node was originally envisioned as being a supplement to the Delta Oaks and Coburg/ Crescent commercial/residential areas. The Metro Plan assumed that this Willakenzie floating node would contain 5 acres of commercial development and 20 acres of medium-density residential development. The Metro Plan states that the exact location of floating nodes shall be determined by local decisions or a refinement planning process.

The findings of this plan are that this floating node has already been anchored through the recent commercial expansions in the Delta Oaks and Coburg/Crescent commercial areas. In addition, provision for neighborhood commercial and multiple-family residential areas are being made for both the Unincorporated and Coburg/Crescent Subareas. In light of these considerations, this plan finds that the intent of the Metro Plan regarding the floating node in the North Region area has been met.

Discussion of Residential/Mixed-Use Concept

There are two underdeveloped and unserviced areas within the Unincorporated Subarea which lend themselves to a different type of urban development than has occurred to date in the Willakenzie area. These two areas are referred to in the Willakenzie Land Use Diagram as "opportunity" areas to recognize the opportunities they present for a new type of residential/mixed-use living environment.

Both of these areas contain unique or distinctive characteristics that will affect how they could be planned and developed. Among those characteristics that could shape future development proposals for these areas are the following:

1) Both areas contain large, underdeveloped or vacant parcels with few ownerships;

2) both areas are adjacent to the UGB and agricultural or sand/gravel extraction areas;

3) both areas contain concentrations of potentially historic buildings and/or landscape features;

4) both areas contain significant wooded areas;

5) both areas have striking views of the Coburg Hills to the northeast of the sites;

6) both areas abut roadways (North Delta Highway, County Farm Road, and Coburg Road) that carry heavy truck traffic from sand and gravel operations which are located beyond the UGB; and

7) a portion of Opportunity Area "A" is within the floodplain of the McKenzie River.

These site characteristics establish a need for comprehensive site planning within the identified opportunity areas. Future development within these areas shall be approved either through the planned unit development (PUD) process or other process requiring comprehensive site plan approval. The Eugene Code does not currently promote new development that mixes uses in the manner envisioned for residential/mixed-use communities. The code will need to be amended to allow and to encourage the application of residential/mixed-use techniques.

The residential/mixed-use concept is intended to allow innovative design and arrangement of land uses, and to encourage developments which offer a wide range of living and transportation choices for Eugene residents. It is also intended to help mitigate future traffic congestion by: 1) encouraging development at a size and scale that accommodates and promotes pedestrian/bicycle use rather than motor vehicle use; and 2) encouraging the development of land use and circulation patterns that promote the efficient use of mass transit for a portion of the trips generated by the development. Key components of residential/mixed-use developments are:

1) a variety and hierarchy of street types that equitably serve the needs of pedestrians, bicyclists, automobiles, and mass transit;

2) dwellings, shops, work places, and civic or community uses limited in size and located in close proximity to one another;

3) development of distinct neighborhood areas with an overall size and scale small enough to permit area residents and workers, if they so choose, to walk or ride bicycles comfortably rather than being required to drive throughout much of the neighborhood;

4) modestly scaled buildings which front on and are aligned with streets and which are generally uninterrupted by large parking lots;

5) well-defined and appropriately sized parks, open spaces, and greens designed to accommodate informal social activities and recreation;

6) tree-lined streets designed to enhance and visually unify the development; and

7) a comprehensible arrangement of streets and blocks arranged to provide interesting and diverse routes of travel.

Opportunity areas are identified as locations in which the City will provide a greater degree of flexibility for the developer of the residential/mixed use community than would normally be allowed through traditional types of development. This flexibility is intended to provide incentives to future developers to achieve general excellence in environmental planning and design. These incentives, which are to be prescribed in future amendments to the Eugene Code, could include provisions for: 1) reduced street widths; 2) reductions of on-site parking requirements and allowance for on-street parking; and 3) greater latitude in the mixing of normally segregated land uses.

This concept is not meant to mandate extraordinary development requirements or to preclude conventional development within identified Opportunity Areas, but rather to accommodate development proposals that introduce new or unique ideas in a manner consistent with the general goals and policies of the adopted Willakenzie Plan and the Metro Plan. This concept is also not meant to require development of a master plan for the entire area prior to approval of partitioning of the land.

Old barn in Opportunity Area A.

Unincorporated Subarea Policies and Proposed Actions

1. Upon annexation, the City shall apply a GO General Office zoning district to the five-acre parcel designated for commercial use at the intersection of Coburg Road and County Farm Road. This site shall be limited to General Office zoning.

   1.1 Apply the SR Site Review subdistrict to the GO zoning district to ensure: a) adequate buffering between the subject property and surrounding lands designated Low-Density Residential ("Opportunity Area"); and b) safe and efficient ingress and egress due to the configuration of the property.

2. The City shall require future developments on parcels abutting the UGB to provide an effective transition between urban and rural land uses. This transition is intended to minimize potential conflicts with adjacent agricultural and sand and gravel operations.

3. The City shall require that access to the future school site on the east side of Coburg Road and the future school building itself be oriented towards the surrounding future residential street systems rather than Coburg Road.

4. The three nonconforming uses in this subarea (the sanitary service business, the local radio station, and Schram's Antique Shop) shall be recognized as nonconforming uses subject to provisions of the Eugene Code regarding nonconforming uses. The City shall discourage any future commercial rezonings of these sites.

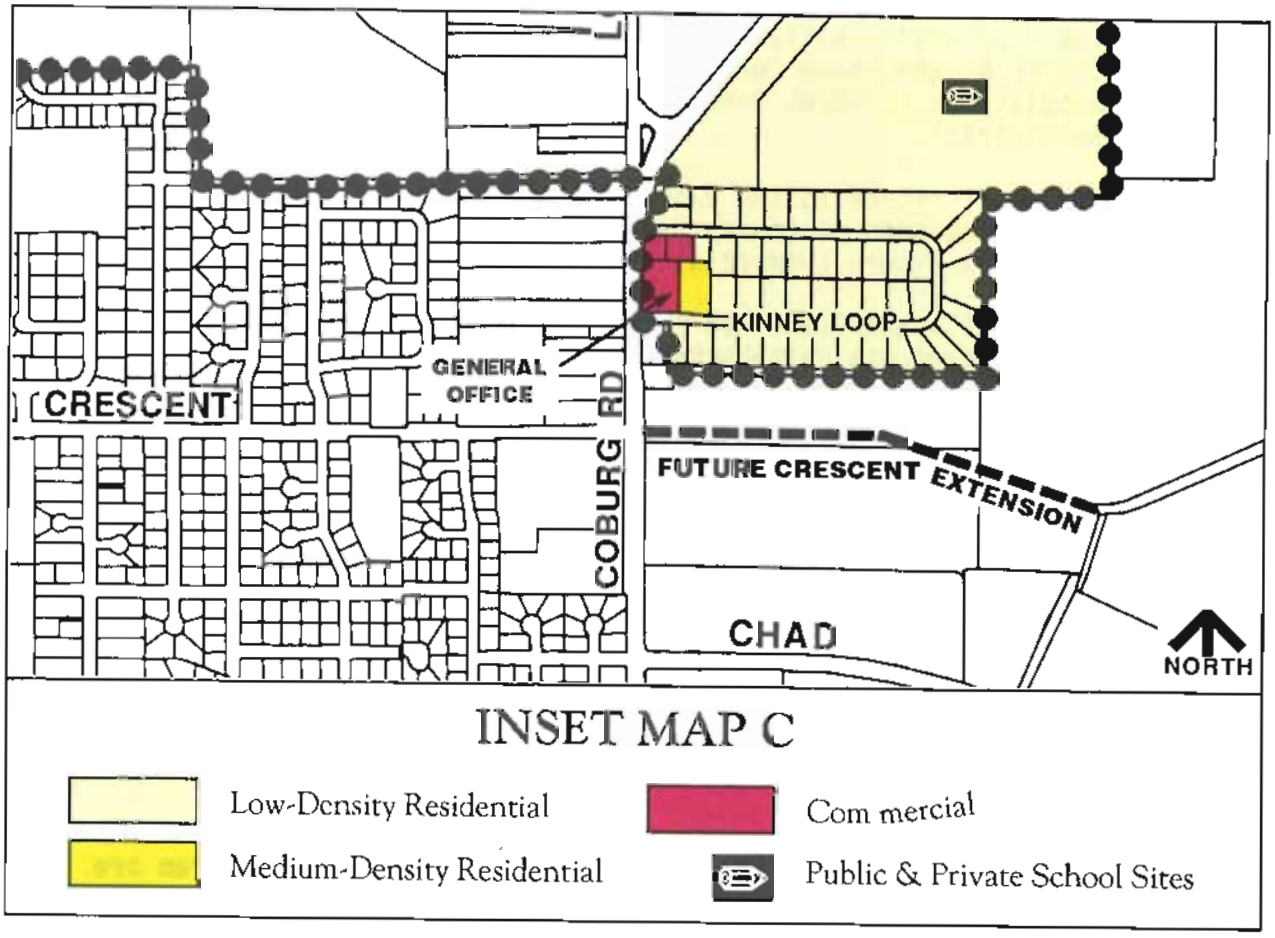
5. The City shall limit access points along both sides of County Farm Road, north of the present city limits. Encourage construction of a local residential street system to provide access.

6. The City shall recognize the Northwest Pipeline District Offices (located along the east side of North Game Farm Road) as a nonconforming use. The site shall be exempt from the nonconforming use requirements of the Eugene Code so that the use may continue to operate. Future expansion of the use by Northwest Pipeline will be limited to the tax lot on which the offices are currently located (Tax Lot 1503--Assessor's Map 17-03-09-00). The site and surrounding area shall be considered appropriate for low-density residential use.

   6.1 The City shall initiate a rezoning of the Northwest Pipeline office site from C-2 General Commercial to R-1 Low-Density Residential District.

7. The City shall recognize the Kinney Loop subdivision as being appropriate for low-density residential land use.

   7.1 Amend the Metro Plan diagram from medium-density to a low-density residential land use designation for the above-referenced area, as depicted on the Willakenzie Land Use Diagram.



7.2 The City shall initiate a rezoning of Tax Lot 1300--Assessor's Map 17-03-16-2 3 from C-1/UL Neighborhood Commercial District with urbanizable land subdistrict to R-1/UL Low-Density Residential District with urbanizable land subdistrict.

8. The City shall recognize the area on the east side of Coburg Road at the intersection of Kinney Loop (Tax Lot 3600--Assessor's Map 17-03-16-2 3) as depicted on the Willakenzie Land Use Diagram (and as refined by Inset Map C) as being appropriate for medium-density residential development. The area shall be limited to no more than ten units per acre.

8.1 The City shall initiate a rezoning of the above-referenced area from C-1/UL Neighborhood Commercial District with urbanizable land subdistrict to R-2/10/UL Limited Multiple-Family Residential District with maximum allowable density of ten units per acre and urbanizable land subdistrict.

9. The City shall recognize the area on the east side of Coburg Road at the intersection of Kinney Loop (tax lots 1200, 1201, and 3601--Assessor's Map 17-03-16-2 3) as depicted on the Willakenzie Land Use Diagram (and as refined by Inset Map C) as being appropriate for commercial development. This area shall be limited to General Office zoning.

9.1 The City shall initiate a rezoning of the above-referenced area from C-1/UL Neighborhood Commercial District with urbanizable land subdistrict to GO/UL General Office District with urbanizable land subdistrict.

10. The City shall recognize the existing neighborhood commercial zoning at the northwest corner of County Farm Road and Coburg Road and shall discourage any future commercial rezonings in the immediate area.

11. The City shall acknowledge the potential for development of residential/mixed-use neighborhoods in the Unincorporated Subarea.

    11.1 Create a process for preparing Eugene Code amendments which are specifically structured to encourage the development of pedestrian-oriented communities. This process should insure the involvement of property owners, neighborhood groups, and other interested parties in the development of the code amendments.

12. Upon annexation, the City shall apply the /PD Planned Unit Development zoning suffix, or other appropriate zoning designation suited to the creation of residential/mixed-use developments, to those areas designated "Opportunity Area" on the Land Use Plan Diagram. The zoning district created to allow for the development of residential/mixed-use communities shall be applied only at the request of the property owner or contract purchaser of the property.

13. Areas designated "Opportunity Area" on the Land Use Plan Diagram are intended to provide opportunities for residential/mixed-use development. The plan diagram for these areas indicates general locations for low- and medium-density residential, neighborhood commercial, and parks/open space uses. The City shall allow for consideration of a rearrangement of all land uses within the identified "Opportunity Areas". This rearrangement shall be accomplished through the application of the zoning district created to implement the residential/mixed-use concept. The intent of this district is to apply the generalized objectives contained in the section of this plan entitled "Discussion of Residential/Mixed-Use Concept".

14. Residential mixed-use developments shall be a minimum of 30 acres in size and a maximum of 160 acres in size.

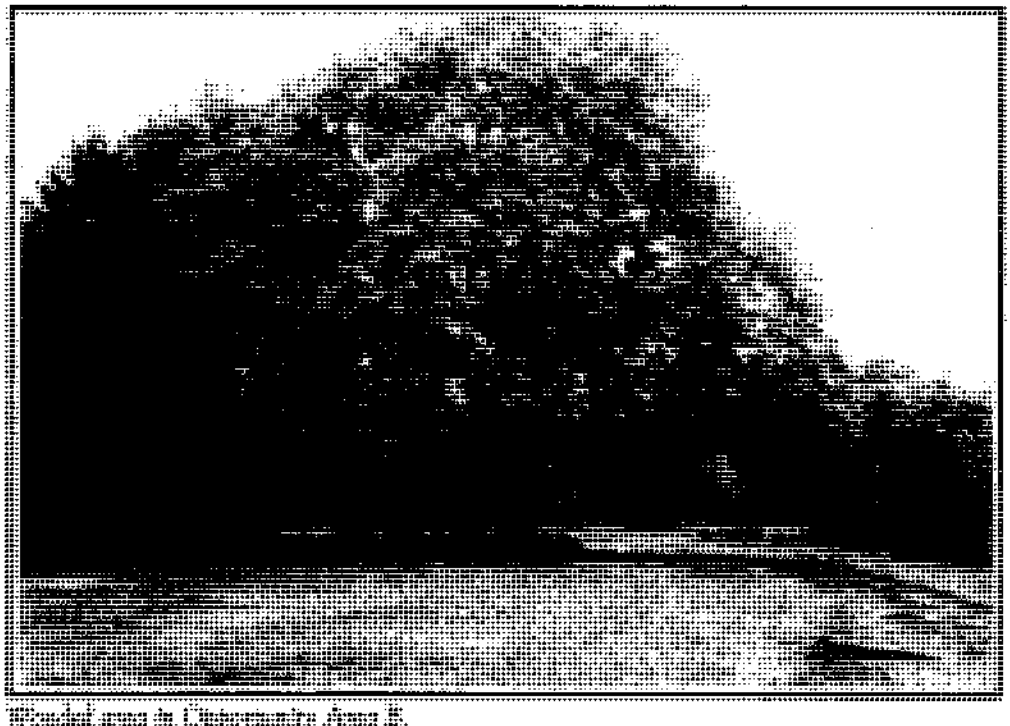
15. The City shall recognize the area at the northwest corner of Ayres and Gilham roads <u>and</u> the area at the southwest corner of Coburg Road and County Farm Loop, as depicted on the Willakenzie Land Use Diagram, as appropriate for medium-density residential development.

    15.1 Amend the Metro Plan diagram from low-density to a medium-density residential designation for the above-referenced area, as depicted on the Willakenzie Land Use Diagram.

16. The City shall recognize the area between Gilham Road and County Farm Road, south and east of the Gilham Elementary School, as depicted on the Willakenzie Land Use Diagram, as appropriate for medium-density residential development.

16.1 Amend the Metro Plan diagram from low-density to a medium-density residential designation for the above-referenced area, as depicted on the Willakenzie Land Use Diagram.

17. The Neighborhood Commercial C-1 node, as depicted on the Willakenzie Land Use Diagram, shall front on Ayres Road and shall be separated from Gilham Road by medium-density residential development.



Wooded area in Upper-city Area E.

11. Coburg/Crescent Subarea

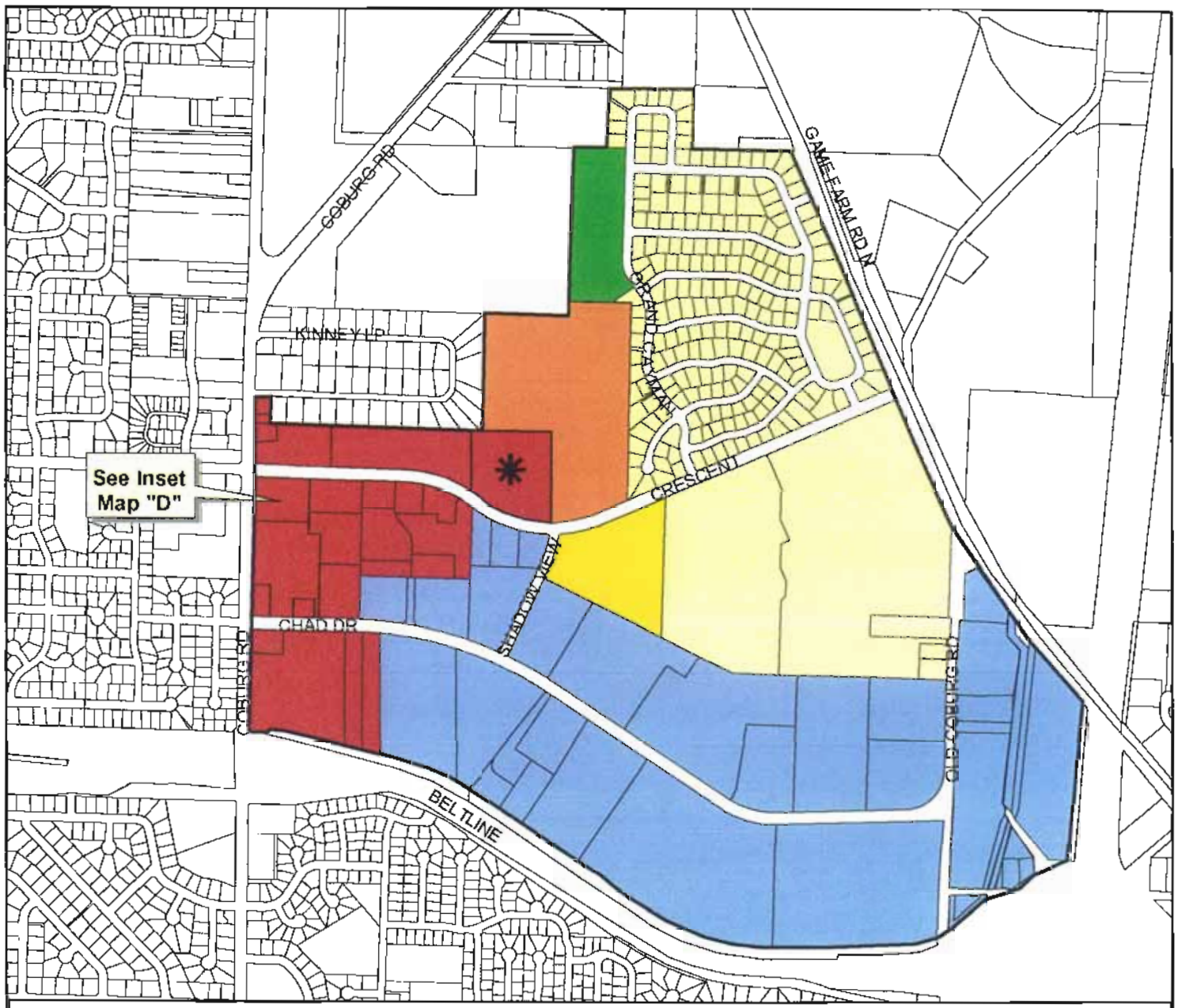
The Coburg/Crescent subarea lies north of Beltline Road between Interstate 5 and Coburg Road. This subarea consists of approximately 390 acres of land designated and zoned for a variety of urban uses. This area is the subject of an adopted refinement plan, the Coburg/Crescent Special Area Study. The Willakenzie Refinement Plan, upon its adoption, will supersede and take the place of the Coburg/Crescent Special Area Study.

The potential of this area for urban development has been recognized and addressed in various planning documents over the past 30 years. The physical characteristics of the area (freeway access, visibility from the freeway, large parcels with few ownerships, and absence of topographic constraints) suggest an excellent potential for large-scale developments. During the mid-1970s this subarea was the focus of extensive community debate and controversy regarding the suitability of urban development on highly productive, agricultural soils. The debate was resolved in favor of urban development and the subarea was annexed to the city in 1977.

In 1980, a privately initiated refinement plan was proposed for this subarea. The resulting Coburg/Crescent Special Area Study, adopted in 1981, established specific land use designations and development standards for the property. The guiding concept for the development of the Coburg/Crescent Special Area Study was the creation of an economically viable "self-sufficient neighborhood." The special study established a plan for integrating the core functions of a self-sufficient neighborhood by addressing the relationship between residential, shopping, employment, service, recreational, and transportation functions.

With the adoption of the Coburg/Crescent Special Area Study, a land use pattern supportive of the self-sufficient neighborhood concept was put into effect. Of the 390 acres in the study area, approximately 115 acres (30 percent of the total area) were zoned and designated for Special Light Industrial uses, 26 acres (7 percent) were designated for commercial uses, 25 acres (7 percent) were designated for high-density residential uses, 40 acres (10 percent) were designated for medium-density residential uses, and 175 acres (45 percent) were designated for low-density residential uses.

Between 1982 and 1988, a series of zone changes were approved which affected the allocation and location of commercial/industrial designations on the western portion of the subarea. These zone changes resulted in the same approximate percentage of land being allocated for commercial and industrial uses as was intended in the adopted Coburg/Crescent Special Area Study. The zone changes were accomplished to address specific site development needs of the area's commercial and industrial property owners. The existing commercial and industrial zoning configuration reflects those zone change approvals. As of 1989, the subarea contained 27 acres of land zoned for commercial uses and 114 acres zoned I-1 Special Light Industrial. Recent zone change requests affecting industrial, commercial, and residential land in this subarea have been denied on the basis of inconsistency with the Metro Plan and the adopted Coburg/Crescent Special Area Study.



Coburg-Crescent Subarea

- Low-Density Residential
- Medium-Density Residential
- High-Density Residential
- Parks & Open Space
- Commercial
- Commercial Mixed Use
- Campus Industrial

N

Coburg/Crescent Subarea as amended by Ordinance No. 20302 (11/10/03).

The process for allocating land uses in the Coburg/Crescent subarea offers an opportunity to address the loss of industrial land in the west Eugene area due to Federal and State wetlands regulations. A recently completed inventory of wetlands in the west Eugene area identified at least 470 acres of industrial land that will be affected, to some degree, by wetlands regulations. Of the 470 acres of west Eugene wetlands, approximately 261 acres are designated for Special Light Industrial uses and 173 acres are designated for Light-Medium Industrial uses.

In its review of this subarea, the plan provides for the expansion of the industrial land base. Specifically, the plan allocates additional land to the north and east of the existing industrial area for future industrial expansion.

The majority of this area is designated Special Light Industrial in the plan and is intended to 1) partially replace Special Light Industrial land affected by wetlands regulations; and 2) provide new opportunities for business park development in a location that is ideal for that type of use.

A substantial portion of the land designated and zoned for general commercial uses is occupied by two large-scale discount stores. These commercial developments serve a regional market and are unlikely to provide for the day-to- day shopping and service needs of area residents. Accordingly, the plan encourages the development of neighborhood commercial uses within Coburg/ Crescent residential areas through the planned unit development process. The intent of the plan is to encourage the development of neighborhood commercial uses which will serve future residential growth in the area and which will provide commercial services for those who live and work in the Coburg/Crescent residential, office, and/or industrial areas.

The residential portion of this subarea includes low-, medium-, and high-density residential land use designations. The land use diagram for this area establishes a general location for the various designations. However, while the relationship between the various land uses is important, it is not the intent of this plan to bind future planned unit development proposals to the specific locations indicated in the plan. Rather, certain principles must be followed, in future PUD proposals, to insure a harmonious and efficient land use arrangement. These principles are outlined in Policy 9 below.

The plan generally encourages an intensification of land uses in the Coburg-Crescent subarea. This subarea is recognized as a major employment center for the Eugene-Springfield metropolitan area. Along with an expansion of the commercial and industrial land base in the area, the plan supports the relocation of a major regional hospital facility in this area.

Sacred Heart General Hospital has proposed the relocation of certain types of inpatient, outpatient, and lifestyle management services to a 36-acre site within the Coburg/Crescent subarea. This regional facility would provide 24-hour hospital and clinic services. The proposed hospital/clinic would be located on property designated for high-density residential development in the area north of the future extension of Crescent Drive.

The Coburg/Crescent Special Area Study provided for a transition between urban and rural uses in the low-density residential area abutting North Game Farm Road. The purpose of this transition area was to provide for a distinct physical separation between urban uses to the west, and rural agricultural uses to the east of North Game Farm Road. However, several physical features to the east of the developable area provide sufficient separation between urban and rural uses to justify the removal of the transition requirement. Those features include 1) North Game Farm Road itself (60-foot right-of- way); and 2) a significant change of grade between the area inside the UGB versus the area outside of the UGB.

Coburg/Crescent Subarea Policies and Proposed Actions

1. The City shall recognize the area south of the future extension of Crescent, between Shadow View Drive and Game Farm Road, as depicted on the Willakenzie Land Use Diagram, as appropriate for the expansion of Special Light Industrial development.

   1.1 Amend the Metro Plan Diagram from low-density residential to a special light industrial designation for the above-referenced area, as depicted on the Willakenzie Land Use Diagram.

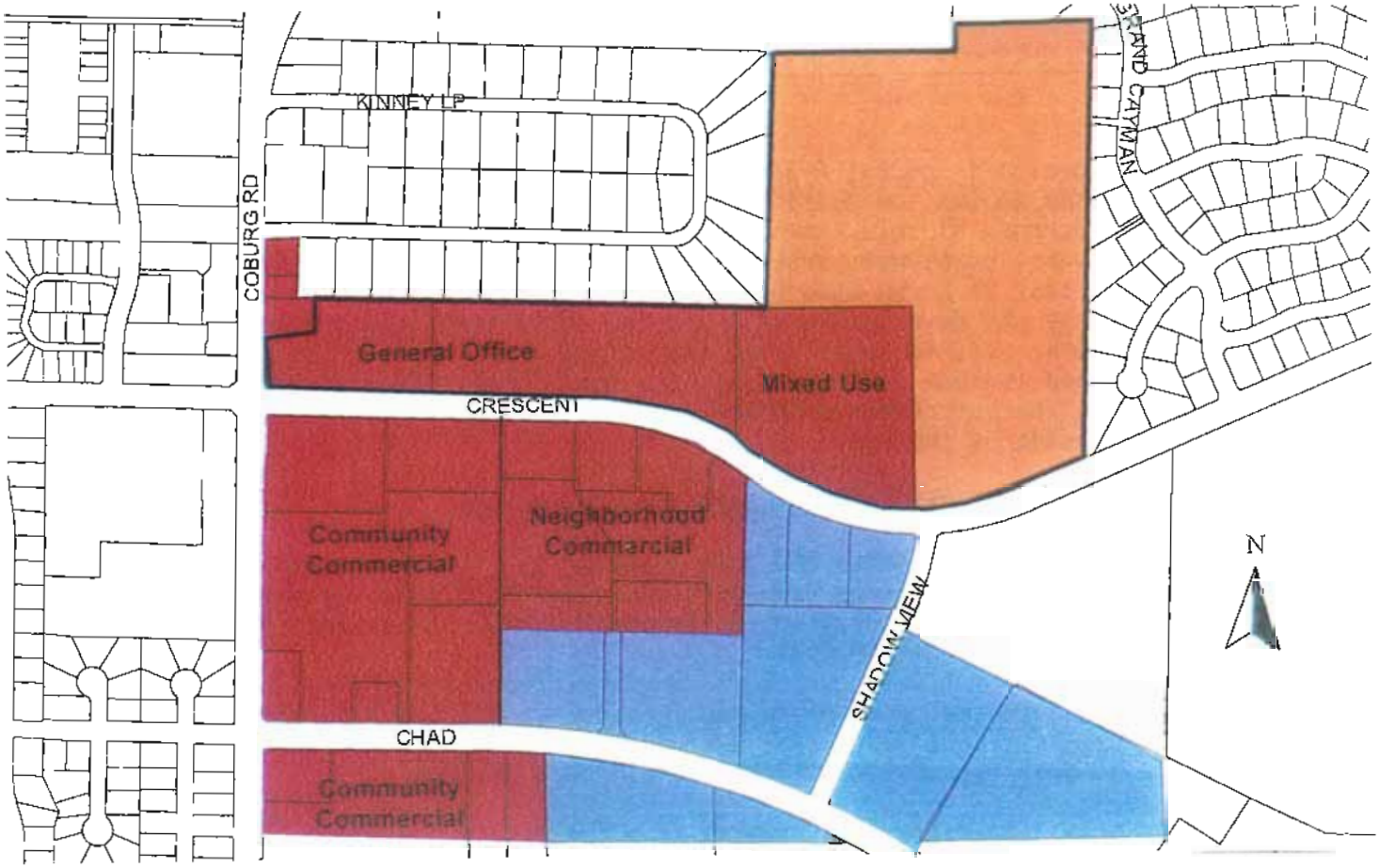
   2.1 Amend the Metro Plan Diagram from low-density residential to a light-medium industrial designation for the above-referenced area, as depicted on the Willakenzie Land Use Diagram.

2. The City shall recognize the area south of Crescent Avenue and west of Shadow View Drive, as depicted on the Willakenzie Land Use Diagram (and as refined by Inset Map D), as appropriate for the expansion of Neighborhood Commercial development. The Neighborhood Commercial site shall not exceed 10 acres in size. Uses in this commercial area are intended to serve the day-to-day shopping and service needs of residents and employees of the surrounding area.

   2.1 Amend the Metro Plan Diagram from special-light industrial to a commercial designation for the above-referenced area, as depicted on the Willakenzie Land Use Diagram.

3. The City of Eugene shall ensure that industrial development in the Coburg/Crescent subarea is sensitive to and compatible with surrounding uses and will conform to the Coburg/Crescent Special Light Industrial Siting and Development Standards.

   3.1 Apply the /SR Site Review suffix to all parcels designated for Special Light Industrial and Light-Medium Industrial development in the Coburg/Crescent subarea.



Inset Map D

High-Density Residential

Commercial

Campus Industrial

Crescent Village Boundary

Crescent Avenue Nodal Development Area not shown.

4. The City shall allow for a gradual transition from existing residential to future industrial use for those areas along Old Coburg Road that are currently zoned residential but are industrially designated.

   4.1 Retain existing low-density residential zoning until individual property owners request a change to industrial zoning.

5. The City of Eugene shall require that planned unit development procedures be required for all residential developments within the Coburg/Crescent subarea. The intent of this requirement is to ensure adequate review of the following factors:

   A. Development of a comprehensive street network;

   B. provision of pedestrian and bicycle linkages between residential, commercial, industrial, educational, and recreational areas;

   C. encouragement of a variety of dwelling types, heights, and setbacks;

   D. provision of adequate and attractive buffering between residential, commercial, and industrial developments; and

E. provision of pedestrian linkages to transit stops where practical.

6. The City shall recognize that the area adjacent to the north side of Crescent Avenue, designated as Commercial on the Willakenzie Coburg-Crescent Subarea Land Use Diagram shall be zoned General Office.

7. The City shall encourage the development of commercial uses which provide direct services to employees and residents of the surrounding areas. Examples include restaurants, financial institutions, day-care centers, health clubs, grocery stores, delicatessens, drug stores, and recreational facilities. As part of an approved PUD, a drive-through facility may be permitted, but only for pharmaceutical prescription dispensing or financial services.

8. Commercial uses are appropriate and desirable within residential planned unit developments when services provided are of a type that will fulfill the day-to-day shopping and service needs of area residents and when those services are to be utilized primarily by the population of northeast Eugene (north of Beltline Highway and east of Gilham Street). Vehicle-oriented services including, but not limited to, service stations, repair garages, and drive-in restaurants shall not be permitted in residential PUD commercial areas.

   8.1 Commercial uses allowed in the Neighborhood Commercial zoning district shall be encouraged within residential PUDs.

9. The land use plan diagram for the Coburg/Crescent Subarea indicates general locations for parks/open space and low-, medium-, and high-density residential uses. The City shall allow for the consideration of a different arrangement of residential and park/open space uses subject to the following criteria:
   A. Provision shall be made for an eastern access to the School District 4J school site;
   B. Provision shall be made for a park site immediately adjacent to the 4J school site;
   C. Low-density residential uses shall border North Game Farm Road;
   D. The future parks site must have adequate street frontage (as determined by the City);
   E. High - density residential development proposed for areas to the east of the Kinney Loop subdivision and west of Crescent Meadows subdivision must be sensitive to the low-density residential development within these subdivisions, while allowing for the development of the site; and
   F. Provision shall be made for design elements which ensure compatibility between residential and industrial land uses.

11. The City shall allow development of clinics or other medical facilities in that portion of the Coburg/Crescent Subarea that is designated for high-density residential use, subject to an approved planned unit development.

12. The City shall apply the C-2 Community Commercial with a /PD Planned Unit Development overlay zone to the area along the north side of Crescent Avenue designated as Commercial Mixed Use in the Coburg-Crescent Subarea.

13. Development of the area depicted as "Crescent Village" on Inset Map D (page 65) shall only be permitted pursuant to a single final PUD that includes a master plan for all property within the Crescent Village boundaries. The City shall apply the /PD Planned Unit Development overlay zone to all property within the Crescent Village boundaries, and remove the /SR Site Review overlay.

14. Except as provided in this Policy, the intensities of uses otherwise permitted within the Crescent Village boundaries shall not exceed any of the intensities listed in Table 1.

Table 1
Crescent Village Maximum Permitted Land Use Intensity

Development Type	Maximum Intensities
Apt/Rowhouse/Condo*	631 dwelling units
Specialty Retail*	32 KSF
Shopping Center (commercial)	115 KSF
Grocery Store (supermarket)	50 KSF
General Office	102 KSF
Medical-Dental Office	30 KSF

KSF = 1,000 square feet
*Includes 4 flex unit buildings of 4,000 square feet per building – retail, office or living space permitted.

As part of a PUD approval, the City may vary the allowed intensities from those in Table 1 if the developer demonstrates based on the Institute of Transportation Engineers' Trip Generation Manual: (a) those proposed uses and intensities are otherwise consistent with the applicable zoning and land use standards; and (b) the projected peak hour trips from the combination of the proposed uses will be less than or equal to 845 trips into the Crescent Village area and 885 trips out of the area.

15. If requested as part of an application for development, the City shall reduce the minimum floor area ratio (FAR) within the Crescent Village boundaries to .40 for the commercially zoned portion of that area.

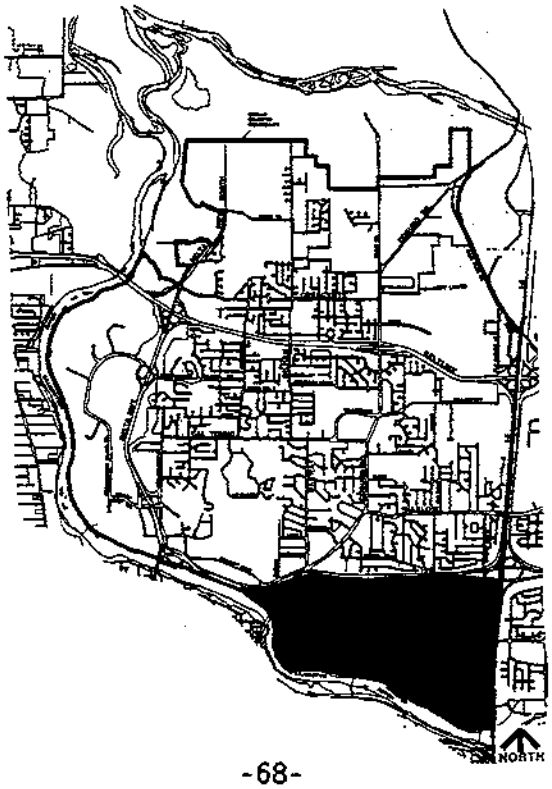
SOUTH REGION

The South Willakenzie Region is located west of Interstate 5, south of Interstate 105, and is bounded by the Willamette River on its southern and western borders. A portion of the land in this region is outside the Eugene city limits but within Eugene's UGB. Nearly half of the land within the region is publicly owned. The two largest publicly owned uses in the area are Alton Baker Park and Autzen Stadium.

The Q Street Floodway (or channel) runs through all three subareas of the South Region. The channel was built in the late 1950s/early 1960s, and was designed to collect floodwaters from east of Springfield and carry them past the city to the Willamette River. There were several agencies involved in this watershed construction project, including: the City of Springfield, Lane County, the State of Oregon, the US Soil Conservation Service, and the McKenzie Water Control District (MWCD). (This information was gathered from the document entitled "Watershed Work Plan: Willakenzie Area Watershed, Lane County, Oregon"; March 1959.)

There is at least one segment of the channel which has been given a tax lot number, is owned by the State of Oregon (Highway Commission), and is zoned C-2 General Commercial District. This segment is located in the Ferry Street Bridge subarea. The ownership of and maintenance responsibilities for the remainder of the Q Street Floodway is unknown. A 1959 agreement between the Oregon State Highway Commission, Lane County, and the MCWD (signed March 6, 1959) stipulates that floodway maintenance is the responsibility of the MWCD. (See Appendix for copy of this agreement.) This district is no longer in existence and it is not clear which entity was expected to assume its duties.

This region is divided into three separate subareas to further describe existing land use characteristics and set forth policies to guide future development.



12. Ferry Street Bridge Subarea

This subarea consists primarily of commercially zoned land which is concentrated around the existing Ferry Street Bridge corridor (east and west of Coburg Road). There is one mobile home park located in this subarea on commercially zoned land. This park has been identified as an "at-risk" mobile home park because of its location in a commercial area. Any conversion of the park to nonresidential uses will require that the park owner mitigate the adverse effects on tenants in accordance with the Eugene Code provisions for mobile home park conversions.

There are two fraternal organizations located within this subarea: the Elks Lodge and the Masonic Lodge. These organizations are located in the portion of the subarea which is zoned and designated for high-density residential land use. The remainder of the uses along the north side of Centennial Boulevard include the Lane County Juvenile Center, the offices of Boy Scouts of America, and the National Guard Armory. A portion of the Q Street Floodway runs through this subarea.

The City is currently engaged in a study to determine improvement alternatives to the Ferry Street Bridge corridor. The result of this project will be a Final Environmental Impact Study which will recommend a preferred alternative for transportation routes across the Willamette River in this general location.

It is possible that the preferred alternative may involve a significant change in the overall transportation network in this immediate area. This potential change in the transportation network will very likely necessitate a reevaluation of existing land use designations for the area. This is especially true as it relates to the existing patterns of land use which have developed around the present bridge corridor.

Ferry Street Bridge Subarea Policies and Proposed Actions

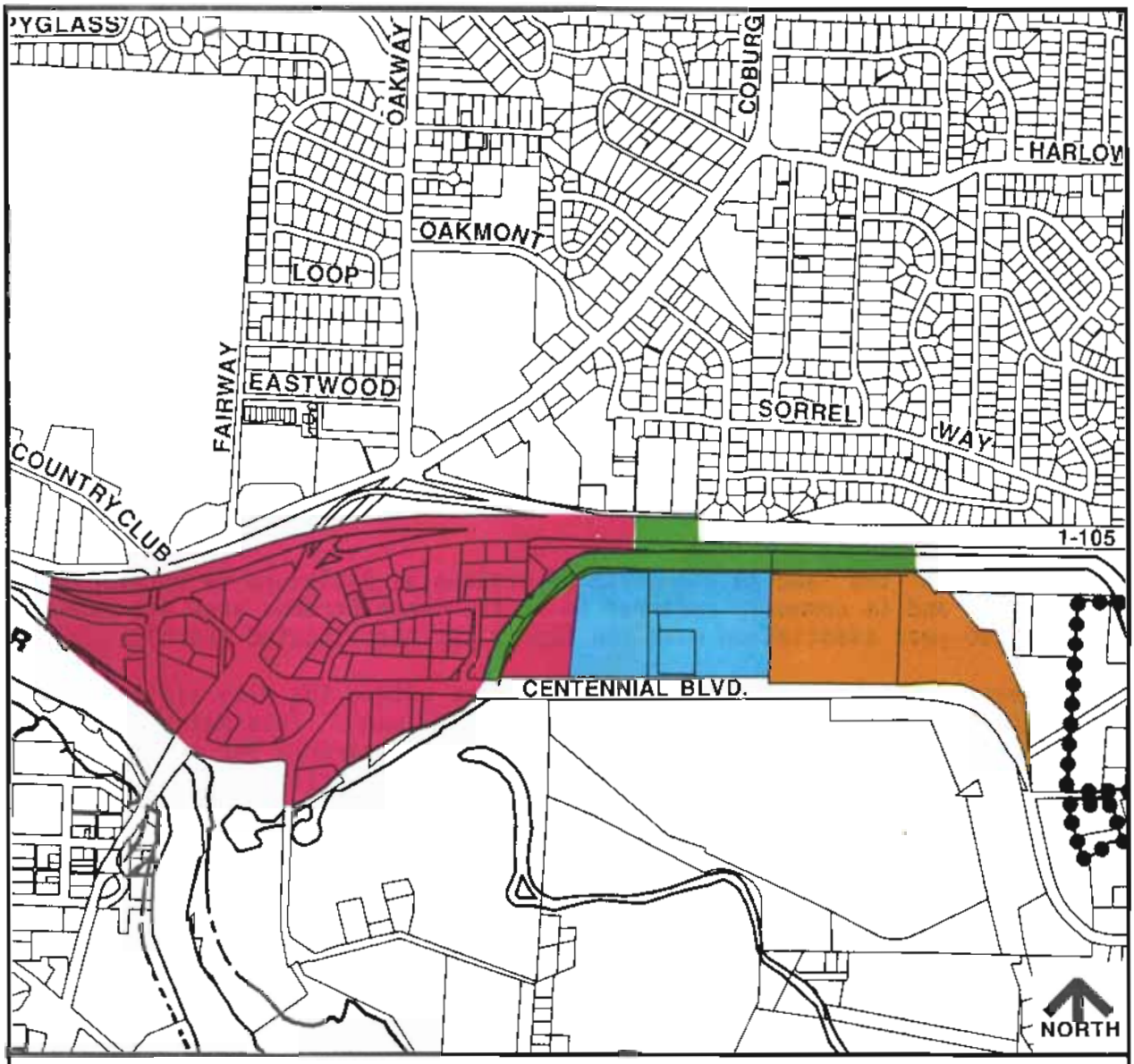
1. The City shall encourage site development practices which promote compatibility between high-density residential land uses and the Q Street Floodway and Autzen Stadium.

   1.1 Apply the /SR Site Review suffix to all parcels designated for high-density residential land use which abut the Q Street Floodway and/or are adjacent to Autzen Stadium.

2. The City shall reexamine the land use designations in this subarea upon final adoption of the Final Environmental Impact Statement regarding the preferred alternative for the Ferry Street Bridge project.

3. The City shall recognize the Q Street Floodway as being appropriate for Park and Open Space land use designation.

   3.1 The City shall rezone publicly owned portions of the Q Street Floodway to the Public Land zoning district.



FERRY STREET BRIDGE SUBAREA

- High-Density Residential
- Government and Education
- Commercial
- Parks/Open Space

No Scale

13. Chase Gardens Subarea

This subarea is bisected by Centennial Boulevard, which runs in an east-west direction through the area. The characteristics of the subarea to the south of Centennial Boulevard are very different from those to the north of Centennial Boulevard.

The area south of Centennial Boulevard is primarily developed with the Chevy Chase and Quail Run subdivisions. The Chevy Chase area includes a 2.8 acre park. Land along the west side of I-5 is encumbered by a 78-foot wide public utility easement containing a 115-kilovolt EWEB power line.

The land north of Centennial Boulevard contains several medium and high-density apartment complexes, some older single family homes, an EWEB electric substation and training facility, and a recently purchased four acre City park site along the north bank of the Q Street channel. Approximately 21 acres of land located north of Centennial Boulevard is outside the City limits, including five properties along the west side of Garden Way that are collectively recognized by the National Registry of Historic Places as a "historic ensemble." The area north of Centennial Boulevard is commonly referred to as the Chase Gardens area, so named for its 100-year association with a family agricultural business there.

The Willakenzie Area Plan, 1992, identified Chase Gardens as an "Opportunity Area" because of its planned concentration of high density housing, commercial services, natural and historic features, and frequent transit service. With Transportation Growth Management grant funding from the state Department of Land Conservation and Development and the Department of Transportation, the potential for nodal development was explored. The results were published in the Chase Garden Nodal Development Plan, by Satre Associates, July 29, 2001. The recommendations of that report were legislatively translated into the policies contained in this plan and a special area zone district that directs new development into nodal patterns.

Nodal development is a mixed-use, pedestrian-friendly land use pattern that seeks to increase concentrations of population and employment in well-defined areas with good transit service, a mix of diverse and compatible land uses, and public and private improvements designed to be pedestrian and transit oriented. Fundamental characteristics of nodal development require:

- Design elements that support pedestrian environments and encourage transit use, walking and bicycling;
- A transit stop which is within walking distance (generally 1/4 mile) of anywhere in the node;
- Mixed uses so that services are available within walking distance;
- Public spaces, such as parks, public and private open space, and public facilities, that can be reached without driving; and
- A mix of housing types and residential densities that achieve an overall net density of at least 12 units per net acre.

The nodal development plan for this area relies on the following key ingredients:

1. Neighborhood Commercial Services. The commercial core of the area will be situated near the intersection of Garden Way and Centennial Boulevard. Commercial services will line both sides of Garden Way in the vicinity of a new intersection about 400 feet north of Centennial Boulevard, creating an environment friendly to pedestrians and retailers and an identifiable center for the community. A moderate sized grocery store will provide a wide range of services to Chase Gardens residents without drawing significant amounts of traffic from outside the area.

2. Street Network. Garden Way will be the main collector road within the Chase Gardens area and the retail heart of the neighborhood. Garden Way will be reconstructed to have safer curves, landscaped medians and bike lanes, and will be designed to keep traffic at 20-25 miles per hour. Frequent transit service will continue to travel through the center of the commercial area. Additional local streets will complete connections between the residential areas and commercial services. See Chase Gardens Street Network Map.

3. Growth and Preservation. The area will continue to grow with high density residential and commercial development, yet special features such as the Q Street Channel, the historic ensemble recognized by the National Registry of Historic Places, new City park, and significant vegetation should be preserved as reminders of this area's special natural and cultural heritage.

Nodal development requires a combination of uses strategically placed, traditional architecture and site design, and traffic control, all carefully arranged to be pedestrian friendly, encourage bike and transit ridership, and facilitate high density development, retail vitality, and a wholesome living environment. Without an infusion of public funds to subsidize development, which is not currently available, the city can only encourage nodal development with a policy and regulatory framework utilizing the site's existing amenities.

Chase Gardens Subarea Policies and Proposed Actions

1. The City shall not require development of historic properties, but shall allow for eventual development of these sites as high density residential, with limited commercial opportunities, at the owners' discretion. Rezoning to Historic District is encouraged as an alternative to the standard high density residential/mixed use zone.

2. New development abutting historic properties shall provide an effective transition between urban and rural uses, recognizing the high density nature of the new development. New buildings facing the historic ensemble from across Garden Way should emulate the architectural forms and materials of the historic residences.

3. The City shall recognize Garden Way north of Centennial Boulevard as appropriate for a neighborhood-oriented commercial center. Commercial land uses shall be sized to allow a full range of retail and commercial services for area residents, as well as offices and employment opportunities, but not encourage significant travel from outside the area.

4. The City shall create a special area zone or overlay zone, or both, to direct commercial and high density residential development into nodal patterns. Use regulations shall require development along the double-curve portion of Garden Way to emulate a neighborhood village or "Main Street" development pattern. A limited mix of retail uses shall be encouraged in areas abutting South Garden Way.

5. Garden Way shall be improved as the area's main north-south collector street and retail center. Street improvements shall include design-speeds under 25 miles per hour, landscaped medians, bike lanes, easy pedestrian crossings, and centrally located transit station. The City shall consider retaining a separated bike or multi-use path on the east side of the street, or provide a wide sidewalk on the east side that will allow off street bicycle travel, and improvements to facilitate pedestrian movements from the south side of the Centennial Boulevard. Street improvements shall minimize impacts to the Historic Ensemble, including mature trees.

6. Development within this area shall provide street and pedestrian connections to facilitate movement between residences and the commercial center, but arranged in such a way that cut-through traffic from outside the node is not encouraged.

7. Zoning shall reflect the area's planned park site and existing government uses (e.g., EWEB substation). In the event public use of either of these sites is discontinued, the preferred replacement use is high density residential.

8. Development adjacent to I-5 or I-105 shall be designed to reduce noise to Uniform Building Code standards and visual impacts of the automobiles with sound buffering walls, building design, earth form, vegetation, or setbacks.

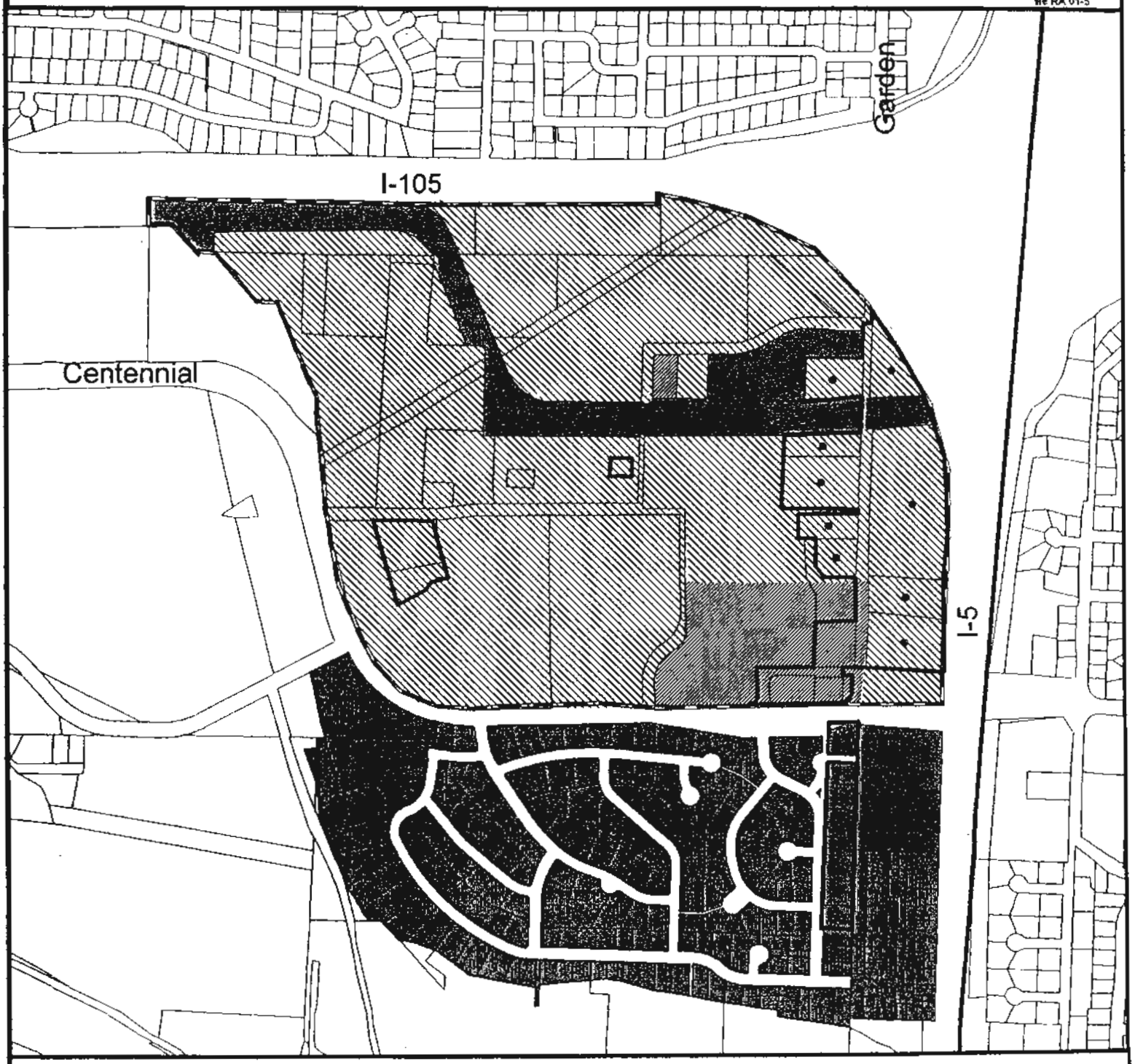
9. A pedestrian or bike path should be developed between Kinsrow and Garden Way using the narrow property that extends through the Historic Ensemble. In the long term, if the adjacent historic properties develop, this access way should be expanded into a local street connection between Kinsrow and Garden Way, if possible.

10. Development shall be sensitive to the area's natural features, such as mature trees, windrows, remnant orchards, and the Q Street Channel.

11. Upon annexation and prior to land division or development, properties located along or east of Garden Way shall rezone to S-CN Chase Node Special Area Zone.

Chase Gardens Subarea
Willakenzie Area Plan Land Use Diagram Amendments

file RA 01-5

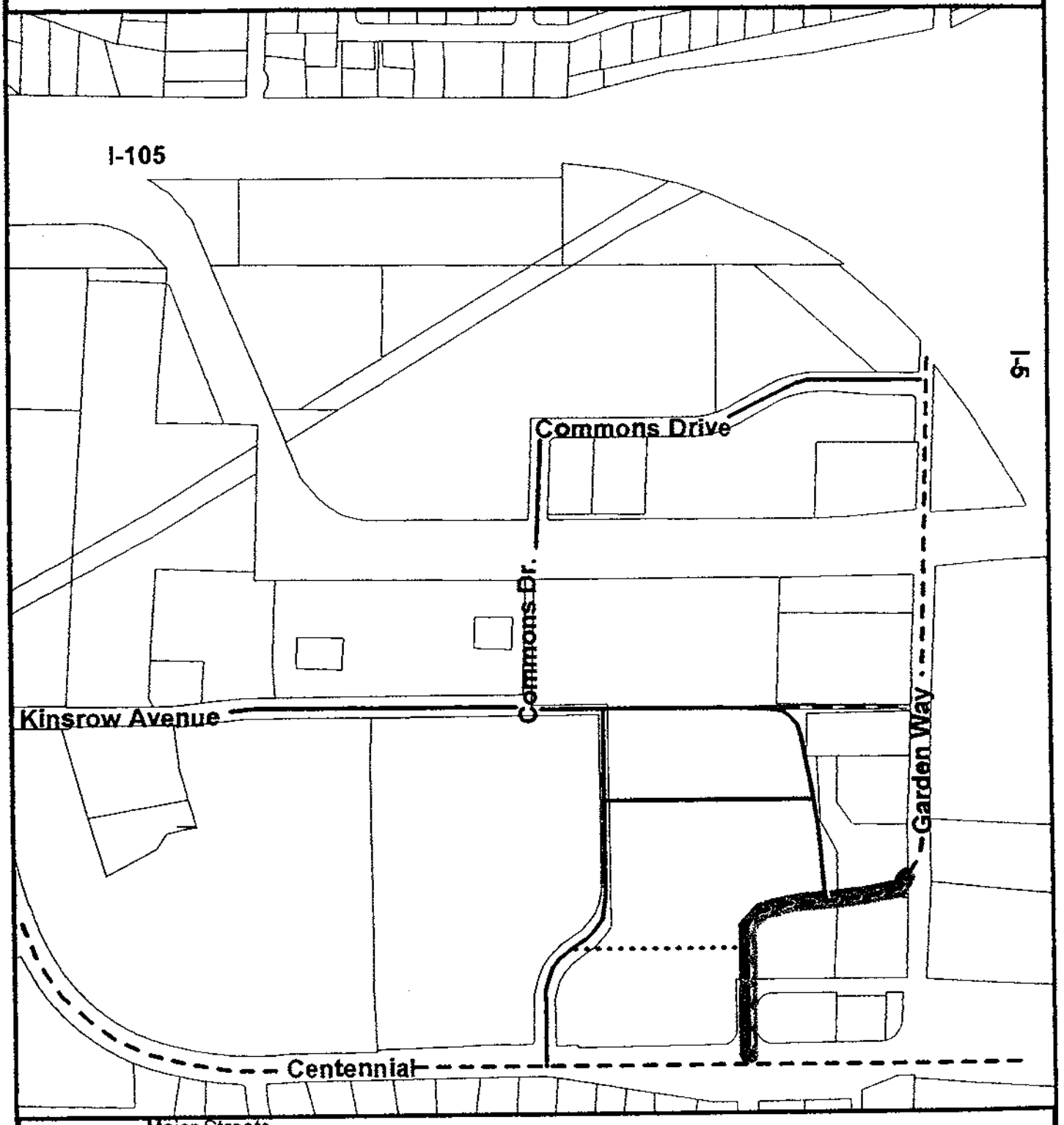


- Eugene City Limits
- Chase Node
- Parks & Open Space
- Low Density Residential
- Commercial
- High Density Residential
- Mixed Use Subarea

Chase Gardens Subarea as amended by Ordinance No. 20265 (11/12/03).

N

Chase Gardens Street Network Map



- Major Streets
- Local Streets and Local Collectors
- Long Term: Local Street
  Short Term: Bike Path
- Easements for through-traffic and pedestrian access
- Primary Pedestrian - oriented street section

Chase Gardens Subarea as amended by Ordinance No. 20265 (11/12/03).

N

14. Alton Baker Subarea

This subarea lies south of Centennial Boulevard and east of Coburg Road. Alton Baker Park, the Willamette Science and Technology Center (WISTEC), and the Autzen Stadium athletic complex are major public facilities within the subarea. All of this subarea is within the Willamette River Greenway.

Alton Baker Park occupies approximately 375 acres at the extreme southern end of the study area. Its location near the center of the city's urban area along the north bank of the Willamette River heightens its importance as a regional park facility.

In 1986, Lane County adopted the Alton Baker Park Master Plan. That plan contains goals, policies, and recommendations for use and development of the park. After the plan was adopted, Lane County and the City have entered into discussions concerning the transfer of park jurisdiction to the City. A portion of the western end of the park has been transferred to the City. The City PARCS Department is also preparing a long-range development plan for its portion of the park which may require revisions to the adopted Parks Master Plan. The City and County will continue to discuss the transfer of other sections of the park to the City.

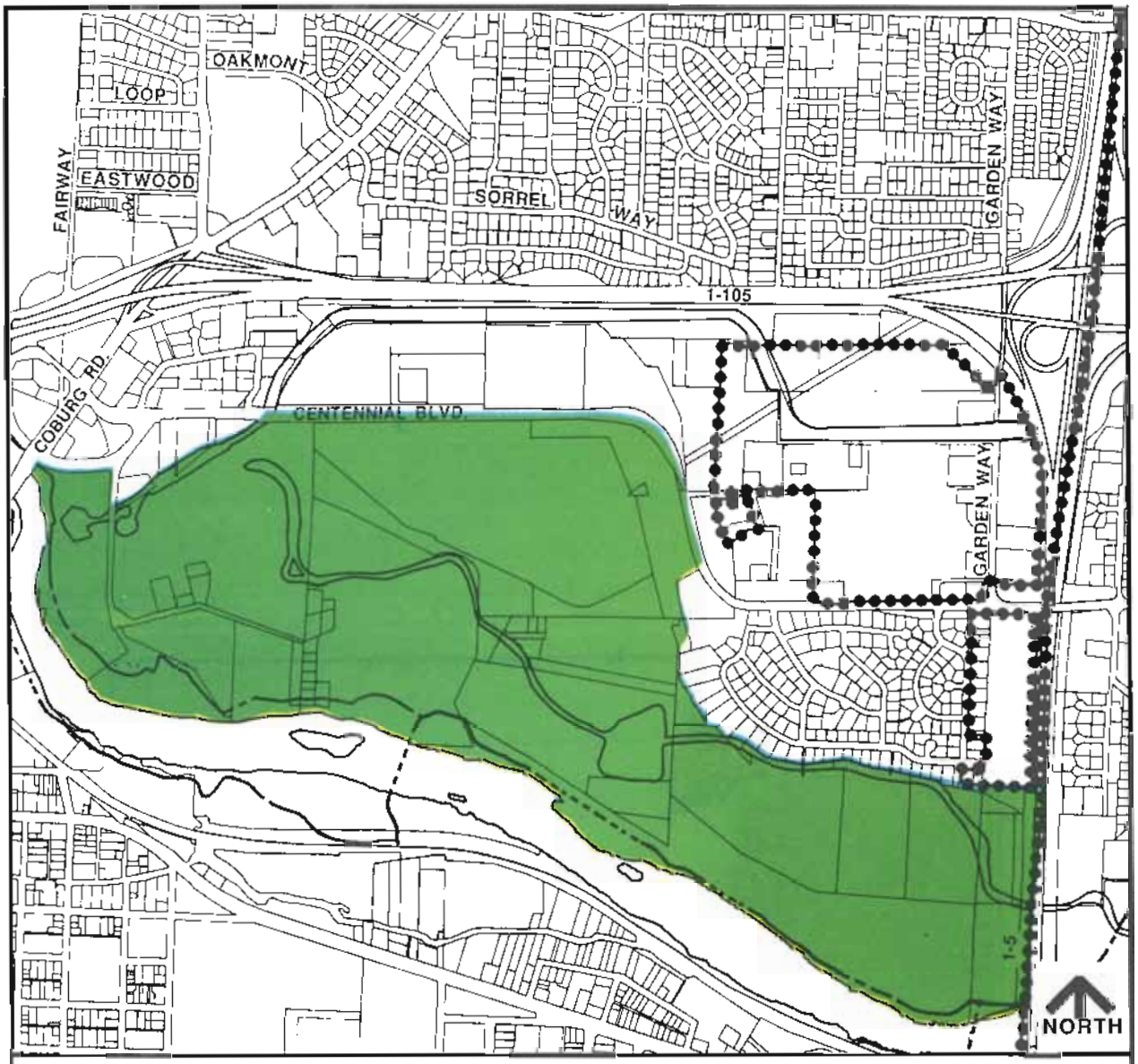
The Alton Baker Park Master Plan identifies two uses as incompatible with park development goals. The plan recommends acquisition of a privately owned parcel in the central portion of the park, currently owned and occupied by KEED radio station. The plan also recommends discontinuation of residential uses in the park. Currently, there are five County-owned residences in the park which are rented for residential use.

The Alton Baker Master Plan designates a majority of the eastern half of the park as an "open space opportunity area". This area is the site of the former Day Island landfill which was operated by Lane County until its closure in 1974. This area is also the site Lane County is investigating for the possible development of a public golf course.

The Autzen Stadium athletic complex is owned and managed by the University of Oregon. The stadium and parking lot were constructed in 1967. The stadium contains seating for 40,000 spectators and the site surrounding it has more than 5,000 parking spaces. In 1987, the City approved a conditional use permit for the construction of stadium "sky-suites" and the Len Casanova Athletic Complex which will house the University Athletic Department and affiliated uses.

The University has prepared a conceptual master plan for the Autzen stadium site which outlines a rehabilitation program which will result in extensive landscaping of the parking area and site perimeter, development of a ring road to enhance site circulation, development of controlled access points into the stadium, and complete paving of the parking area.

The City is currently engaged in a study to determine improvement alternatives for the Ferry Street Bridge corridor. Of the 14 preliminary alternatives which were developed, there will be four (4) alternatives included in the evaluation of alternatives in the Ferry Street Bridge Environmental Impact



ALTON BAKER SUBAREA

Parks/Open Space

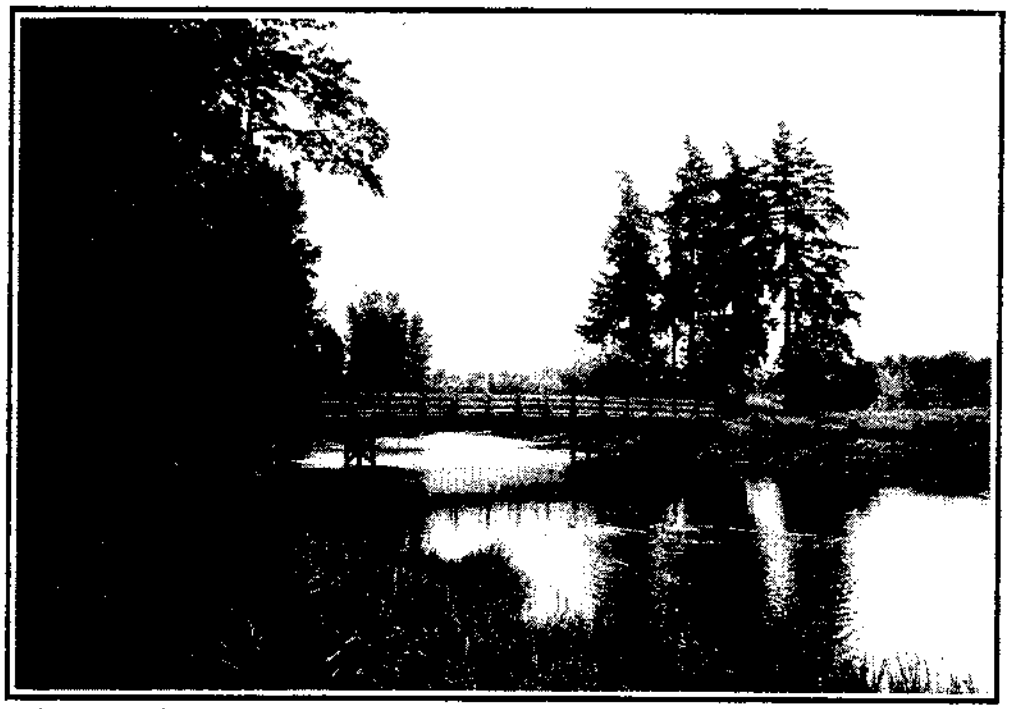
No Scale

Statement (EIS). Of these four (4) alternatives, two (2) may have some impact on Alton Baker Park. If parklands are affected by the proposed project, the extent of impacts to the park and surrounding land uses will be evaluated within the EIS.

Alton Baker Subarea Policies and Proposed Actions

1. Upon completion of the transfer of the park, or portions of the park, to the City of Eugene, the City shall evaluate the need for a master plan for those areas of the park under City jurisdiction.

2. The City shall reexamine the land use designations in this subarea upon final adoption of the Final Environment Impact Statement regarding the preferred alternative for the Ferry Street Bridge project.



Pedestrian bridge over canoe canal in Alton Baker Park.

TRANSPORTATION ELEMENT

TRANSPORTATION ELEMENT

INTRODUCTION

In November 1988, the Willakenzie Planning Team held several public meetings to identify Willakenzie area planning issues. Transportation-related issues dominated the list of concerns identified by area residents and property owners. In general, their concerns focused on traffic congestion, perceived inadequacies of the Ferry Street Bridge, management of traffic controls (signals, stop signs, and speed limits), through traffic on local streets, street maintenance, highway noise, and pedestrian safety. (Refer to the Appendix for a complete transcript of the Willakenzie Issues Forum.)

Traffic levels in the Willakenzie area have increased substantially in recent years. These increases are due not only to local population increases, but to increased mobility brought about by fundamental social and economic change. Increases in the number of registered vehicles, the number of cars per capita, the number of women in the work force, the number of jobs in the community, and the location of employment growth areas have all influenced levels of traffic and traffic congestion in the community. As the area continues to grow, levels of congestion, noise, and air pollution; opportunities for pedestrian/automobile conflicts; and other transportation-related problems are also likely to grow. It is the perception of area residents that the existing transportation network in the Willakenzie area is approaching or has reached capacity.

The Transportation Element outlines a strategy for maintaining and enhancing mobility in the area while minimizing the impacts of increased levels of traffic on neighborhood livability. This plan element contains a discussion of transportation-related issues in the Willakenzie area and establishes transportation policies and implementation strategies for the Willakenzie area. It also contains a discussion of study area characteristics that influence the movement of goods and people within and through the Willakenzie planning area. A full range of potential modes of transportation are considered, including the automobile, mass transit, bicycling, and walking.

CHARACTERISTICS OF THE WILLAKENZIE TRANSPORTATION NETWORK

The Willakenzie planning area is, in some ways, ideally situated with respect to development of an efficient transportation system. Proximity to Interstate 5, Beltline Road, Delta Highway, Coburg Road, Centennial Boulevard, and the Eugene-Springfield freeway (I-105) ensures excellent access and linkage to other parts of the city and metropolitan area. Major employment and shopping areas are readily accessible to area residents: The area has the beginnings of an effective bike route system. The public transit system serves nearly all of the arterial streets in the Willakenzie area.

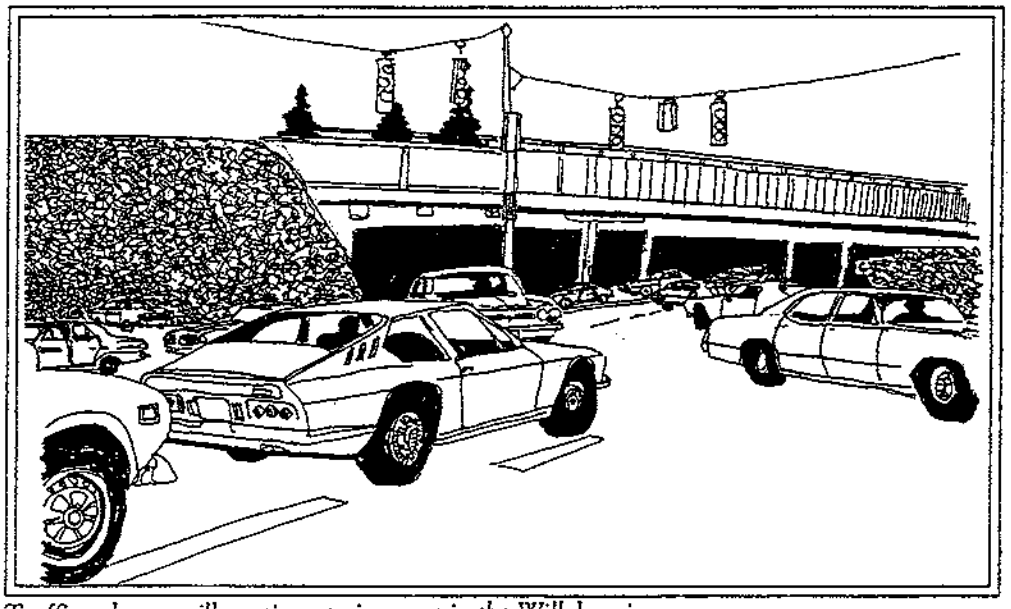
The land use and transportation pattern in the area south of Beltline Road is well-defined. The bulk of north-south traffic movements are confined to six major streets: I-5, Coburg Road, Oakway Road, Gilham Road, Norkenzie Road, and Delta Highway. Similarly, the majority of east-west movements are accommodated on the higher-speed freeways (I-105 and Beltline) and several arterial streets (Harlow Road, Centennial, Country Club, Cal Young Road,

Crescent Avenue, and Green Acres Road). Opportunities for new, high-capacity streets in this developed area are extremely limited.

The portion of the Willakenzie area with the most dramatic growth potential is the area north of Beltline. Approximately two-thirds of this area lies outside the city limits, and is currently unserviced, underdeveloped, or undeveloped. The street system in the unincorporated area is very poorly defined. Existing north-south arterials can be extended to serve this area, but additional east-west streets will need to be developed north of Crescent to accommodate future traffic.

The area between the urban growth boundary and the McKenzie and Willamette rivers is occupied almost exclusively by sand and gravel operations. Sand and gravel resources in this area are expected to last well beyond the planning period for the Willakenzie Plan. Noise and truck traffic associated with the extraction and processing of sand and gravel have been cited as sources of potential conflict with the development of urban uses.

North Delta Highway, County Farm Road, and Coburg Road (north of Beltline) are used extensively by local sand and gravel operators. Large numbers of gravel trucks use these routes on a daily basis. Future residential and commercial development occurring on land abutting these corridors will need to address noise and traffic circulation conflicts that will arise from development of land adjacent to this pre-existing use. (See Access Controls Map and Noise Control Corridors Map.) Special efforts should be made to limit noise impacts from gravel trucks and gravel-processing equipment through extensive use of earthen berms and appropriate residential and open space siting and design techniques.



Traffic volumes will continue to increase in the Willakenzie area.

Jurisdictions

There are approximately 107 miles of streets and highways in the Willakenzie planning area. Streets and highways serving the Willakenzie area fall under the jurisdiction of the State of Oregon, Lane County, and the City of Eugene. State facilities include: Interstate 5, the Eugene-Springfield Highway (I-105), and Beltline Road. County facilities include: Delta Highway between I-105 and Green Acres Road, and the entire street system lying outside the current city limits. All other streets in the planning area are under the jurisdiction of Eugene.

In 1987, Lane County and Eugene agreed to transfer jurisdiction of certain urban services from the County to the City. The transfer of jurisdiction was achieved by a mechanism known as "urban transition." The purpose of urban transition is to assign regulatory and financial responsibility to the jurisdiction that will ultimately provide urban service to an area.

The urban transition agreement for streets and roads transfers jurisdiction from several County-maintained streets to Eugene. The agreement also establishes a way for County roads affected by annexation to be transferred to the City's jurisdiction. Maintenance and improvements to those streets identified in the agreement are now Eugene's responsibility.

River Crossings

The Willamette River forms a physical boundary between the Willakenzie planning area and the remainder of the city. Three vehicular bridges--Ferry Street Bridge, Washington-Jefferson Bridge, and Beltline Bridge--cross the Willamette River within the planning area. All three bridges are an integral part of the area's transportation network. In addition, there are four bicycle bridges crossing the Willamette in the planning area. They include the Knickerbocker Bridge, Autzen Bridge, Greenway Bridge, and Owosso Bridge. These bicycle bridges facilitate efficient bicycle and pedestrian travel by reducing barriers to pedestrian and bicycle travel in the area. Transportation planning for the Willakenzie area is controlled to a great extent by the number and locations of bridges connecting this area with other parts of the city.

The Ferry Street Bridge (FSB) provides access to the downtown and University of Oregon areas. Traffic volumes on the bridge and within the FSB corridor are projected to increase by 50 percent over the next 20 years. Population growth and associated increases in traffic volumes have resulted in a variety of traffic problems within the corridor including rush hour congestion, unsafe turning movements, and conflicts between pedestrians, bicycles, and motor vehicles.

The City has initiated a comprehensive study of the FSB corridor to determine how these problems should be addressed. A key product of the study is the FSB Environmental Impact Statement (EIS). The EIS will analyze the environmental impacts associated with identified alternative solutions to problems within the corridor. The selection of a preferred alternative is not expected to occur within the time frame for development of this plan. Several of the alternative scenarios could have a significant impact on land uses and traffic movements within the Central and South Regions of the Land Use Element. Specific recommendations for transportation improvements within the Ferry

Street Bridge corridor will be developed through the Ferry Street Bridge Study.

The Beltline Bridge provides access to River Road/Santa Clara, west Eugene, and highways 99 and 126. Increasing traffic volumes on Beltline Road have prompted consideration of improvements to Beltline between Delta Highway and River Road. The project, which is identified in TransPlan, is included in the State's Six-Year Highway Improvement Program for preliminary planning and environmental analysis in 1996.

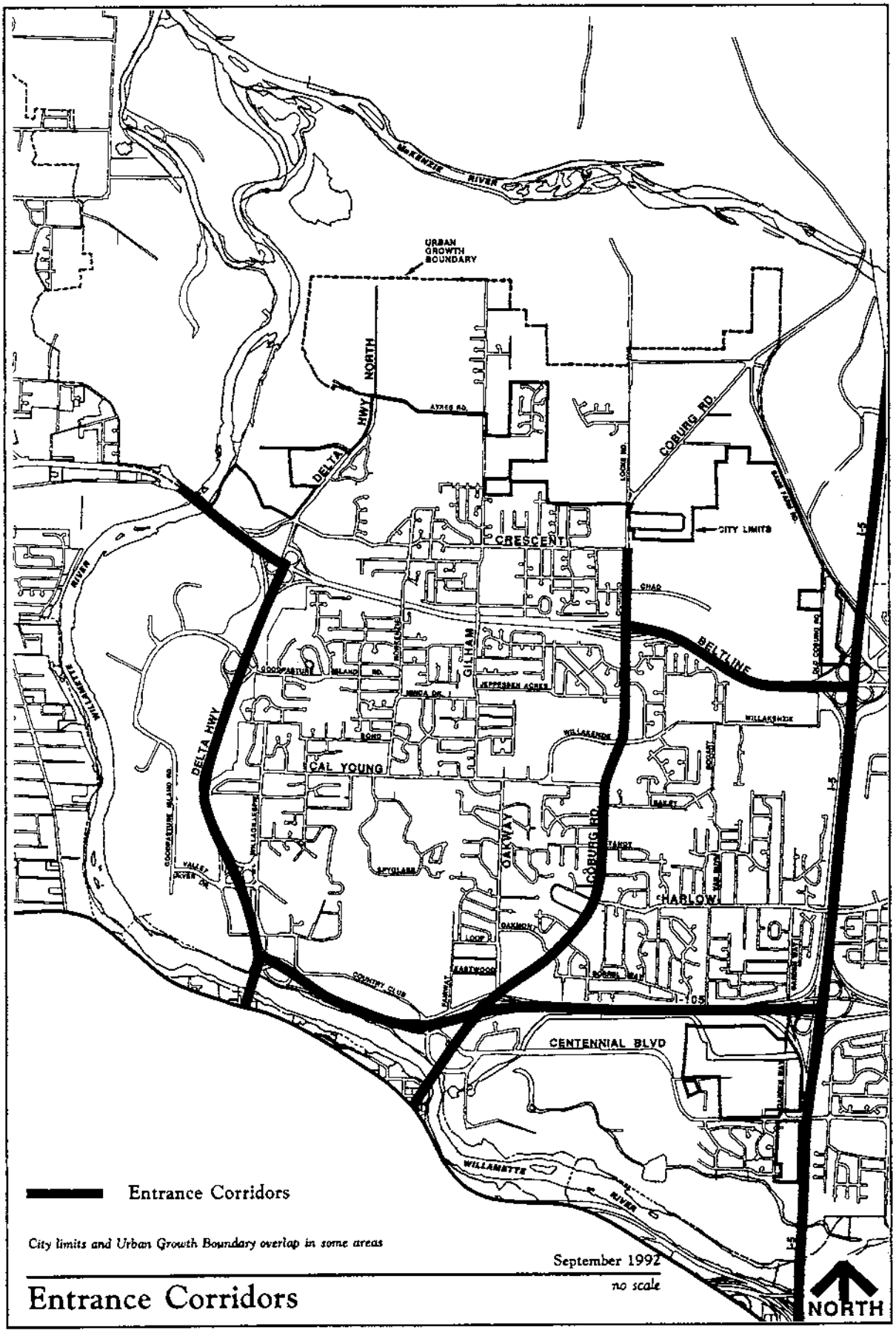
TransPlan also identifies a need for a new bridge across the Willamette in the vicinity of Valley River Center. This project is intended to alleviate congestion on several area roadways by providing an alternate river crossing. A comprehensive study to determine location and right-of-way alternatives, as well as the environmental impacts of a new bridge, will be initiated in the near future. Like the Ferry Street Bridge project, this project is likely to result in significant changes to local land use patterns and traffic movements. It is anticipated that the study area for the Willakenzie portion of this project will encompass all of Goodpasture Island. Specific recommendations for transportation improvements associated with this project will be developed through the future Goodpasture Island Access Study.

Regional Traffic

Traffic in the Willakenzie area does not necessarily originate or have a destination within the planning area. Several of the arterials in the planning area serve a regional transportation function. These roads serve major regional facilities, such as Valley River Center and Autzen Stadium, or they interconnect with the State highway system. In general, an attempt is made to encourage through traffic to use major arterials, especially those on the State and County systems (I-105, Beltline, and Delta), to reduce the levels of regional traffic using neighborhood area streets. Other major and minor arterials in the area that carry heavy volumes of regional traffic include Centennial Boulevard, Club Road, Coburg Road, Game Farm Road, and Harlow Road.

Entrance Corridors

Several of the major roads in the planning area function as primary entrances to the city. (See Entrance Corridors Map.) These roads bring travelers into Eugene from Interstate 5, Mahlon Sweet Airport, or Highway 126 and Highway 99. These primary entrance roads have been designated as entrance corridors in the City of Eugene Entrance Beautification Study. Entrance corridors are focal points for future highway improvement and beautification projects, including landscaping, entrance signing, and improvements to guide signing for various regional destinations.



Entrance Corridors

FUNCTIONAL CLASSIFICATIONS

Streets are classified according to their traffic-carrying capabilities and design functions. The function of the street determines whether it is primarily used to provide access to property or whether it facilitates movement through an area. The classification system used by the City assigns one of four classifications to area streets; they are classified as local streets, collectors, minor arterials, or major arterials.

Local Streets

Streets whose primary function is to provide land access are classified as local streets. These are narrow, slow-speed, low-volume service facilities. They contain minimal signing and striping, allow a mixture of unsegregated uses within the right-of-way (bikes, pedestrians, motor vehicles, parking), and typically carry fewer than 500 vehicles per day.

Collectors

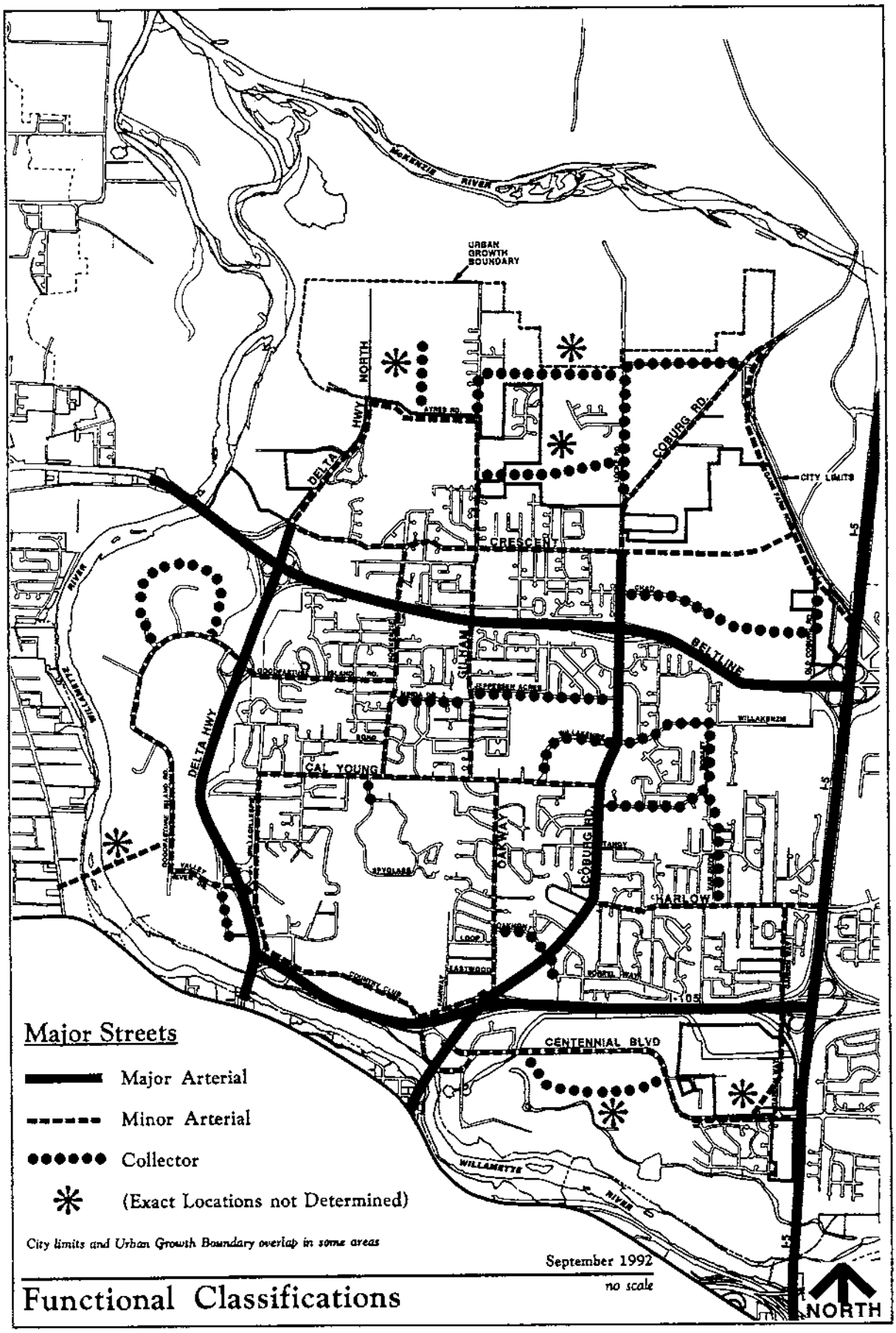
Collectors are streets which collect traffic from the local street system and distribute it to the arterial system. Collector streets have a higher priority for maintenance than local streets, and on-street parking is occasionally restricted on them. Collectors usually provide a high degree of private property access. Collectors normally carry between 1,500 and 5,000 vehicles per day, although some collectors, especially those in commercial areas, may carry more than 10,000 vehicles per day.

Minor Arterials

Streets whose primary function is the movement of large volumes of relatively high-speed traffic are classified as minor or major arterials, depending on the volume of traffic on the street and the purpose and length of trips taken on the street. Minor arterials are designed to carry large traffic volumes, but relatively less than major arterials. They are typically two or three lanes, have some but not total access control, serve neighborhood-level traffic generators, and distribute traffic from collectors to major arterials. Some minor arterials have restricted, on-street parking. They usually carry between 5,000 and 15,000 vehicles per day; occasionally minor arterials in commercial areas may have four or more lanes and carry over 20,000 trips per day.

Major Arterials

Major arterials are usually, but not always, four or more lanes. They generally connect major traffic generators within the city and provide linkage with important rural routes. They are typically wide, carry large volumes of traffic, and have no on-street parking. Signals or grade separations are used for traffic control at major intersections. Through traffic and regional traffic is encouraged to use the arterial system. Major arterials usually carry more than 15,000 vehicles per day, up to volumes as high as 50,000 or more on a few routes.



Functional Classifications

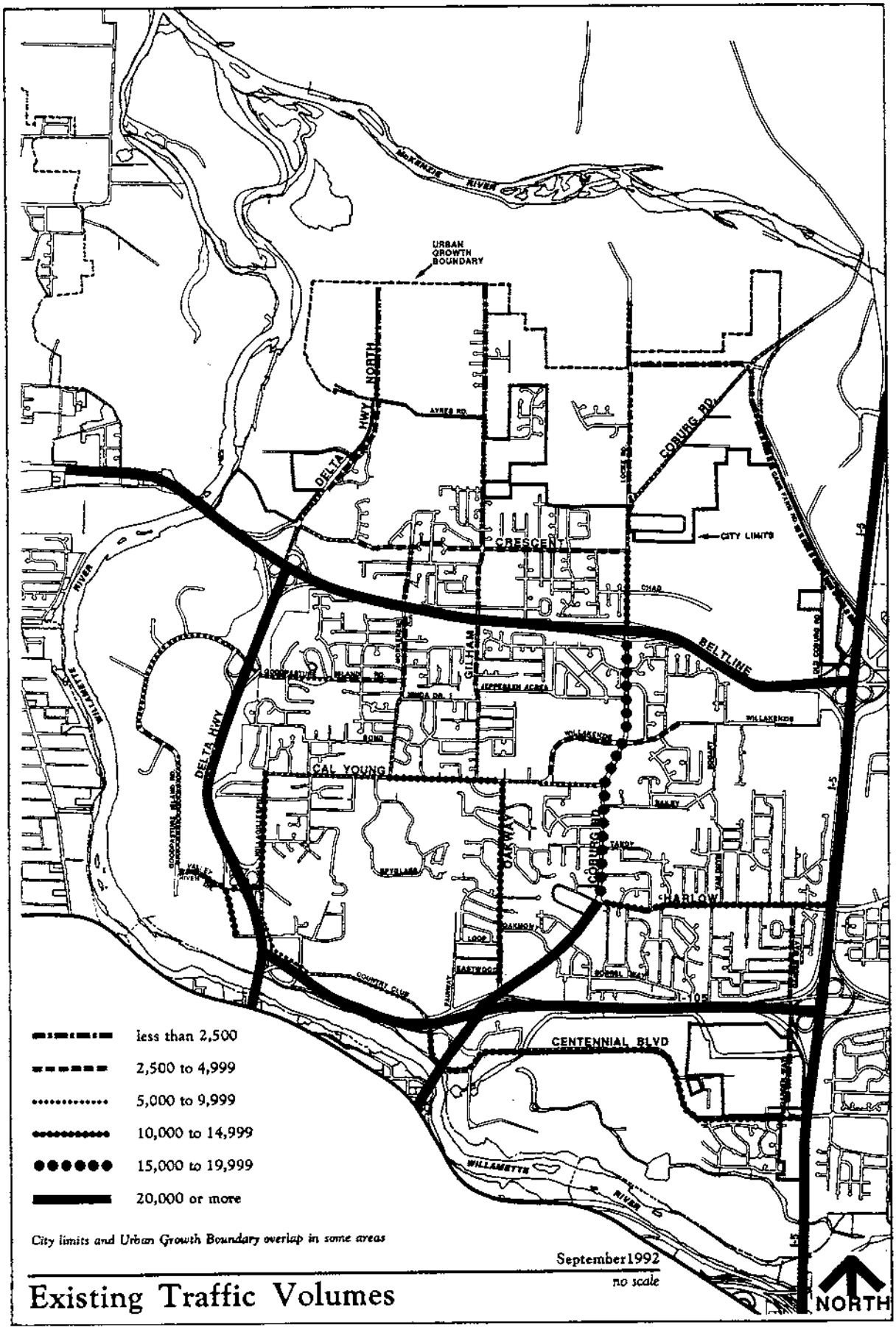
The majority of major arterial streets in the Willakenzie area are designed as "limited-access" arterials. These streets, because they typically carry large volumes of through traffic, have a limited number of points of access. Those streets considered as limited access arterials include Interstate 5, the Eugene-Springfield Highway (I-105), Delta Highway, and Beltline Road. Restricting access on a street is one technique commonly used to reduce potential or actual conflicts between higher speed through traffic and local traffic. Functional classifications for streets in the Willakenzie area are shown on the Functional Classifications Map.

Coburg Road is the only major arterial within the planning area not designed as a limited-access street. This street carries large volumes of through traffic (10,000 to 35,000 vehicles per day) and provides direct access to numerous private developments and cross streets. A variety of land use types exist along this corridor including strip commercial, nodal commercial, office commercial, multiple-family residential, and single-family residential. Coburg Road is also identified as one of the city's entrance corridors.

Travelers within the Coburg Road corridor experience significant traffic congestion and safety problems at certain times of the day and within certain segments of the corridor. As volumes increase on this street, congestion and safety concerns will also increase. At present, there appear to be two options for maintaining and/or improving the efficiency and attractiveness of Coburg Road. One alternative is to widen the existing street to carry additional traffic. This alternative would have significant negative impacts on developments along both sides of the corridor and would incur tremendous right-of-way acquisition costs. A second option is to take measures to improve the operational efficiency of the street through the implementation of minor improvements at specific locations.

Operational improvements could include minor widenings at intersections to accommodate additional turn lanes, access modifications to minimize turning conflicts and erratic driving maneuvers, improved traffic signing to better guide motorists, and improved traffic signal operations to enhance traffic flow on Coburg Road. Improvements of these types may be sufficient to accommodate traffic on this street for the next 10 to 15 years, depending on the rate of growth in the area.

Specific improvement projects within the corridor may offer numerous opportunities to enhance the visual qualities of the street and abutting land uses. A comprehensive study of traffic, visual, and land use characteristics of the Coburg Road corridor would ensure that operational and visual enhancement concerns are simultaneously addressed on future improvement projects.



Existing Traffic Volumes

TRANSPORTATION INFRASTRUCTURE OF THE WILLAKENZIE AREA

This section describes multi-modal infrastructure improvements needed to accommodate future growth in the Willakenzie area. Within the next 20 years, traffic volumes are projected to increase as much as 50 to 60 percent over present volumes on major streets throughout the neighborhood. (See Existing Traffic Volumes Map.) New development will heighten the need for a balanced transportation system in this area. That system should provide an adequate street system that will accommodate vehicles of all types. However, it must also provide for necessary increases in the use of alternate modes of transportation such as mass transit, bicycles and walking.

Streets

Significant portions of the area's street network are not designed or improved to urban standards. A street is considered to meet urban standards when it has curbs, gutters, sidewalks, bike lanes (when needed), lighting, and an adequate paving width. Approximately 21 percent of the 85 miles of streets in Eugene's jurisdiction, and all of the 13 miles of streets in the County's jurisdiction, do not meet urban standards.

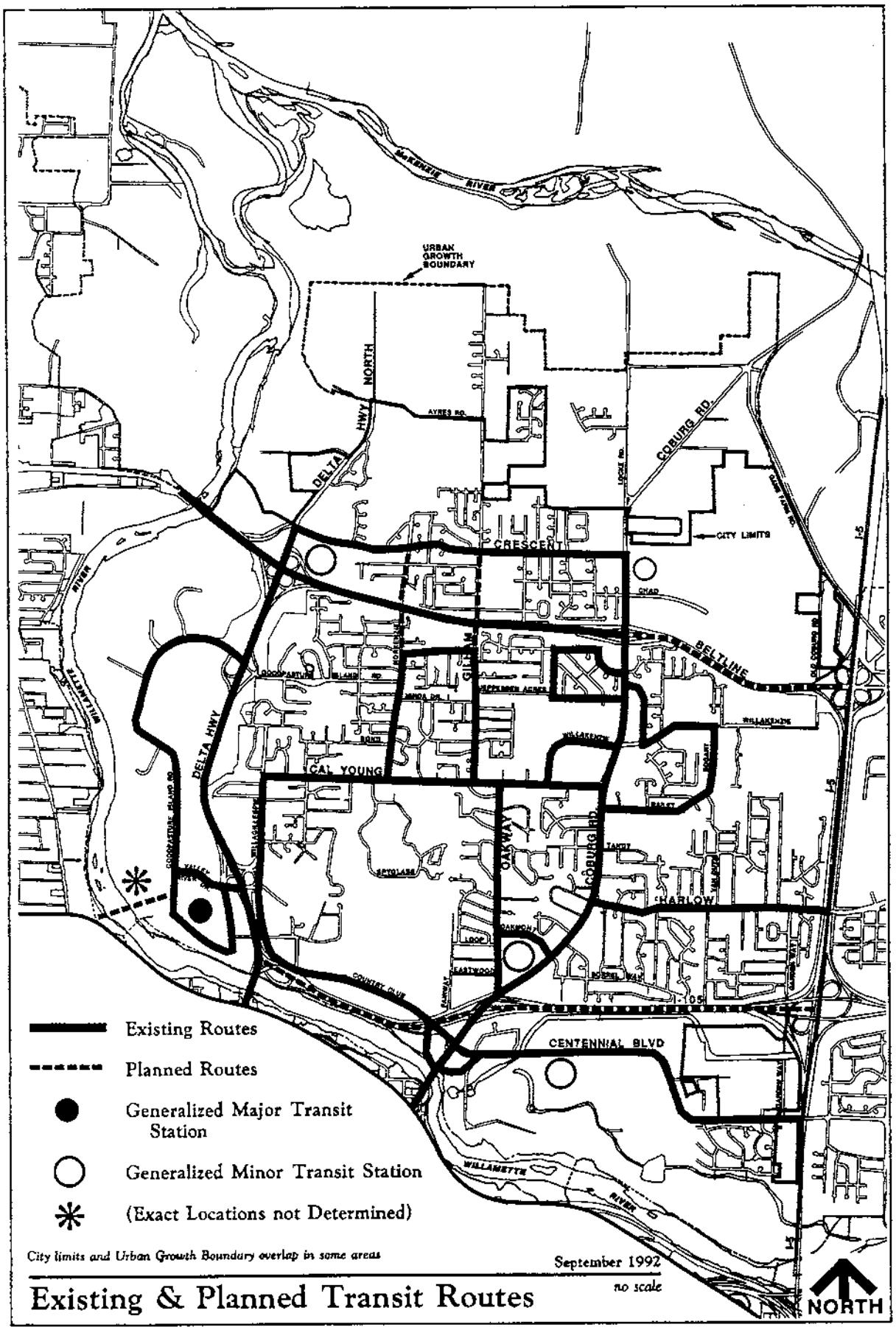
Many of the unimproved streets are local streets which provide direct access to residential parcels. Substandard conditions on these streets include gravel or minimal asphalt surfacing and lack of curbs, sidewalks, and storm drainage. Local street improvements are initiated by abutting property owners who are assessed for the improvements.

The City will focus its efforts on improving the arterial and collector system to urban standards. Growth in the area will trigger the need for upgrading and reconstruction of various arterial and collector streets as described in Table T-1 (included in this element). Typically, these improvements will include reconstructing the streets to include curbs, gutters, sidewalks, bike lanes, and center turn lanes. The City will continue to pursue additional or improved river crossings in the Ferry Street Bridge corridor and in the vicinity of Valley River Center.

The unincorporated area north of the existing city limits contains a poorly defined street system. The existing street network is inadequate to serve the urbanizable area within the urban growth boundary. In addition, streets within the unincorporated area are improved only to rural standards. Arterial and collector streets which are thought to be necessary to serve future development in the unincorporated area are shown on the Willakenzie Area Functional Classification Map. As this area is developed and following annexation to Eugene, new streets will be constructed to urban standards.

Transit

The planned mass transit system for the Willakenzie area, and for the entire metro area, is an all-bus system. Currently, Lane Transit District (LTD), the transit system operator, provides service to most of the arterials and collector streets within the Willakenzie area as far north as Crescent Avenue.



Existing & Planned Transit Routes

Various policies within the Metro Plan and TransPlan are directed at enhancing the viability of the public transit system. These policies recognize the relationship between land use patterns, development practices, and transit effectiveness. Among those land use factors affecting the efficiency and vitality of the transit system are the following: density; development location; mixed-use development; and site design.

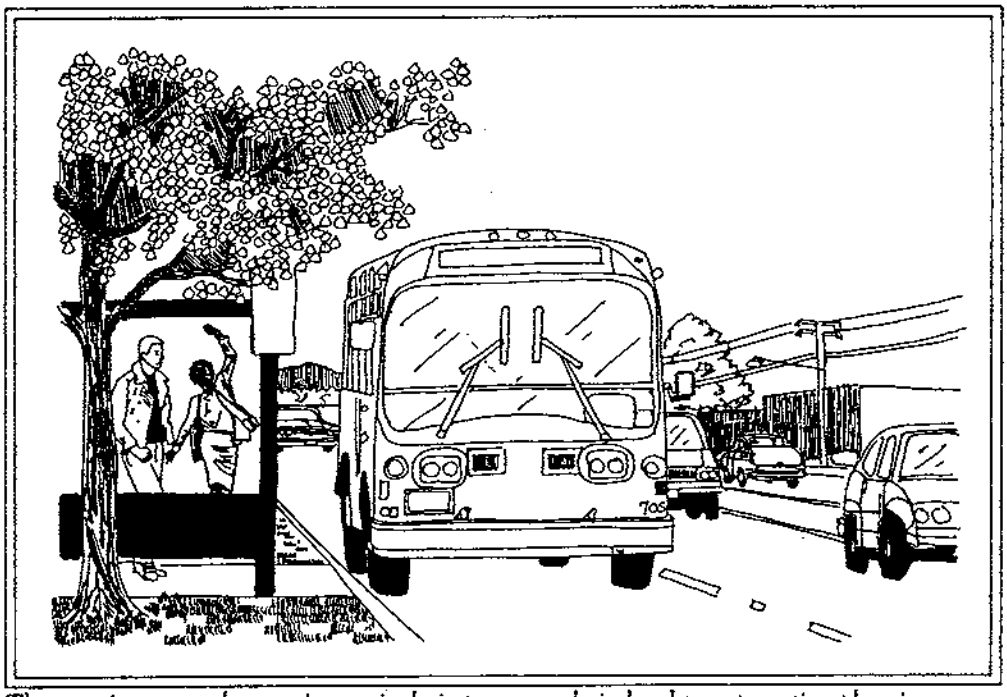
Density. Residential and employment densities strongly influence transit service. As residential and employment densities rise in an area, transit ridership is correspondingly higher. The Metro Plan encourages higher-density development throughout the metropolitan area.

Development Location. Concentration of development (particularly transit attracters) within existing activity centers can intensify transit ridership. The Metro Plan and the Willakenzie Plan encourage the development of activity nodes containing higher density housing, commercial uses, and mixed-use development.

Mixed-Use Development. These developments contain a variety of uses within one project, on a single site, or very close to one another. The mixing of office, residential, and retail uses reduces the need to travel to shop or work and results in a reduction in the use of the automobile for work trips or lunch hour and after-work shopping trips. Mixed-use developments also permit greater opportunities for shared parking and corresponding reduction of required parking spaces. Both the Metro Plan and Willakenzie Plan encourage the development of mixed-use centers.

Site Design. Transit use can be encouraged through the application of transit-sensitive site design. Particular attention should be paid to the location of transit stops and parking lots relative to the building site, especially for office and other employment areas. In general, transit stops should be located closer to the building than employee parking areas. Parking for single-occupant vehicles should be located furthest from the building. Buildings should be clustered and organized around an easily identifiable transit stop to encourage transit use. Transit stops should be linked to all buildings by paved sidewalks. All transit stops in high-activity areas should have weather protection and adequate signing, seating, lighting, and visibility. These and other design factors can significantly affect the viability of transit operations in suburban office and commercial developments.

The transit element of TransPlan identifies locations in which major and minor transit stations will be constructed as demand for transit service increases in the metro area. A major transit station, with spaces for four to six buses, has been completed for the Valley River Center area. Minor transit stations, to be located on the street at key intersections, are planned for Delta Highway at Beltline, Coburg Road at Beltline, and Coburg Road at Oakway. As development occurs at or near these locations, the City and LTD will work with developers to incorporate transit facilities and routing plans into the future development projects. (See Existing/Planned Transit Routes Map.)



The transit system plays an increasingly important role in local transportation planning.

Bicycle Facilities

There are many advantages to bicycling in the Willakenzie area. It is relatively flat, bicycle lanes are present on most arterials, and it is close to downtown area attracters. The system includes several miles of off-street paths available, primarily along the riverbank.

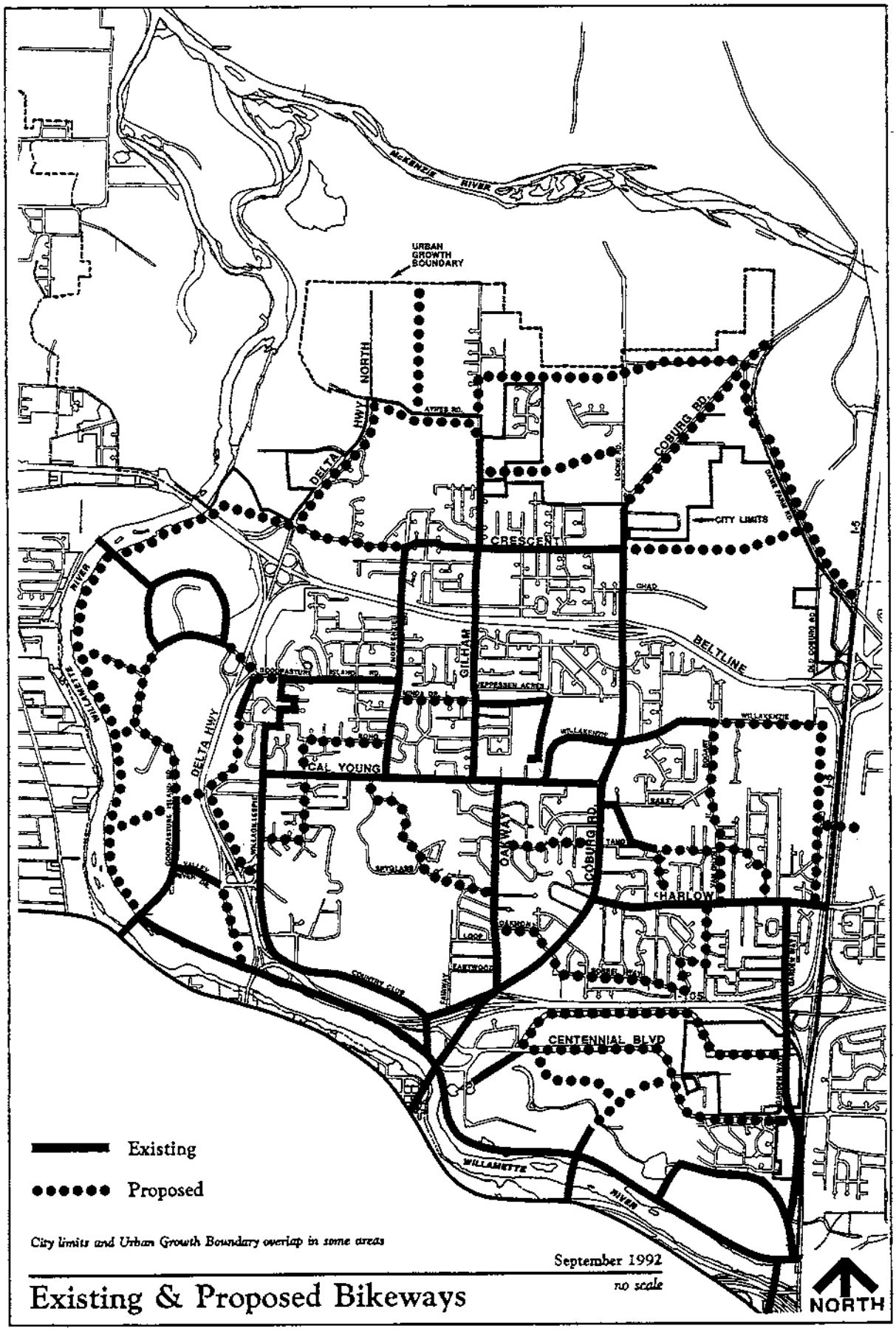
The City encourages the use of bicycles as a form of transportation that reduces congestion, wear on the streets, and air pollution. One of the methods the City has used to encourage use of bicycles is provision of a network of bicycle routes. Most of the arterials and collectors in the Willakenzie area have bicycle facilities and provide a primary travel network with local residential streets feeding the system. (See Existing/Proposed Bikeways Map.)

However, there are some challenges to cycling in the Willakenzie area. Coburg Road, although it provides bicycle lanes, is not an ideal cycling atmosphere. The high volume and speed of motor vehicles between Beltline Road and the Ferry Street Bridge introduce several points of conflict between cyclists and motorists. Major conflict points include free right-turn lanes onto Harlow Road, Country Club Road, Centennial Boulevard, and the I-105 entrance and exit. The Ferry Street Bridge Study will suggest alternatives for cyclists as well as motorists in this corridor.

A missing link for cyclists exists on Goodpasture Island Road between Ridgeway and the Delta Ponds. TransPlan calls for improvement of the road from Goodpasture Lakes Loop Road to the ponds (short range), for improvements from Delta Highway to Happy Lane (medium range), and for signal improvements at the Delta Highway entrances and exits on each side of the highway (short and medium range).

The East Bank Trail which will follow the Willamette River's east bank to the north will complete a recreational loop and provide a needed transportation corridor for Willakenzie residents. Completion of the section between the Owosso Bridge and the Greenway Bridge has been a high priority for the Eugene Bicycle Committee and for residents of the community for several years. The Goodpasture Island Access Study Environmental Impact Statement is expected to address many issues relating to the location of the path within the Delta Ponds wetlands.

TransPlan recommends the extension of the East Bank Trail north to the confluence of the Willamette and McKenzie rivers and then east to Armitage Park along the south bank of the McKenzie River. The proposed route for this extension is outside of the urban growth boundary and is within an area currently being used for sand and gravel extraction. It is expected that implementation of this extension will not occur for several years. In the meantime, the construction of a connector from the East Bank Trail at Beltline to the intersection of Delta Highway and Green Acres Road will provide cyclists and other trail users access to the street system on which they can continue north. This connector is proposed as a project to be constructed by the State of Oregon in conjunction with improvements to Beltline Road and the Beltline Bridge.



Existing & Proposed Bikeways

The Eugene Bikeways Master Plan calls for an off-street path which follows the alignment of I-5 on the east side of the planning area. The proposed use of EWEB's easement seems doubtful. If the easement is not available for bike path use, an alternative route which uses City streets should be provided.

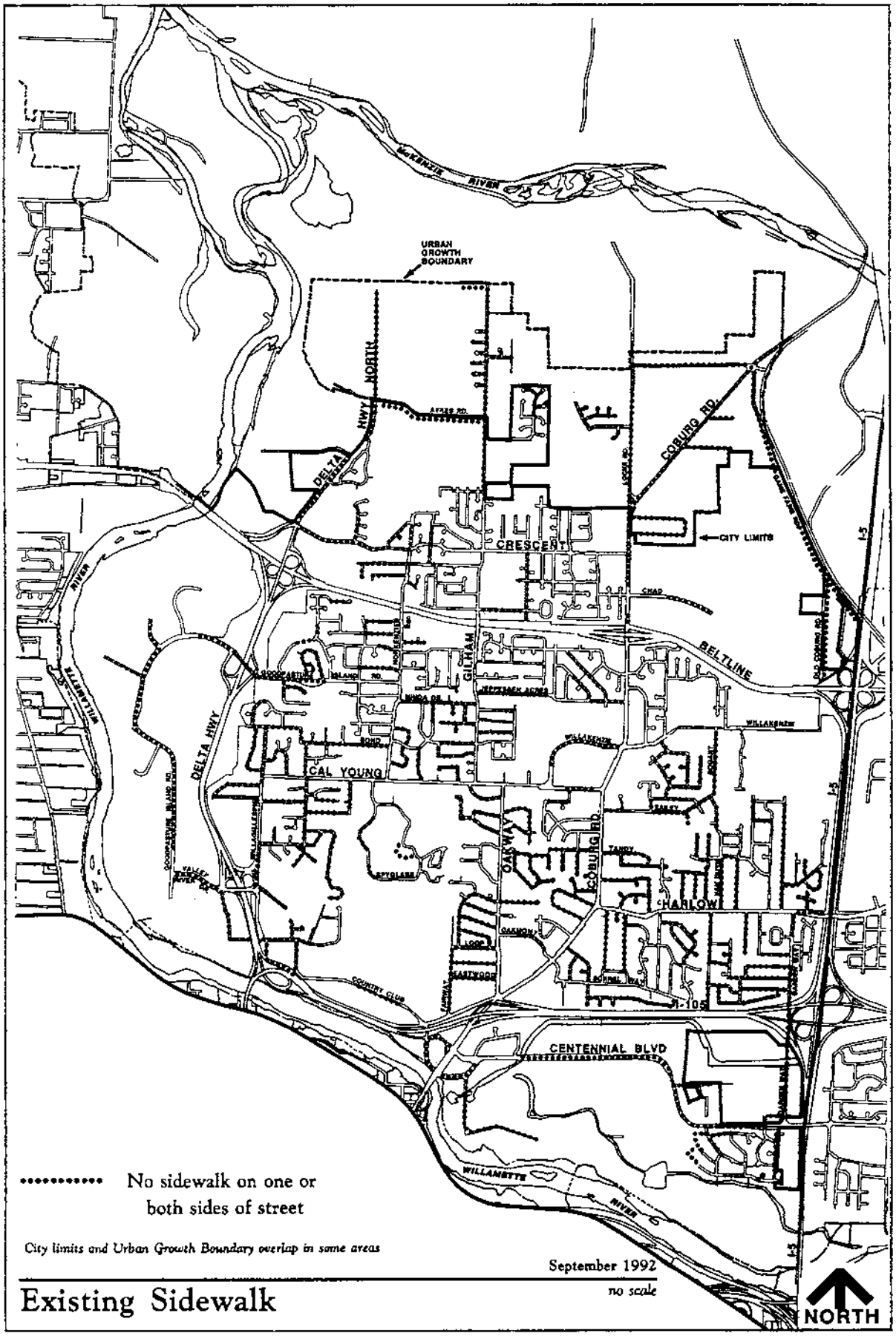
Another area in which bicycle/motor vehicle conflicts are common is the Ferry Street Bridge corridor between Oakway and downtown. Improvement alternatives for that corridor should consider the provision of a parallel but separate bicycle route between Oakmont Way and the Willamette River through the most congested part of the corridor.

Sidewalks

Various City policies recognize the contribution of sidewalks to a balanced transportation system. Sidewalks are a necessary and important part of the transportation infrastructure. The Eugene Pedestrian Report (1977) and Eugene's Sidewalk Program (1980) reinforce Metro Plan goals and objectives for the provision of convenient, safe, and pleasant bike and pedestrian facilities. Policies relating to sidewalk construction in this element build on and refine policies and recommendations in Eugene's Sidewalk Program.

Many Willakenzie area streets lack sidewalks. (See Existing Sidewalks Map.) Streets lacking sidewalks are scattered throughout the Willakenzie planning area but are concentrated in the area south of Beltline. A number of the subdivisions in this southern area were developed under County standards, prior to annexation to the City. Streets within these subdivisions are typically not developed to urban standards because in the past the County code did not require sidewalk construction when a parcel was developed.

Many streets in the Willakenzie area lack sidewalks.



•••••••••• No sidewalk on one or both sides of street

City limits and Urban Growth Boundary overlap in some areas

September 1992

no scale

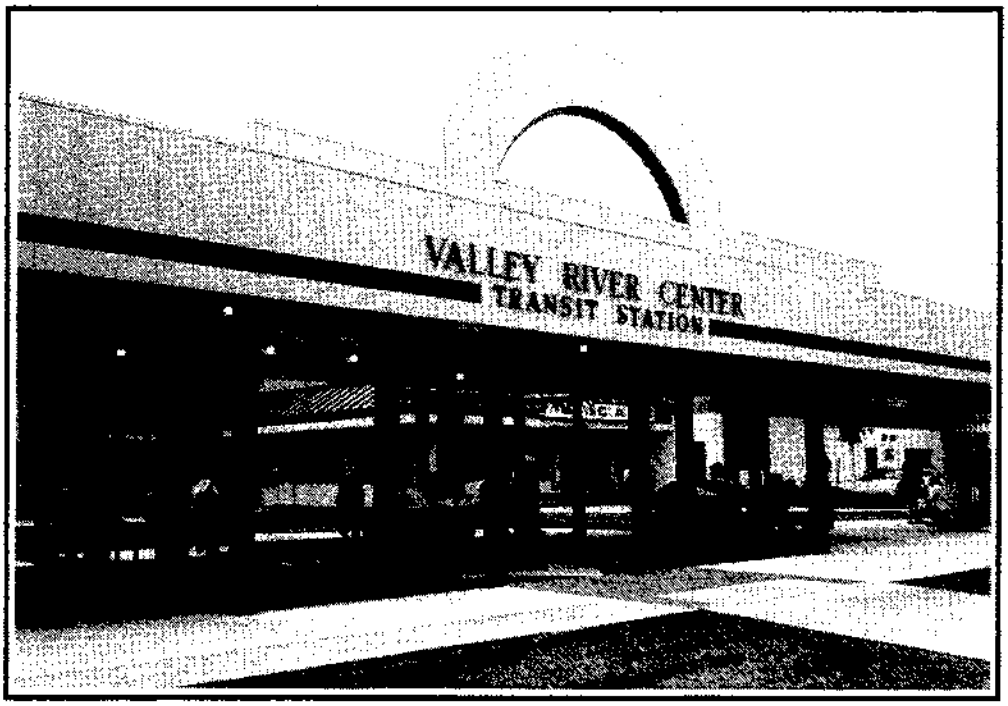
Existing Sidewalk

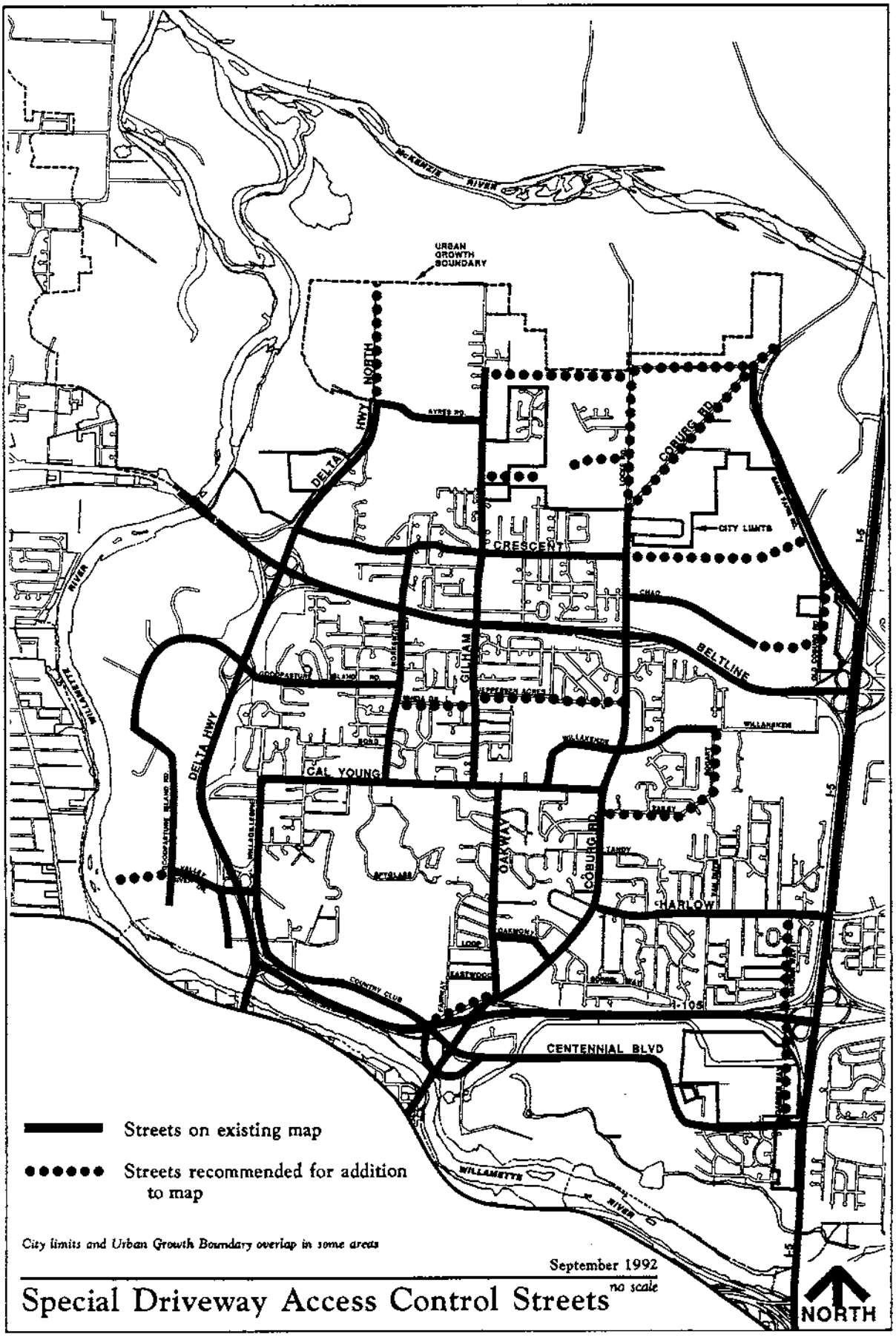
TRANSPORTATION DEMAND MANAGEMENT

Transportation Demand Management (TDM) involves developing strategies and techniques for reducing demand on the transportation system. TDM techniques are often used in place of or in conjunction with street system improvements such as street widening or construction of new streets.

As discussed earlier, opportunities for the construction of new streets and highways through established residential areas are very limited. Furthermore, street improvements that involve acquisition of additional street rights-of-way can be extremely difficult, disruptive, and controversial. An alternative to the continued search for ways to add capacity to the street system is to seek ways to reduce peak hour demands on the system. Reductions in demand can delay or eliminate the need for costly improvements that add to the capacity of the street. The primary objective of the TDM approach is to reduce the demand for capacity improvements to the transportation system.

Techniques that may reduce demand on the transportation system include: prohibiting development; locating commercial services close to residential areas to decrease the need for shopping by automobile; creation of high-density employment and residential areas to improve opportunities for transit service; promotion of telecommuting; promotion of flexible working schedules to stagger commuter trip times; limiting peak-hour traffic generation levels for various types of development; and promoting increased use of alternate modes.





Special Driveway Access Control Streets

POLICIES AND PROPOSED ACTIONS

Major Streets

1. The transportation network within the Willakenzie area shall be planned and designed to ensure: a) preservation of existing neighborhoods; b) an adequate system of arterials and collectors for the efficient movement of through traffic; and c) the preservation of the use of local streets for local traffic.

   1.1 Amend the Eugene Planned Street and Highway Right-of-Way Plan to reflect the street classifications indicated on the Willakenzie Area Functional Classification Map.

   1.2 Seek an amendment to TransPlan for the addition of new street improvement projects listed in Table T-1 and for the inclusion of the following collector streets to the Street and Highway Project List:

   - Provide for the construction of a new street, to be located south of Gilham Elementary School, in the location depicted on the Willakenzie Area Functional Classification Map.

   - Connect Gilham Road to County Farm Road and Coburg Road through the construction of a new street to be located north of the extension of Ayres Road in the location depicted on the Willakenzie Area Functional Classification Map.

   - Provide for construction of a new collector street to be located north of Ayres Road in Opportunity Area A, as depicted on the Willakenzie Area Functional Classification Map.

   1.3 Use the authority granted to the City in Section 9.045 of the Eugene Code to locate and require dedication of these new streets.

   1.4 Consider the development of a Coburg Road Corridor Study to focus on the area between Oakway Road and County Farm Road. The Corridor Study should focus on: 1) minor traffic operational improvements to maintain and enhance the traffic-carrying capabilities of the corridor as a whole; and 2) entrance corridor improvements to enhance the visual identity of the corridor as a major entrance corridor to the city.

   1.5 Close Fairway Loop to through traffic between Southwood and Eastwood lanes.

2. The City shall maintain and encourage the safe and efficient operation of major streets by limiting private, direct access to these streets where necessary.

2.1 Amend the map entitled "City of Eugene Streets Requiring Special Driveway Approach Control" by adding those streets indicated as requiring special access controls.

2.2 Require a primary access to the future school site (north of Crescent Avenue and east of Coburg Road) to be provided from Crescent Avenue.

2.3 Limit access points to new development along both sides of County Farm Road, north of Coburg Road, and along the east side of North Delta Highway, north of Ayres Road to minimize conflicts between truck traffic and other vehicles using those streets.

2.4 Any neighborhood commercial use locating at the corner of Crescent Avenue and Coburg Road must provide access from Crescent Avenue. Direct access will not be provided onto Coburg Road unless further traffic analysis shows that traffic movements in and around this intersection would be clearly enhanced through provision of restricted access onto Coburg Road. Driveways for uses at this intersection should be placed as far away from the intersection as possible.

2.5 Work with developers to provide alternative access locations for parcels abutting controlled access streets.

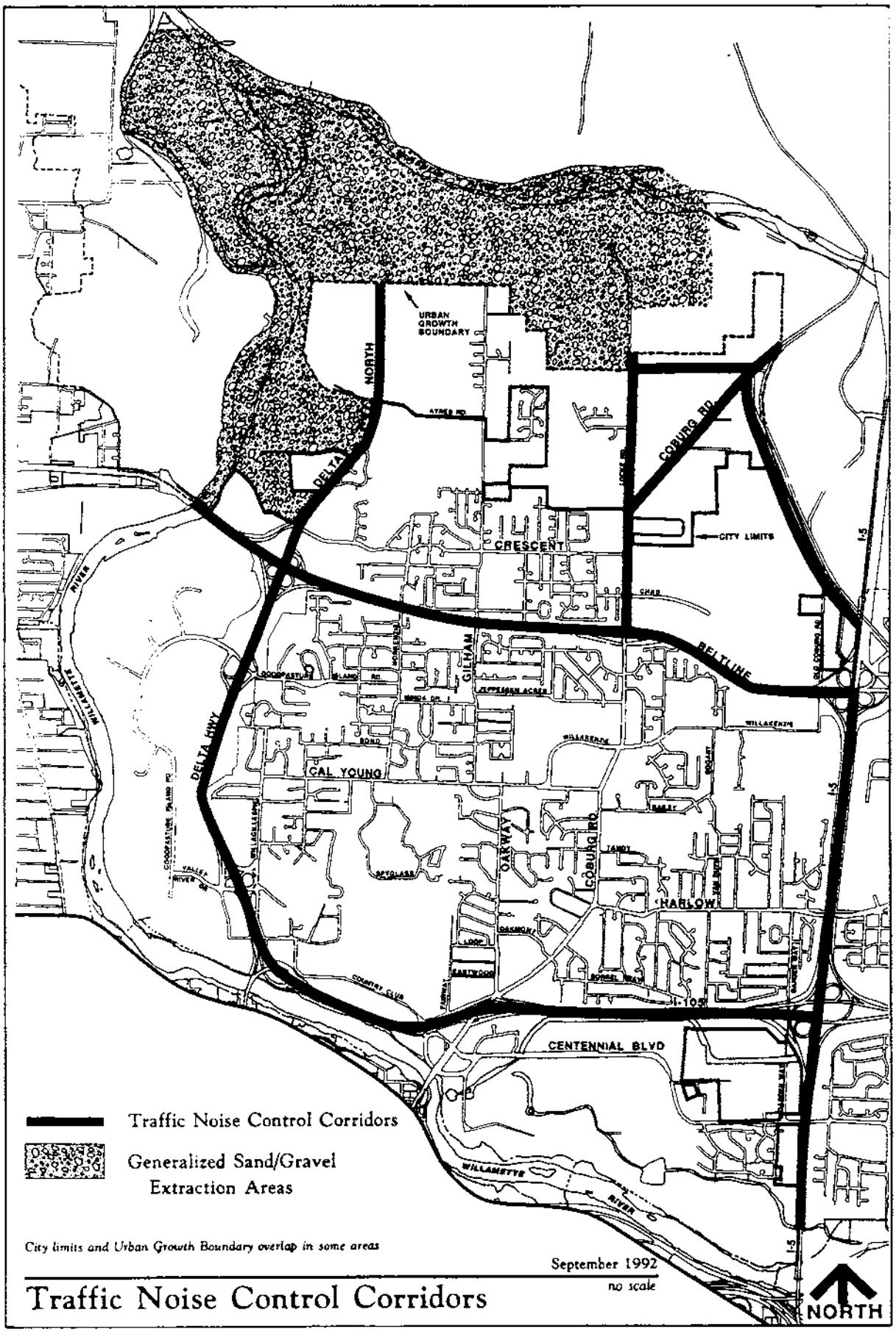
3. The City shall continue to provide direct access from Coburg Road to the Kinney Loop subdivision via Kinney Loop. If in the future, access onto Coburg Road from Kinney Loop becomes a hazard, the City shall consider the addition of an access point to the Kinney Loop area via Crescent Avenue. This additional access to Kinney Loop off Crescent Avenue should be to provide access to the Kinney Loop subdivision as part of a well connected grid street system.

4. The City shall provide for improvements to designated entrance corridors, including those in County and State jurisdictions, in conjunction with construction or reconstruction projects affecting those streets.

4.1 As part of the design process, provide for the development of corridor design plans that recognize the unique characteristics and individual identities of each of the designated entrance corridors.

5. The City shall work with major developers and employers to ensure that transportation demand management strategies are incorporated into their facilities planning and operations.

6. The City shall work with developers to provide and participate in transportation mitigation measures which are necessary to resolve direct traffic impacts resulting from new development. Mitigation measures could include such things as traffic control signs, traffic signals, street widenings, turn lanes, and other access improvements.



Traffic Noise Control Corridors

7. To the greatest extent possible, the City shall encourage regional and intercity traffic to use major rather than minor arterials.

8. The City shall work with developers and the State of Oregon to ensure that noise attenuation is provided for existing and proposed residential developments along State highways when improvements are made to those roads.

   8.1 At the request of residents, the City should work with residents and the State to determine cost-effectiveness and cost distribution for sound barriers along existing freeways in the established neighborhoods where sound barriers are not currently installed.

   8.2 The City should work with the State to ensure local, State, and Federal regulations pertaining to noise attenuation are met whenever a freeway is improved.

9. The City shall require new residential developments occurring along State highways and streets identified as Traffic Noise Control Corridors to use appropriate siting and design techniques to bring the development into compliance with State and Federal noise standards.

10. If an additional river crossing is proposed through the Ferry Street Bridge Environmental Impact Statement process, the City should explore the potential for the creation of a new north-south arterial street on the east side of the planning area to connect to the new bridge.

11. As street lights are installed on major streets, the City shall consider the impacts of light intrusion on residences adjacent to those streets.

    11.1 Review existing City street light standards to ensure that lighting levels and the height of lighting poles are appropriate for their intended function.

<u>Transit</u>

12. The City and Lane Transit District shall continue to explore techniques to increase public transit system ridership.

    12.1 Amend the Eugene code to require convenient transit access, bus turnouts, and/or shelters for all new major commercial, higher-density residential, and major office development occurring on existing or planned transit routes.

    12.2 In conjunction with the development of transit facilities, require sidewalks in all high-activity areas, including employment areas where substantial numbers of people are or could be employed.

12.3 Encourage concentrations of pedestrian and transit amenities in high-activity areas and along arterial streets with high pedestrian counts.

12.4 Encourage new residential developments to be designed in a manner that reduces walking distances for potential transit users.

12.5 Support the University of Oregon in the development of an effective park and ride/shuttle program from Autzen Stadium to the Riverfront Research Park and the core campus.

Pedestrian/Bikeways

13. The City shall continue to require sidewalks to be constructed in all newly developed areas.

    13.1 Amend the Eugene Code to provide for the construction of sidewalks in areas zoned for industrial use.

14. Sidewalks shall not be installed on local streets within existing developed residential areas unless a majority of property owners are supportive or unless traffic conditions materially change to create a safety problem.

    14.1 Amend Section 7.385 of the Eugene Code to eliminate the requirement for sidewalk construction to be based on permit construction values exceeding $5,000 for existing developments.

15. The City shall work with the State of Oregon and other appropriate agencies to minimize pedestrian hazards on pedestrian-accessible freeway overpasses and to reduce vandalism to freeway traffic.

    15.1 Provide screening along pedestrian walkways at:

    - The Gilham Road-Beltline Road overpass;
    - The Harlow Road-Interstate 5 overpass;
    - The Valley River-Delta Highway overpass;
    - The Norkenzie Road-Beltline Road overpass;
    - The Goodpasture Island Road-Delta Highway overpass; and
    - The Centennial Boulevard-Interstate 5 overpass.

16. The City shall give priority consideration to screening overpasses that serve as pedestrian routes to local schools.

17. The City shall give consideration to the provision of elevated pedestrian crossings over arterial streets that are used as primary access routes for schools.

18. The City shall give priority consideration to street lights in high-activity pedestrian areas, unlighted intersections, and on all arterial and collector streets.

19. The City shall provide for the creation of a network of bicycle and pedestrian amenities to encourage bicycling and walking, reduce reliance on the automobile, and alleviate or delay congestion and other traffic problems.

    19.1 Seek an amendment to TransPlan for the addition of new bicycle route improvement projects listed in Table T-2.

    19.2 Future residential developments in the plan area should include pedestrian and bicycle linkages between cul-de-sac and loop streets which are not otherwise connected.

    19.3 Consider north/south bike and pedestrian travel when reviewing plans for development south of Willakenzie and west of I-5.

Ferry Street Bridge.

TABLE T-1

PROPOSED WILLAKENZIE AREA STREET IMPROVEMENT PROJECTS

This table includes projects already identified in TransPlan as well as projects identified through the refinement planning process. Items shown in bold type will be considered for inclusion in TransPlan.

Major Arterials

1. Beltline Road, Willamette River to I-5

   Between Willamette River and Delta Highway, widen to six lanes; construct new or widen existing river bridges. At Delta Highway, replace/revise existing interchange.

   Note: Preliminary assessment of traffic volumes based on proposed land use patterns and employment assumptions indicate that Beltline Road will experience dramatic increases in traffic volumes in the order of 100 to 150 percent. The City will need to reassess TransPlan and the State's Six-Year Plan project lists in view of this new information.

2. Delta Highway, Green Acres Road to Beltline Road

   Installed signal at Green Acres Road. Replace/revise interchange with Beltline Road, providing extra lanes on Delta Highway.

3. Ferry Street Bridge

   A study is being conducted to determine a plan to alleviate congestion and safety issues in the Ferry Street Bridge corridor and surrounding streets. A comprehensive list of alternate mode and street improvement projects will be included in that study.

4. I-5, Urban Growth Boundary to the Willamette River

   Widen to six lanes from the McKenzie River to the Willamette River, rebuild roadbed and pavement, widen ramps at Beltline and I-105. The sections of I-5 between Beltline Road and I-105 have already been widened.

   Note: The City has requested that the Oregon Department of Transportation evaluate the need for added lanes and improved access in the section from Beltline Road to the McKenzie River and the section from Centennial Boulevard south to Goshen.

5. I-105, Delta Highway to I-5

   Widen to six lanes.

Minor Arterials

6. Ayres Road, Delta Highway to Gilham Road

   Upgrade to three-lane urban facility with curbs, sidewalks, and bike lanes.

   This project shall remain in TransPlan. However, an evaluation of alternatives to widening Ayres Road shall be provided to the Board of County Commissioners and Eugene City Council prior to project initiation or completion of the 1992-95 update to TransPlan, whichever occurs first. Design approval by the Board of County Commissioners and the Eugene City Council shall be required prior to project approval.

7. Cal Young Road, Willagillespie Road to Coburg Road

   As traffic volumes increase on this street, a widening and/or parking removal between Gilham Road and Oakway Road may be necessary to accommodate separate left- and right-turn lanes. Upgrade the intersection at Willakenzie Road to improve traffic flow as traffic on Willakenzie Road increases.

8. Centennial Boulevard, Coburg Road to I-5

   Upgrade to five-lane urban facility with curbs, sidewalks, and bicycle provisions.

   Install signals at Kinsrow Avenue and Garden Way.

9. Club Road, Country Club to Centennial Boulevard

   Upgrade to four- to five-lane urban facility with curbs, sidewalks, and bicycle lanes in conjunction with Ferry Street Bridge improvements.

10. Coburg Road, Urban Growth Boundary to Beltline Road

    Upgrade to three-lane urban facility with curbs, sidewalks, and bicycle lanes from urban growth boundary to Crescent Avenue. Install traffic signal at Crescent Avenue.

    Additional lanes will be necessary to accommodate the expected increase in traffic from Chad to the Beltline interchange.

11. Country Club Road, Southwood Lane to Coburg Road

Upgrade to four lanes, sidewalks, bicycle facilities from Southwood to Club Road; signal at Southwood completed.

Complete three-lane urban facility with bike lanes and sidewalks from Club Road to Coburg Road.

12. Crescent Avenue, Norkenzie Road to Game Farm Road

Install signal at Gilham. Remove on-street parking Norkenzie Road to Coburg Road. Construct new roadway with center turn lane, sidewalks, and bicycle lanes from Coburg Road to Game Farm Road.

13. Delta Highway, Ayres Road to Beltline Road

Upgrade to three-lane facility; consider five lanes at commercial area near Green Acres Road providing curbs, sidewalks, and bicycle lanes between Ayres Road and Beltline Road. At the time the project is considered for construction, the street design proposal will be presented to the Eugene City Council for review and approval.

Prior to project initiation, property owner assessments for sidewalk improvements on the west side of Delta Highway, outside the urban growth boundary, shall be reviewed by the Board of Commissioners, with respect to urban transition policies.

14. Game Farm Road, Coburg Road to I-5 Underpass

Upgrade to a three-lane urban facility with curbs, bicycle lanes, and a sidewalk on the west side.

15. Garden Way, Harlow Road to Centennial Boulevard

Upgrade from Sisters View Avenue to Centennial Boulevard to a two- or three-lane urban facility with curbs, sidewalks, and bicycle lanes; install signal at Centennial Boulevard.

This street serves the future high-density residential area south of I-105 and provides an alternative access to Autzen Stadium from I-5 and Springfield. The alignment of South Garden Way needs to be moved further to the west to straighten out the sharp curves, and align with Lindley Lane. On the section between Harlow Road and Sisters View, remove parking, restripe to three lanes, and add sidewalk on the west side.

16. Gilham Road, Ayres Road to Crescent Avenue

    Upgrade to three-lane urban facility with curbs, sidewalks, and bicycle lanes from Ayres Road to Honeywood. Install signal at Crescent Avenue.

17. Goodpasture Island Road, Valley River Drive to Happy Lane

    Upgrade to five-lane facility with bicycle lanes and sidewalks completed from Valley River Drive to Delta Ponds. Upgrade to three- to five-lane facility with curbs, sidewalks, and bicycle lanes from Delta Ponds to Goodpasture Island Lakes Loop Road. Install signals at both Delta Highway ramps. Upgrade segment between signals on overpass to accommodate bicycles and pedestrians. Upgrade section between Delta Highway and Happy Lane to three-lane urban facility with curbs, sidewalks, and bicycle lanes.

18. Green Acres Road, Delta Highway to Norkenzie Road

    South side of Green Acres, from Delta Highway to Applewood, is upgraded to five-lane facility with room for bicycle lane. Signal at Delta Highway is completed. Upgrade to a five-lane urban facility with curbs, sidewalks, and bicycle lanes from Delta Highway to Applewood, and a three-lane facility with curbs, sidewalks, and bicycle lanes from Applewood to Norkenzie. Improve the visibility along Green Acres Road at the intersection of Applewood Lane.

19. Harlow Road, Coburg Road to I-5 Overpass

    The existing three-lane configuration is adequate for the projected level of traffic on this minor arterial street--Harlow Road should not be widened. Install signal at Garden Way. The Harlow Road overpass at I-5 is listed for improvement to four lanes in TransPlan, with bicycle and pedestrian facilities on both sides.

    Note: Evaluate the need for additional traffic signals along Harlow, particularly in the vicinity of Van Duyn Street. The City, County, and State will conduct further study on the Harlow Road overpass improvement proposal. An interim project is being evaluated to add bicycle and pedestrian facilities to the existing two-lane overpass.

20. Southwood Lane, from Oakway Road to Country Club Road

Upgrade to a two- to four-lane urban facility with curbs, sidewalks, and bicycle lanes. This may require additional lanes and/or two directional traffic, depending on the outcome of the Ferry Street Bridge Study.

21. Goodpasture Island Access Study

This study shall provide recommendations on construction of a bridge from the west side of the Goodpasture Island Road area to the River Road area. This study should also explore ways to resolve circulation and access issues in the area around Delta Highway off-ramps and Valley River Drive.

22. Willagillespie Road at Delta Ramp

Install signal

Note: Depending on the outcome of the Goodpasture Island Access Study, additional improvements may be needed in the vicinity of the Delta ramps area. A traffic signal at the Delta Highway entrance and turn lanes into and out of areas designated for new commercial development should be evaluated to improve traffic flow in the area between the Delta Highway northbound entrance and Valley River Drive.

Collectors

24. Bailey Lane, Coburg Road to Bogart Lane

Improve access off Bailey Lane onto Coburg Road. Immediate technical analysis and public input is needed to determine the magnitude of the various impacts. Improvements should facilitate the smooth operation of Coburg Road and improve safety for vehicles, pedestrians, and bicyclists exiting and entering Bailey Lane.

25. Bogart Lane/Satre/Van Duyn, Willakenzie Road to Harlow Road

Redesign intersection at Bogart/Satre/Bailey Lane.

Upgrade Bogart, Willakenzie Road to Bailey Lane, to a two- or three-lane urban facility with curbs, sidewalks, and bike lanes.

26. Chad Drive, Coburg Road to Old Coburg Road

This street will provide an important means of access to and from industrial sites in the Coburg-Crescent area. Extend Chad to North Game Farm Road via Old Coburg Road to provide alternative industrial ingress/ egress. Build a two- to three-lane urban street with curbs, sidewalks, and bicycle provisions. It may be necessary to purchase or trade right-of-way to allow for a curved roadway alignment where Chad meets Old Coburg Road. Chad is not intended to serve through traffic.

27. County Farm Loop

East-West section: This street will accommodate the extension of a new street from Gilham Road north of Ayres to Coburg Road. Upgrade to a two- or three-lane urban street with curbs, sidewalks, and bicycle facilities.

North-South Section: Upgrade to a two- or three-lane urban street with curbs and sidewalks.

28. Gilham, Northernmost New Collector to Ayres Road

Upgrade to two-lane urban facility with curbs, sidewalk, and bicycle lanes from urban growth boundary to Ayres Road.

29. Goodpasture Lakes Loop Road

Construct to urban standards with three to five lanes and bicycle lanes. Traffic signal controls need to be evaluated for the western intersection with Goodpasture Island Road.

30. Jeppesen Acres, Gilham Road to Providence

Upgrade to two-lane urban facility with curbs and sidewalks.

31. Kinsrow, Centennial Boulevard to the east

Upgrade to a two- or three-lane urban facility with curbs, sidewalks, and bicycle provisions completed.

32. Leo Harris Loop Road, Centennial Boulevard at Gate 1 to Gate 4

Construct a variable two- to four-lane roadway to urban standards with a sidewalk on the north side and bicycle lanes. The facility will be located along the south edge of the Autzen Stadium parking lot.

33. Minda Avenue, Norkenzie Road to Gilham Road

Complete missing links in sidewalks.

34. Old Coburg Road, Game Farm Road to Chad Drive

Upgrade to a two- or three-lane urban street with curbs, sidewalks, and bicycle provisions. Changes to the alignment will be needed: 1) at Game Farm Road to provide a "T" intersection; and 2) at Chad Drive to provide for the free flow of traffic from Chad to Game Farm Road.

Upgrade to a two- or three-lane street with curbs, sidewalks, and bicycle provisions. Changes to the alignment will be needed: 1) at Game Farm Road to provide a "T" intersection; and 2) at Chad Drive to provide for the free flow of traffic from Chad to Game Farm Road.

On property currently zoned for residential use, property owner assessments for this project shall be deferred until that property is annexed to the city of Eugene or is converted to special light industrial use.

An evaluation of alternative project designs shall be provided to the Lane County Board of Commissioners and Eugene City Council prior to project initiation or completion of the 1992-95 update to TransPlan, whichever occurs first. Design approval by the Board of County Commissioners and the Eugene City Council shall be required prior to project initiation.

35. Satre/Van Duyn, Bailey Lane to Harlow Road

Upgrade Satre (Bailey Lane to Bailey Court) and Van Duyn (Western Drive to Harlow Road) to a two-lane urban facility with curbs, sidewalks, and bike lanes. Construct sidewalks on Satre, Bailey Court to Western Drive. Traffic signal controls need to be evaluated for the Van Duyn and Harlow Road intersection.

36. Willakenzie Road, Cal Young Road to Bogart Lane

Improve intersections at Cal Young Road and Coburg Road to improve flow as traffic on Willakenzie increases. Segment between Coburg Road and Bogart has been upgraded to a three-lane facility with curbs, sidewalks, and bike lanes.

37. Future East-West Collectors

a. Propose new collector street north of Ayres Road between Gilham and Coburg Road using the (east-west) County Farm Loop alignment east of Locke Road.

b. Propose new collector street south of Gilham School from Gilham Road to County Farm Road. During the street design process, staff shall work with the Cal Young Neighborhood Association to address safety, speed, school proximity, and park proximity issues; and to consider design alternatives that would restrict a portion of the street to transit use only.

38. Future North-South Collector

Propose new north-south collector street north of Ayres Road to the UGB in Opportunity Area A with sidewalks and bicycle provisions.

TABLE T-2

PROPOSED WILLAKENZIE AREA BIKEWAY IMPROVEMENT PROJECTS

The following list contains bicycle-specific projects or projects where particular attention should be paid to bicycle accommodation. Items shown in bold type will be considered for inclusion in TransPlan.

1. Designated Routes--Various Locations

   There are certain planned bicycle routes which require little or no street improvement or require a short connector path. By their very nature, they are not necessarily listed in TransPlan, but because they are important to neighborhood circulation, should be acknowledged in this plan. They include:

   Minda Avenue from Norkenzie to Gilham which ties together the Goodpasture Island Road lanes with access to the Sheldon Pool/High School complex;

   Spyglass, Greenview, Fair Oaks which ties to two routes on the east side of Oakway;

   Lariat Drive, Tandy Turn which connects Oakway with Coburg;

   Oakmont, Sorrel Way, Roan, Dapple Way, Sunshine Acres which offers a local street alternative to Harlow and Coburg Roads;

   Western Way, Calvin which offers a local street alternative to Harlow Road;

   Bogart, Satre, Van Duyn which provides a north-south corridor from Willakenzie to Harlow parallel to Coburg Road and I-5.

2. Alton Baker Park--North Bank Trail

   Improve the North Bank Trail section through Alton Baker Park. This section needs to be widened, straightened, and generally brought up to City standards.

3. Alton Baker Park--Centennial Boulevard to North Bank Bike Trail

   Construct new bike facilities on proposed Autzen Stadium ring road. Improve existing bike/pedestrian path connecting Autzen Stadium with the University Bike Bridge.

4. Delta Highway--Goodpasture Island Road to Willagillespie Road

   Construct bicycle path which parallels the Delta Highway alignment, but is located on the east side of the ponds.

5. Goodpasture Island Road--Goodpasture Lakes Loop Road to Happy Lane

Provide bike lanes and sidewalks both sides.

6. East Bank Bike Trail--Owosso Bridge to Urban Growth Boundary

Construct bike path along east bank of the Willamette River. Provide bike underpass and bike connection to Delta/Green Acres as part of State's Beltline Bridge improvement project.

7. Ferry Street Bridge/Coburg Road Corridor

A study is being conducted to determine a plan to alleviate congestion and safety issues in the Ferry Street Bridge corridor and surrounding streets. A comprehensive list of alternate mode and street improvement projects will be included in that study.

Note: Explore design solutions to eliminate free right-turn lane conflicts at Harlow Road, I-105 off-ramp and on-ramp, and Centennial Boulevard. Consider provision of an alternative route to get from Ferry Street Bridge to Oakway Road and Coburg Road north of I-5.

8. **I-5 Bike Path--Harlow Road to Willakenzie**

Consider the utilization of existing utility corridors for bicycle routes. Also, provide for bike routes on new and existing local streets. If on-street parking is to be allowed, consider requiring additional street widths on new subdivision streets. A connection to Garden Way traffic signal is desirable.

9. **I-5 Pedestrian/Bike Bridge**

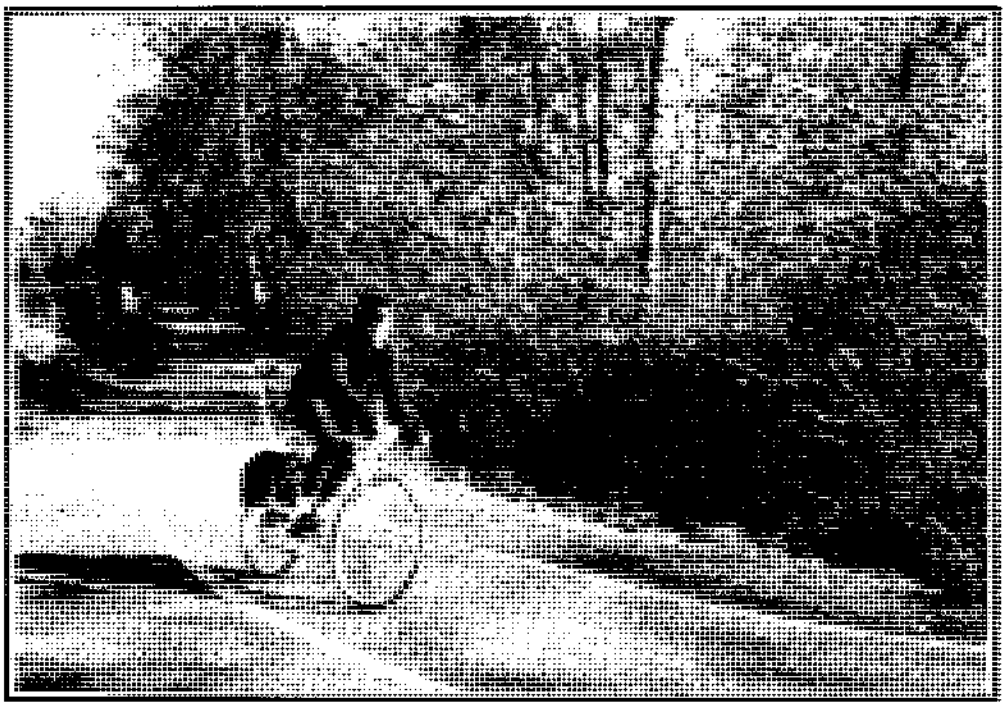
Investigate the feasibility of providing a separated, screened bicycle-pedestrian access to Springfield south of Beltline Road with linkage to Willakenzie bike route and I-5 route.

10. **Q Street Channel--Centennial Loop to Garden Way Path**

Install bicycle/pedestrian path along the bank of the channel with linkage to Garden Way and with the existing Centennial Connector.

11. Valley River Drive--Valley River Way to Willagillespie

Investigate the feasibility of improving bicycle access to and egress from bicycle/pedestrian way on north side of overpass.



Improvements to the bike/pedestrian circulation system are proposed in the plan.

PUBLIC SAFETY ELEMENT

PUBLIC SAFETY ELEMENT

INTRODUCTION

Public safety services include fire protection and prevention services, police protection and crime prevention services, and emergency medical services. The Willakenzie area is currently served by the City of Eugene, the Lane County Sheriff, the Oregon State Police, and the City of Springfield (as backup assistance).

FIRE PROTECTION AND EMERGENCY MEDICAL SERVICE

Fire and emergency medical service (EMS) is provided to the Willakenzie area primarily out of Stations 1 and 9. Station 1 is located at City Hall, 777 Pearl Street (across the Ferry Street Bridge from the Willakenzie area). Station 9 is located at 697 Goodpasture Island Road. There is a third fire station, Station 6, located in the Willakenzie area on Coburg Road near Harlow Road. This station is no longer in service. The site is still owned by the City; however, there are no plans to reopen it. It is anticipated that the City will dispose of this site once a new station location in the Willakenzie area is secured.

The Willakenzie Fire District is one of the only special service districts that still exists in the Willakenzie area. This district provides fire protection for a number of properties located north of the city limits, within the urban growth boundary. The Willakenzie Fire District contracts to the City for fire protection services. There are at least 14 properties which are located north of the city limits inside the UGB that are not covered by any public fire service.

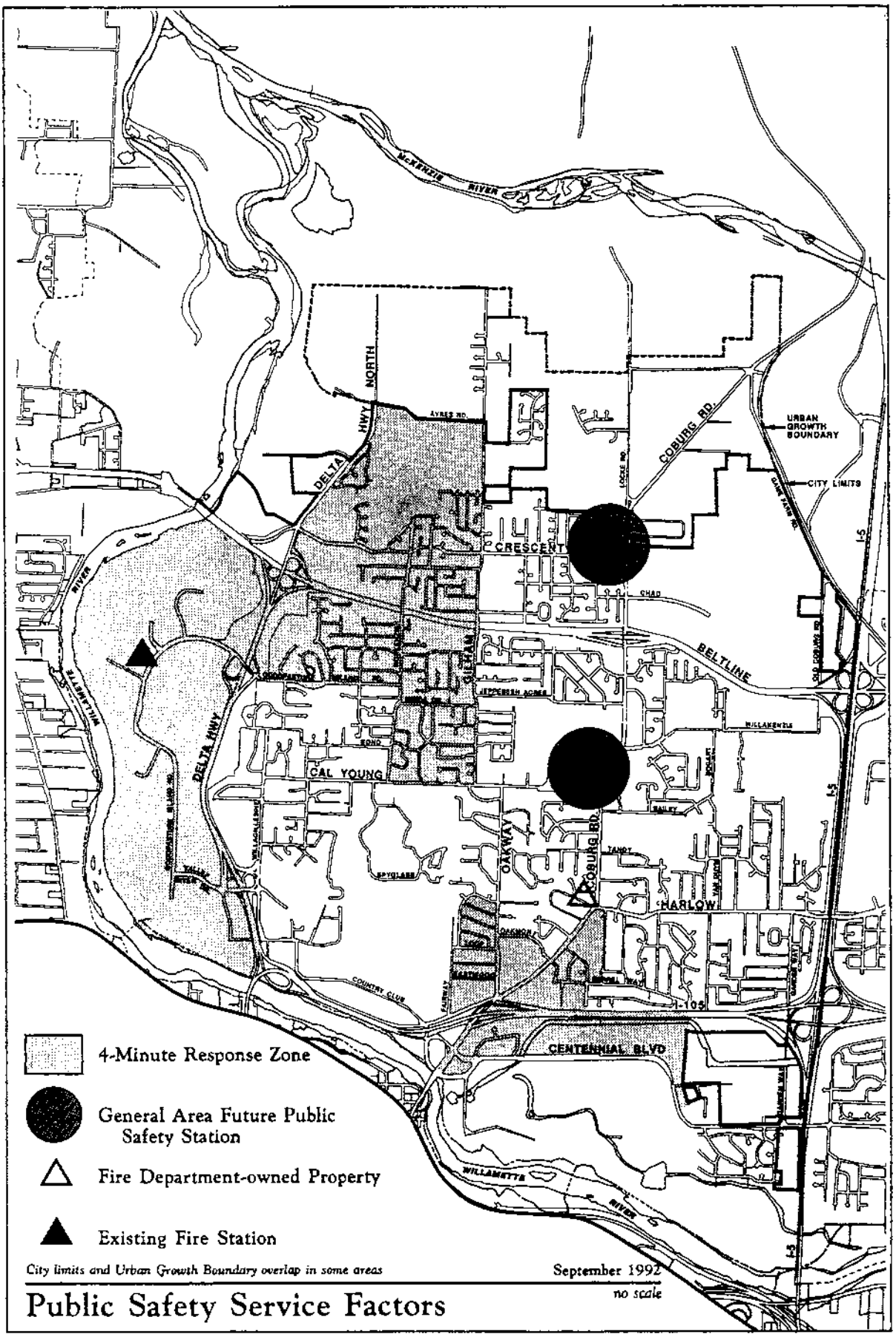
The response time (amount of time that it takes for a fire/medical unit to reach the emergency) for each of the two stations which serve the Willakenzie area is critical to the provision of effective fire and emergency medical service. Medical studies have shown that the critical period for emergency intervention in cases of cardiac and respiratory arrest is within the first four minutes. Based on information provided by L-COG, the combined response capability of Stations 1 and 9 is insufficient to provide a four-minute response capability over much of the Willakenzie area. Specifically, a study of 1986-87 emergency responses showed that in large portions of the Willakenzie area, response took more than four minutes 81 percent to 100 percent of the time under the best conditions. With the growing population of the Willakenzie area, the problem of excessive response times is becoming and will continue to become worse. Additional statistics show that the Willakenzie area already has more total emergency medical calls than any other area of the city.

Response times for fire emergencies are critical in much the same manner as they are for medical emergencies. Fire units must respond to a fire before "flashover" (that point at which superheated materials spontaneously combust). Flashover occurs at different times depending on the size of the fire, size of the structure, and nature of the contents. In general, fire units need to respond before eight to nine minutes have elapsed in order to avoid flashover.

The Willakenzie area had more total fire calls in 1989 than any other neighborhood in the city. The volume of fire calls combined with the need for EMS emphasizes the need for additional fire/EMS facilities in the Willakenzie area.

The 1990 draft of the Public Safety Long-Range Plan calls for development of a new fire/EMS station in the Coburg Road and Cal Young Road area. This station would be developed with the potential for a new communications center as well as a public safety station. This concept for a neighborhood public safety station is based on a more community-oriented style of service delivery which decentralizes facilities. "Public safety stations" would most likely include community meeting rooms, a reception area staffed by department members and volunteers trained in report-taking and referral techniques, a collection of resource materials, fine and bail collection services, work space, computer access, and interview rooms.

Emergency Medical Technicians respond to call.



City limits and Urban Growth Boundary overlap in some areas

September 1992

no scale

Public Safety Service Factors

Policies

1. The City shall respond to incidents involving threat to life or personal property within established critical time parameters.

   1.1 The City shall design and construct a new community-oriented public safety station in the Willakenzie area. This station should provide the following components:

      A. Maximum four-minute response time for fire/EMS to all areas of Willakenzie;

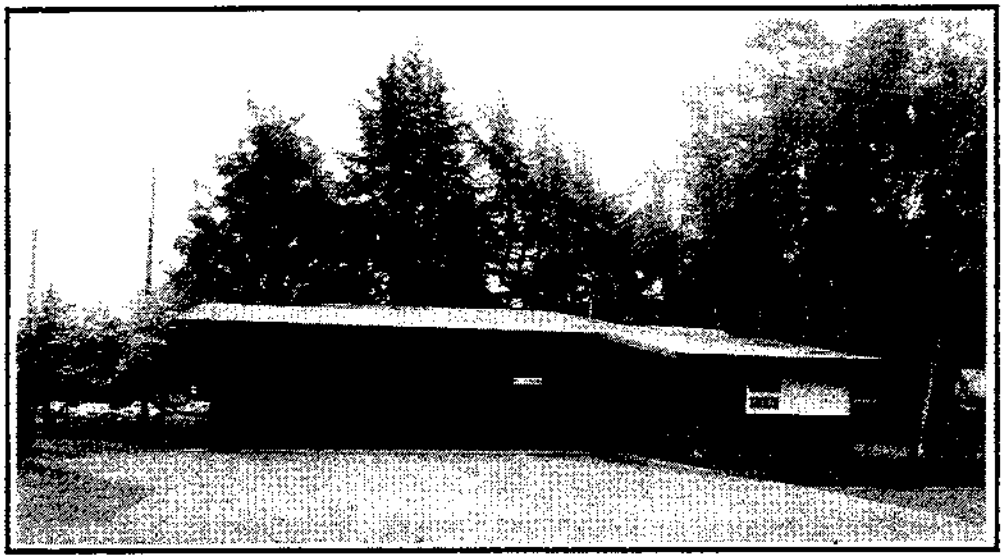
      B. Station should be staffed by community-oriented Public Safety Department personnel (including police officers); and

      C. Contain expansion capabilities for prevention programs and citizen/juvenile meeting rooms to deal with future growth and demand.

2. Until a new public safety station can be constructed in the Willakenzie area, the City shall begin work immediately to improve response times for emergency medical services in the area.

   2.1 The City shall consider reopening Station 6 at Coburg and Harlow Road in a limited capacity to provide EMS services only.

   2.2 The City shall institute the practice of "posting" whereby ambulances can be parked in key locations in the Willakenzie area to allow the vehicles to respond to incidents in a more timely manner.



Station 6 at Coburg and Harlow Roads is not currently in service.

POLICE PROTECTION

Police protection and prevention programs are provided to the area within the city limits by the City of Eugene. For the unincorporated areas of Willakenzie, police protection is provided by the Lane County Sheriff and Oregon State Police. According to statistics gathered by the City, most of the crime which occurs in the Willakenzie area is property crime. In fact, there is more property crime in Willakenzie than in any other area of the city. Property crime against businesses is a major issue in Willakenzie. Since Willakenzie is a relatively affluent area, and many households are vacant during the days (while the residents are at work), the area is a prime target for burglaries and vandalism. The Cal Young neighborhood experiences more thefts from vehicles and more vandalism than any other neighborhood in the city.

Policies

1. The City shall work with residents and property owners to identify crime prevention needs and to establish crime prevention programs to serve the area.

   1.1 The City shall implement proactive prevention programs in the Willakenzie area. These programs could include further expansion of one or more of the following programs which will eventually lead to a community-based policing model:

   A. Block homes;
   B. Neighborhood and Business Watch;
   C. Park Watch;
   D. Expansion of the number of officers assigned to the Willakenzie area; and
   E. Other community-oriented public safety programs.

2. The City shall increase public safety visibility in the Willakenzie area by providing additional uniformed personnel to monitor the area.

Plan proposes increased visibility of public safety personnel in the Willakenzie area.

TRAFFIC SAFETY

Willakenzie is a principal transportation hub for Eugene. Major arterials and interstate highways traverse the area. In addition, large and growing retail centers (such as Valley River Center and the Coburg/Crescent area) demand safe traffic-flow solutions. Traffic accidents cluster along Coburg Road, especially around Coburg Road and I-105 and Coburg Road and Beltline Road. Accidents also occur at Valley River Center, Autzen Stadium, and the Coburg Road/Chad Drive area. Bicycle accidents have been occurring along Coburg Road, especially around Coburg Road and I-105 and along Centennial Boulevard.

Policies

1. The City shall provide a traffic enforcement program to ensure safe streets and highways throughout the Willakenzie area.

   1.1 The City shall perform increased traffic enforcement in high-problem areas such as:

   A. I-5 access points;

   B. Ferry Street Bridge;

   C. Valley River Center;

   D. Coburg/Chad area;

   E. Centennial Boulevard; and

   F. Other areas as identified in the future.

   1.2 The City shall perform regular and routine traffic enforcement throughout the Willakenzie area; especially on local, residential streets.

School crossing along Cal Young Road.

PUBLIC FACILITIES AND SERVICES ELEMENT

PUBLIC FACILITIES AND SERVICES ELEMENT

INTRODUCTION

This element addresses the provision of public facilities and services such as sanitary and storm sewers, schools, water, power, and parks and recreation for the Willakenzie area. (See Public Facilities Map.) The services and facilities that will be discussed under this element are essential to the efficient functioning of the area, as well as the entire city. As this area becomes more densely populated and developed, it is increasingly important that the system of urban services and facilities be established and working properly.

A separate discussion and policy section is provided for each type of public facility and service due to the unique issues associated with each.

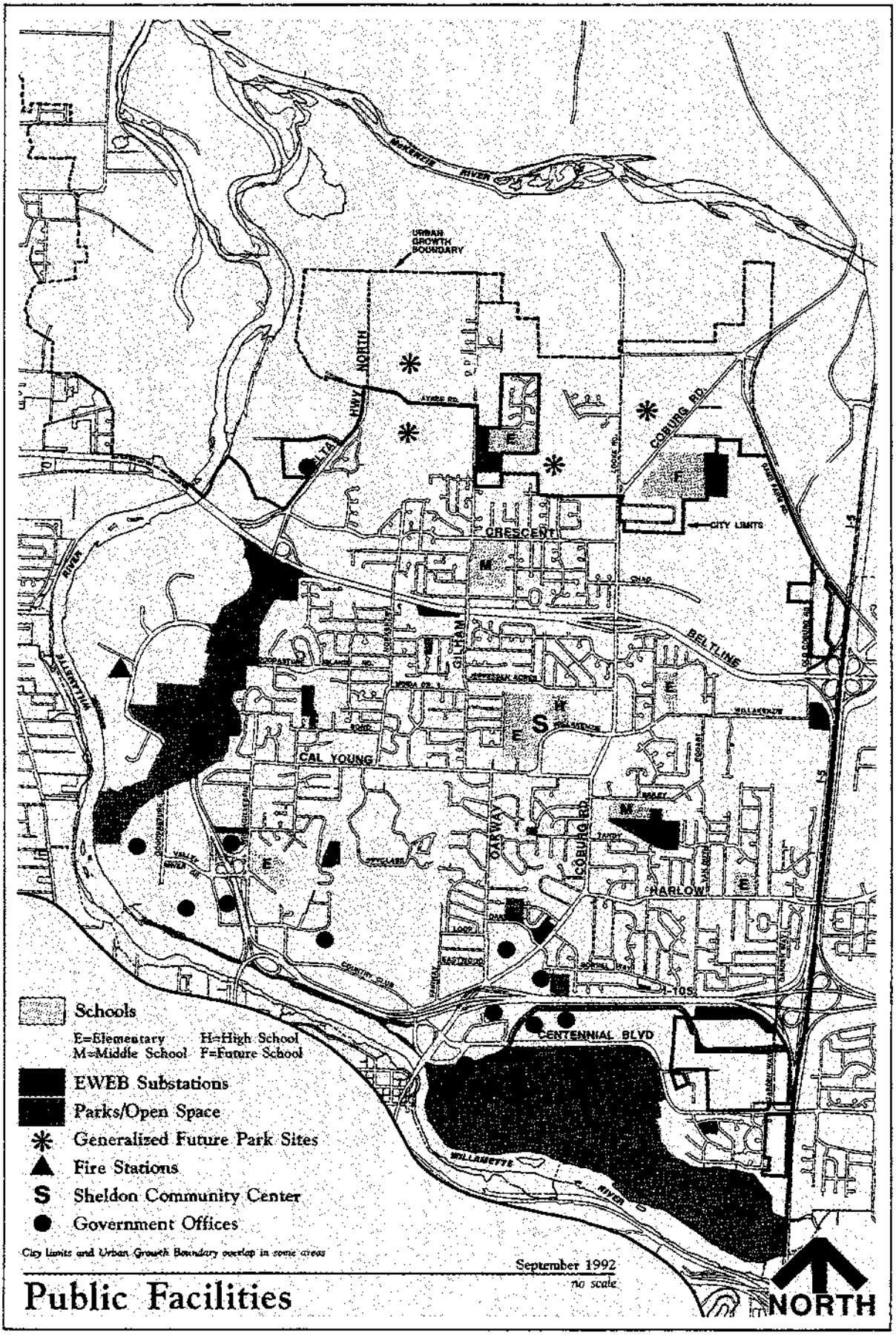
URBAN TRANSITION and ANNEXATION

The Willakenzie Plan encompasses an area that includes land inside and outside the city limits (inside the urban growth boundary). In 1987, the City of Eugene and Lane County entered into an agreement whereby the County agreed to transfer jurisdiction of certain services within the urban growth boundary over to the City. These responsibilities include building, zoning, and planning services; as well as the responsibility for some roads and parks. This concept of turning over service functions from the County to the City is referred to as "urban transition." The purpose of urban transition is to give regulatory responsibility to the jurisdiction that will eventually be responsible for providing urban services to an area. This allows for a smoother transition from County semi-urban development to City urban development.

Annexation of the unincorporated areas will most likely occur incrementally. As development pressures mount in the area, the need for urban services will result in annexation of those affected areas. As noted below in the Sanitary Sewer subsection, annexation of the majority of the unincorporated area (generally north of Ayres Road) will require the construction of at least two new pump stations. The timing of the construction of either of these two new pump stations is dependent upon development pressures.

Policies

1. The City shall provide for annexation of urbanizabale land in a manner consistent with State law as well as local annexation and growth management policies.



Public Facilities

SANITARY SEWERS

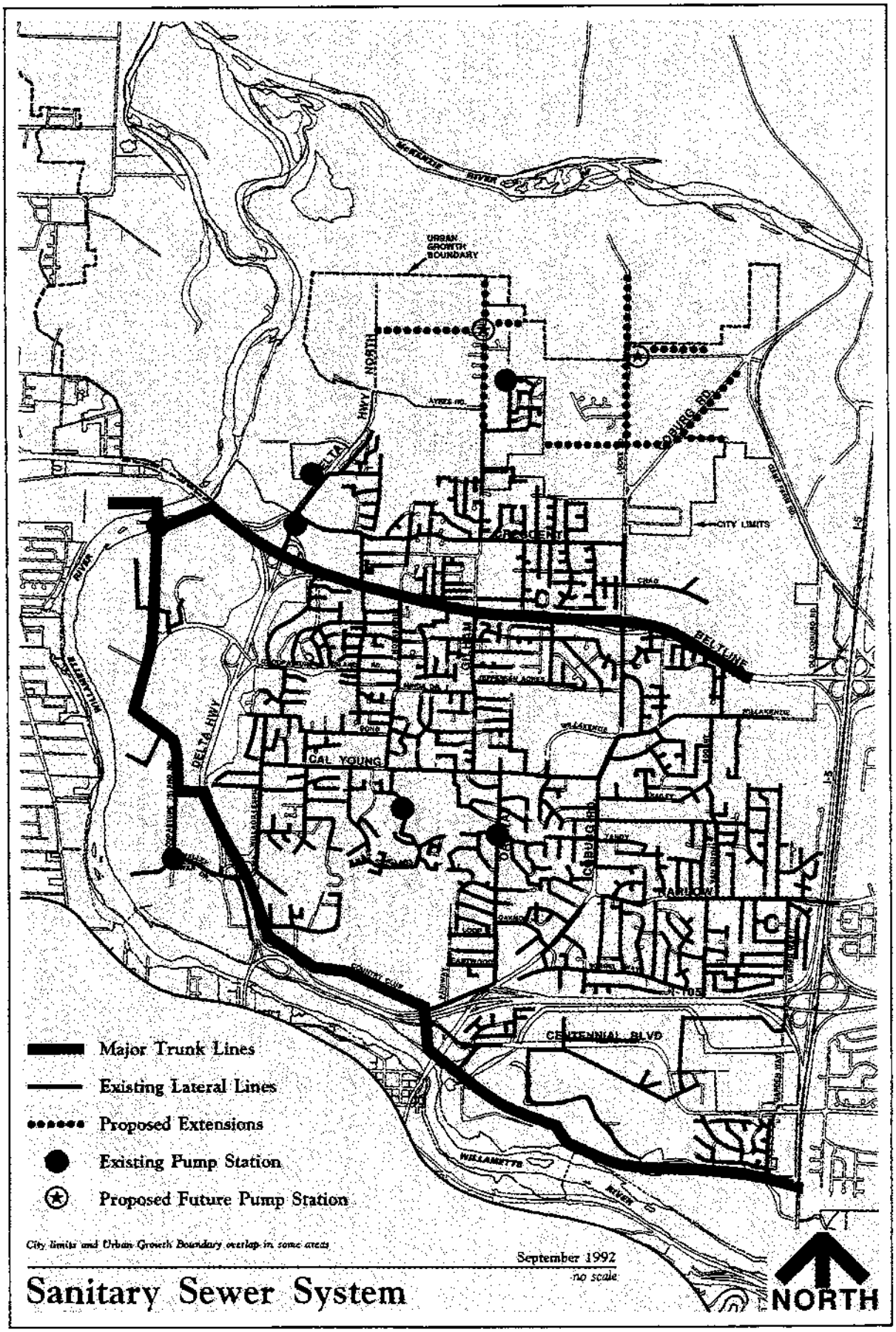
The Willakenzie area is served by two separate sanitary sewer systems. Each system consists of large-diameter lines, called trunks or interceptors, a series of smaller-diameter eight-inch lateral lines and individual service lines, and a variety of pump and lift stations. One of the main interceptor lines runs along Beltline Road and serves the area north of I-105 and east of Delta Highway. The other main interceptor, known as the East Bank Interceptor, runs generally along the north and east banks of the Willamette River between Springfield and the Regional Wastewater Treatment Plant. (See Sanitary Sewer System Map.)

Most of the Beltline interceptor system was designed and built in the early to mid-1960s. Concerns about the age of the system and changes in the land use pattern for the area prompted the completion of a capacity analysis for sewers in the planning area. The analysis resulted in a revision of the design assumptions for the area (see Appendix), and a finding that complete development of the area, as proposed in the Willakenzie Land Use Plan Diagram, can occur with little or no modification to either of the existing sanitary sewer systems. Specifically, this determination was made based on new information gathered, including: a) reduction in the estimated infiltration rate and better knowledge of actual sewer design flows which make it possible to reduce the safety factor previously included in calculating water usage; b) improvements in pipe material, construction practice, and sewer system maintenance; and c) excess capacity in the system due to the oversizing of the existing system. (Old assumptions regarding needed size have been revised.)

The majority of the Willakenzie area within the city is served by sanitary sewers. Areas within the city not served by sewers consist of large, undeveloped parcels, generally north of Beltline Road and in the Goodpasture Island Road area.

The Willakenzie area includes approximately 976 acres of urbanizable land. This land lies within the urban growth boundary but outside of the city limits. Metro Plan and City policies require that urbanizable land be annexed to the city before it will be provided with sanitary sewers. Urbanizable land within the Willakenzie area can be served by extending the existing sanitary sewer system as indicated on the Sanitary Sewer System Map. In addition, service to the unincorporated area as it annexes will require the construction of two new pump stations: 1) in the vicinity of Ayres Road and North Delta Highway; and 2) in the vicinity of Coburg and County Farm Roads. The existing system is adequate to accommodate future flows from any future extensions.

Several small subdivisions, mobile home parks, and small-scale commercial developments exist in the urbanizable area outside of the city limits. All development within the urbanizable area is currently served by on-site septic systems. Lane County monitors the condition of septic systems throughout the county. According to Lane County, soil conditions in the area west of Coburg Road are more favorable than those east of Coburg Road for the continued operation of viable septic systems. Septic system failures have been experienced with some consistency in the area north and east of the Kinney Loop subdivision.


URBAN GROWTH BOUNDARY
McKENZIE RIVER
DELTA HWY NORTH
AYRES RD.
COBURG RD.
CITY LIMITS
CRESCENT
BELTLINE
DELTA HWY
CAL YOUNG
NARROW
CENTENNIAL BLVD
WILLAMETTE RIVER
Major Trunk Lines
Existing Lateral Lines
Proposed Extensions
Existing Pump Station
Proposed Future Pump Station
City limits and Urban Growth Boundary overlap in some areas
September 1992
no scale
Sanitary Sewer System
NORTH

Policies

1. The City shall make sanitary sewers available to newly annexed areas in response to a demand for urban levels of development.

2. The location and construction of future pump stations in the unincorporated area shall be timed to coincide with development patterns.

Sanitary sewers will need to be extended to serve undeveloped areas.

STORM DRAINAGE FACILITIES

Storm sewers and other drainage facilities provide for drainage of storm water within urban watersheds. In the Willakenzie area, storm water is channeled into a drainage system that consists of closed pipes, natural drainage channels, and ponds. There are ten drainage basins within the Willakenzie planning area; in total they contain more than 6,200 acres. These basins incorporate all of the land mass between the Willamette and McKenzie rivers west of Interstate 5. All runoff from this area ultimately flows into either the Willamette or McKenzie rivers through these systems.

The process of urbanization has changed and will continue to change the drainage characteristics of the area. In rural agricultural areas, storm water is readily absorbed by soil and vegetation. Runoff is typically not a problem in these areas. As rural areas develop, open land and vegetated areas that so effectively absorb storm-water runoff are replaced by parking lots, roads, sidewalks, rooftops, patios, and other impervious surfaces. Increases in impervious surface area result in increases in: the total amount of runoff; the speed at which water is discharged; and the frequency and severity of local flooding.

Urban storm-water runoff is one of the major sources of water pollution. Runoff from parking lots, roads, landfills, lawns, and golf courses deposit significant amounts of nutrients, heavy metals, oil, grease, settled air pollutants, pesticides, herbicides, and organic material into receiving streams and rivers. Effective storm-water management policies can control those discharges and a permit process for storm-water discharge can ensure that quality standards are maintained.

Eugene Areawide Drainage Master Plan

In June 1990, the Eugene Public Works Department released the Final Eugene Areawide Drainage Master Plan. The drainage study was commissioned to determine the adequacy of major drainage systems throughout the city, including those within the Willakenzie area. It was prepared as a technical, internal working document for the City's Public Works Department and is not intended for City Council adoption.

The focus of the Drainage Master Plan was to prepare an evaluation of the City's storm-water conveyance system. For many years, the City has followed conventional practices regarding the design of its storm-water system. The prevailing practice has been to pipe runoff to receiving waters through a closed subsurface drainage system. The study focused on quantitative issues regarding storm-water management rather than qualitative issues.

The study revealed that a majority of the existing piped and man-made channel systems are adequate to meet existing and future drainage demands. Several modifications of the existing systems are recommended in the Drainage Master Plan to deal with minor flooding of streets caused by inadequate culvert sizes and to divert runoff from one system to another in order to increase runoff capacities throughout the Willakenzie area. (See Proposed Storm Drainage System Map.)

Natural Drainage

Unlike other areas of the city which have been more intensively developed, the Willakenzie area contains large segments in which storm sewers have not been constructed. Natural drainage channels capture and drain a significant portion of urban runoff in this area. The drainage study recommends replacing several natural drainage channels with enclosed pipes to enhance the development potential of some of the vacant parcels within the planning area. However, the Drainage Master Plan suggests that, whenever practical, natural drainageways should be preserved.

Much of the open drainage system in the Willakenzie area consists of old stream beds, ditches, and portions of historic sloughs. These channels are remnants of the natural drainage system that was in place prior to development of the area. In many cases, the channels run through residential subdivisions and other developed areas which make them difficult to access and maintain. Open channels within developed residential areas are sometimes used by abutting property owners as disposal areas for brush, grass, and other fill materials. This practice diminishes the drainage capacity of the channel and makes them more difficult to maintain.

Since the Drainage Master Plan was prepared, the City has begun to explore a variety of storm-water management techniques for managing the quality as well as the quantity of urban runoff. Use of these techniques could result in reductions in urban runoff, reductions in the amounts and kinds of pollutants entering local waterways, and improved site-development practices which minimize erosion and sedimentation of streams and other water bodies. Among those techniques being examined are:

I. Watershed-based regional detention ponds and on-site detention basins that:

   A. Slow the rate of runoff release; and

   B. Provide temporary storage for storm-water runoff allowing particulates and pollutants to settle out of the water;

2. Development of storm-water facility design criteria to:

   A. Regulate the design of open drainage channels;

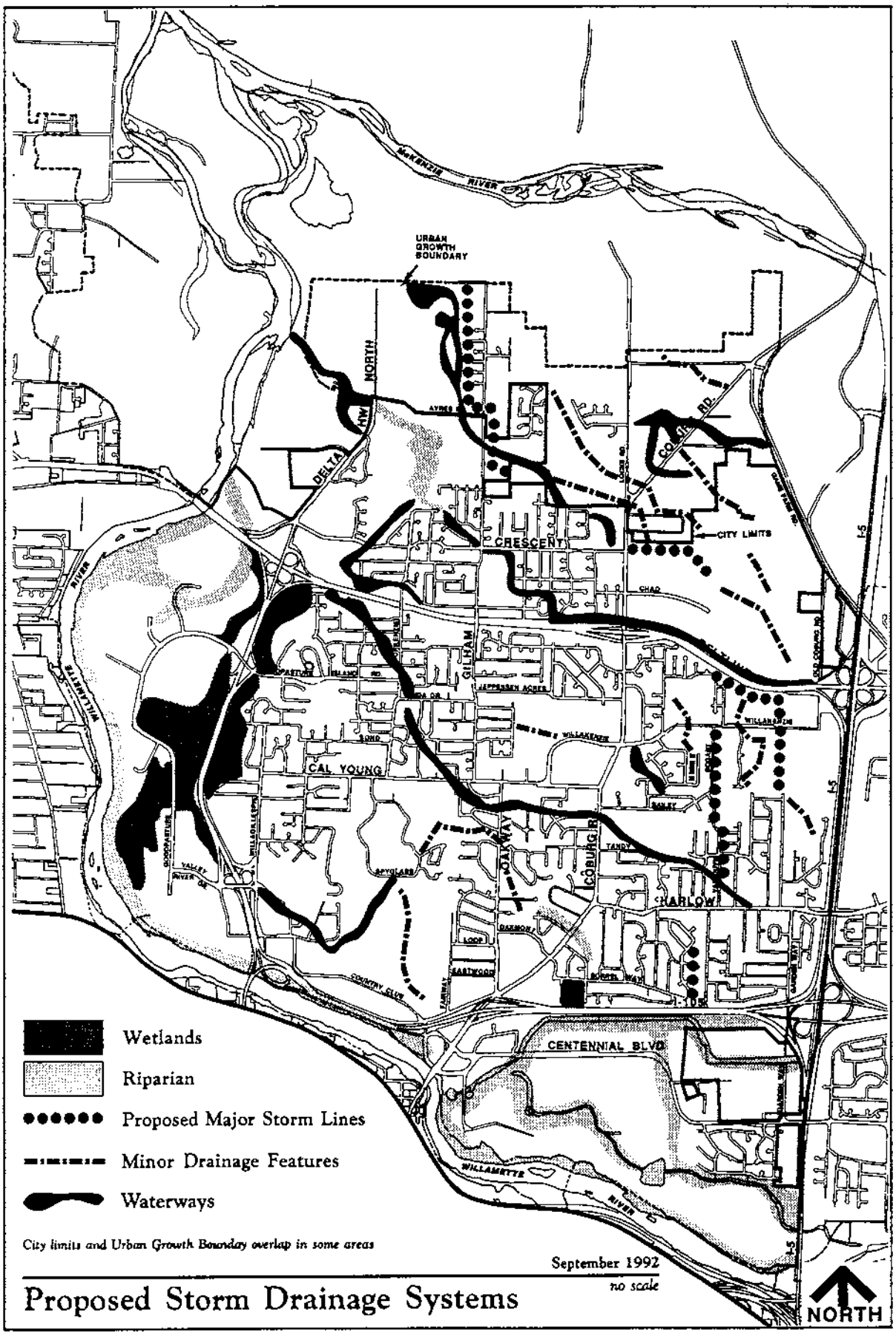
   B. Control the velocity of urban runoff; and

   C. Encourage on-site infiltration of runoff;

3. Placement of buffer strips between the source of the runoff and the receiving waterway to use existing vegetation as a filter.

4. Use of porous paving materials to increase the rate of on-site infiltration.

5. Redesign and rehabilitation of existing natural drainage channels to incorporate various filtering and pollutant-extraction devices.



Proposed Storm Drainage Systems

6. Enhanced natural drainage features to minimize erosion and to encourage filtration of sediments and pollutants.

In general, storm-water management goals are shifting to consider a broader range of objectives. It is widely recognized that multiple objectives can and should be incorporated into the design of storm-water systems. Drainage systems whose designs address urban utility functions, recreational and educational opportunities, wildlife enhancement, historic preservation, environmental improvement, and aesthetic considerations are more desirable than single-purpose drainage systems.

Policies

1. Encourage development practices that reduce the need for construction of an extensive subsurface storm sewer system.

2. Encourage growth and development patterns that are compatible with natural features and discourage the alteration of natural features. Relocation of natural drainage features may be considered as an alternative to replacement with a closed pipe system.

3. Encourage measures that will improve the quality of storm-water runoff discharged into local waterways.

Preservation of natural drainage channels is encouraged in this plan.

SCHOOLS

All of the property within the study area is within the boundaries of Eugene School District 4J. There are five elementary schools, two middle schools, and one high school in the plan area. Enrollment in these schools is projected to range between 71 percent and 123 percent of capacity during the school year 1990-1991.

Student enrollment projections indicate that the district as a whole will experience a 3.4-percent growth rate through the period 1993-94. District planners expect that the Willakenzie area will receive a disproportionate share of that growth. The district presently projects future enrollments based on a figure of .16 students per dwelling unit.

The current imbalance in individual school enrollments is cause for concern within the district. This imbalance is primarily due to the school district's transfer policy which allows students to attend the school of their choice, regardless of where they live in the district. The district accommodates enrollment imbalances by placing portable, modular classrooms at schools with an excess number of students while shifting special-education programs to schools with lower enrollments in order to make more efficient use of underused facilities. Possible future strategies for addressing enrollment imbalances include changing the school transfer policy, shifting individual school attendance boundaries, and construction of new facilities.

New residential development within the Willakenzie area will result in a demand for new school facilities. School District 4J has listed the construction of one new elementary school in its five-year Capital Improvement Program. In addition, an expansion of the Gilham Elementary School facility has been included in the district's two-year Capital Improvement Program. While a specific site for the new elementary school facility has not been selected, the most likely location is within the Willakenzie planning area. The district owns one 37-acre site within the study area, immediately to the north of the Kinney Loop subdivision and east of Coburg Road. School District 4J administrators have indicated that this site is large enough to accommodate the construction of two separate school facilities.

Policies

1. The City shall continue to work with School District 4J to assure that adequate school sites are provided for in the Willakenzie area.

WATER AND ELECTRIC SERVICE

The entire Willakenzie area is within the service boundary of the Eugene Water & Electric Board (EWEB). Water service is currently provided by EWEB to areas within the city limits and to a limited area outside of the city limits but within the urban growth boundary (UGB).

EWEB is the municipal utility of the City of Eugene. Its primary purpose is to provide service to residents of the city. Existing City policy is to generally limit the extension of public water service to areas within the city limits. However, the City's water extension policy does provide for limited extension of water service to areas outside of the city limits. This policy provides EWEB with the ability to service areas within dissolved water districts or other areas meeting specific criteria. This policy has been used to extend water service beyond the city limits in this area.

The area outside of the city limits that EWEB serves is an area that was previously served by the Oakway Water District. This district was dissolved in 1979. The plan to dissolve the district specifies that EWEB will provide service to the area within the boundaries of the Oakway Water District. Extraterritorial water extensions require that the owners of the property to which service is extended sign an annexation agreement with the City. In the agreement, the property owner agrees to annex to the city at some future time, and at the request of the City.

Only one private water system remains in the Willakenzie area. That system serves 11 properties on Hillview Lane No. 2 and is owned and operated by the Hillview Improvement Club. The area in which this system is located was not part of the original Oakway Water District but is outside of the existing city limits. Extension of water service to Hillview Lane in the future will be accomplished through annexation of the area or shall be done under the conditions described above.

EWEB also provides electric service to the Willakenzie area through five separate substations. EWEB plans to build an additional substation at the southeast corner of Gilham Road and Honeywood Street. The timing of that construction will depend on the actual demand for additional service in the area and budget constraints.

Policies

1. EWEB shall continue to provide water and power service to the Willakenzie area.

2. The City shall work with EWEB to continue support for placing utility lines underground.

PARKS AND RECREATION FACILITIES

There are 13 parks containing 527 acres in the Willakenzie area. The largest is Alton Baker Park which contains 375 acres. The second largest park is Delta Ponds which includes 85 acres. While these two parks serve the Willakenzie area, they also attract users from the entire metropolitan area. This is due to their large size and the fact that they provide a variety of recreational opportunities. Due to its unique nature, Sorrel Way Park is also considered a metropolitan park although it contains only 4.7 acres.

The rest of the parks in the Willakenzie area are considered neighborhood or community parks, depending on their size and function. Neighborhood parks best serve people within walking distance, ideally without crossing arterials, railroad tracks, or other physical barriers. Community park and recreation facilities, such as Sheldon Meadows Community Center, serve a larger area. Usually the majority of their participants come from within a three-mile radius. In Willakenzie, neighborhood and community parks total just over 62 acres, split about evenly between the two categories.

On the basis of neighborhood park acres per 1,000 people, Willakenzie has a ratio of 1.48 acres of parkland per 1,000 people. This figure slightly exceeds the citywide ratio of 1.26 acres to 1,000 people. However, on the basis of developed park acreage, the Willakenzie area is deficient. Only about 3.2 acres or ten percent of parks in the neighborhood category are developed. There are no developed neighborhood parks north of Beltline Road. That means there are only about 0.15 acres of developed neighborhood park facilities per 1,000 people. This is compared to a citywide figure of about 0.6 acres of developed neighborhood parks per 1,000 people. The City's long-term goal is to have between 1.3 and 1.8 acres of neighborhood parks per 1,000 people.

Willakenzie has 1.44 acres of community parks per 1,000 people, slightly less that the citywide average of 1.56 acres per 1,000. Based on developed acres of community parks, the Willakenzie area has about 0.9 acres per 1,000, slightly more than the citywide average of about 0.8 acres per 1,000. The City's long-term goal is to have four acres of community parks per 1,000 people. About half those acres should be developed. The Willakenzie area's population may nearly double in the next 20 years. However, as the list of competing needs for limited financial resources grows in Willakenzie and elsewhere, the City's long-term goal regarding park acres per 1,000 people could become more elusive.

Parks associated with natural resources have scenic, wetland, or other open-space values. Each must be treated according to its unique characteristics. Generally, natural areas in parks are treated as passive recreational locations where little or no development occurs. Applicable policies in the Parks Master Plan and related documents, as well as State and Federal agency rules and guidelines, apply to these areas.

In 1986, the City of Eugene and Lane County adopted the Alton Baker Park Master Plan. Within the next few years, the City will most likely begin work on a refinement of this plan to include only the westerly 142 acres of Alton Baker Park (the portion which is in the City's jurisdiction). This refinement effort will be coordinated with Lane County.

Policies

1. In recognition of the existing shortage of parkland, the City shall work to achieve a citywide goal of four acres of parkland per 1,000 people in the Willakenzie area.

   1.1 Consider the acquisition and development of additional parks in the area north of Beltline Road.

   1.2 Consider the acquisition of five acres for a neighborhood park north of Goodpasture Island Road and west of Delta Highway, along Goodpasture Island Road.

   1.3 Explore the feasibility of raising money for parks acquisition and development in the Willakenzie area through bond issues, serial levies, or similar programs.

   1.4 Work with developers to acquire land or funds in lieu thereof when their projects will add to or create a demand for more recreational facilities.

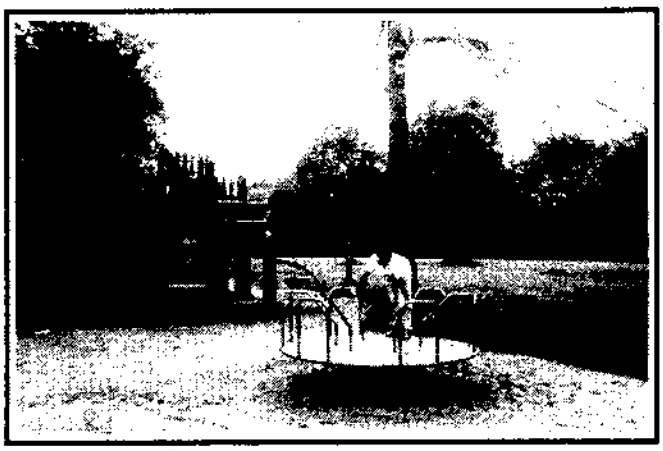
   1.5 Add parks to the list of facilities that are eligible to receive money through systems development assessments.

   1.6 Continue to accept donations of land and structures for parks if they fit into the park system and can be adequately maintained.

2. The City shall develop an overall design strategy for park areas which is consistent with the Natural Resources Special Study.

   2.1 Design maintenance and improvement programs that support natural resources and minimize damage to natural vegetation, natural drainage, and critical wildlife habitats.

3. The City shall consider acquisition and development of a recreation area at the confluence of the Willamette and McKenzie rivers upon completion of sand and gravel extraction uses in the area.



Bond Lane Park.

NEIGHBORHOOD DESIGN ELEMENT

NEIGHBORHOOD DESIGN ELEMENT

INTRODUCTION

The Neighborhood Design Element is concerned with environmental character, identity, and visual qualities in the Willakenzie area. These factors are closely linked with livability and directly influence how people feel about the areas in which they live, work, and play.

While the Willakenzie area is primarily suburban in character, a significant portion of the neighborhood is undeveloped or is in agricultural use. These more rural areas contribute to the overall sense of spaciousness and naturalness that residents of the area value. As these areas develop, and rural uses give way to urban uses, the character and identity of the area will undergo marked change.

The purpose of this element is to recommend a set of strategies to: 1) help preserve the character of the existing neighborhoods; 2) improve the quality and appearance of new commercial and industrial developments, particularly those that are adjacent to residential areas and heavily traveled arterial streets; and 3) help establish or enhance identifiable features in the neighborhood that set the Willakenzie area apart from other neighborhoods.

This section provides a framework for enhancement of the natural and built environment within the study area. It includes background discussions, policies, and design proposals for various features which lend themselves to improvement through the application of design principles or special protective measures.

Attractive commercial landscaping along Coburg Road.

ENTRANCE CORRIDORS

The Willakenzie area has several roads which function as primary entrances to the city. These entrance corridors, as identified in the adopted City of Eugene Entrance Beautification Study (see the Entrance Corridor Map), bring visitors and other travelers into Eugene from I-5, Mahlon Sweet Airport, Highway 126, and Highway 99. Entrance corridors are focal points for future highway improvement and beautification projects, including landscaping, entrance signing, and improvements to guide signing for various regional destinations.

In the Willakenzie area, these corridors take on a special significance. Traffic and transportation issues dominate the list of issues that concern area residents. These entrance routes carry very heavy traffic loads around and through the planning area. The corridors provide numerous opportunities to create an image and identity for the Willakenzie area that is completely unique.

The Entrance Beautification Study provides overall policy direction for the visual improvement of designated entrance corridors. The Transportation Element of this plan contains policies directing the City to provide for improvements to designated entrance corridors in conjunction with future construction and reconstruction projects in the area. The purpose of this section is to provide guidance for future corridor improvement plans and to provide recommendations for those improvements that recognize the unique characteristics of each of the corridors. Recommendations in this section are not intended to be adopted.

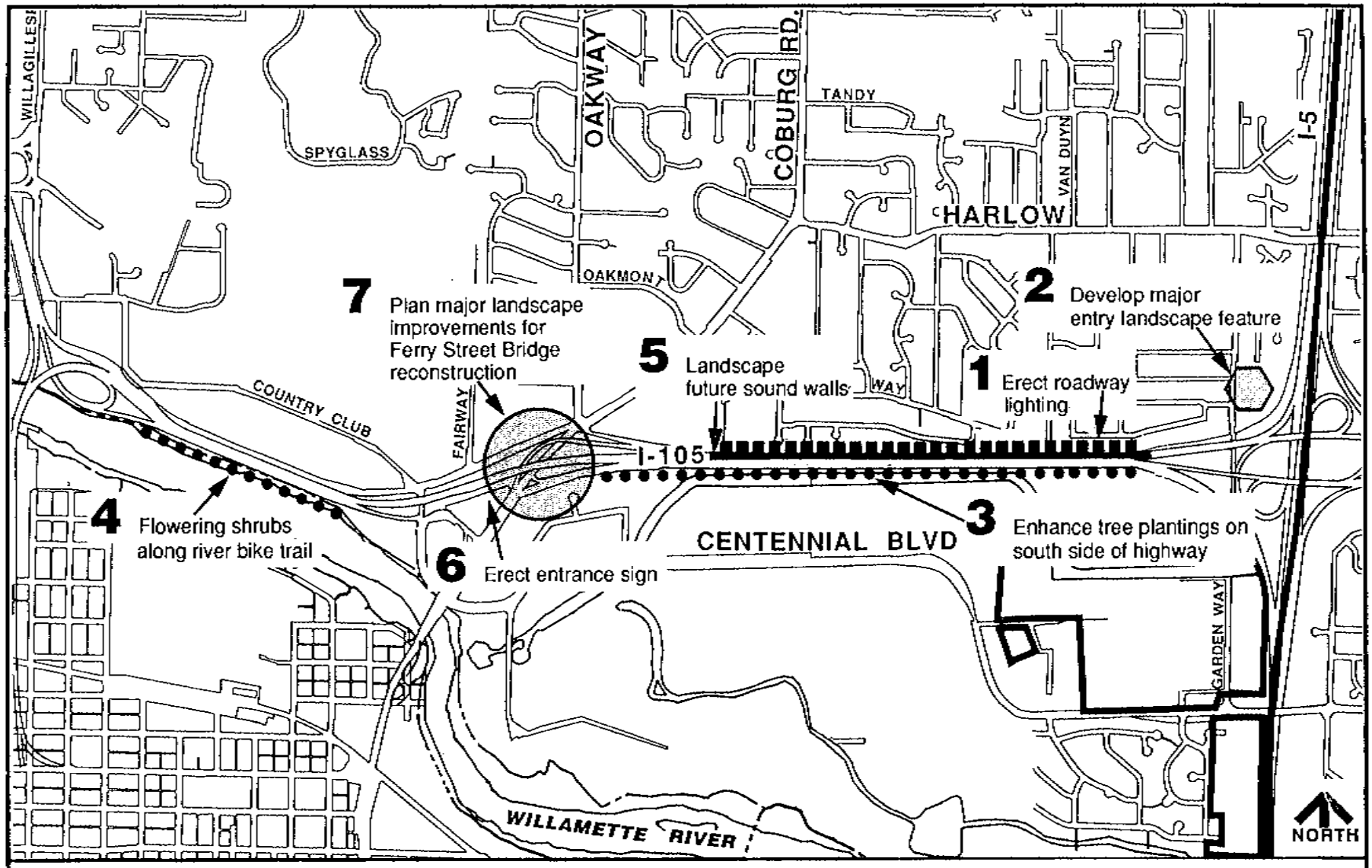
I-105 (Eugene-Springfield Highway)--I-5 to Delta Highway

I-105 is the main entrance into the city from Interstate 5. This four-lane State highway currently carries more than 40,000 vehicles per day. Projections indicate that future traffic volumes on this highway will eventually require that it be widened from four to six lanes. Future widening will provide numerous opportunities to improve the visual characteristics of this heavily traveled and important corridor. Future reconstruction of the Ferry Street Bridge will provide other opportunities to affect changes to the corridor in the vicinity of the Coburg Road off-ramp. Improvements could create a dramatic entrance into Eugene with carefully controlled views of Judkins Point, Skinner Butte, Spencer Butte, Autzen Stadium, the downtown skyline, and the Willamette River. Many of Eugene's key landmarks are revealed one after the other along this entrance corridor.

Recommendations

1. Erect roadway lighting along the I-105 corridor between I-5 and the Coburg Road off-ramp. Avoid high-mass lighting or other lighting types that are inappropriate for roads of this type which are adjacent to residential areas.

2. Work with the State and other public and private landowners to develop an appropriately scaled city entrance landscape feature, consisting of canopy and understory trees and flowering shrub masses at the I-5/I-105 interchange.



ENTRANCE CORRIDOR IMPROVEMENTS

I-105: I-5 to Delta Highway

3. Enhance and augment the tree planting on the south side of I-105 east of Coburg Road with additional large-scale trees located to frame views of important landscape and cultural features.

4. Plant rhododendron and other indigenous shrubs in the park/bike path strip on the south side of I-105 between the Washington-Jefferson Street Bridge interchange and the Coburg Road off-ramp.

5. Work with the State and private property owners to ensure that sound walls constructed in conjunction with future highway improvements be attractively landscaped with shrubs and vining plant materials to soften the harsh visual effects of these noise barriers.

6. Erect an aesthetically pleasing city entrance sign in a highly visible location within the corridor.

7. Work with the State to create significant landscape features within rights-of-way for all on-ramps, off-ramps, and street segments redesigned and reconstructed in conjunction with the construction of the new Ferry Street Bridge.

Delta Highway--I-105 to Beltline Road

This four-lane County highway links Beltline Road with Valley River and downtown. The character of this road segment is strongly influenced by the Delta Ponds and by commercial development in the Valley River area. Landscaping is completely absent within the highway right-of-way. Like I-105, there is great potential for using natural amenities and viewsheds along the corridor to enhance the beauty of this highway and to highlight various land uses adjacent to it.

Recommendations

1. Plant large-scale trees and shrubs within the right-of-way that separates Delta Highway from Country Club Road.

2. Work with Lane County and the State Highway Division to develop landscape plans and funding sources for diamond and cloverleaf interchange islands in the following locations:

   A. Delta Highway/I-105 interchange;

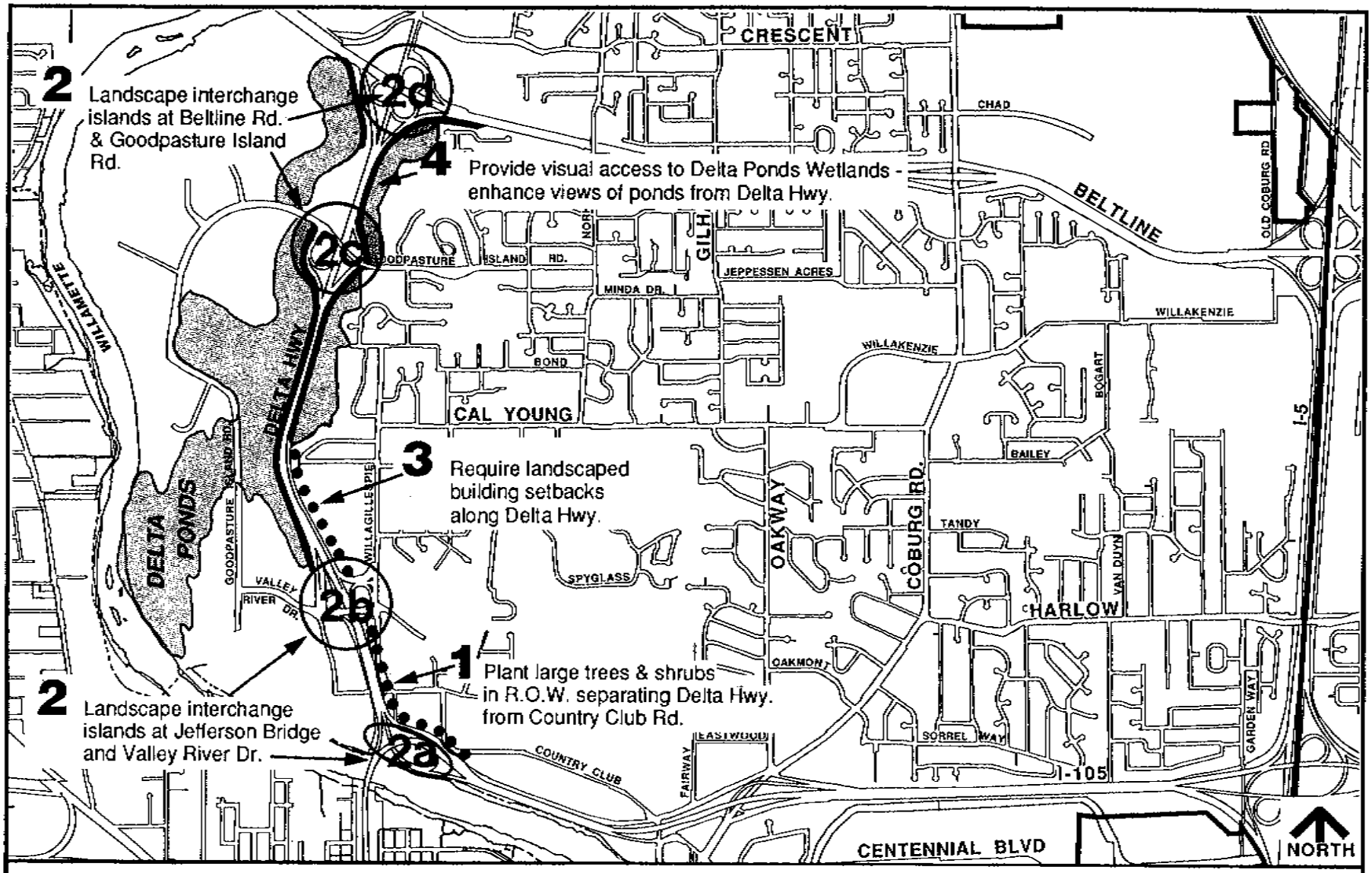
   B. Delta Highway/Valley River Drive interchange;

   C. Delta Highway/Goodpasture Island Road interchange; and

   D. Delta Highway/Beltline Road interchange.

3. Ensure that commercial and residential buildings are set back from the Delta Highway right-of-way line and that setbacks are landscaped with trees, shrubs, and ground covers.

4. Ensure that visual access to the Delta Ponds is maintained and enhanced from Delta Highway while physical access from the highway is restricted.



ENTRANCE CORRIDOR IMPROVEMENTS

Delta Highway: I-105 to Beltline Road

Beltline Road--Willamette River to I-5

This road segment carries large volumes of traffic into the northern and western parts of the city from Interstate 5. Residential development has occurred or is planned along most of its length, except for a section designated for industrial use east of Coburg Road and commercial development at the Coburg Road and Delta Highway interchanges.

Traffic volumes are expected to increase substantially on Beltline Road requiring its future widening from four to six lanes. Land use and transportation policies in the Willakenzie Area Plan require: 1) the construction of sound walls and/or berms in conjunction with new road construction where Federal and State noise levels are exceeded; 2) the construction of sound walls and/or berms in new residential development adjoining Beltline Road; and 3) extensive rear-yard landscaping on industrial parcels abutting Beltline in the Coburg-Crescent Special Light Industrial area.

Recommendations

1. Work with the State Highway Department to ensure that road and bridge reconstruction in this highway segment incorporate appropriate landscaping within the public right-of-way, especially on fill banks near overpasses, future bike/pedestrian path crossings, and in areas where significant indigenous vegetation is disturbed as a result of road construction.

2. Work with the State Highway Department to develop a major landscape feature in the right-of-way area to the south and west of the Beltline off-ramp to Delta Highway. This area would benefit from a mass planting consisting of large-scale trees, colorful shrubs and low-maintenance meadow grasses requiring infrequent mowing. Improvements could include widening the drainage ditch in this area to create a flatter drainage swale and to facilitate mowing in the area.

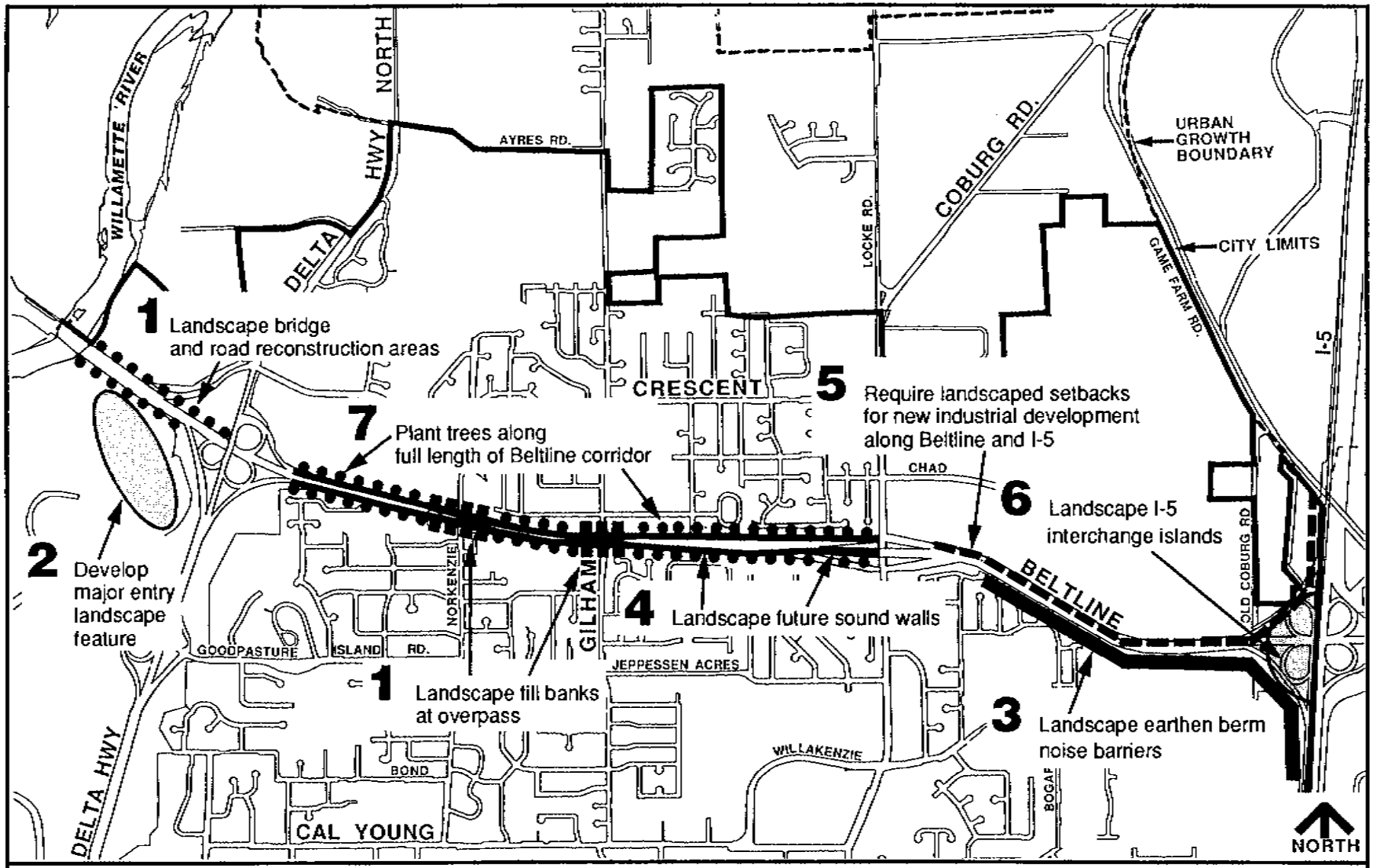
3. Wherever earth berms are used as noise barriers in new developments, landscape with trees, shrubs, and ground covers.

4. Work with the State, Lane County, and private property owners to ensure that sound walls constructed in conjunction with future highway improvements be attractively landscaped with shrubs and vining plant materials to soften the harsh visual effects of these noise barriers.

5. Ensure that industrial developments are set back from Beltline and I-5 rights-of-way lines and that setbacks are landscaped with trees, shrubs, and ground covers.

6. Work with the State Highway Department to augment landscaping within the Interstate 5 interchange islands at I-5 and Beltline Road.

7. Where right-of-way widths permit, plant large-scale deciduous and evergreen trees along the length of the Beltline corridor.



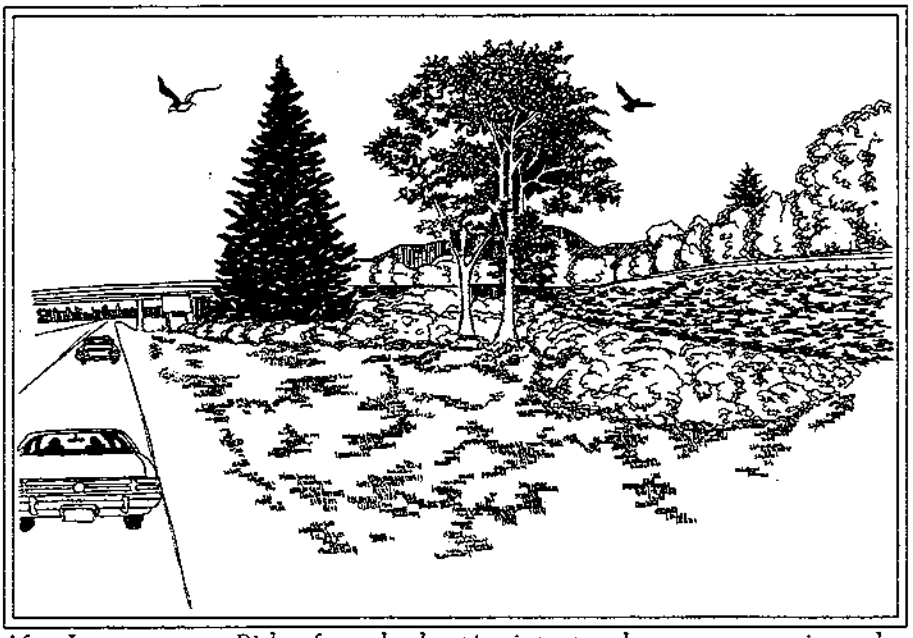
ENTRANCE CORRIDOR IMPROVEMENTS

Beltline Road: Willamette River to I-5

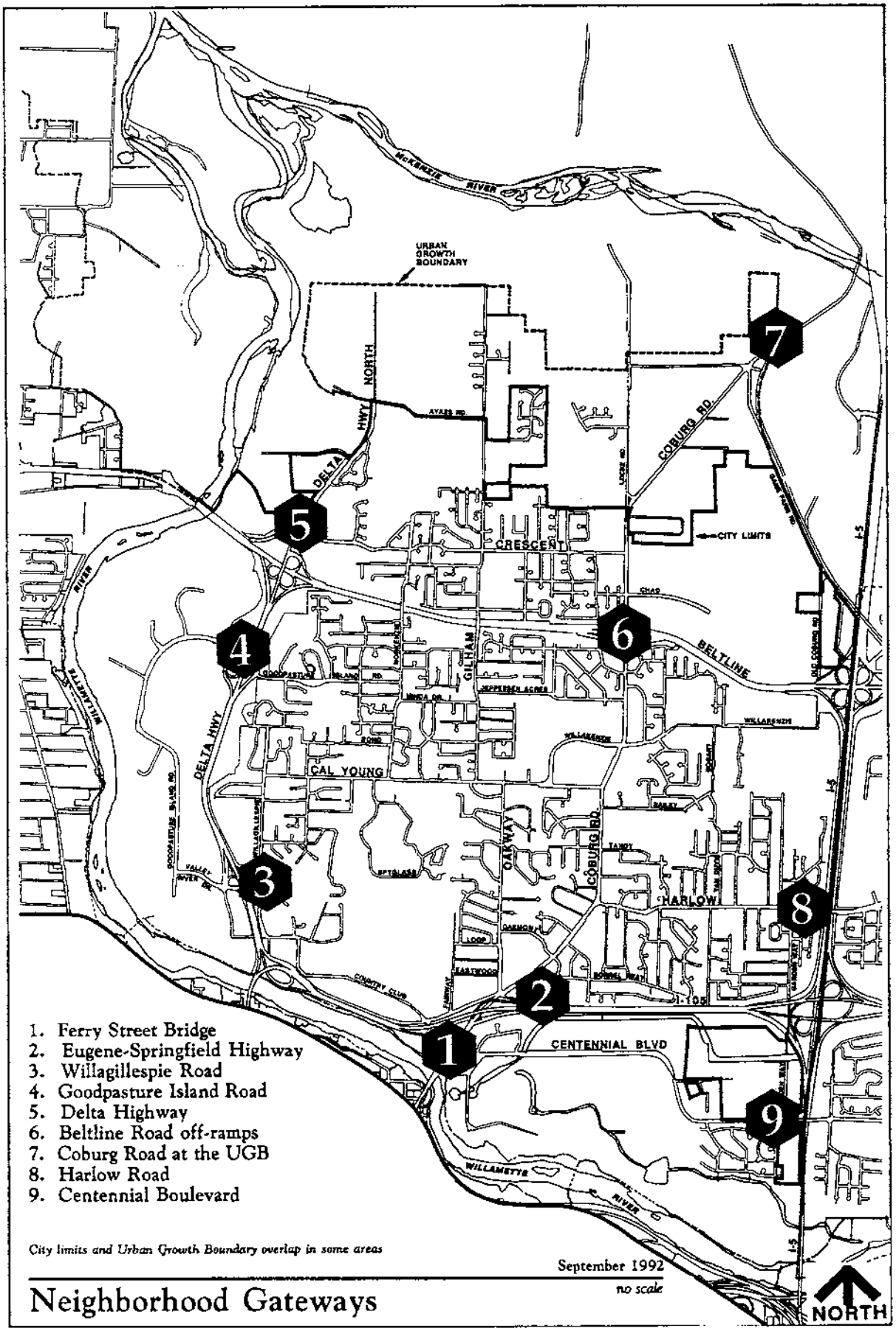
NEIGHBORHOOD GATEWAYS

Transitional features, such as gateways, can help define neighborhood boundaries, heighten a sense of arrival into an area, and help establish neighborhood identity. In a suburban context, major landscape features can be effectively utilized to create neighborhood gateways that have wide appeal to large segments of the community. Street tree and "parkway" planting schemes, in particular, can help provide a distinct physical identity to an area.

Prior to Improvement.



After Improvement. Right-of-way landscaping is proposed to create attractive and distinctive neighborhood entrances.



Neighborhood Gateways

Within the Willakenzie planning area, there are nine sites where vehicular traffic enters the neighborhood from adjacent neighborhoods or from the freeways and cross-town arterials. (See Neighborhood Gateways Map.) Gateways should be planned at high- visibility, high-use locations in the following general areas:

1) Coburg Road between the Willamette River and the I-105 overpass;
2) Coburg Road at the I-105 off-ramp.
3) Willagillespie Road between Valley River Drive and Rio Glen;
4) Goodpasture Island Road at the Delta Highway off-ramp;
5) Delta Highway at the Green Acres intersection;
6) Coburg Road at the Beltline Road off-ramps;
7) Coburg Road at the urban growth boundary;
8) Harlow Road between the I-5 bridge and Calvin Street; and
9) Centennial Boulevard between the I-5 bridge and Garden Way.

<u>Policies and Proposed Actions</u>

1. Encourage the development of symbolic "gateways" to the Willakenzie area through the effective use of landscape materials in areas indicated on the Neighborhood Gateways map.

   1.1 Incorporate large-scale trees and other appropriate landscape materials in required front-yard landscape plantings and street reconstruction landscape plans within "gateway" areas.

   1.2 Develop conceptual design plans for neighborhood gateways to be implemented as the areas develop or redevelop.

2. Encourage the Eugene Water & Electric Board and other utility providers to relocate utility lines underground in areas designated as neighborhood gateways on the Neighborhood Gateways map.

COMMERCIAL AREA DESIGN

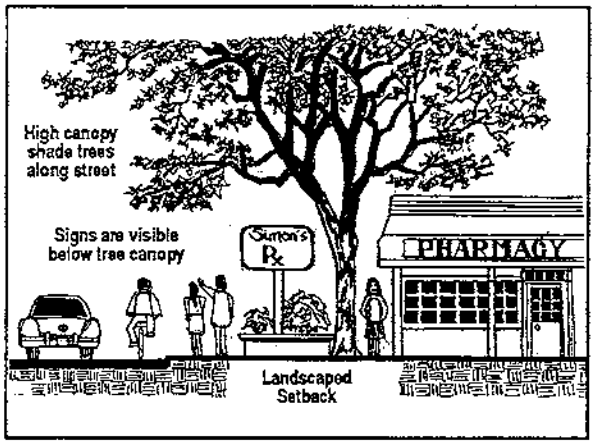
Retail commercial development in the Willakenzie area is generally confined to "strip" commercial uses along Coburg Road and to "nodal" commercial development in various locations within the planning area. The Willakenzie area has experienced substantial commercial development activity in recent years and continues to experience pressure to expand the commercial land base in the area. Residents of the area have expressed concern with the impacts of commercial development focusing their comments on its appearance, scale, and traffic impacts.

The need for commercial development guidelines was consistently identified as a priority issue by the planning team and by area residents during the course of the planning study. The Eugene Commercial Lands Study, currently in progress, includes broad recommendations to improve commercial area site planning and design, but it may not include specific measures that will result in immediate improvements.

The Willakenzie Commercial Siting and Development Guidelines (listed below) are intended to: 1) improve the quality of commercial development in the planning area; 2) ensure that commercial development in the area presents an attractive, landscaped appearance that is compatible with adjacent residential areas and is complementary to the image of the community as a whole; and 3) provide guidance for the location and design of commercial structures and parking lots.

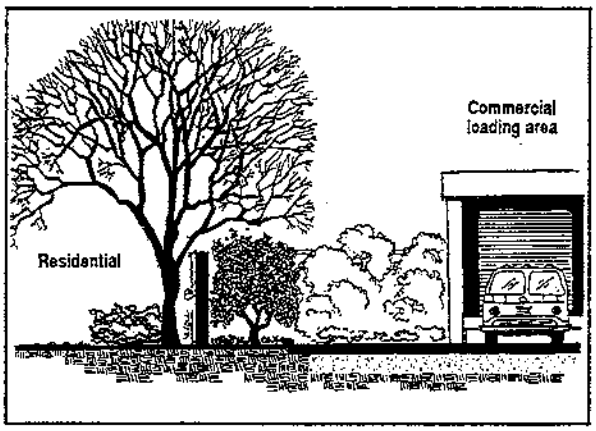
The plan addresses the appearance of commercial developments in the area.

1. Front and interior yard setbacks should be appropriate to the scale of the proposed development and should be sufficient to provide for generous landscape buffers when the development is adjacent to residential areas or streets. In general, front yards and yards adjacent to streets should be a minimum of 15 feet in depth and interior yards should be minimum of 10 feet in depth. Where interior yards are developed with head-in parking and are adjacent to residential uses, the minimum yard requirement should be increased to limit the negative impacts resulting from locating the parking area next to the residential use.



Landscaped setbacks can improve the appearance of commercial areas.

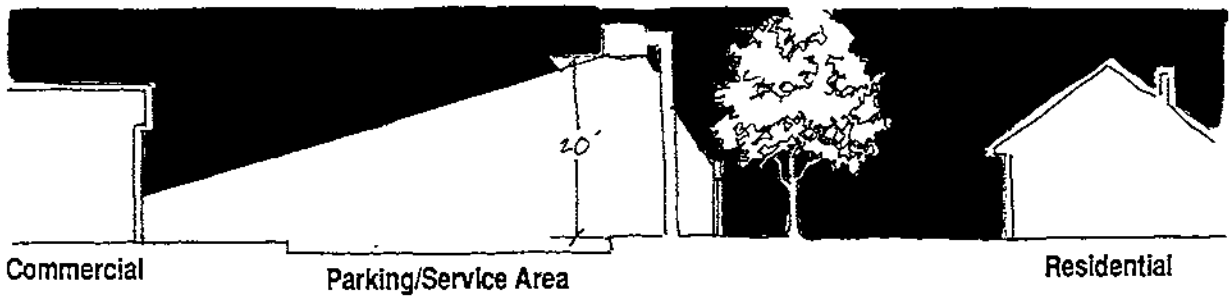
2. Loading and delivery areas should be confined to the rear of the building. Where such service areas abut a residential use, a sound-obscuring wall should be constructed between the service area and the residential development.



Sound obscuring walls help to reduce service area noise impacts.

3. Required setbacks should maintain landscaping with lawns, trees, shrubs, and living ornamental ground covers as primary material.

Landscaped building setback area.



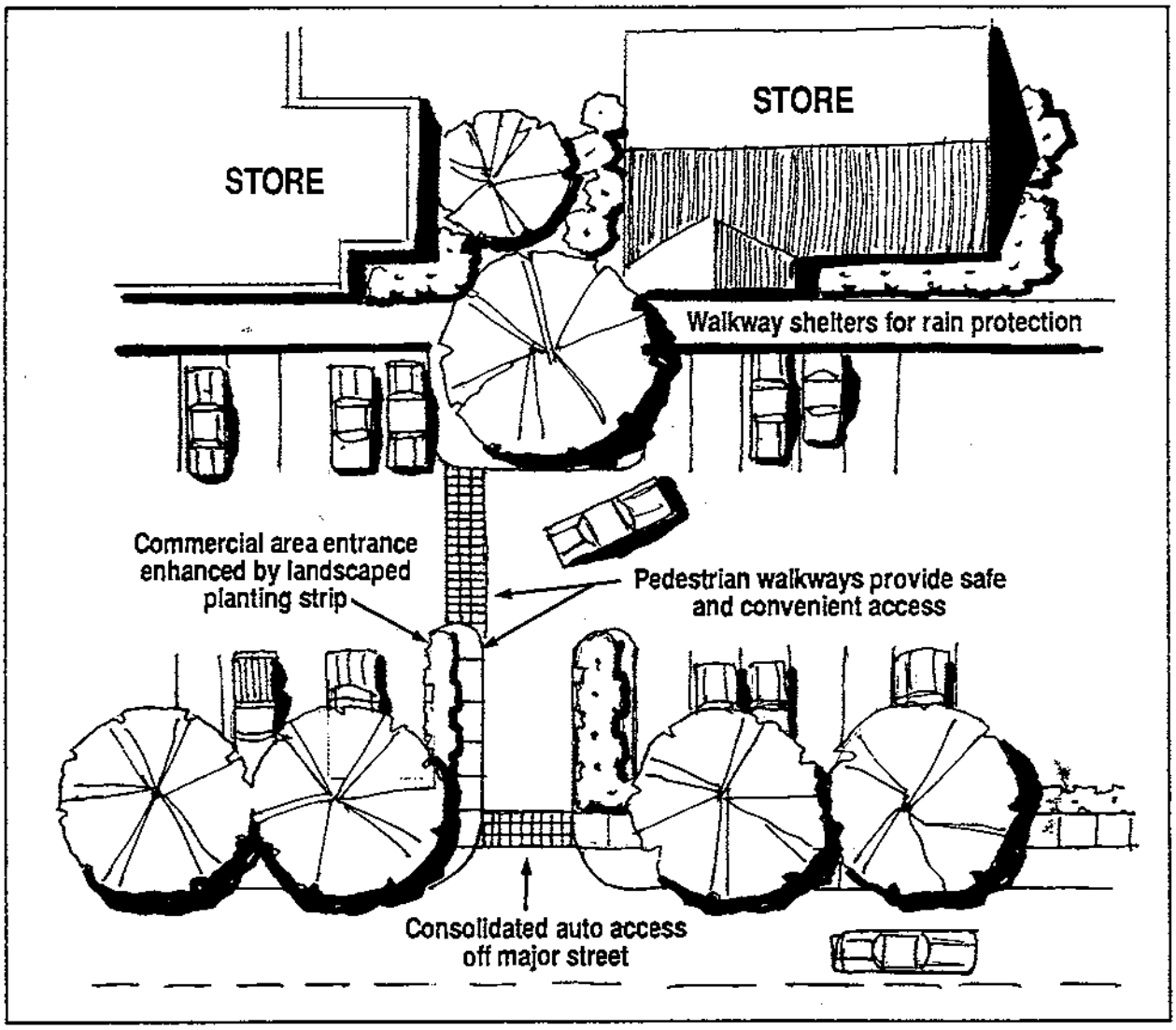
4. Exterior site lighting should serve safety, functional, and aesthetic purposes and should be considered within the overall architectural and landscape theme for the development. Parking area light standards should be in proportion to the building mass and generally should not exceed 20 feet in height. All on-site lighting should be directed downward with no splay of light off the site.

5. Commercial structures adjacent to residential development should be in scale with the height of existing or planned residential structures. Where commercial development is adjacent to any use other than a residential use, the height limit should be consistent with the limit in the adjacent district.

6. Site planning that creates interesting and varied building forms rather than flat, void surfaces should be encouraged. Building forms can be positively influenced by varying setbacks, breaking buildings into segments or clusters, and by incorporating landscaping into the architectural design.

7. Pedestrian and vehicular safety should be maximized by carefully siting the driveways. Combined driveway entries serving more than one parcel are strongly encouraged.

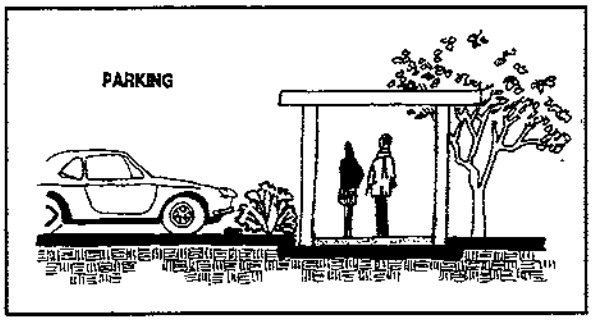
8. Traffic circulation patterns and site access should be designed so as to minimize the impacts of commercially generated traffic on the adjacent neighborhood and to limit ingress and egress points on local residential streets.



9. Convenient pedestrian walkways should be provided, as needed, around commercial sites to promote pedestrian safety and convenience.

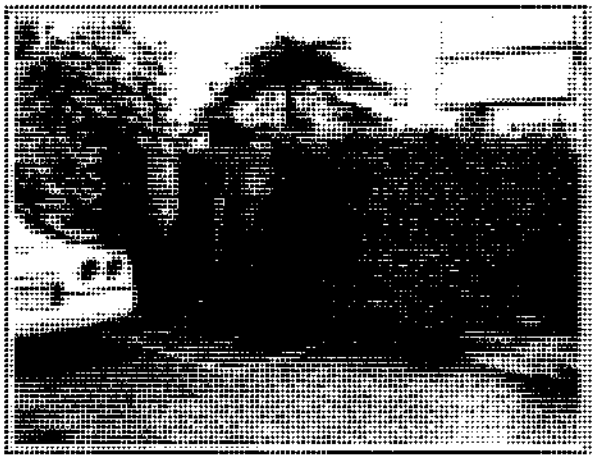
10. Commercial area entrance driveways should be provided with a minimum eight-foot-wide planting strip between the entry drive and the parking area. The purpose of the planting strip is to heighten entryway visibility and improve parking area circulation.

11. Awnings or other walkway shelters should be encouraged to provide rain protection for pedestrians and to help unify building masses.



Walkway shelters provide protection from rain.

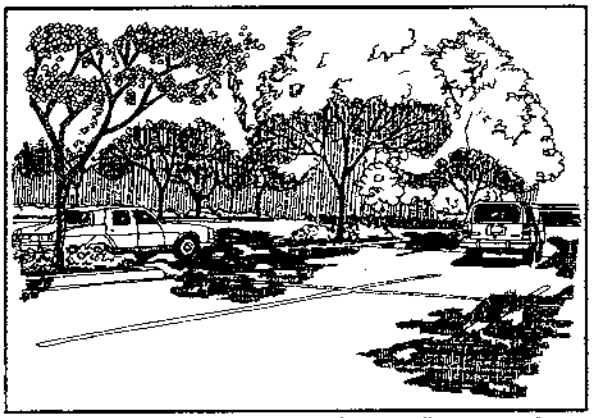
12. Auxiliary structures such as refuse collection areas, transformers, utility meters, and other utility and mechanical equipment on the ground, should be screened from public view with plant materials or other screening materials that are compatible with the adjacent buildings. Screening enclosures for refuse collection areas should completely screen all collection bins and refuse.



Trash collection areas can be designed as positive, attractive site features.

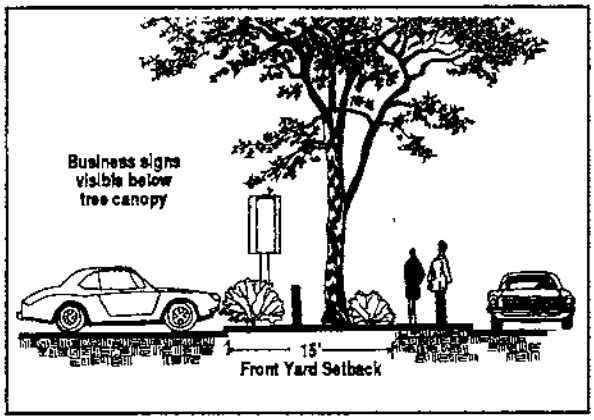
13. Heating, ventilating, air conditioning, and other wall or roof-top mechanical equipment should meet the noise standards of the zoning ordinance. If required, a noise barrier shall be made of a material and design that is visually compatible with the building.

14. Parking areas should be designed and landscaped to provide shading during the summer months and to reduce the visual impact of large paved areas. Large-scale, high-canopied tree species are encouraged in island planters and parking-lot perimeter screening areas to create a canopy which reduces glare and excessive heat.

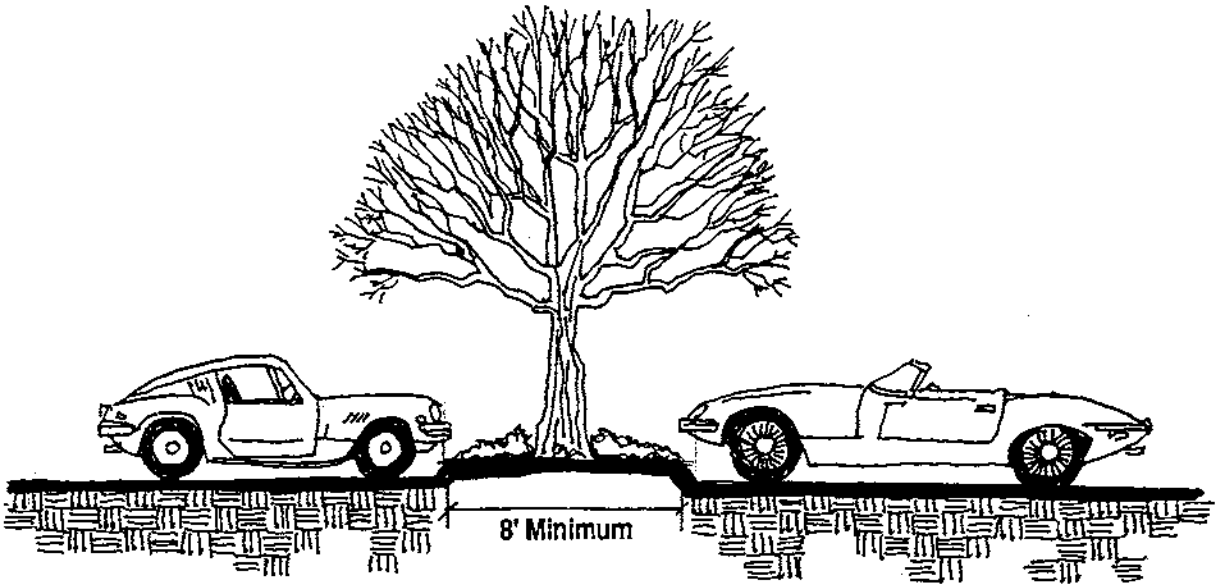


Trees and other landscape elements dramatically improve the appearance of parking lots.

15. Parking lots should be screened from the street and from adjacent property by berms, low walls, low fences, and/or dense landscaping with trees shrubs, and ground covers to provide for visual enclosure and screening.



Low walls, berms, and shrubs screen parking lots from the street and from adjacent properties.



16. The dimensions and design of interior planting islands within parking areas should be sufficient to protect all plant material from damage by vehicles and mechanical equipment. In general, the width of interior planting areas should not be less than eight feet to allow car doors to open and bumpers to overhang into the landscaped area without damaging plant materials.

17. Curbing should be installed around landscaped areas, especially those adjacent to parking or circulation areas, to contain landscape material and to provide protection from vehicles.

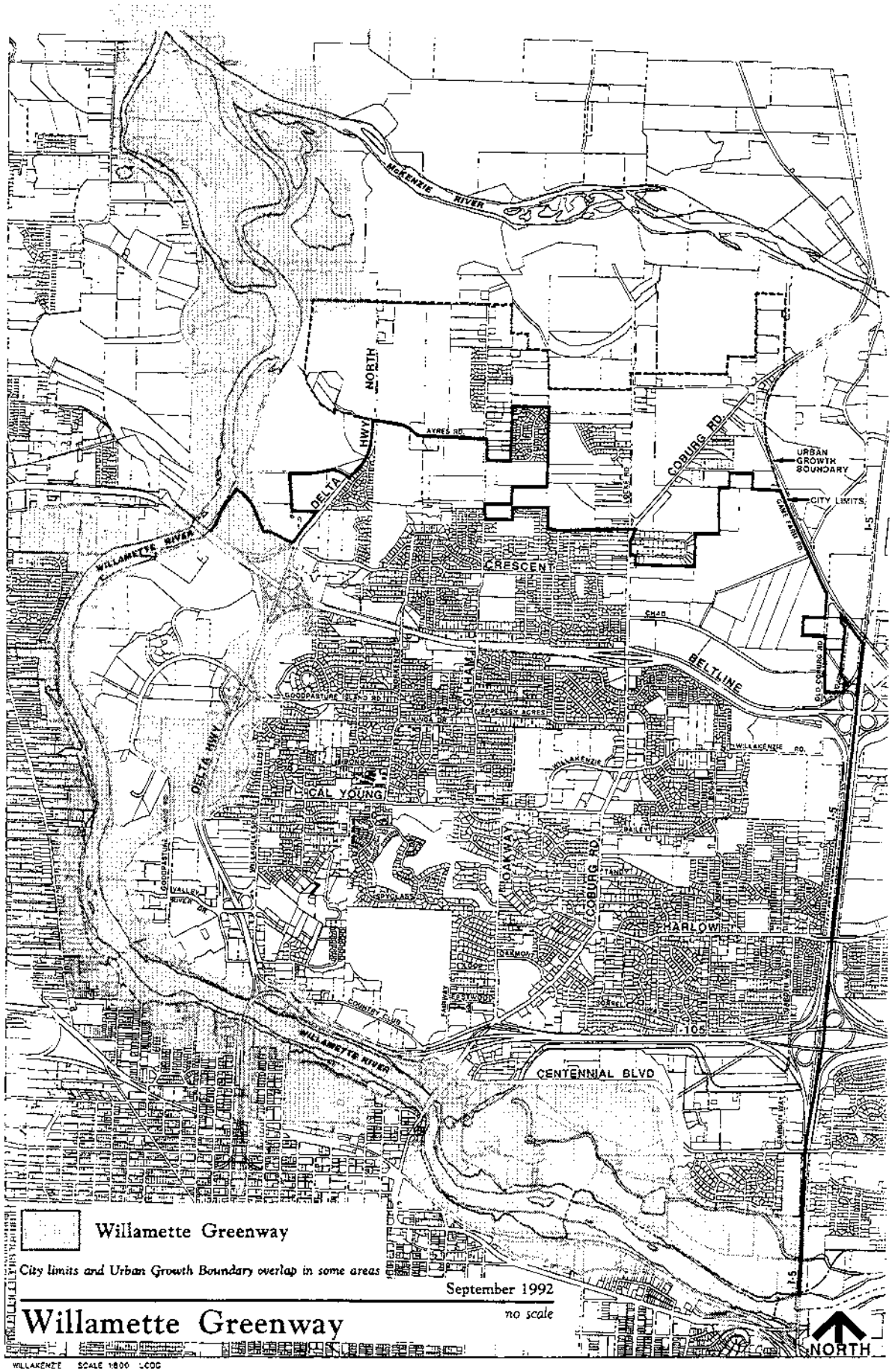
18. Where commercial development is adjacent to residential uses, the common property lines should be separated by a sight-obscuring fence or wall. The interior yard adjacent to this fence should be generously planted with trees, ground covers, and shrubs capable of attaining a minimum height of eight feet within five years.

19. Plant materials, other than ground covers, should be sized so that a mature appearance will be attained within two years of planting. In general, trees should be a minimum of 1.5 inches caliper, shrubs not used as ground covers should be a minimum five gallons in size, and ground cover should be spaced to provide for complete infill within one year of the date of planting. Shrubs, when used as parking-lot perimeter screens, should be evergreen and spaced to achieve the desired screening height of three feet within two years.

20. Plant material, including street trees within the right-of-way, should be served by City-approved automatic underground irrigation systems.

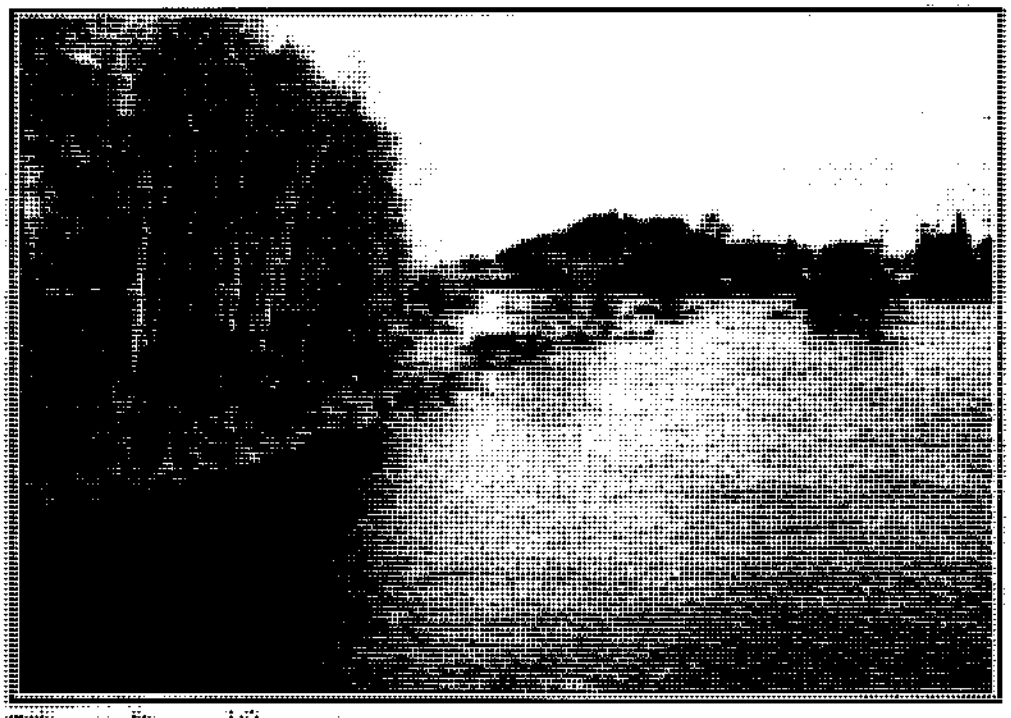
21. All landscaped areas shall be maintained in a healthy growing condition. Maintenance shall include, where appropriate, pruning, mowing, weeding, cleaning, fertilizing, and regular watering. All trees, shrubs, ground covers, and other plant material shall be replaced if they die or become unhealthy.

22. Bark, wood chips, rock, and similar materials should not substitute for ground cover plantings on a majority of the site.


McKENZIE RIVER
NORTH
DELTA HWY
AYRES RD.
COBURG RD.
URBAN GROWTH BOUNDARY
CITY LIMITS
WILLAMETTE RIVER
CRESCENT
BELTLINE
GOODPASTURE ISLAND RD
JEPPESSEY ACRES
WILLAKENZIE RD.
CAL YOUNG
OAKWAY
COBURG RD.
HARLOW
I-5
I-105
CENTENNIAL BLVD
Willamette Greenway
City limits and Urban Growth Boundary overlap in some areas
September 1992
no scale
Willamette Greenway
NORTH
WILLAKENZIE SCALE 1:800 LCOG

WILLAMETTE GREENWAY

There are approximately six linear miles within the Willakenzie area that are within the boundaries of the Willamette River Greenway. In the Willakenzie area, the greenway is under both public and private ownership. The area under public ownership composes primarily Alton Baker Park and the Delta Ponds. The area of the greenway that is privately owned includes Valley River Center, a variety of other commercial developments in the Valley River Center area, and residentially zoned lands along Goodpasture Island Road. Development of lands within the Willamette Greenway is subject to direction provided within the Statewide Planning Goals and the City's zoning ordinance. Greenway development criteria such as access to and along the river, preservation of riparian vegetation, and provision of landscaping buffering between the use and the river are some of the factors considered in review of development in the greenway.



Willamette River and Greenway

There is still a significant portion of land within the greenway in the Willakenzie area that is undeveloped. Development within the greenway is reviewed by the City through either the conditional use permit process or the planned unit development process. Within the next five years, the City of Eugene will be undertaking a Greenway Management Plan which will address how development is to occur within greenways throughout the city. The following use management standards are consistent with Statewide Land Use Goal 15 and shall apply to development within the Greenway in the Willakenzie area.

1. Provision that all new structures, expansion of existing structures, drives, parking areas, or storage areas shall not be permitted within the first 35 feet back from the top of the riverbank, unless the location of the floodway boundary requires a greater separation. There are three exceptions to this standard:

   A. Structures designed solely for recreation use (e.g., a deck or steps leading to the river) and driveways for boat landings and water-related or water-dependent uses are permitted within the 35-foot setback.

   B. Public improvements, including pedestrian and bicycle trails, public plazas, and similar amenities, but excluding roads and parking areas, are exempt from the setback requirements specified above.

   C. Structures existing as of the date of adoption of this plan shall be allowed to rebuild at the same distance from the river that they were before destruction by fire, flood, or other disaster.

2. Provision for public pedestrian and bicycle access along the river.

3. Provision that the area within the 35-foot setback area may be included in any density calculation of a project.

4. Continuous building facades and opaque fences or walls exceeding 75 feet in length shall be discouraged within the greenway to allow for visual access to and from the river.

5. Activities or uses such as open storage of materials shall be discouraged within the greenway.

6. Except from small identity and directional signs, business signs shall be oriented away from the river.

7. Significant fish and wildlife habitats, as identified in the adopted Natural Resources Special Study, or Metropolitan Plan Natural Assets and Constraints Working Paper shall be protected. Sites subsequently determined to be significant by the Oregon Department of Fish and Wildlife shall also be protected.

B. The natural vegetative riparian fringe along the Willamette River, as identified on the Willakenzie Area Plan Natural Resource Area Map, shall be protected and enhanced to the maximum extent practicable.

9. Scenic qualities and viewpoints, as identified in the Metro Plan Natural Assets and Constraints Working Paper shall be preserved.

NATURAL RESOURCE AREA PROTECTION

The Willamette River has strongly influenced the pattern and timing of development in the Willakenzie area and has directly or indirectly contributed to the creation of many of the natural features which remain in the planning area today.

For nearly 100 years after settlers arrived in Eugene, the Willakenzie area was primarily an agricultural area. The rich alluvial soils in the area were deposited over thousands of years of annual flooding of the Willamette and McKenzie rivers. These soils were well suited to agriculture but were poorly suited to urban development. As recently as 1950, fewer than 500 homes were located in this area on the north side of the Willamette River.

The development of agriculture resulted in dramatic changes to the natural landscape of the area. Forests were cut, wetlands filled, and drainage ways altered in an attempt to create tillable farmland. Many areas, however, escaped the plow and remained as natural oases within the mostly cultivated environment.

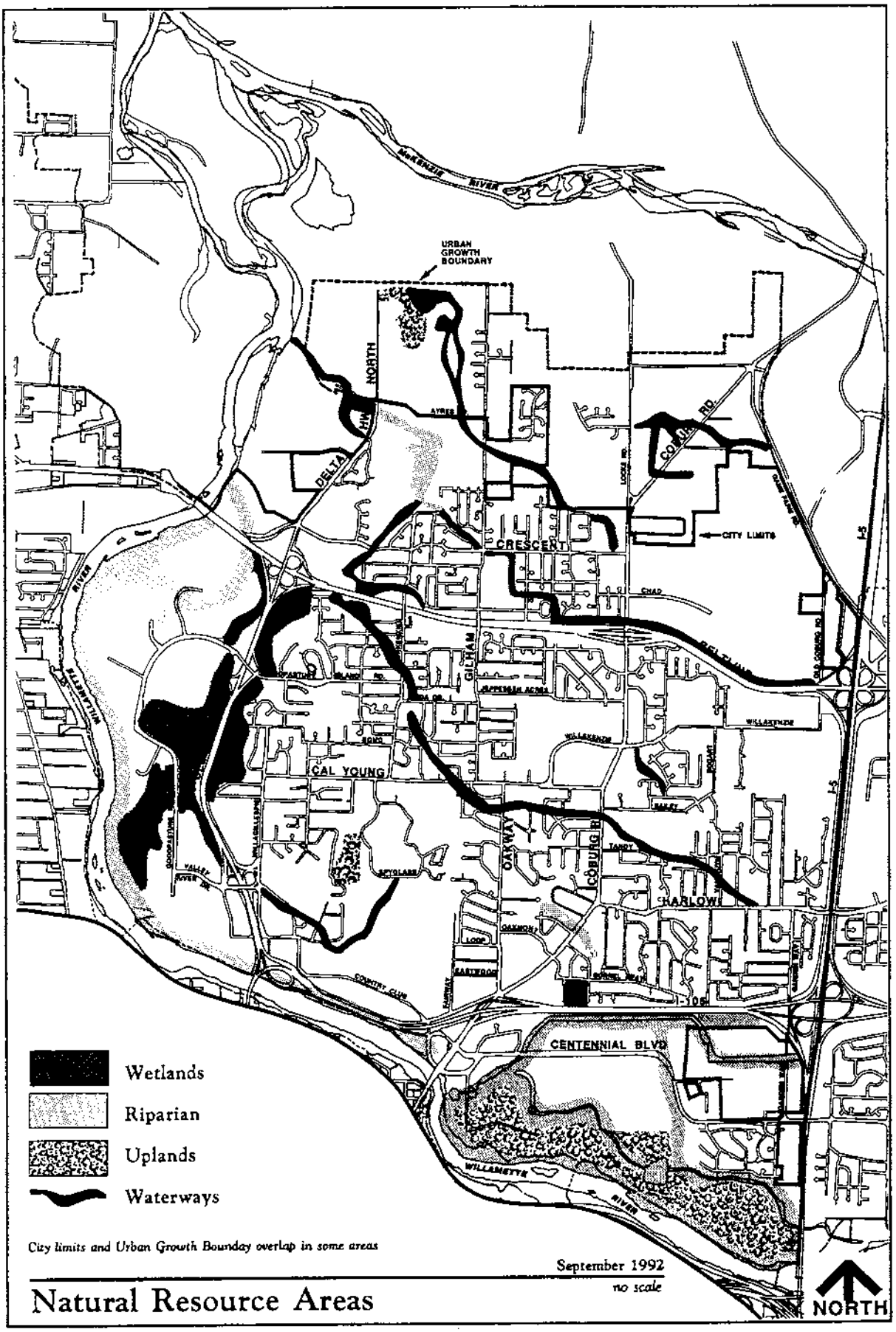
During the 1950s and '60s, as dams were built on the upper Willamette River, flood hazards in the Willakenzie area diminished and large areas were made available for urban development. Inevitably, the process of urbanization has led to the loss of numerous natural resource areas. Still, remnants of the historic natural vegetation, natural water features, and drainage ways can be found throughout the area.

The Lane Council of Governments (L-COG) has completed an inventory and analysis of significant natural resource sites throughout the metro area. That work is included in the draft Natural Resources Special Study which focuses on developing findings and recommendations for the protection of wetlands, riparian areas, drainage ways, uplands, and wildlife habitats. Natural resource sites in the Willakenzie planning area which are recommended for some level of protection are shown in the Natural Resource Areas Map. The following section includes a summary of areas recommended for protection in the draft Natural Resources Special Study. Numbers used to identify each area (e.g., E-45) correspond to the numbering system used in that study.

Wetlands--Wetlands are wet, boggy, or marshy areas that are generally found in flat, low-lying areas. In order to be classified a wetland, an area must have the following characteristics:

- be inundated with water for at least a portion of each growing season;
- contain soils that are characterized by water saturation; and
- have vegetation that is adapted to a saturated soil condition.

Wetlands serve many important functions such as flood-water storage, fish and wildlife habitat, groundwater recharge and pollution control, and sediment and erosion control. They also provide numerous recreational and educational opportunities. Wetlands have only recently begun to be widely recognized as fundamentally important biological systems. The Federal and State governments have both enacted laws and developed systems to regulate the alteration of wetlands. The Metro Plan also contains policies intended to protect these valuable resource areas.



Natural Resource Areas

In the Willakenzie area five wetland sites have been identified in the Natural Resources Special Study. Four of the five sites make up the Delta Ponds wetlands system. Each of the four Delta Ponds wetland areas, identified in the draft Natural Resources Special Study as areas E-51, E-52, E-53, and E-54, is separated from the others by one of several roads or highways which bisect the area. The Delta Ponds system, consisting of more than 200 acres, is one of the largest wetland areas in the Eugene-Springfield metro area. The remaining wetland (E-44) is located at Sorrel Way Park. Both the Delta Ponds and Sorrel Way wetlands are publicly owned.

Riparian Areas--Riparian sites are located on the edge of a river, stream, lake, pond, or other water body. These areas and the vegetation growing within them provide critical habitat and travel corridors for metropolitan-area wildlife. Riparian vegetation also plays an important role in maintaining water quality in adjacent waterways by filtering storm-water runoff and protecting stream banks from erosion.

Within the Willakenzie area, the following riparian sites have been identified as significant and worthy of some level of protection: 1) Alton Baker Park (E-42); 2) Ayres Pond (E-48b); 3) Pioneer Park Slough (E-74); and 4) Goodpasture Island Slough (E-75). The draft Natural Resources Special Study recommends varying levels of protection for each of these sites.

Delta Ponds riparian area.

Waterways--Waterways are areas that are commonly described as "ditches," but in reality may include creek beds, storm-water drainage channels, sloughs, or drainage swales. These areas typically carry water during the rainy season but may be dry or have very low flows during periods of drier weather.

Waterways serve an important drainage function in the metro area. Where they exist, waterways function as floodwater storage areas, help to enhance water quality, and serve as groundwater recharge areas. The Willakenzie neighborhood has several notable waterways that are remnants of the historic drainage system for the area. The draft Natural Resources Special Study identifies the following waterways in the Willakenzie area: 1) Ascot Park Drainage Way (E-45); 2) Roundup Drive Ash (E-47); 3) Beltline Drainage Channel (E-48); 4) Debrick Slough (E-50); 5) County Farm Road Waterway (E-73); and 6) Gilham Waterway (E-77).

Uplands--Uplands are natural resource areas which occur on drier land or at higher elevations than wetlands, riparian areas, or waterways. Upland areas include ridgelines and foothills, flat meadows, woodlands, parks, cemeteries, and golf courses. The resource value of these lands is inherent in their ability to provide important wildlife habitat, contribute to the scenic qualities of the entire metropolitan area, enhance the open space and recreational system in the metro area, and contribute to the improvement of water quality from storm-water runoff.

Within the Willakenzie area, two upland sites are recognized as having significant natural resource values in the Natural Resource Special Study: 1) the Alton Baker Park upland area (E-43), consisting of 211 acres in public ownership; and 2) the Cal Young upland (E-76), located in the northwest corner of the planning area containing approximately 19 acres and in private ownership.

Policy

1. Significant wetland, riparian, waterway, and upland sites in the Willakenzie area shall be protected from encroachment and degradation in order to retain their important functions related to fish and wildlife habitat, flood control, sedimentation and erosion control, water-quality control, and groundwater pollution control.

HISTORIC PRESERVATION

The Willakenzie area's contribution to the cultural history of the metropolitan area is briefly outlined in this section. In August 1989, the City of Eugene (in cooperation with the State Historic Preservation Office) released a Historic Context Report for the Willakenzie area. This document is a historic overview of the Willakenzie area. It contains information on settlement patterns, types of historic resources in the planning area (ranging from structures to landscape features), and distribution patterns of those resource types. It also contains a discussion of the criteria used to evaluate the significance of the area's historic resources and provides suggestions for future actions to affect preservation of those resources.

According to the Willakenzie Area Plan Historic Context Report, there are approximately 130 potentially historic resources (as identified by a preliminary reconnaissance survey of potentially historic resources). These included 74 structures and 56 landscape features. Eleven resources in the Armitage Road area were included in that total, although they are not within the boundaries of the Willakenzie Plan. There are two structures in the Willakenzie area that are designated historic landmarks. The first of these is the Cal Young House, located at 1610 Cal Young Road. The second is the Elmer Harlow House, at 2991 Harlow Road. The Harlow house is also listed on the National Register of Historic Places.

Wiley House along Garden Way.

In addition to the Historic Context Report, the City also completed some preliminary survey work of two focus areas in the Willakenzie area. These two areas (the Chase Gardens area and the Old Coburg Road area) were chosen for additional evaluation work due to the concentrated number of historic resources existing within their boundaries and the pressure for development which is occurring in these areas. The Historic Evaluation of the Chase Gardens/Old Coburg Road Areas is a refinement of the work completed in the Historic Context Report. It includes a preliminary survey of structures, artifacts, and landscape features within these two areas.

The inclusion of historic preservation in local general plans is mandated in Oregon's Statewide Planning Goal 5. On the metropolitan level, the Metro Plan deals with this issue in the Historic Preservation Element. Within the city, the need to recognize the importance of historic resources is addressed by the City's Historic Preservation Ordinance. This ordinance applies only to land within the city limits.

In the Willakenzie area, the first step toward addressing preservation was the production of the Historic Context Report. The next crucial step is to specifically identify historic resources through a historic inventory. Previous inventories done by the City of Eugene have identified potentially historic resources by location. Inventories further describe the physical characteristics of resources. (For structures, this would include construction materials, architectural style, conditions, alterations, etc.) A photograph and site plan along with a brief statement of significance are also included as part of the inventory for each resource. Findings are then compiled and evaluated as an aid to developing preservation planning strategies.

<u>Policies and Proposed Actions</u>

1. The City shall identify and encourage preservation of significant historic and cultural resources including buildings, sites, structures, objects, agricultural landscapes, and other landscape elements in the Willakenzie area.

    1.1 Seek funding to complete a cultural and historic resource inventory for the Willakenzie area including a description of historic and potentially historic landmarks, significant trees or other landscape elements, and other special features. The cultural and historic resource inventory for the planning area shall be completed within five years of plan adoption.

    1.2 Priority should be placed on completing survey work for those areas subject to development pressures which have potentially significant historic resources (such as the Chase Gardens area and the Old Coburg Road area). A cultural and historic resource inventory for the Chase Gardens and Old Coburg Road area shall be completed within one year of plan adoption.

    1.3 The issuance of building or development permits should not be denied or delayed based upon the pending studies described in Proposed Actions 1.1 and 1.2 above.

2. The City of Eugene and Lane County shall explore mechanisms for management of historic resources within the urban transition area.

   2.1 City of Eugene and Lane County staff should initiate a study to examine jurisdictional responsibilities, funding options, the role of City and County Historic Review Boards, and legal issues surrounding the management of historic resources in the urban transition area.

   2.2 Coordinate historic resource management efforts with the State Historic Preservation Office and with the State Department of Land Conservation and Development.

3. The City of Eugene shall coordinate preservation activities in the Willakenzie area with those in the western portion of the City of Springfield.

   3.1 City of Eugene and City of Springfield staff should develop an exchange of information on preservation efforts in the Willakenzie and western Springfield areas.

4. At the time of rezoning of properties which have potentially significant historic resources, the City should attach the site review suffix to address consideration of historic resources.

The Willakenzie area contains many large, old trees.

GILLESPIE BUTTE SITE DEVELOPMENT STANDARDS

Gillespie Butte is a highly visible landmark in the southwestern portion of the study area. With a summit elevation of 604 feet, the butte is the highest point in the area. The summit itself and the Gillespie Butte Cemetery to the north of the summit are designated in the Land Use Plan Map for open space uses. All other land on and around the butte is in private ownership and is designated for low- or medium-density residential development.

It is the intent of these standards that development on the butte provide a high level of protection for natural and scenic values afforded by the butte, to minimize the effects of grading and ensure that the natural character of the hillside is retained, to provide safe and efficient pedestrian and vehicular circulation, and to discourage site development practices that result in soil erosion and excessive runoff. It is not the intent of the standards to prohibit development.

The following standards shall be used as the basis for site review in the Gillespie Butte area as directed by Willagillespie Subarea Land Use Policy #3.

1. Gillespie Butte Site Development Guidelines shall apply to development of all parcels or portions of parcels above an elevation of 450 feet above mean sea level.

2. Development shall be oriented on the site so that grading and other site preparation is kept to an absolute minimum.

3. Grading necessary to the development shall be accomplished in a manner that complements the natural landform.

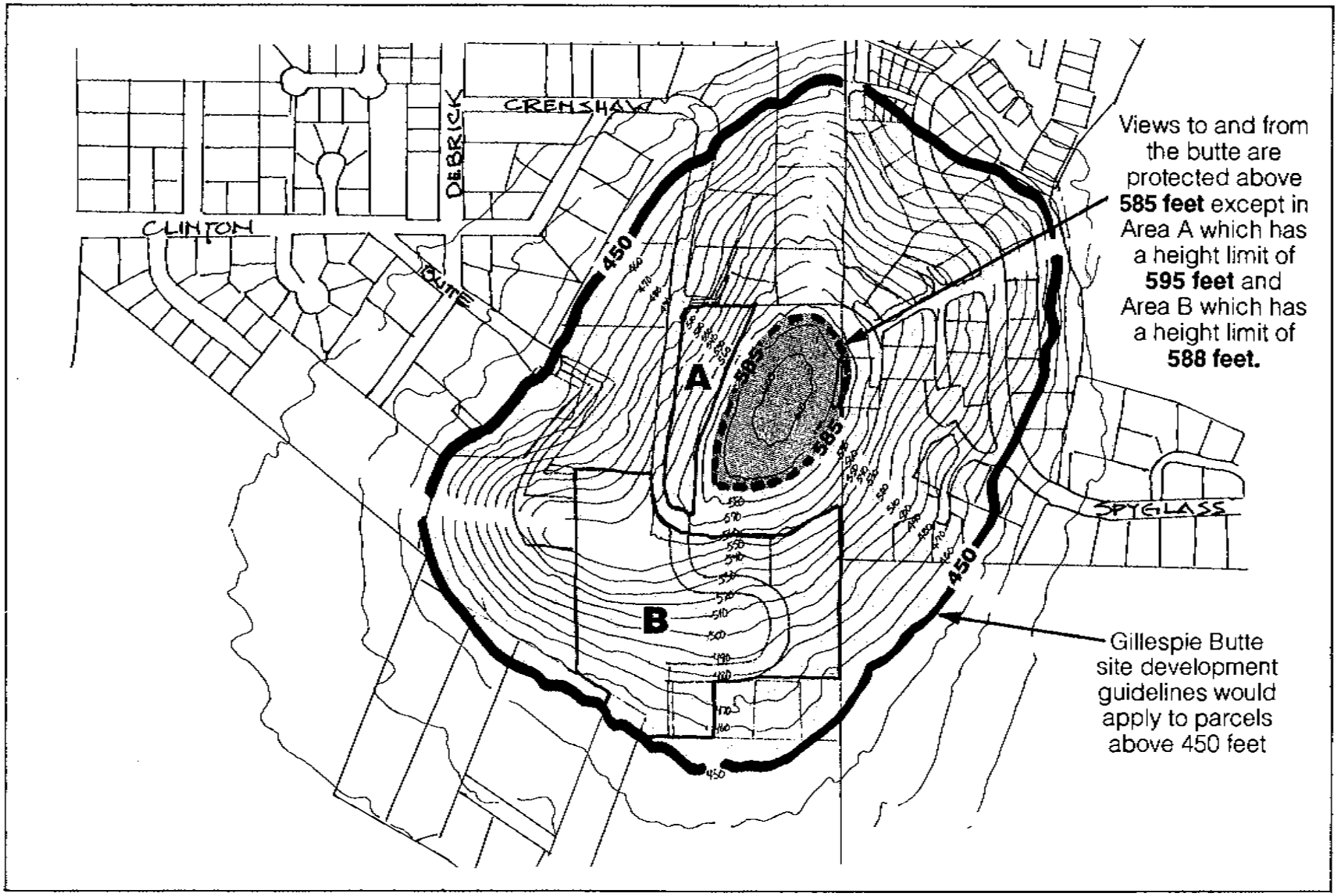
4. Site clearance and construction shall be accomplished in a manner that does not result in large areas left bare and exposed during periods of high precipitation.

5. Development plans shall demonstrate a concern for views of the butte as well as views from the butte.

6. With the exception of Tax Lot 200, Assessor's Map 17-03-19-4 3, which shall have a maximum height limitation of no more than 595 feet above mean sea level; Tax Lots 204 and 205, Assessor's Map 17-03-19-4 3, which shall have a maximum height limitation of no more than 588 feet above mean sea level; and park-related development on public land, the maximum height of any building within the area affected by these guidelines shall be 585 feet above mean sea level.

7. Development shall to the extent possible preserve significant vegetation (particularly overstory and understory trees), significant rock outcroppings, natural hydrology, and areas of historic or visual significance.

8. Safe and efficient ingress and egress for pedestrian and vehicular traffic shall be provided to all development sites within the Gillespie Butte area with due consideration given to the scarring effects of hillside street construction. Roads should follow existing contours whenever possible to minimize cutting and filling of slopes.



Gillespie Butte Topographic Map

Implementation Of The Plan

IMPLEMENTATION OF THE PLAN

In order for the Willakenzie Plan to be a useful document and have a positive impact on the community, the contents of the plan (policies, proposed actions, and design recommendations, etc.) need to be followed. Some proposed actions are short-term and can be carried out relatively quickly. Others, of a more complex nature, will take longer to implement. Implementation of the plan will occur over a number of years through public and private actions and will be dependent on the City's commitment of financial resources.

PRIORITIES FOR IMPLEMENTATION

Since there are many policies and proposed actions contained in the plan, it is important to set priorities for the proposed actions which best reflect the area of greatest community concern and need. The following proposed actions are considered by the Willakenzie Planning Team to be the highest priority for implementation of the Willakenzie Area Plan. It is recognized that not all of these priorities can be carried out immediately, depending upon their cost and complexity, but all of them are important and should be implemented over time.

The following list contains the planning team's recommendations for implementation of the plan. There are three major categories: Public Safety, Traffic/ Transportation, and Quality of Life/Character of the Area. The major categories are listed in priority order; the items within the major categories are not in priority order.

PUBLIC SAFETY

* The City shall design and construct a new community-oriented public safety station in the Willakenzie area. This station should provide the following components:

    - maximum four-minute response time for fire/emergency medical service to all areas of Willakenzie;
    - station should be staffed by community-oriented Public Safety Department personnel (including police officers); and
    - contain expansion capabilities for prevention programs and citizen/juvenile meeting rooms to deal with future growth and demand.

* The City shall implement proactive prevention programs in the Willakenzie area. These programs could include further expansion of one or more of the following programs which will eventually lead to a community-based policing model:

- block homes;
- neighborhood and business watch;
- park watch;
- expansion of the number of officers assigned to the Willakenzie area; and
- other community-oriented public safety programs.

* The City shall institute the practice of "posting" whereby ambulances can be parked in key locations in the Willakenzie area to allow the vehicles to respond to incidents in a more timely manner, until such time as the above two actions are achieved.

RESIDENTIAL LAND USE

* Amend the Eugene Code to establish minimum density requirements for medium- and high-density residential development within the Eugene urban growth boundary. The suggested minimum density requirements are 10 DU/Acre for areas designated Medium-Density Residential and 15 DU/Acre for areas designated High-Density Residential.

QUALITY OF LIFE/CHARACTER OF THE AREA

* Amend the Eugene Code to ensure that commercial developments are attractive, compatible with surrounding land uses, and reflect recommendations in the Willakenzie Plan, the Commercial Lands Study, and other design studies.

* Amend the Site Review provisions for the Gillespie Butte area to address the development criteria set forth in the Gillespie Butte Site Development Standards located in the Neighborhood Design Element

* Design maintenance and improvement programs that support natural resources and minimize damage to natural vegetation and critical wildlife habitats.

* Seek funding to complete a cultural and historic resource inventory for the Willakenzie area, including a description of historic and potentially historic landmarks, significant trees or other landscape elements, and other special features. The cultural and historic resource inventory for the planning area shall be completed within five years of plan adoption.

* Priority should be placed on completing survey work for those areas subject to development pressures which have potentially significant historic resources (such as the Chase Gardens area and the Old Coburg Road area). A cultural and historic resource inventory for the Chase Gardens and Old Coburg Road area shall be completed within one year of plan adoption.

* City of Eugene and Lane County should initiate a study to examine jurisdictional responsibilities, funding options, the role of City and County Historic Review Boards, and legal issues surrounding the management of historic resources in the urban transition area.

TRAFFIC/TRANSPORTATION

* Amend the Eugene Planned Street and Highway Right-of-Way Plan to reflect the street classifications indicated on the Willakenzie Area Functional Classification of Streets Map.

* Seek and amendment to TransPlan for the addition of new street improvement projects listed in Table T-1 and for the inclusion of the following collector streets to the Street and Highway Project List:

    - provide for the construction of a new collector street, to be located south of Gilham Elementary School, in the location depicted on the Willakenzie Area Functional Classification of Streets Map;

    - connect Gilham Road to County Farm Road and Coburg Road through the construction of a new street to be located north of the extension of Ayres Road in the location depicted on the Willakenzie Area Functional Classification of Streets Map.

* Review existing City street light standards to ensure that lighting levels and the height of lighting poles are appropriate for their intended function.

PLAN UPDATE

It is intended that this plan will be a dynamic document that will reflect the changing needs and desires of the people who live and work in the Willakenzie area. This can occur in a limited fashion through individual plan amendments, but the entire plan will also need to be periodically reviewed and updated.

ORDINANCE NO. 19855

AN ORDINANCE ADOPTING THE WILLAKENZIE AREA PLAN; REPEALING RESOLUTION NOS. 3555 AND 2440; AND ADOPTING A SEVERABILITY CLAUSE.

The City Council of the City of Eugene finds that:

A. In November, 1988, the Willakenzie Area Plan planning team was formed to guide the development of the Willakenzie Area Plan (Plan). The Plan is a long-range development plan that addresses land use, transportation, public safety, public facilities and services and neighborhood design issues in the Willakenzie planning area. The planning team served as the citizen advisory body for the Plan.

B. Following development of the draft Willakenzie Area Plan, the planning team sponsored two public forums on June 19 and 26, 1991 to generate comments on the draft plan prior to its being forwarded to the Eugene Planning Commission for consideration. A summary of the draft plan and notice of the public forums was sent to all residents, property owners, and business owners in the planning area. About 200 people attended the two forums.

C. On August 15 and 29, 1991, the Willakenzie planning team met to consider public comments received on the draft Plan at the forums and through written comments addressed to the planning team. After considering those comments, on August 29, 1991, the planning team drafted 28 revisions to the draft Plan and forwarded it to the Eugene Planning Commission for consideration.

D. On October 15, 1991, the Eugene, Springfield and Lane County planning commissions conducted a joint public hearing on the revised draft plan. This joint public hearing was advertised in accordance with the Oregon Public Meeting Law and Eugene's own Code requirements. The citizen involvement process used exceeds the requirements of LCDC Goal 1 - Citizen Involvement.

E. During the period November 12 through December 10, 1991, the Eugene Planning Commission met six times to review and deliberate on the revised draft Plan and comments received during the joint public hearing. On December 10, 1991, the Eugene Planning Commission, having made or approved a total of 53 amendments to the draft Plan, recommended the Plan to the Eugene City Council and Lane County Board of Commissioners for adoption.

F. The Goodpasture Island Study (1975) and the Coburg-Crescent Area Study (1981) are adopted refinement plans for subareas of the Willakenzie planning area. Upon adoption, the Willakenzie Plan will supercede and take the place of these previously adopted plans.

G. Notice was provided to the Land Conservation and Development Commission on March 13, 1992 concerning adoption of the draft Plan.

H. The Eugene City Council held a work session on the draft Willakenzie Area Plan on April 13, 1992 and held a public hearing on the December 10, 1992 version of the draft Plan on April 29, 1992.

I. The Planning Commission and City Council have reviewed the draft Willakenzie Area Plan as revised by the Eugene Planning Commission. Based on the recommendation of the Planning Commission, the public testimony before the Commission and this Council, and the findings set forth in Exhibit C attached hereto and incorporated herein by reference, the City Council has determined that the Willakenzie Area Plan is consistent with the Eugene-Springfield Metropolitan Area General Plan, as acknowledged by LCDC, and consequently the Plan conforms to applicable statewide planning goals.

NOW THEREFORE,

THE CITY OF EUGENE DOES ORDAIN AS FOLLOWS:

Section 1. Based on the above findings, which are adopted herein, and subject to the limitations hereinafter set forth in Sections 4 and 5, the Willakenzie Area Plan attached as Exhibit A hereto and incorporated herein by reference, including the policies set forth therein, and the revisions as described in the attached Exhibit B are hereby adopted as a refinement of the Eugene-Springfield Metropolitan Area General Plan for the Eugene portion of the Urban Growth Boundary.

Section 2. The City Council adopts as additional findings, the supporting text, maps, graphs, and tables contained in the Willakenzie Area Plan, and the Willakenzie Area Plan Appendix.

Section 3. The Plan Diagram included in the Willakenzie Area Plan, as revised in Exhibit B, is hereby adopted as a refinement of the Eugene-Springfield Metropolitan Area General Plan. The explanatory text discussing the Plan Diagram designations within each subarea is intended to clarify and provide further explanation of the intent of the Metro Plan Diagram.

Section 4. The proposed actions set forth in the Plan are recognized as potential ideas on how to address the policies, but are not adopted as City policy.

Section 5. The list of Planning Commission Implementation Priorities set forth in the memorandum entitled "Planning Commission Recommendations on Implementation Priorities", attached as Exhibit D hereto and incorporated herein by reference, is recognized as providing direction for implementation activities, though it is recognized that project complexity and budget constraints may affect the City's ability to implement specific projects.

Section 6. If any section, subsection, sentence, clause, phrase, or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions hereof.

Section 7. Resolution No. 3555, adopting the Coburg-Crescent Special Area Study, adopted by the Council on July 27, 1981 is hereby repealed.

Section 8. Resolution No. 2440, adopting the Goodpasture Island Study, adopted by the Council on September 8, 1975 is hereby repealed.

Passed by the City Council this

8th day of June, 1992

City Recorder

Approved by the Mayor this

8th day of June, 1992

Mayor

EXHIBIT A - Willakenzie Area Draft Plan of June, 1991 not included; it is on file and available by written request to the City Recorder's Office.

EXHIBIT B - Revisions to the Draft Willakenzie Area Plan not included; it is on file and available by written request to the City Recorder's Office.

ORDINANCE NO. 19871

AN ORDINANCE ADOPTING AMENDMENTS TO THE WILLAKENZIE AREA PLAN ADOPTED BY ORDINANCE NO. 19855 ON JUNE 8, 1992.

The City Council of the City of Eugene finds that:

A. The Willakenzie Area Plan was amended and adopted by the Council as a refinement of the Eugene-Springfield Metropolitan Area General Plan for the area within the Willakenzie area boundary by unanimous adoption of Ordinance No. 19855 on June 8, 1992.

B. The Willakenzie Area Plan was subsequently reviewed by the Lane County Board of Commissioners at work session meetings on June 22 and August 12, 1992 and at a public hearing on August 26, 1992. Based upon the testimony received and the discussion of the Commissioners, the Board approved the Plan through adoption of Ordinance PA 1020 by a 3-0 vote and approved additional amendments to the Plan, as shown in Exhibit A hereto.

C. The City staff has reviewed the additional amendments to the Willakenzie Area Plan and recommended their adoption. The Council, upon review of the amendments, finds it is in the public interest and consistent with the Eugene-Springfield Metropolitan Area General Plan that they be adopted by the City.

NOW, THEREFORE,

THE CITY OF EUGENE DOES ORDAIN AS FOLLOWS:

Section 1. Based on the above findings, which are adopted herein, the amendments shown in Exhibit A hereto and incorporated herein by reference are hereby adopted as amendments to the Willakenzie Area Plan attached to and adopted by Ordinance No. 19855 on June 8, 1992.

Section 2. Except as herein amended, all other provisions of the Willakenzie Area Plan as amended and adopted by the City Council by Ordinance No. 19855 on June 8, 1992 remain in full force and effect, and the City Recorder is requested to append a copy of this Ordinance thereto.

Passed by the City Council this

9th day of September, 1992

City Recorder

Approved by the Mayor this

9th day of September, 1992

Mayor

EXHIBIT A

AMENDMENTS TO THE WILLAKENZIE AREA PLAN

1. Amend Project #13, Delta Highway, Ayres Road to Beltline Road (Page 107 - Street Improvement Projects List of the draft Plan, as amended by Exhibit B, Revisions to the Draft Willakenzie Area Plan of Ordinance No. 19855) as follows (additions are underlined):

   13. Delta Highway, Ayres Road to Beltline Road

   Upgrade to a three lane facility; consider five lanes at commercial area near Green Acres Road providing curbs, sidewalks, and bicycle lanes between Ayres Road and Beltline Road. At the time the project is considered for construction, the street design proposal will be presented to the Eugene City Council for review and approval.

   Prior to project initiation, property owner assessments for sidewalk improvements on the west side of Delta Highway, outside of the urban Growth Boundary, shall be reviewed by the Board of Commissioners with respect to Urban Transition policies.

2. Amend Project #6, Ayres Road, Delta Highway to Gilham Road (Page 106 - Street Improvement Projects List of the draft Willakenzie Area Plan, Exhibit A of Ordinance No. 19855) as follows (additions are underlined):

   6. Ayres Road, Delta Highway to Gilham Road

   Upgrade to a three-lane facility with curbs, sidewalks, and bike lanes. This project shall remain in TransPlan. However, an evaluation of alternatives to widening Ayres Road shall be provided to the Board of County Commissioners and Eugene City Council prior to project initiation or completion of the 1992-95 update of TransPlan, whichever occurs first. Design approval by the Board of County Commissioners and the Eugene City Council shall be required prior to project initiation.

3 Amend Project #33, Old Coburg Road, Game Farm Road to Chad Drive (Page 111 - Street Improvement Projects List of the draft Willakenzie Area Plan, Exhibit A of Ordinance No. 19855) as follows (additions are underlined):

   33. Old Coburg Road, Game Farm Road to Chad Drive

   Upgrade to a two- or three-lane urban street with curbs, sidewalks, and bicycle provisions. Changes to the alignment will be needed: 1) at Game Farm Road to provide a "T" intersection; and 2) at Chad Drive to provide for the free flow of traffic from Chad to Game Farm Road.

   On property currently zoned for residential use, property owner assessments for this project shall be deferred until that property is annexed to the City of Eugene or is converted to special light industrial use.

   An evaluation of alternative project designs shall be provided to the Lane County Board of Commissioners and Eugene City Council prior to project initiation or completion of the 1992-95 update to TransPlan, whichever occurs first. Design approval by the Board of County Commissioners and the Eugene City Council shall be required prior to project initiation.

ORDINANCE NO. 20089

AN ORDINANCE AMENDING THE EUGENE-SPRINGFIELD METROPOLITAN AREA GENERAL PLAN DIAGRAM AND THE WILLAKENZIE AREA PLAN DIAGRAM AND SUBAREA MAP TO REDESIGNATE A PORTION OF PROPERTY IDENTIFIED AS MAP 17-03-29-4, TAX LOT 400 (SKIPWORTH PROPERTY) FROM COMMERCIAL TO GOVERNMENT AND EDUCATION.

The City Council of the City of Eugene finds that:

A. On April 28, 1997, at the request of the Lane County Board of Commissioners, the Eugene City Council initiated proceedings for a Type II Metro Plan diagram amendment and concurrent automatic amendment to the Willakenzie Area Plan (refinement plan) land use diagram and Ferry Street Bridge subarea map to redesignate the western portion of the Skipworth property, south of the Q Street Channel, from Commercial to Government and Education.

B. This proposal came to the City of Eugene for action pursuant to procedures for amendment and refinement of the Metro Plan described in the Metro Plan and Chapter 9 of the Eugene Code, 1971 (EC), which establishes the Eugene City Council as the approval body for Type II Metro Plan diagram amendments located within the incorporated city limits of Eugene.

C. On May 20, 1997, the Metro Plan amendment application was referred to the City of Springfield, and referral notice of the application and public hearing information was mailed to the Harlow Neighbors.

D. On June 2, 1997, notice of the hearing was mailed to the owner of the property subject to the amendment, and to owners and occupants of property within 300 feet of the subject property.

E. On June 3, 1997, the proposed amendment and notice of the City Council hearing on the amendment was mailed to the Oregon Department of Land Conservation and Development as required by ORS 197.610. No comment was received in response to the notice.

F. On June 10, 1997, notice of the hearing was published in the Eugene Register-Guard.

G. On July 1, 1997, the Eugene Planning Commission held a public hearing on the request and voted in support of the request as submitted by Lane County. As per EC 9.130, the Planning Commission hearing was the sole evidentiary hearing on this application, and all evidence in support or opposition to the proposed amendment had to be introduced at the Planning Commission hearing. Testimony in support of the proposed amendment was provided by the applicant's representative; there was no testimony in opposition to the proposed amendment.

H. On July 16, 1997, notice of the Eugene City Council hearing was mailed to the applicant, neighborhood association and those who had requested to be placed on the Interested Parties list for the Metro Plan amendment.

I. On August 4, 1997, the Eugene City Council held a public hearing on the request and is now ready to take action on the requested amendment. The City Council hearing was on the evidentiary record created before the Planning Commission.

J. Evidence exists within the record and the findings attached hereto that the proposal meets the requirements of Chapter 9 of the Eugene Code, 1971, and the requirements of applicable state and local law.

NOW, THEREFORE,

THE CITY OF EUGENE DOES ORDAIN AS FOLLOWS:

Section 1. The above findings, and the findings set forth in Exhibit B attached hereto and incorporated herein by this reference are hereby adopted.

Section 2. The Metro Plan Diagram land use designation for the western portion of the site identified as Map 17-03-29-4, Tax Lot 400, south of the Q Street Channel, is amended from Commercial to Government and Education, as depicted on Exhibit A attached hereto and incorporated herein by this reference.

Section 3. The Willakenzie Area Plan land use diagram and Ferry Street Bridge subarea map designation for the western portion of the site identified as Map 17-03-29-4, Tax Lot 400, south of the Q Street Channel, are automatically amended from Commercial to Government and Education, as depicted on Exhibit A attached hereto and incorporated herein by this reference, in conformance with the provisions of EC 9.136(4).

Section 4. If any section, subsection, sentence, clause, phrase, or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, that portion shall be deemed a separate, distinct, and independent provision and that holding shall not affect the validity of the remaining portions of this Ordinance.

Passed by the City Council this

4th day of August, 1997

City Recorder

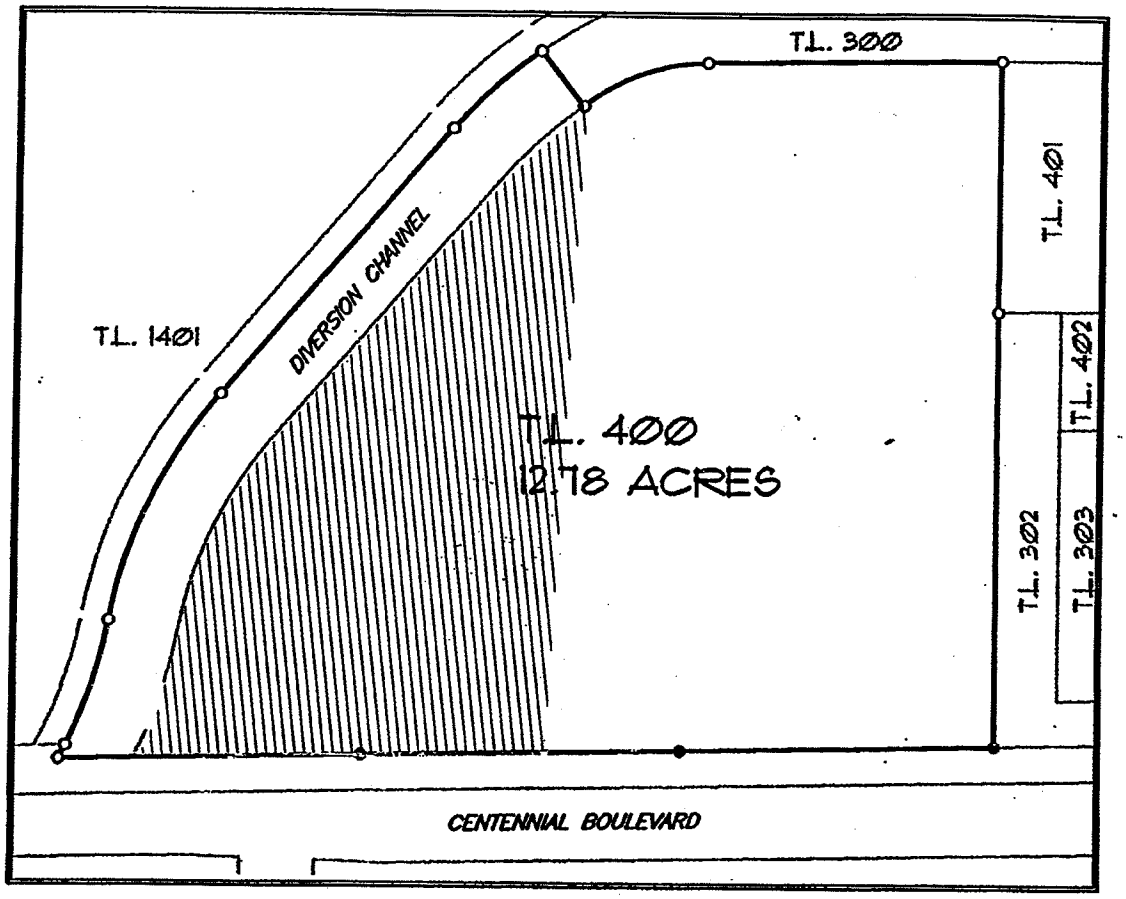
Approved by the Mayor this

4th day of August, 1997

Mayor

EXHIBIT A:
MA 97-1, SKIPWORTH METRO PLAN AMENDMENT

MAP #17-03-29-04



LEGEND

SUBJECT PROPERTY BOUNDARY

SUBJECT PROPERTY CORNER

ADJACENT PROPERTY BOUNDARY

APPROXIMATE LOCATION OF COMMERCIAL DESIGNATION

SCALE 1" = 200'

SITE MAP

ORDINANCE NO. 20107

AN ORDINANCE AMENDING THE EUGENE-SPRINGFIELD METROPOLITAN AREA GENERAL PLAN DIAGRAM AND THE WILLAKENZIE AREA PLAN DIAGRAM TO REDESIGNATE PROPERTY IDENTIFIED AS MAP 17-03-16-32, A PORTION OF TAX LOT 600 (COSTCO SITE) FROM CAMPUS INDUSTRIAL TO COMMERCIAL, AND REZONING THE PROPERTY FROM I-1, SPECIAL LIGHT INDUSTRIAL TO C-2/SR, GENERAL COMMERCIAL WITH SITE REVIEW SUBDISTRICT.

The City Council of the City of Eugene finds that:

A. On November 24, 1997, Costco Wholesale Corporation submitted an application for a Type II Metro Plan diagram amendment, concurrent automatic amendment to the Willakenzie Area Plan (refinement plan), and concurrent zone change to redesignate and rezone property identified as Map 17-03-16-32, a portion of Tax Lot 600, referred to as the Costco site. The applicant requested a Metro Plan designation change from Campus Industrial designation to Commercial designation. Approval of the proposed Metro Plan amendment results in the automatic concurrent amendment of the Willakenzie Area Plan land use diagram and subarea map, giving the site a Commercial designation under that Plan. The zone change requested would replace the site's zoning from I-1 Special Light Industrial to C-2/SR General Commercial with a Site Review overlay.

B. This proposal came to the City of Eugene for action pursuant to procedures for amendment and refinement of the Metro Plan described in the Metro Plan and Chapter 9 of the Eugene Code, 1971 (EC), which establishes the Eugene City Council as the approval body for Type II Metro Plan diagram amendments located within the incorporated city limits of Eugene.

C. On December 5, 1997, the Metro Plan amendment application was referred to Lane County and the City of Springfield, and referral notice of the application and public hearing information was mailed to the Cal Young Neighborhood Group.

D. On December 31, 1997, notice of the hearing was mailed to the owner of the property subject to the amendment, and to owners and occupants of property within 300 feet of the subject property.

E. On December 31, 1997, notice of the hearing was published in the Eugene Register-Guard.

F. On December 19, 1997, the proposed amendment and notice of the City Council hearing on the amendment was mailed to the Oregon Department of Land Conservation and Development as required by ORS 197.610.

G. On January 21, 1998, the Eugene Planning Commission held a public hearing on the application and voted to approve the request as submitted by the applicant. As per EC 9.130, the Planning Commission hearing was the sole evidentiary hearing on this application, and all evidence in support or opposition to the proposed amendment had to be introduced at the Planning Commission hearing.

H. On February 10, 1998, notice of the Eugene City Council hearing was mailed to the applicant, neighborhood association and those who had requested to be placed on the Interested Parties list for the Metro Plan amendment.

I. The Eugene City Council held a public hearing on the request on February 23, 1998, and is now ready to take action on the requested amendment. The City Council hearing was on the evidentiary record created before the Planning Commission.

J. Evidence exists within the record and the findings attached hereto that the proposal meets the requirements of Chapter 9 of the Eugene Code, 1971, and the requirements of applicable state and local law.

NOW, THEREFORE,

THE CITY OF EUGENE DOES ORDAIN AS FOLLOWS:

Section 1. The above findings, and the findings set forth in Exhibit C attached hereto and incorporated herein by this reference are hereby adopted.

Section 2. The Metro Plan Diagram land use designation for the property identified as Map 17-03-16-32, a portion of Tax Lot 600, referred to as the Costco site, is amended from Campus Industrial to Commercial, as depicted on Exhibit A attached hereto and incorporated herein by this reference.

Section 3. The Willakenzie Area Plan land use diagram and subarea map designation for the property identified as Map 17-03-16-32, a portion of Tax Lot 600 is automatically amended from Campus Industrial to Commercial, as depicted on Exhibit A attached hereto and incorporated herein by this reference, in conformance with the provisions of EC 9.136(4).

Section 4. The zoning for the property identified as Map 17-03-16-32, a portion of Tax Lot 600, referred to as the Costco site, is amended from I-1, Special Light Industrial to C-2/SR General Commercial with Site Review Subdistrict, as depicted on Exhibit A attached hereto and incorporated herein by this reference. Site Review criteria to be applied to this property are provided in Exhibit B attached hereto and incorporated herein by this reference.

Section 5. If any section, subsection, sentence, clause, phrase, or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction,

that portion shall be deemed a separate, distinct, and independent provision and that holding shall not affect the validity of the remaining portions of this Ordinance.

Passed by the City Council this

23rd day of February, 1998

City Recorder

Approved by the Mayor this

23rd day of February, 1998

Mayor

ORDINANCE NO. 20265

AN ORDINANCE CONCERNING THE CHASE NODAL DEVELOPMENT AREA; AMENDING THE EUGENE-SPRINGFIELD METROPOLITAN AREA GENERAL PLAN AND THE WILLAKENZIE AREA PLAN; ADOPTING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

The City Council of the City of Eugene finds that:

A. On September 10, 2001 the City Council adopted Ordinance No. 20234 that effected amendments to the transportation element of the Eugene-Springfield Metropolitan Area General Plan (Metro Plan), related changes to the Plan text, and adopted revisions to TransPlan. Included in the text amendments was the addition of a new section entitled "Nodal Development Area (Node)," and inclusion of "ND - Nodal Development" to the text for the Legend Block on the Metro Plan Diagram.

B. The Metro Plan, in describing the Nodal Development Area designation states that "[a]reas identified as nodal development areas in TransPlan are considered to have potential for this type of land use pattern." Page II-E-4. TransPlan Map A1 identifies the Chase Gardens subarea as an area for nodal development. See area identified as 6K.

C. These proceedings have been initiated by the City of Eugene pursuant to procedures for amendment and refinement of the Metro Plan described in the Metro Plan and Chapter 9 of the Eugene Code, 1971 (EC), which requires approval of the Eugene City Council and Lane County Board of Commissioners for Type II Metro Plan diagram amendments located between the incorporated city limits of Eugene and the Plan boundary. Since a text amendment to the refinement plan is required for consistency with the proposed Metro Plan diagram amendment, a concurrent refinement plan amendment application to redesignate property is being processed. The proceedings are following a Type V process.

D. On November 21, 2001, notice of the proposed amendments was mailed to the Oregon Department of Land Conservation and Development as required by ORS 197.610. Comments were received in response to the notice and were added to the record.

E. On December 20, 2001, notice of the Planning Commission hearing was mailed to property owners, neighborhood groups, and other interested parties. Notice was published in the Register-Guard, a daily newspaper of general circulation, on December 21, 2001. The notice included a description of all proposed actions and approval criteria. When the record was reopened by the Planning Commission on January 28, 2002, notice was mailed by February 6, 2002 to all persons that had submitted testimony for the public hearing.

F. The Eugene and Lane County Planning Commissions held a joint public hearing on the measures to establish the Chase Node on January 8, 2002.

G. After the public hearing, the Eugene Planning Commission held work sessions on January 28, 2002 and April 2, 2002, and recommended approval of the measures with certain revisions. After a work session on May 21, 2002, the Lane County Planning Commission also recommended approval of the measures with the revisions identified in the Eugene Planning Commission recommendation.

H. On August 27, 2002 notice of the Joint Eugene City Council/Lane County Board of Commissioners hearing was mailed to owners of property subject to the amendments, the neighborhood association, and those who had requested to be placed on the Interested Parties list for the Metro Plan amendment. Notice of that hearing was also published in the Register-Guard on August 27, 2002.

I. The Eugene City Council held a public hearing on the request on September 18, 2002, and is now ready to take action on the requested amendments.

J. Evidence exists within the record and the findings attached hereto that the proposal meets the requirements of Chapter 9 of the Eugene Code, 1971, and the requirements of applicable state and local law.

NOW, THEREFORE,

THE CITY OF EUGENE DOES ORDAIN AS FOLLOWS:

Section 1. The Metro Plan Diagram is amended to change the underlying designations of 6 properties and to add the ND-Nodal Development designation to those properties, as identified and described on Exhibit A attached hereto. The Metro Plan Diagram is further amended to add the ND-Nodal Development designation to 41 properties identified and described on Exhibit A. The underlying designations for these 41 properties shall remain unchanged.

Section 2. Consistent with the provisions of EC 9.7750(4), the Willakenzie Area Plan land use diagram located between pages 19 and 20 of the Willakenzie Area Plan is automatically amended to apply the ND-Nodal Development designation as reflected in Exhibit A.

Section 3. The Willakenzie Area Plan is amended by replacing pages 71-74 of the Land Use Element - Chase Gardens Subarea, with the text and maps attached as Exhibit B to this Ordinance.

Section 4. The above findings, and the Legislative Findings set forth in Exhibit C attached hereto serve as findings in support of this Ordinance, but are not adopted.

Section 5. If any section, subsection, sentence, clause, phrase, or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, that portion shall be deemed a separate, distinct, and independent provision and that holding shall not affect the validity of the remaining portions of this Ordinance.

Section 6. Notwithstanding the effective date of ordinances as provided in the Eugene Charter of 1976, this Ordinance shall become effective 30 days from the date of its passage by the City Council and approval by the Mayor, or upon the date of its acknowledgment as provided by ORS 197.625, whichever date is later, providing that by that date the Lane County Board of Commissioners has adopted an ordinance containing identical provisions to those described in Sections 1, 2 and 4 of this Ordinance.

Passed by the City Council this

12th day of November, 2002

Kathleen L. Friland
City Recorder

Approved by the Mayor this

12th day of November, 2002

James D. Torrey
Mayor

Exhibit A
to Ordinance 20265
Chase Gardens Nodal Development Area
Properties Subject to Change in Metro Plan Designation

Tax Lot	Current Designation	Proposed Designation	Owner
Change Underlying Designation and Add ND Designation			
17032840 100	Commercial	HDR/ND	Wylie Gordon K & Linda
17032840 102	Commercial	HDR/ND	Wylie Gordon K & Linda
17032840 103	Commercial	HDR/ND	Wylie Gordon K & Linda
17032840 1406	HDR	HDR/ND, Commercial/ND	Simpson Housing LTD Partnership
17032842 3300	HDR	Commercial/ND	Mallard II LLC
17032842 3500	HDR	Parks and Open Space/ND	Eugene City of
Add ND Designation Only			
17032830 100	HDR	HDR/ND	Cherry Creek Village LLC
17032830 200	HDR	HDR/ND	Cherry Creek Village LLC
17032830 300	HDR	HDR/ND	Eugene City of
17032830 400	HDR	HDR/ND	Eugene City of
17032830 500	HDR	HDR/ND	Parkgrove Apartments LLC
17032830 501	HDR	HDR/ND	Parkgrove Apartments LLC
17032830 502	HDR	HDR/ND	Parkgrove Apartments LLC
17032830 1600	HDR	HDR/ND	Eugene City of
17032840 300	HDR	HDR/ND	Eugene City of
17032840 400	HDR	HDR/ND	Eugene City of
17032840 500	HDR	HDR/ND	Eugene City of
17032840 600	HDR	HDR/ND	Eugene City of

Tax Lot	Current Designation	Proposed Designation	Owner
17032840 703	HDR	HDR/ND	Cherry Creek Village LLC
17032840 800	HDR	HDR/ND	Eugene Water & Electric Board
17032840 900	HDR	HDR/ND	Eugene City of
17032840 1000	HDR	HDR/ND	Eugene City of
17032840 1101	HDR	HDR/ND	Thompson Vanessa M & Jerry E
17032840 1200	HDR	HDR/ND	Eugene City of
17032840 1301	HDR	HDR/ND	Cherry Creek Village LLC
17032840 1302	HDR	HDR/ND	Cherry Creek Village LLC
17032840 1400	HDR	HDR/ND	SHLP Financing LLC
17032840 1401	HDR	HDR/ND	Holloman Nancy
17032840 1402	HDR	HDR/ND	Hufford David W
17032840 1405	HDR	HDR/ND	SHLP Financing LLP
17032840 1407	HDR, Commercial	HDR/ND, Commercial/ND	Robinson Jean Verda
17032840 1800	Commercial	Commercial/ND	White Thompson E
17032840 1900	HDR	HDR/ND	Robinson Jean
17032840 2000	HDR	HDR/ND	Robinson Jean
17032840 2103	HDR	HDR/ND	Chase David L & Lynn F
17032840 2200	HDR	HDR/ND	Brenaman J Ralph TE
17032841 100	HDR	HDR/ND	Hudman Garden Way LLC
17032842 100	HDR	HDR/ND	University Commons
17032842 200	HDR	HDR/ND	University Commons
17032842 3400	HDR	HDR/ND	University Commons
17032843 100	HDR	HDR/ND	McKenna Estates LLC
17032843 200	HDR	HDR/ND	McKenna Estates LLC
17032843 300	HDR	HDR/ND	Gray Roy C Jr
17033312 802	Commercial	Commercial/ND	Gorman Richard E DC

Exhibit A - 2

Tax Lot	Current Designation	Proposed Designation	Owner
17033312 1000	Commercial	Commercial/ND	Gorman Richard E DC
17033312 1100	Commercial	Commercial/ND	Northwest Pipeline Corporation
N/A	Public Land	Public Land/ND	City of Eugene (Q St. Channel)

ORDINANCE NO. 20282

AN ORDINANCE CONCERNING THE CRESCENT AVENUE NODAL DEVELOPMENT AREA; AMENDING THE EUGENE-SPRINGFIELD METROPOLITAN AREA GENERAL PLAN DIAGRAM, THE WILLAKENZIE AREA PLAN LAND USE DIAGRAM AND THE EUGENE OVERLAY ZONE MAP FOR THE INCORPORATED PORTION OF THE AREA; ADOPTING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

The City Council of the City of Eugene finds that:

A. On September 10, 2001, the City Council adopted Ordinance No. 20234 that effected amendments to the transportation element of the Eugene-Springfield Metropolitan Area General Plan (Metro Plan) and related changes to the Plan text, and adopted revisions to TransPlan, a refinement plan to the Metro Plan.

B. Included in the Metro Plan text amendments was the addition of a new section entitled "Nodal Development Area (Node)," and inclusion of "ND - Nodal Development" to the text for the Legend Block on the Metro Plan Diagram.

C. The Metro Plan, in describing the Nodal Development Area Designation states that "[a]reas identified as nodal development areas in TransPlan are considered to have potential for this type of land use pattern." Page II-E-4. TransPlan Map A1 identifies an area north and south of Crescent Avenue as an area for nodal development. See area identified as 6D.

D. The Eugene Planning Commission recommended, and on February 20, 2002 the Eugene City Council approved revisions to the boundary of area 6D to include unincorporated property north of the City limits within the Crescent Avenue nodal development area.

E. Chapter IV of the Metro Plan sets forth procedures for amendment of the Metro Plan, which for the City of Eugene are implemented by the provisions of Chapter 9 of the Eugene Code, 1971 (EC).

F. These proceedings have been initiated by the City of Eugene pursuant to procedures for amendment and refinement of the Metro Plan, which requires approval of the Eugene City Council for Type II Metro Plan diagram amendments located inside the incorporated city limits of Eugene.

G. On October 18, 2002, notice of a joint public hearing to be held by the Eugene and Lane County planning commissions with maps depicting the proposed amendments was mailed to the Oregon Department of Land Conservation and Development as required by ORS 197.610. No

comment was received in response to the notice. Notice of the public hearing was also mailed on November 1, 2002 to property owners and occupants, to persons who requested notice and to Eugene neighborhood associations. On November 13, 2002, notice was mailed to property owners within 300 feet of the area and notice was published in the Register-Guard.

H. On December 3, 2002, Eugene and Lane County planning commissions held a joint public hearing on the proposed amendments and completed their recommendations following the public hearing. The Eugene Planning Commission unanimously recommended (5:0) that the City Council approve the amendments to the Metro Plan diagram and concurrent automatic amendment to the Willakenzie Area Plan to depict the incorporated portion of the Crescent area as a nodal development area and approve the amendments to the Eugene Overlay Zone map, with strong reservations that this and all future nodes require a currently unscheduled nodal planning process to make the goals of nodal development attainable and to make this development compatible with adjacent properties.

I. On January 5, 2003, notice of the joint Eugene City Council and Lane County Board of Commissioners public hearing was published in The Register-Guard and, on January 10, 2003, notice of the joint public hearing was mailed to those who testified before the planning commissions or requested notice in writing and those who had requested to be placed on the interested parties list for the amendments.

J. On January 22, 2003, the Eugene City Council conducted a joint public hearing with the Board of County Commissioners on these amendments and the Eugene City Council is now ready to take action.

K. Evidence exists within the record and the findings attached hereto indicating that the proposal meets the requirements of Chapter 9 of the Eugene Code, 1971, and the requirements of applicable state and local law.

NOW, THEREFORE

THE CITY OF EUGENE DOES ORDAIN AS FOLLOWS:

Section 1. The Metro Plan diagram is amended to add the ND-Nodal Development designation to properties identified and described on Exhibit A attached hereto. The underlying designations for these properties shall remain unchanged.

Section 2. Consistent with the provisions of EC 9.7750(4), the Willakenzie Area Plan land use diagram located between pages 19 and 20 of the Willakenzie Area Plan is automatically amended to apply the ND-Nodal Development designation as reflected in Exhibit A.

Section 3. The Eugene Overlay Zone Map is amended to add the /ND Nodal Development overlay zone as reflected in Exhibit B.

Section 4. The above findings, and the Legislative Findings set forth in Exhibit C attached hereto serve as findings in support of this Ordinance, but are not adopted.

Section 5. If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held invalid or unconstitutional by a court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions thereof.

Section 6. Notwithstanding the effective date of ordinances as provided in the Eugene Charter of 2002, this Ordinance shall become effective 30 days from the date of its passage by the City Council and approval by the Mayor, or upon the date of its acknowledgment as provided by ORS 197.625, whichever date is later.

Passed by the City Council this

24th day of February, 2003

Deputy City Recorder

Approved by the Mayor this

24th day of February, 2003

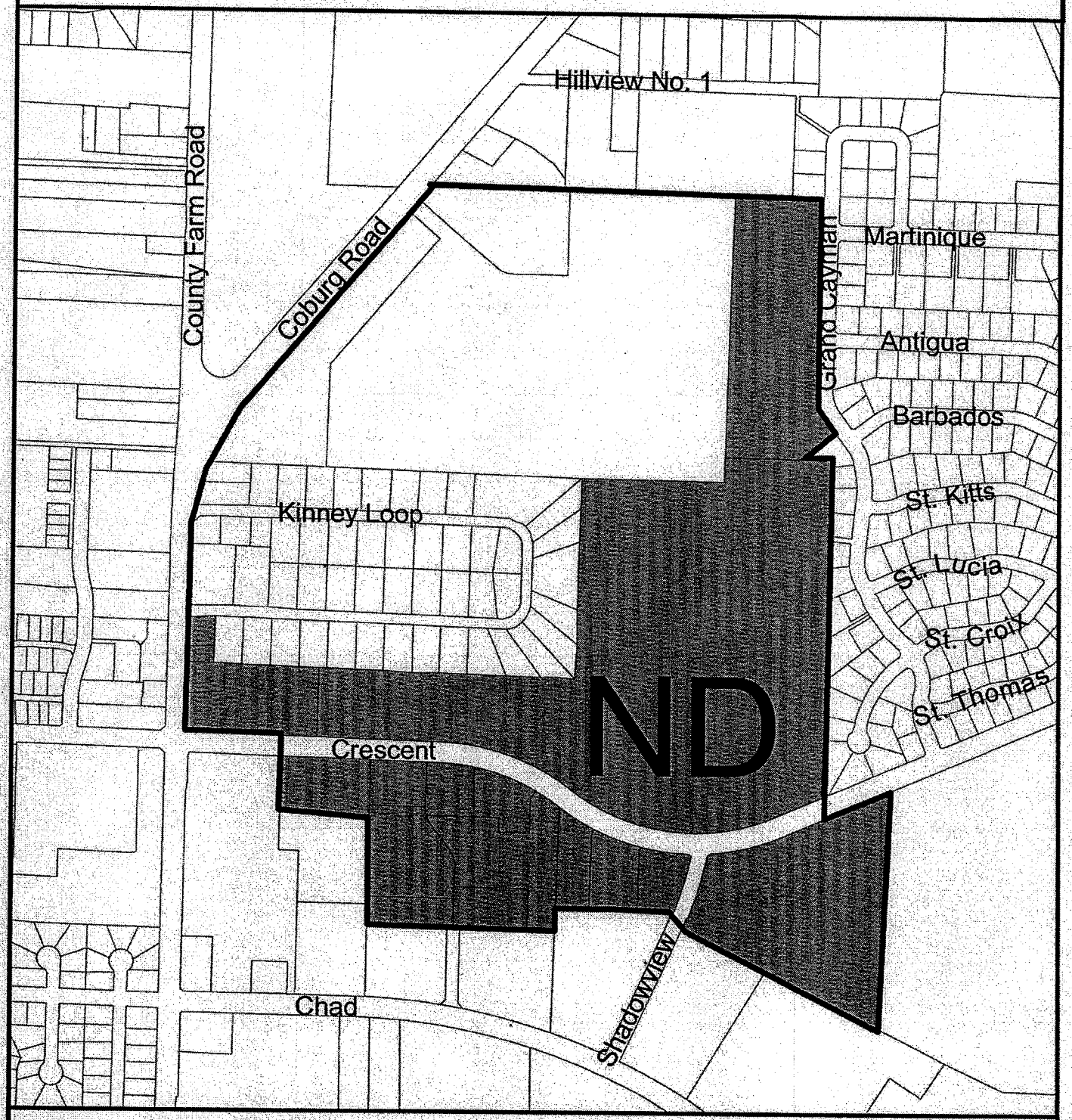
Mayor

Exhibit A

Crescent Avenue Nodal Development Area Metro Plan Diagram Amendments
Incorporated Properties Subject to Addition of ND- Nodal Development Designation

Map and Tax Lot Number
17-03-16-21, Lot 100
17-03-16-23, Lot 4000
17-03-16-23, Lot 4100
17-03-16-23, Lot 4200
17-03-16-23, Lot 4700
17-03-16-23, Lot 4501
17-03-16-23, Lot 4900
17-03-16-23, Lot 5000
17-03-16-23, Lot 5100
17-03-16-23, Lot 5200
17-03-16-23, Lot 5300
17-03-16-24, Lot 2200
17-03-16-31, Lot 100
17-03-16-31, Lot 501
17-03-16-31, Lot 502
17-03-16-31, Lot 503
17-03-16-32, Lot 1100
17-03-16-32, Lot 1200

Crescent Avenue Nodal Development Area
Metro Plan Diagram and
Willakenzie Plan Diagram Amendments (MA 02-9)



ND Add ND Nodal Development Symbol (Incorporated Area)

Crescent Nodal Development Area

N

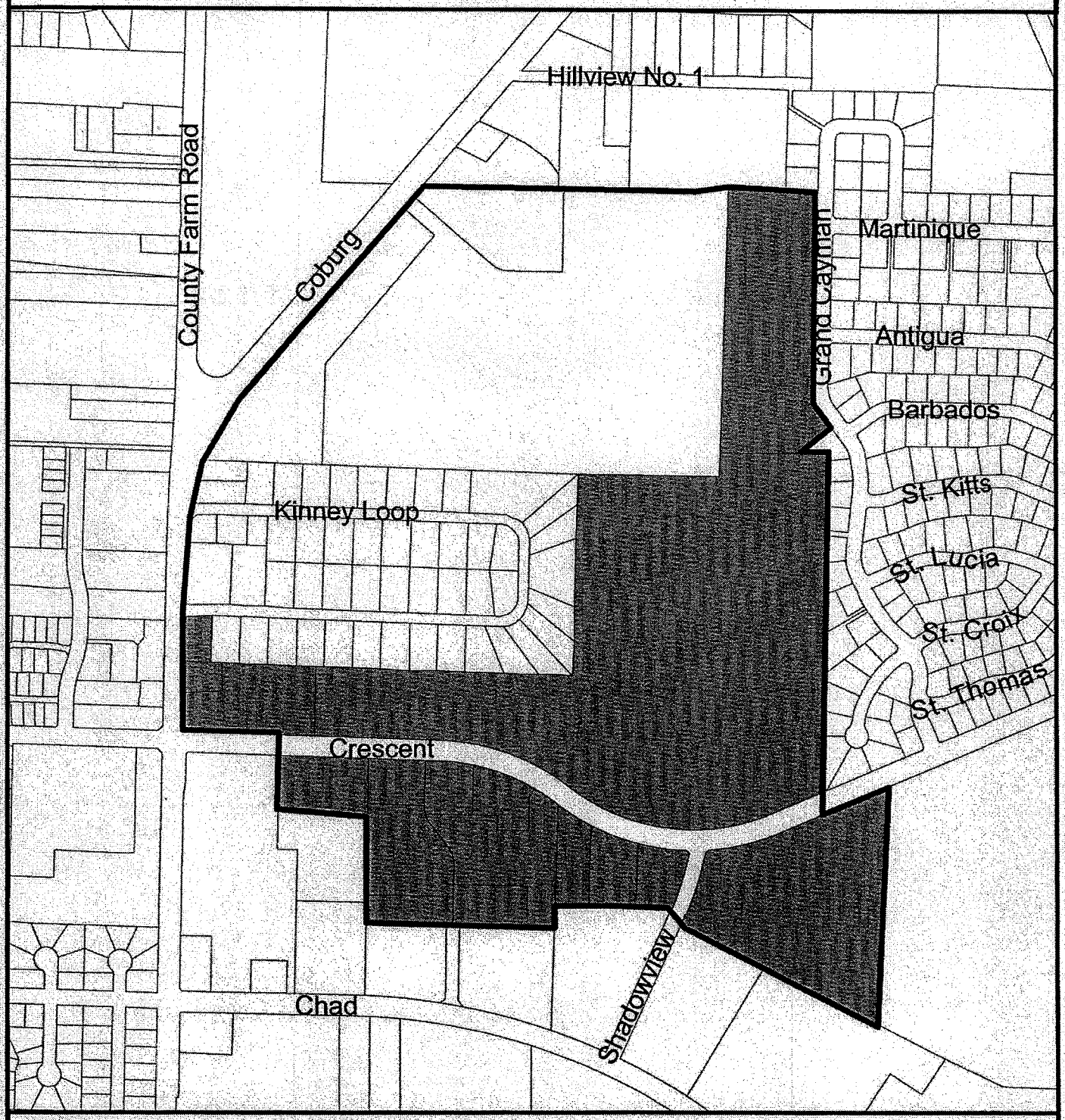
Exhibit A-2

Exhibit B

Crescent Avenue Nodal Development Area Zone Change
Incorporated Properties Subject to Addition of /ND Nodal Development Overlay Zone

Map and Tax Lot Number	Current Zoning	Proposed Zoning
17-03-16-21, Lot 100	R-2/PD	R-2/PD/ND
17-03-16-23, Lot 4000	R-1	R-1/ND
17-03-16-23, Lot 4100	R-1	R-1/ND
17-03-16-23, Lot 4200	R-1	R-1/ND
17-03-16-23, Lot 4700	GO/SR	GO/SR/ND
17-03-16-23, Lot 4501	C-2/SR	C-2/SR/ND
17-03-16-23, Lot 4900	C-1/SR	C-1/SR/ND
17-03-16-23, Lot 5000	C-1/SR	C-1/SR/ND
17-03-16-23, Lot 5100	C-1/SR	C-1/SR/ND
17-03-16-23, Lot 5200	C-1/SR	C-1/SR/ND
17-03-16-23, Lot 5300	C-1/SR	C-1/SR/ND
17-03-16-24, Lot 2200	R-4	R-4/ND
17-03-16-31, Lot 100	R-2/PD	R-2/PD/ND
17-03-16-31, Lot 501	I-1/SR	I-1/SR/ND
17-03-16-31, Lot 502	I-1/SR	I-1/SR/ND
17-03-16-31, Lot 503	I-1/SR	I-1/SR/ND
17-03-16-32, Lot 1100	C-1/SR	C-1/SR/ND
17-03-16-32, Lot 1200	C-1/SR	C-1/SR/ND

Crescent Avenue Nodal Development Area
Eugene Overlay Zone Map Amendments (Z 02-12)



Add /ND Nodal Development Overlay Zone (Incorporated Area)

Crescent Nodal Development Area

N

Exhibit B-2

ORDINANCE NO. 20283

AN ORDINANCE CONCERNING THE CRESCENT AVENUE NODAL DEVELOPMENT AREA; AMENDING THE EUGENE-SPRINGFIELD METROPOLITAN AREA GENERAL PLAN DIAGRAM AND THE WILLAKENZIE AREA PLAN LAND USE DIAGRAM FOR THE UNINCORPORATED PORTION OF THE AREA; ADOPTING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

The City Council of the City of Eugene finds that:

A. On September 10, 2001, the City Council adopted Ordinance No. 20234 that effected amendments to the transportation element of the Eugene-Springfield Metropolitan Area General Plan (Metro Plan) and related changes to the Plan text, and adopted revisions to TransPlan, a refinement plan to the Metro Plan.

B. Included in the Metro Plan text amendments was the addition of a new section entitled "Nodal Development Area (Node)," and inclusion of "ND - Nodal Development" to the text for the Legend Block on the Metro Plan Diagram.

C. The Metro Plan, in describing the Nodal Development Area Designation states that "[a]reas identified as nodal development areas in TransPlan are considered to have potential for this type of land use pattern." Page II-E-4. TransPlan Map A1 identifies an area north and south of Crescent Avenue as an area for nodal development. See area identified as 6D.

D. The Eugene Planning Commission recommended, and on February 20, 2002 the Eugene City Council approved revisions to the boundary of area 6D to include unincorporated property north of the City limits within the Crescent nodal development area.

E. Chapter IV of the Metro Plan sets forth procedures for amendment of the Metro Plan, which for the City of Eugene are implemented by the provisions of Chapter 9 of the Eugene Code, 1971 (EC).

F. These proceedings have been initiated by the City of Eugene pursuant to procedures for amendment and refinement of the Metro Plan, which requires approval of the Eugene City Council and Lane County Board of Commissioners for Type II Metro Plan diagram amendments located between the incorporated city limits of Eugene and the Plan boundary.

G. On October 18, 2002, notice of a joint public hearing to be held by the Eugene and Lane County planning commissions with maps depicting the proposed amendments was mailed to the Oregon Department of Land Conservation and Development as required by ORS 197.610. No comment was received in response to the notice. Notice of the public hearing was also mailed on

November 1, 2002 to property owners and occupants, to persons who requested notice and to Eugene neighborhood associations. On November 13, 2002, notice was mailed to property owners within 300 feet of the area and notice was published in the Register-Guard.

H. On December 3, 2002, Eugene and Lane County planning commissions held a joint public hearing on the proposed amendments and completed their recommendations following the public hearing. The Eugene Planning Commission unanimously recommended (5:0) that the City Council approve the amendments to the Metro Plan diagram and concurrent automatic amendment to the Willakenzie Area Plan to depict the unincorporated portion of the Crescent area as a nodal development area, with strong reservations that this and all future nodes require a currently unscheduled nodal planning process to make the goals of nodal development attainable and to make this development compatible with adjacent properties.

I. On January 5, 2003, notice of the joint Eugene City Council and Lane County Board of Commissioners public hearing was published in The Register-Guard and, on January 10, 2003, notice of the joint public hearing was mailed to those who testified before the planning commissions or requested notice in writing and those who had requested to be placed on the interested parties list for the amendments.

J. On January 22, 2003, the Eugene City Council conducted a joint public hearing with the Board of County Commissioners on these amendments and the Eugene City Council is now ready to take action.

K. Evidence exists within the record and the findings attached hereto indicating that the proposal meets the requirements of Chapter 9 of the Eugene Code, 1971, and the requirements of applicable state and local law.

NOW, THEREFORE

THE CITY OF EUGENE DOES ORDAIN AS FOLLOWS:

Section 1. The Metro Plan diagram is amended to add the ND-Nodal Development designation to properties identified and described on Exhibit A attached hereto. The underlying designations for these properties shall remain unchanged.

Section 2. Consistent with the provisions of EC 9.7750(4), the Willakenzie Area Plan land use diagram located between pages 19 and 20 of the Willakenzie Area Plan is automatically amended to apply the ND-Nodal Development designation as reflected in Exhibit A.

Section 3. The above findings, and the Legislative Findings set forth in Exhibit B attached hereto serve as findings in support of this Ordinance, but are not adopted.

Section 4. If any section, subsection, sentence, clause, phrase or portion of this Ordinance

is for any reason held invalid or unconstitutional by a court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions thereof.

Section 5. Nothwithstanding the effective date of ordinances as provided in the Eugene Charter of 2002, this Ordinance shall become effective 30 days from the date of its passage by the City Council and approval by the Mayor, or upon the date of its acknowledgment as provided by ORS 197.625, whichever date is later, providing that by that date the Lane County Board of Commissioners has adopted an ordinance containing identical provisions to those described in sections 1 and 2 of this Ordinance.

Passed by the City Council this

24th day of February, 2003

Deputy City Recorder

Approved by the Mayor this

24th day of February, 2003

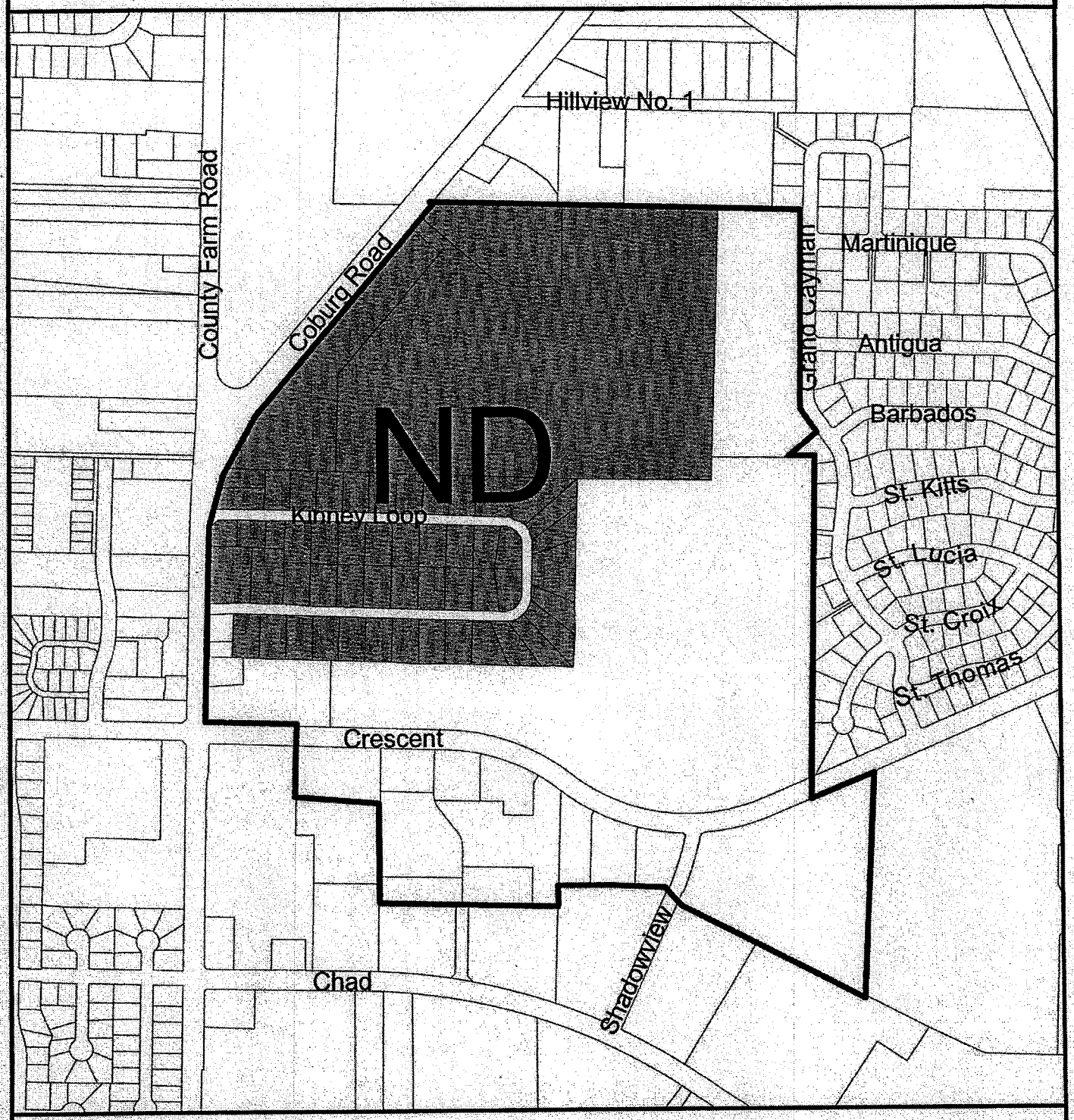
Mayor

Exhibit A

Crescent Avenue Nodal Development Area Metro Plan Diagram Amendments
Unincorporated Properties Subject to Addition of ND-Nodal Development Designation

Map and Tax Lot Number	Map and Tax Lot Number	Map and Tax Lot Number
Map 17-03-16-22, Lot 101	Map 17-03-16-23, Lot 100	Map 17-03-16-23, Lot 2100
Map 17-03-16-22, Lot 102	Map 17-03-16-23, Lot 200	Map 17-03-16-23, Lot 2200
Map 17-03-16-22, Lot 200	Map 17-03-16-23, Lot 300	Map 17-03-16-23, Lot 2300
Map 17-03-16-22, Lot 300	Map 17-03-16-23, Lot 400	Map 17-03-16-23, Lot 2400
Map 17-03-16-22, Lot 400	Map 17-03-16-23, Lot 500	Map 17-03-16-23, Lot 2500
Map 17-03-16-22, Lot 500	Map 17-03-16-23, Lot 600	Map 17-03-16-23, Lot 2600
Map 17-03-16-22, Lot 600	Map 17-03-16-23, Lot 700	Map 17-03-16-23, Lot 2700
Map 17-03-16-22, Lot 700	Map 17-03-16-23, Lot 800	Map 17-03-16-23, Lot 2800
Map 17-03-16-22, Lot 800	Map 17-03-16-23, Lot 900	Map 17-03-16-23, Lot 2900
Map 17-03-16-22, Lot 900	Map 17-03-16-23, Lot 1000	Map 17-03-16-23, Lot 3000
Map 17-03-16-22, Lot 1000	Map 17-03-16-23, Lot 1100	Map 17-03-16-23, Lot 3100
Map 17-03-16-22, Lot 1100	Map 17-03-16-23, Lot 1200	Map 17-03-16-23, Lot 3200
Map 17-03-16-22, Lot 1200	Map 17-03-16-23, Lot 1300	Map 17-03-16-23, Lot 3300
Map 17-03-16-22, Lot 1201	Map 17-03-16-23, Lot 1400	Map 17-03-16-23, Lot 3400
Map 17-03-16-22, Lot 1300	Map 17-03-16-23, Lot 1500	Map 17-03-16-23, Lot 3500
	Map 17-03-16-23, Lot 1600	Map 17-03-16-23, Lot 3600
	Map 17-03-16-23, Lot 1700	Map 17-03-16-23, Lot 3700
	Map 17-03-16-23, Lot 1800	Map 17-03-16-23, Lot 3800
	Map 17-03-16-23, Lot 1900	Map 17-03-16-23, Lot 3900
	Map 17-03-16-23, Lot 2000	

Crescent Avenue Nodal Development Area
Metro Plan Diagram and
Willakenzie Plan Diagram Amendments (MA 02-9)



ND Add ND Nodal Development Symbol (Unincorporated Area)

Crescent Nodal Development Area

N

Exhibit A-2

ORDINANCE NO. 20302

AN ORDINANCE AMENDING THE EUGENE-SPRINGFIELD METROPOLITAN AREA GENERAL PLAN DIAGRAM AND THE WILLAKENZIE AREA PLAN DIAGRAM AND TEXT; AMENDING THE EUGENE ZONING MAP AND THE EUGENE OVERLAY ZONE MAP; AMENDING SECTIONS 9.2741, 9.4280 AND 9.9700 OF THE EUGENE CODE, 1971; ADOPTING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

The City Council of the City of Eugene finds that :

A. On June 23, 2003, the Eugene City Council initiated amendments to the Land Use Code to allow concurrent processing with an application to amend the Willakenzie Area Plan for a proposed mixed use project called the Crescent Village Planned Unit Development (PUD).

B. The Land Use Code amendments contained in this Ordinance are based on the privately initiated plan amendment application and the recommendation of the Planning Commission.

C. The Planning Commission held a public hearing on the amendments contained in this Ordinance on August 12, 2003 and a work session on September 8, 2003, and has forwarded its recommendations to the City Council for amendments to the Metropolitan Area General Plan, Willakenzie Area Plan, Eugene Zoning Map, Eugene Overlay Zone Map, and the Eugene Code, 1971, which have been incorporated herein.

THE CITY OF EUGENE DOES ORDAIN AS FOLLOWS:

Section 1. The Eugene-Springfield Metropolitan Area General Plan Diagram is amended to change 5.6 acres of land designated High-Density Residential/Nodal Development to Commercial/Nodal Development designation and to change 5.0 acres of land designated High-Density Residential/Nodal Development to Commercial/Mixed Use/Nodal Development designation, as shown on the attached Exhibit A, which is incorporated herein.

Section 2. Consistent with the provisions of Section 9.7750(4) of the Eugene Code, 1971:

(a) The Willakenzie Area Plan land use diagram located between pages 19 and 20 of the Willakenzie Area Plan is amended to redesignate the 10.6 acres of land referred to in Section 1 above from High Density Residential/Nodal Development designation to Commercial/Nodal Development designation, as more specifically reflected on attached Exhibit B, which is incorporated herein.

(b) The Coburg-Crescent Subarea Diagram located at page 62 of the Willakenzie Area Plan is amended to add "Commercial Mixed Use" to the legend for that Diagram, to change 5.6 acres of land shown as High Density Residential/Nodal Development to Commercial/Nodal Development, and to change 5.0 acres of land shown as High Density Residential/Nodal Development to Commercial/Mixed Use/Nodal Development, as more specifically reflected on the attached Exhibit C which is incorporated herein.

(c) The Diagram at Inset Map "D", page 65 of the Willakenzie Area Plan is amended to change 5.6 acres of land shown as High Density Residential to Commercial (General Office), and 5.0 acres of land shown as High Density Residential to Commercial (Mixed Use) and to add the Crescent Village boundary, as more specifically reflected on Exhibit D which is incorporated herein.

Section 3. The Willakenzie Area Plan text is amended as follows:

(a) Policies 6, 7, 8, 9, 11 and 12 of the Land Use Element Coburg/Crescent Subarea Policies and Proposed Actions are amended, without change to any of the Proposed Actions, and new Policies 13, 14, and 15 are added thereto, to provide as follows:

6. The City shall recognize that the area adjacent to the north side of Crescent Avenue, designated as Commercial on the Willakenzie Coburg-Crescent Subarea Land Use Diagram shall be zoned General Office.

7. The City shall encourage the development of commercial uses which provide direct services to employees and residents of the surrounding areas. Examples include restaurants, financial institutions, day-care centers, health clubs, grocery stores, delicatessens, drug stores, and recreational facilities. As part of an approved PUD, a drive-through facility may be permitted, but only for pharmaceutical prescription dispensing or financial services.

8. Commercial uses are appropriate and desirable within residential planned unit developments when services provided are of a type that will fulfill the day-to-day shopping and service needs of area residents and when those services are to be utilized primarily by the population of northeast Eugene (north of Beltline Highway and east of Gilham Street). Vehicle-oriented services including, but not limited to, service stations, repair garages, and drive-in restaurants shall not be permitted in residential PUD commercial areas.

9. The land use plan diagram for the Coburg/Crescent Subarea indicates general locations for parks/open space and low-, medium-, and high-

density residential uses. The City shall allow for the consideration of a different arrangement of residential and park/open space uses subject to the following criteria:

A. Provision shall be made for an eastern access to the School District 4J school site;
B. Provision shall be made for a park site immediately adjacent to the 4J school site;
C. Low-density residential uses shall border North Game Farm Road;
D. The future parks site must have adequate street frontage (as determined by the City);
E. High - density residential development proposed for areas to the east of the Kinney Loop subdivision and west of Crescent Meadows subdivision must be sensitive to the low-density residential development within these subdivisions, while allowing for the development of the site; and
F. Provision shall be made for design elements which ensure compatibility between residential and industrial land uses.

11. The City shall allow development of clinics or other medical facilities in that portion of the Coburg/Crescent Subarea that is designated for high-density residential use, subject to an approved planned unit development.

12. The City shall apply the C-2 Community Commercial with a /PD Planned Unit Development overlay zone to the area along the north side of Crescent Avenue designated as Commercial Mixed Use in the Coburg-Crescent Subarea.

13. Development of the area depicted as "Crescent Village" on Inset Map D (page 65) shall only be permitted pursuant to a single final PUD that includes a master plan for all property within the Crescent Village boundaries. The City shall apply the /PD Planned Unit Development overlay zone to all property within the Crescent Village boundaries, and remove the /SR Site Review overlay.

14. Except as provided in this Policy, the intensities of uses otherwise permitted within the Crescent Village boundaries shall not exceed any of the intensities listed in Table 1.

Table 1
Crescent Village Maximum Permitted Land Use Intensity

Development Type	Maximum Intensities
Apt/Rowhouse/Condo*	631 dwelling units
Specialty Retail*	32 KSF
Shopping Center (commercial)	115 KSF
Grocery Store (supermarket)	50 KSF

General Office	102 KSF	
Medical-Dental Office	30 KSF	

KSF = 1,000 square feet
*Includes 4 flex unit buildings of 4,000 square feet per building – retail, office or living space permitted.

As part of a PUD approval, the City may vary the allowed intensities from those in Table 1 if the developer demonstrates based on the Institute of Transportation Engineers' Trip Generation Manual: (a) those proposed uses and intensities are otherwise consistent with the applicable zoning and land use standards; and (b) the projected peak hour trips from the combination of the proposed uses will be less than or equal to 845 trips into the Crescent Village area and 885 trips out of the area.

15. If requested as part of an application for development, the City shall reduce the minimum floor area ratio (FAR) within the Crescent Village boundaries to .40 for the commercially zoned portion of that area.

(b) The Willakenzie Area Plan Transportation Policies and Proposed Actions are amended to revise Policy 3, as follows:

3. The City shall continue to provide direct access from Coburg Road to the Kinney Loop subdivision via Kinney Loop. If in the future, access onto Coburg Road from Kinney Loop becomes a hazard, the City shall consider the addition of an access point to the Kinney Loop area via Crescent Avenue. This additional access to Kinney Loop off Crescent Avenue should be to provide access to the Kinney Loop subdivision as part of a well connected grid street system.

Section 4. The Eugene Zoning Map is amended to rezone the western portion of Assessor's Map 17-03-16-24, Tax Lot 2200 from its R-4 (High Density Residential) base zone to GO (General Office) and to rezone the central portion of that Tax Lot from its R-4 (High Density Residential) base zone to C-2 (Community Commercial), as shown on the attached Exhibit E, which is incorporated herein.

Section 5. The Eugene Overlay Zone Map is amended to apply the /PD (Planned Unit Development) overlay zone to Assessor's Map 17-03-16-24, Tax Lot 2200 in its entirety. The Eugene Overlay Zone Map is also amended to apply the /PD (Planned Unit Development) Overlay Zone to Assessor's Map 17-03-16-23, Tax Lot 4700, and to remove the /SR (Site Review) Overlay Zone from that Tax Lot. These amendments are more specifically shown on the attached Exhibit E, which is incorporated herein.

Section 6. Subsection (1)(d) of Section 9.2741 of the Eugene Code, 1971, is

amended to provide:

9.2741 **Special Use Limitations for Table 9.2740.**

(1) Hospitals, Clinics or Other Medical Facilities. In the R-3 and R-4 zones, these uses are subject to the following regulations:

(d) Clinics and other medical facilities shall be permitted in that portion of the Coburg/Crescent area designated for high-density residential use, subject to an approved planned unit development.

Section 7. Subsection (2)(a) of Section 9.4280 of the Eugene Code, 1971, is amended to provide:

9.4280 **Prohibited Uses and Special Use Limitations.**

(2) Special Use Limitations.

(a) No use may include a drive-through facility, unless explicitly permitted in a refinement plan.

Section 8. Subsection (10) of Section 9.9700 of the Eugene Code, 1971, is amended to provide:

9.9700 **Willakenzie Area Plan Policies.**

(10) Land Use Element - North Region, Coburg/Crescent Subarea.

(a) The City shall recognize the area south of the future extension of Crescent, and west of the future Shadow View Drive, as depicted on the Willakenzie Land Use Diagram (and as refined by Inset Map D), as appropriate for the expansion of Neighborhood Commercial development. The Neighborhood Commercial site shall not exceed 10 acres in size. Uses in this commercial area are intended to serve the day-to-day shopping and service needs of area residents and employees of the Special Light Industrial area. Clinics and medical offices shall not be permitted in this neighborhood commercial area. (Policy 2)

(b) The city of Eugene shall ensure that industrial development in the Coburg/Crescent subarea is sensitive to and compatible with surrounding uses and will conform to the Coburg/Crescent Special Light Industrial Siting and Development Standards. (Policy 3)

(c) The City shall recognize that the area adjacent to the north side of Crescent Avenue, designated as Commercial on the Willakenzie Coburg-Crescent Subarea Land Use Diagram

shall be zoned General Office. (Policy 6)

(d) The City shall encourage the development of commercial uses which provide direct services to employees and residents of the surrounding areas. Examples include restaurants, financial institutions, day-care centers, health clubs, grocery stores, delicatessens, drug stores, and recreational facilities. As part of an approved PUD, a drive-through facility may be permitted, but only for pharmaceutical prescription dispensing or financial services. (Policy 7)

(e) Commercial uses are appropriate and desirable within residential planned unit developments when services provided are of a type that will fulfill the day-to-day shopping and service needs of area residents and when those services are to be utilized primarily by the population of northeast Eugene (north of Beltline Highway and east of Gilham Street). Vehicle-oriented services including, but not limited to, service stations, repair garages, and drive-in restaurants shall not be permitted in residential PUD commercial areas. (Policy 8)

(f) The land use plan diagram for the Coburg/Crescent Subarea indicates general locations for parks/open space and low-, medium-, and high-density residential uses. The City shall allow for the consideration of a different arrangement of residential and park/open space uses subject to the following criteria:

1. Provision shall be made for an eastern access to the School District 4J school site;
2. Provision shall be made for a park site immediately adjacent to the 4J school site;
3. Low-density residential uses shall border North Game Farm Road;
4. The future parks site must have adequate street frontage (as determined by the City);
5. High - density residential development proposed for areas to the east of the Kinney Loop subdivision and west of Crescent Meadows subdivision must be sensitive to the low-density residential development within these subdivisions, while allowing for the development of the site; and
6. Provision shall be made for design elements which ensure compatibility between residential and industrial land uses. (Policy 9)

(g) The City shall recognize the area on the north side of Crescent Avenue east of Coburg Road, as depicted on the

Willakenzie Land Use Diagram, as appropriate for high-density residential development. (Policy 10)

(h) The City shall allow development of clinics or other medical facilities in that portion of the Coburg/Crescent Subarea that is designated for high-density residential use, subject to an approved planned unit development. (Policy 11)

(i) The City shall apply the C-2 Community Commercial with a /PD Planned Unit Development overlay zone to the area along the north side of Crescent Avenue designated as Commercial Mixed Use in the Coburg-Crescent Subarea. (Policy 12)

(j) Development of the area depicted as "Crescent Village" on Inset Map D (page 65) shall only be permitted pursuant to a single final PUD that includes a master plan for all property within the Crescent Village boundaries. The City shall apply the /PD Planned Unit Development overlay zone to all property within the Crescent Village boundaries, and remove the /SR Site Review overlay. (Policy 13)

(k) Except as provided in this Policy, the intensities of uses otherwise permitted within the Crescent Village boundaries shall not exceed any of the intensities listed in Table 1.

Table 1
Crescent Village Maximum Permitted Land Use Intensity

Development Type	Maximum Intensities
Apt/Rowhouse/Condo*	631 dwelling units
Specialty Retail*	32 KSF
Shopping Center (commercial)	115 KSF
Grocery Store (supermarket)	50 KSF
General Office	102 KSF
Medical-Dental Office	30 KSF

KSF = 1,000 square feet
*Includes 4 flex unit buildings of 4,000 square feet per building – retail, office or living space permitted.

As part of a PUD approval, the City may vary the allowed intensities from those in Table 1 if the developer demonstrates based on the Institute of Transportation Engineers' Trip Generation Manual: (a) those proposed uses and intensities are otherwise consistent with the applicable zoning and land use standards; and (b) the projected peak hour trips from the combination of the proposed uses will be less than or equal to 845 trips into the Crescent Village area and 885 trips out of the area. (Policy

14)

(l) If requested as part of an application for development, the City shall reduce the minimum floor area ratio (FAR) within the Crescent Village boundaries to .40 for the commercially zoned portion of that area. (Policy 15)

Section 9. The findings set forth in Exhibit F attached hereto are adopted as findings in support of this Ordinance.

Section 10. The maps attached hereto as Exhibits A, B, C, D and E depict the amendments being effected by this Ordinance. Exhibits G and H are adopted as replacement maps for the Coburg-Crescent Subarea Diagram located at page 62 of the Willakenzie Area Plan and the Inset Map D located at page 65 of that Plan, respectively. Exhibits G and H incorporate the amendments effected by this Ordinance, and the City's reclassification of the old Special Light Industrial and General Commercial Districts to the Campus Industrial and Community Commercial Zones respectively (Ordinance No. 20224, with effective date set by Ordinance No. 20229, remanded and readopted by Ordinance No. 20249). The maps have been further updated to reflect completion of transportation improvements and land divisions in the area. Exhibit I is adopted to be inserted into the Willakenzie Area Plan after the Willakenzie Land Use Diagram following page 19. Exhibit I replaces the Northeast portion of the Willakenzie Land Use Diagram.

Section 11. The City Recorder, at the request of, or with the concurrence of the City Attorney, is authorized to administratively correct any reference errors contained herein or in other provisions of the Eugene Code, 1971, to the provisions added, amended or repealed herein.

Section 12. If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held invalid or unconstitutional by a court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions hereof.

Section 13. Notwithstanding the effective date of ordinances as provided in the Eugene Charter of 2002, this Ordinance shall become effective 30 days from the date of its passage by the City Council and approval by the Mayor, or upon the date of its acknowledgment as provided by ORS 197.625, whichever date is later.

Passed by the City Council this

10th day of November, 2003

Mary Heidman

City Recorder

Approved by the Mayor this

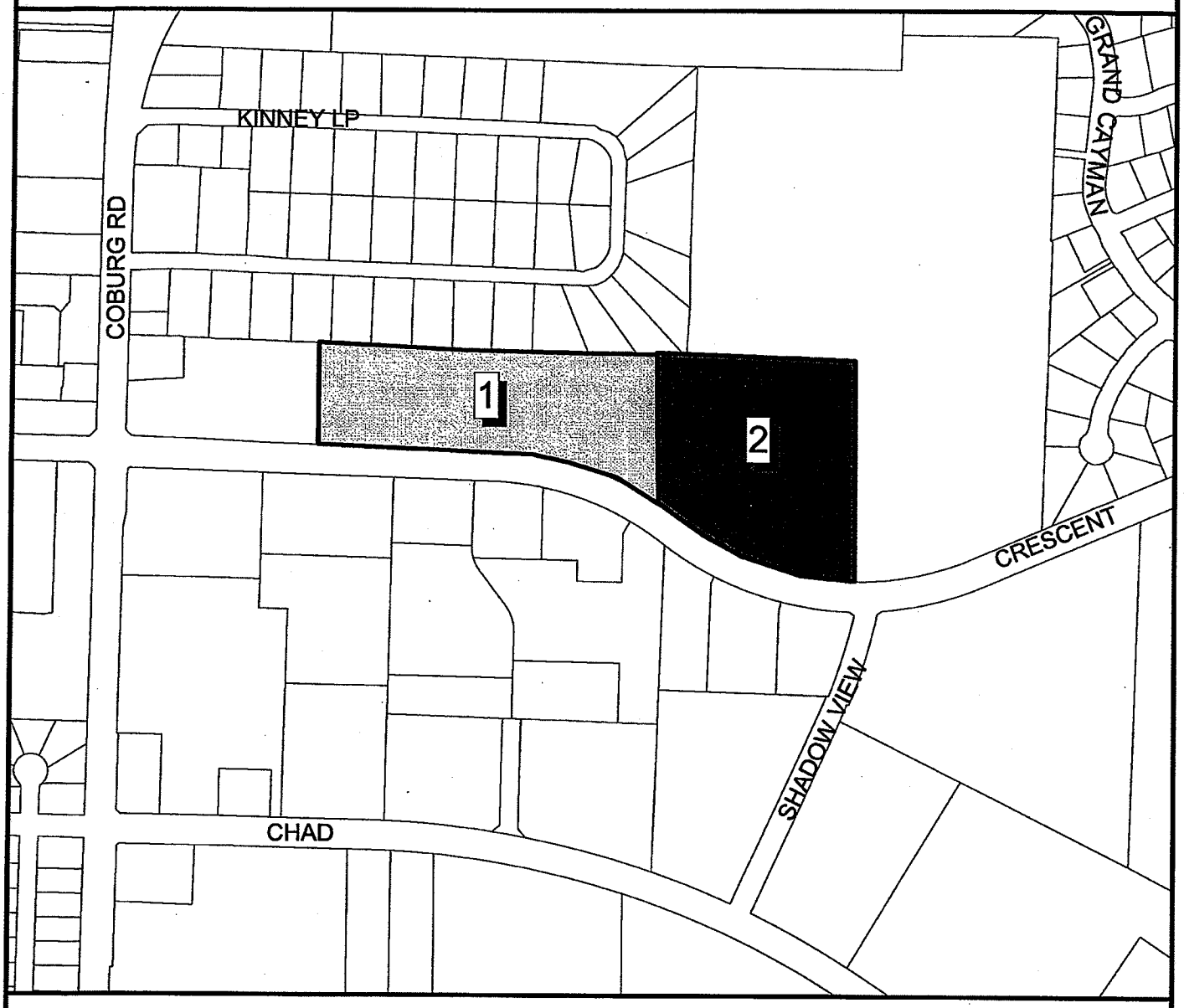
10th day of November, 2003

James D. Torrey

Mayor

Exhibit A

Crescent Village - Metro Plan Amendments (MA 03-1)



Proposed Metro Plan Amendments

1 Change from High Density Residential/Nodal Development to Commercial/Nodal Development.

2 Change from High Density Residential/Nodal Development to Commercial Mixed Use/Nodal Development.

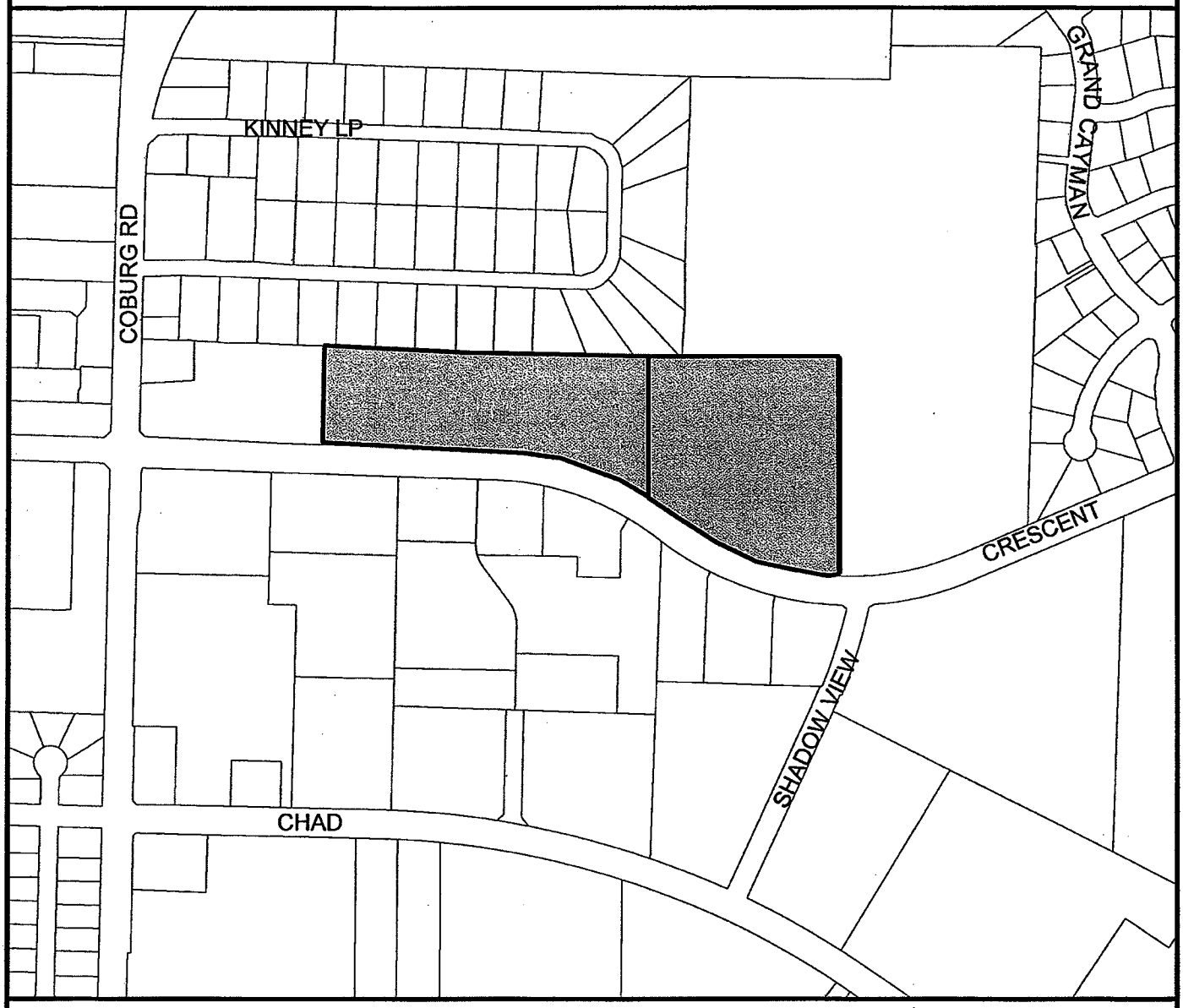
Information based on Regional Geographic Information System data. Source data may be imprecise and subject to change.

N

11-4-03

Exhibit B

Crescent Village - Willakenzie Land Use Diagram Amendment (RA 03-2)



Proposed Willakenzie Land Use Diagram Amendment

Change from High Density Residential/Nodal Development to Commercial/Nodal Development.

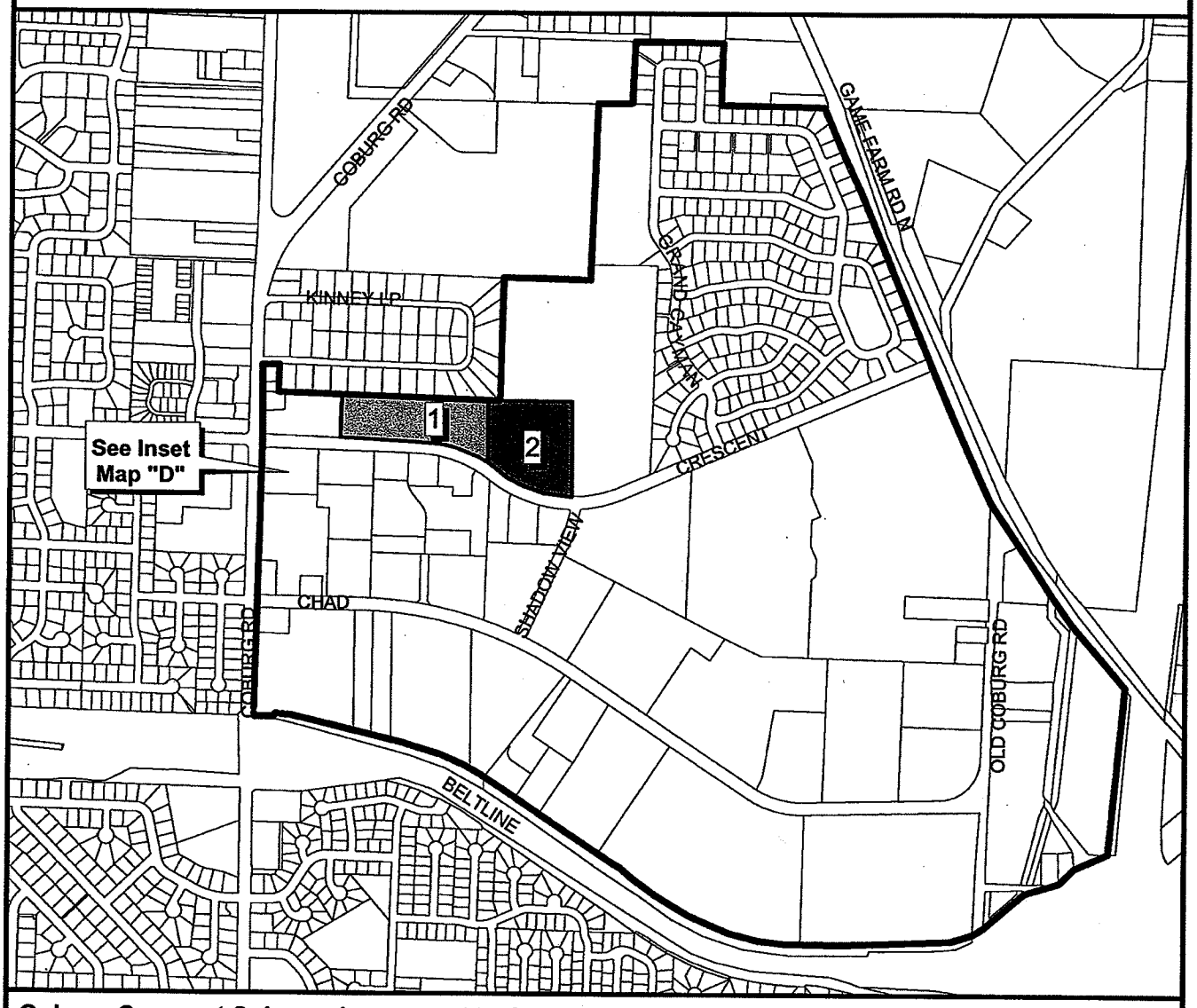
Information based on Regional Geographic Information System data. Source data may be imprecise and subject to change.

N

11-4-03

Exhibit C

Crescent Village - Willakenzie Area Plan Amendments to Coburg-Crescent Subarea (RA 03-2)



Coburg-Crescent Subarea (see page 62 of Willakenzie Area Plan)

Proposed Amendments

1 Change from High Density Residential/Nodal Development to Commercial/Nodal Development

2 Change from High Density Residential/Nodal Development to Commercial Mixed Use/Nodal Development

* Amend legend to add Commercial Mixed Use

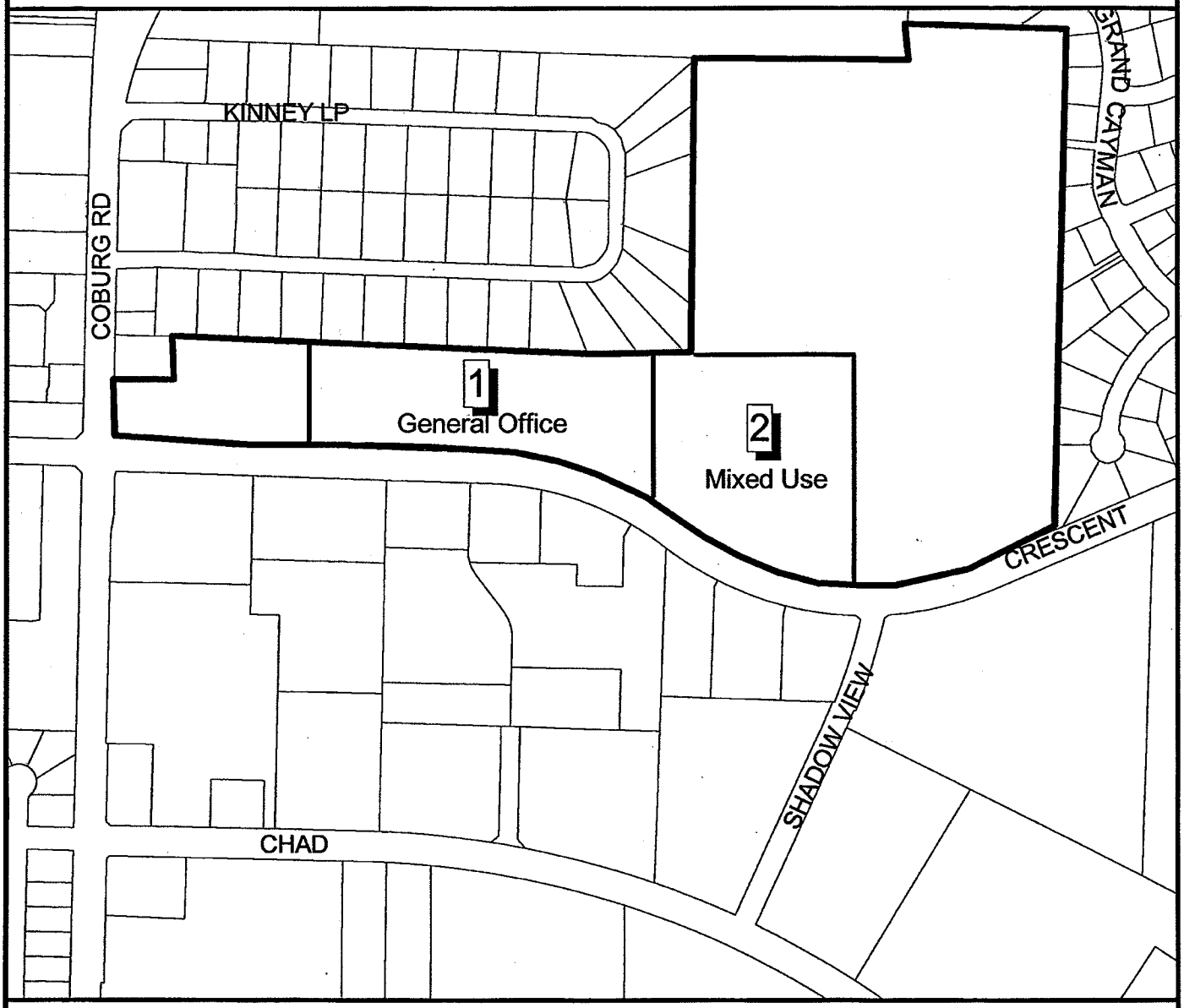
Information based on Regional Geographic Information System data. Source data may be imprecise and subject to change.

N

11-4-03

Exhibit D

Crescent Village - Willakenzie Area Plan Amendments to Inset Map "D" (RA 03-2)



Proposed Changes

1 Change from High Density Residential to Commercial (General Office)

2 Change from High Density Residential to Commercial (Mixed Use).

Amend to add Crescent Village boundary

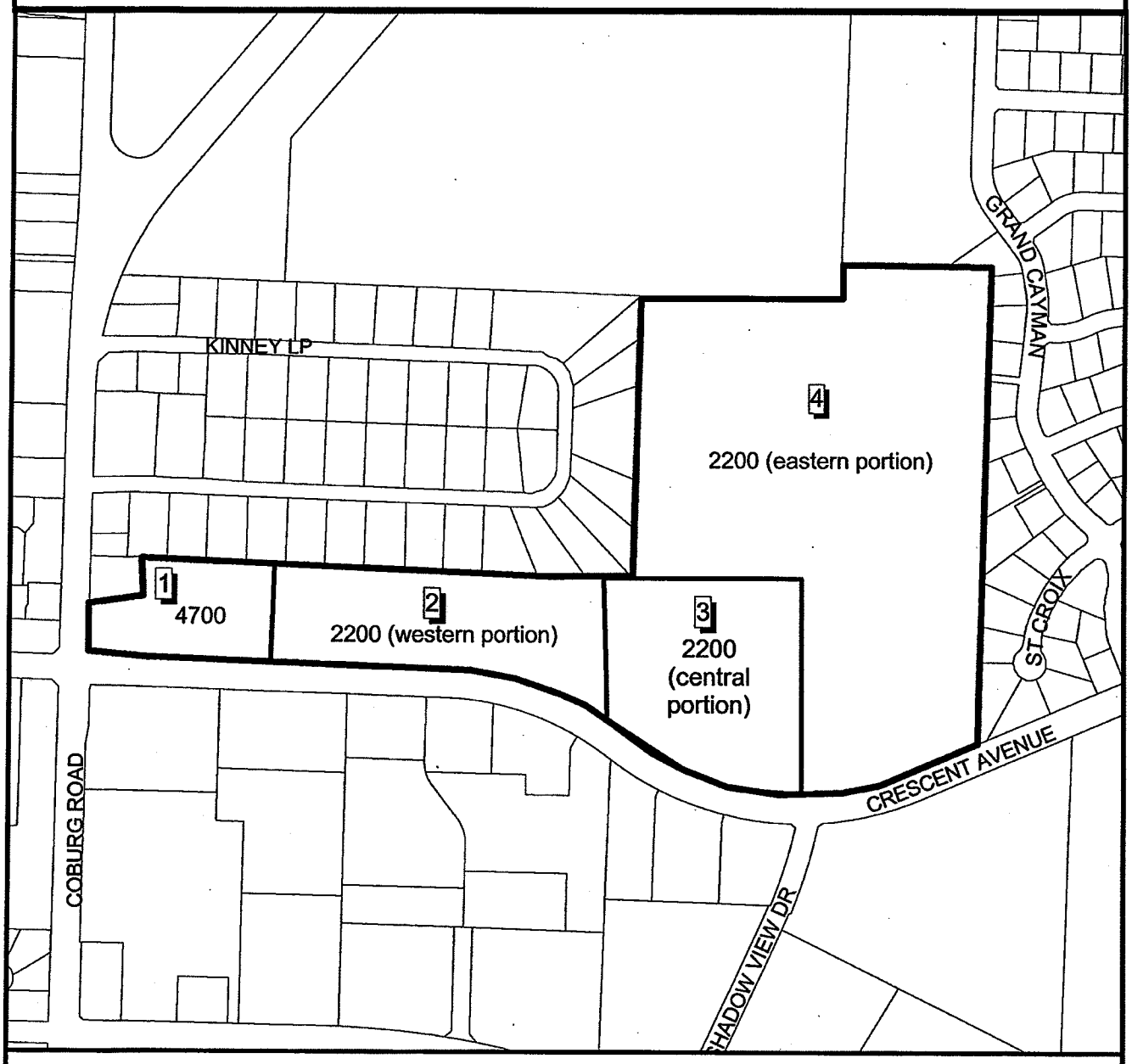
Information based on Regional Geographic Information System data. Source data may be imprecise and subject to change.

N

11-4-03

Exhibit E

Eugene Zoning Map and Overlay Zone Map Changes (Z 03-3)



Assessor's Map: 17-03-16-23; Tax lot: 4700
Assessor's Map: 17-03-16-24; Tax lot: 2200

Proposed Changes

1. Remove /SR Site Review overlay and Apply /PD Planned Unit Development overlay (Retain General Office zoning and /ND overlay) Tax Lot 4700

2. Change base zone from R-4 High Density Residential to GO General Office. Apply /PD overlay (Retain /ND overlay) Tax Lot 2200 western portion

3. Change base zone from R-4 High Density Residential to C-2 Community Commercial. Apply /PD overlay. (Retain /ND overlay) Tax Lot 2200 central portion

4. Apply /PD overlay. Retain R-4/ND. Tax Lot 2200 eastern portion

N

11-4-03

ORDINANCE NO. 20305

AN ORDINANCE AMENDING THE WILLAKENZIE AREA PLAN TEXT; AMENDING SECTIONS 9.2160 AND 9.9700 OF THE EUGENE CODE, 1971; ADOPTING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

The City Council of the City of Eugene finds that:

A. On September 8, 2003, the Eugene City Council initiated the process for considering this Ordinance's amendments to Chapter 9 of the Eugene Code, 1971, to allow concurrent processing of the Code amendments with privately-initiated amendments to the Willakenzie Area Plan.

B. The amendments incorporated in this Ordinance relate to the Summer Oaks Crescent Center Planned Unit Development approved by the City in May, 2001.

C. The Planning Commission held a public hearing on the amendments contained in this Ordinance on October 28, 2003, and has forwarded its recommendations to the City Council.

THE CITY OF EUGENE DOES ORDAIN AS FOLLOWS:

Section 1. Policy 2 of the Willakenzie Area Plan Land Use Element, Coburg/Crescent Subarea is amended as follows:

2. The City shall recognize the area south of Crescent Avenue and west of Shadow View Drive, as depicted on the Willakenzie Land Use Diagram (and as refined by Inset Map D), as appropriate for the expansion of Neighborhood Commercial development. The Neighborhood Commercial site shall not exceed 10 acres in size. Uses in this commercial area are intended to serve the day-to-day shopping and service needs of residents and employees of the surrounding area.

Section 2. The "Clinic or other Medical Health Treatment Facility" entry under the Medical, Health, and Correctional Services category of Table 9.2160 in Section 9.2160 of

the Eugene Code, 1971, is amended to provide:

Table 9.2160 Commercial Zone Land Uses and Permit Requirements					
	C-1	C-2	C-3	C-4	GO
Medical, Health, and Correctional Services					
Clinic or other Medical Health Treatment Facility (including mental health).	P(1)	P	P	P(9)	P

Section 3. Subsection (10)(a) of Section 9.9700 of the Eugene Code, 1971, is amended to provide:

9.9700 Willakenzie Area Plan Policies.

(10) Land Use Element - North Region, Coburg/Crescent Subarea.

(a) The City shall recognize the area south of Crescent Avenue and west of Shadow View Drive, as depicted on the Willakenzie Land Use Diagram (and as refined by Inset Map D), as appropriate for the expansion of Neighborhood Commercial development. The Neighborhood Commercial site shall not exceed 10 acres in size. Uses in this commercial area are intended to serve the day-to-day shopping and service needs of residents and employees of the surrounding area. (Policy 2)

Section 4. The findings set forth in Exhibit A attached hereto are adopted as findings in support of this Ordinance.

Section 5. The City Recorder, at the request of, or with the concurrence of the City Attorney, is authorized to administratively correct any reference errors contained herein or in other provisions of the Eugene Code, 1971, to the provisions added, amended or repealed herein.

Section 6. If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held invalid or unconstitutional by a court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision

and such holding shall not affect the validity of the remaining portions hereof.

Section 7. Notwithstanding the effective date of ordinances as provided in the Eugene Charter of 2002, this Ordinance shall become effective 30 days from the date of its passage by the City Council and approval by the Mayor, or upon the date of its acknowledgment as provided by ORS 197.625, whichever date is later.

Passed by the City Council this

3rd day of December, 2003

City Recorder

Approved by the Mayor this

3rd day of December, 2003

Mayor

ORDINANCE NO. 20382

AN ORDINANCE AMENDING THE EUGENE-SPRINGFIELD METROPOLITAN AREA GENERAL PLAN LAND USE DIAGRAM; AMENDING THE WILLAKENZIE AREA PLAN PURSUANT TO SECTION 9.7750(4) OF THE EUGENE CODE, 1971; ADOPTING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE. (HUNTINGTON CROSSING).

The City Council of the City of Eugene finds that :

A. The applicant, Pop Corn LLC, submitted an application to the City of Eugene for an amendment to the Metropolitan Area General Plan and the Willakenzie Area Plan.

B. The amendments contained in this Ordinance are based on the application submitted and the recommendation of the Eugene Planning Commission.

C. The City of Eugene Planning Commission and Lane County Planning Commission held a joint public hearing on the amendments contained in this Ordinance on October 24, 2006, and the Eugene Planning Commission has forwarded its recommendations to the Eugene City Council for amendments to the Metropolitan Area General Plan Land Use Diagram as shown Exhibit A, and the Willakenzie Area Plan Land Use Diagram as shown on Exhibit B.

THE CITY OF EUGENE DOES ORDAIN AS FOLLOWS:

Section 1. The Eugene-Springfield Metropolitan Area General Plan Land Use Diagram for the property identified as Tax Lots 500, 600, and 700 of Assessor's Map 17-03-16-41, located east of Old Coburg Road at 89295, 89297, and 89317 Old Coburg Road, is amended from a designation of Campus Industrial to a designation of Medium Density Residential as shown on the attached Exhibit A, which is incorporated herein.

Section 2. Consistent with the provisions of Section 9.7750(4) of the Eugene Code, 1971, the Willakenzie Area Plan Land Use Diagram located between pages 19 and 20 of the Willakenzie Area Plan is automatically amended to redesignate the land referenced in Section 1 above, from Special Light Industrial to Medium Density Residential, as shown on the attached Exhibit B, which is incorporated herein and the Willakenzie Area Plan Coburg-Crescent Subarea diagram located at page 62 of the Willakenzie Area Plan is automatically amended to redesignate the land referenced in Section 1 above, from Campus Industrial to Medium-Density Residential, as shown on the attached Exhibit C, which is incorporated herein.

Section 3. The findings set forth in the attached Exhibit D are adopted as

findings in support of this Ordinance.

Section 4. If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held invalid or unconstitutional by a court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions hereof.

Section 5. Nothwithstanding the effective date of ordinances as provided in the Eugene Charter of 2002, this Ordinance shall become effective 30 days from the date of its passage by the City Council and approval by the Mayor, or upon the date the Lane County Board of Commissioners has adopted an ordinance containing identical provisions to those described in sections 1 and 2 of this Ordinance, whichever is first.

Passed by the City Council this

12th day of March, 2007

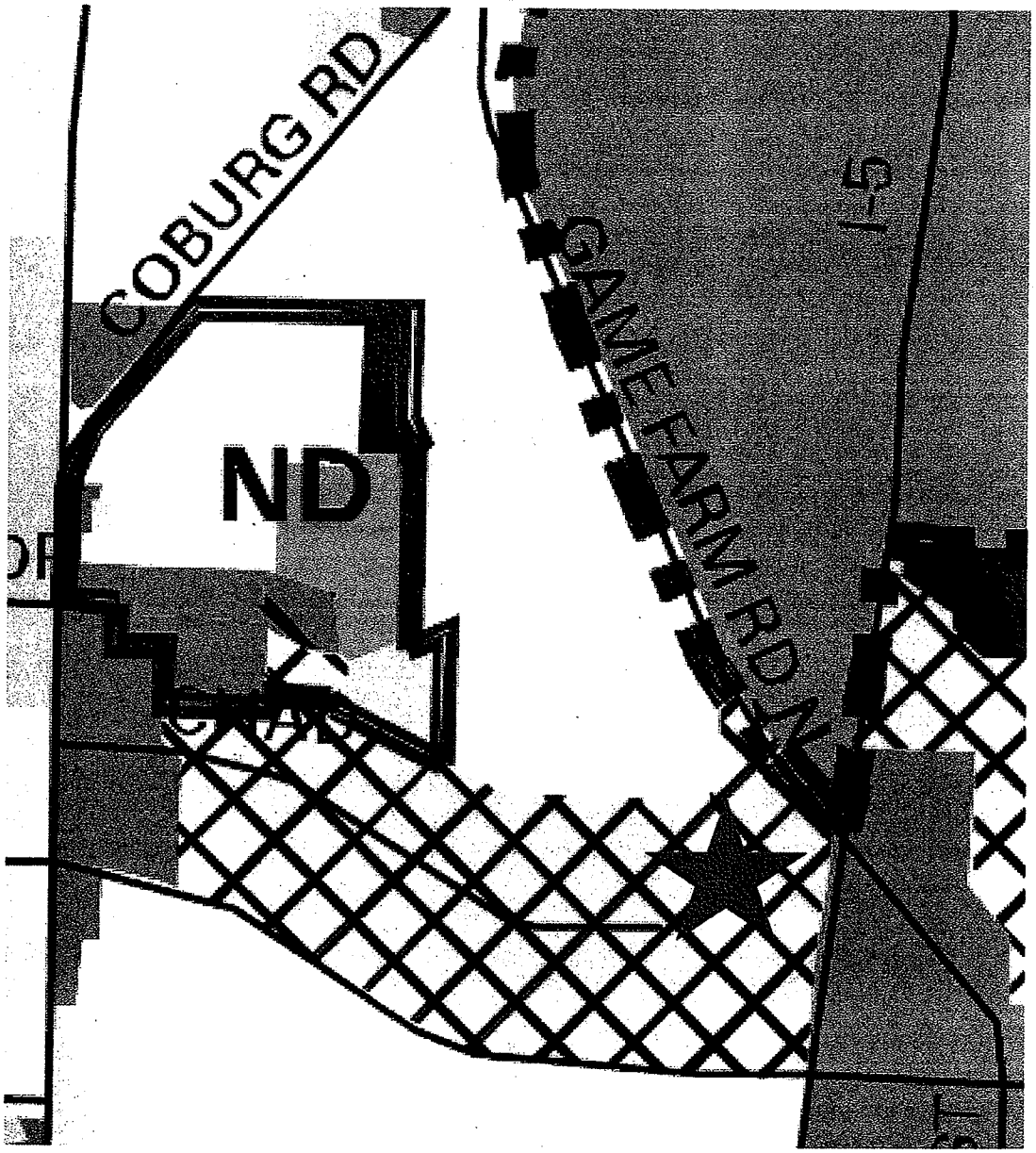
City Recorder

Approved by the Mayor this

14th day of March, 2007

Mayor

Huntington Crossing Metro Plan Amendment (MA 06-3)

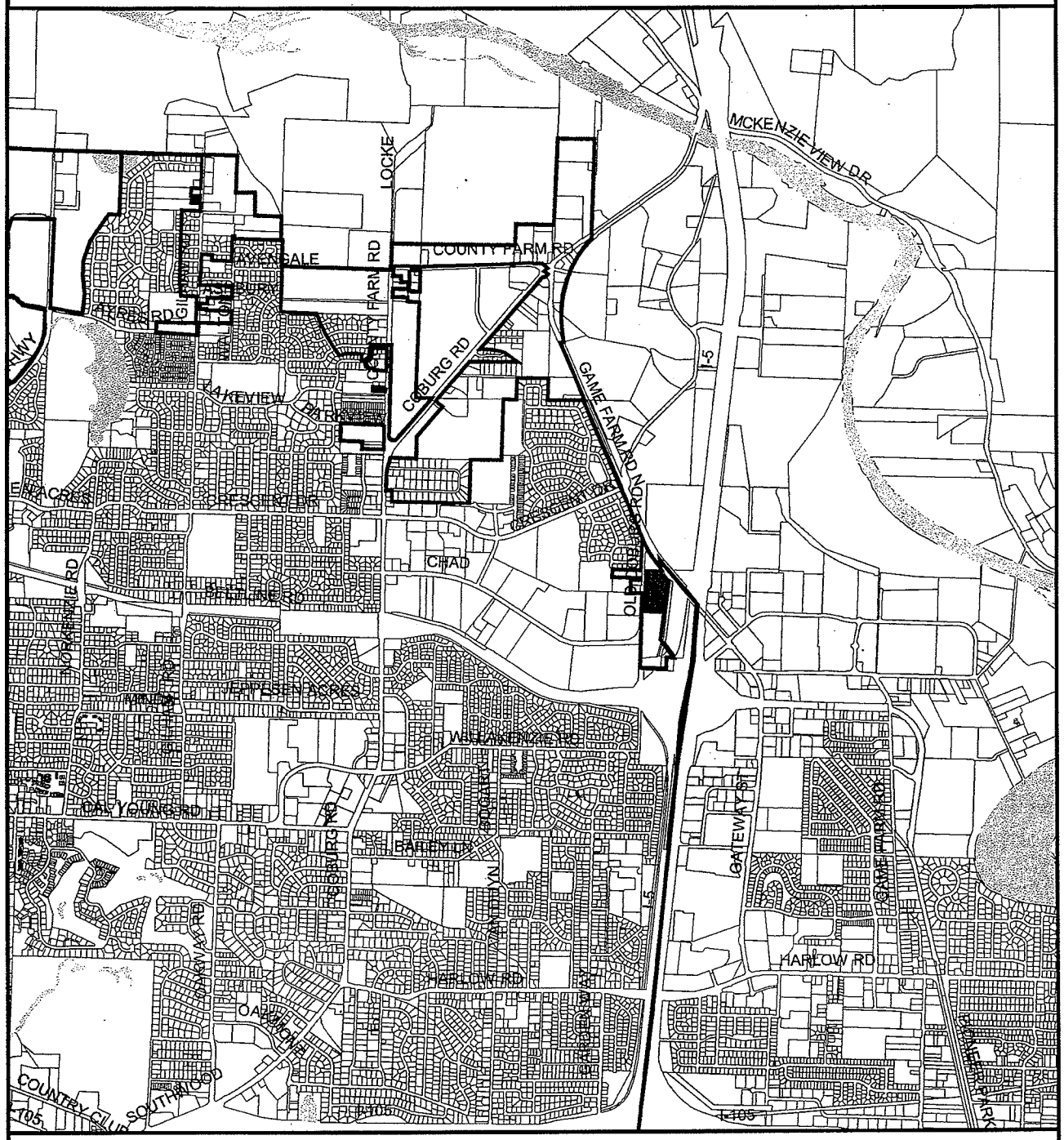


Existing Plan Designation: Campus Industrial
Proposed Plan Designation: Medium Density Residential

N

Ordinance No. 20382
EXHIBIT A

Huntington Crossing Refinement Plan Amendments (RA 06-2)



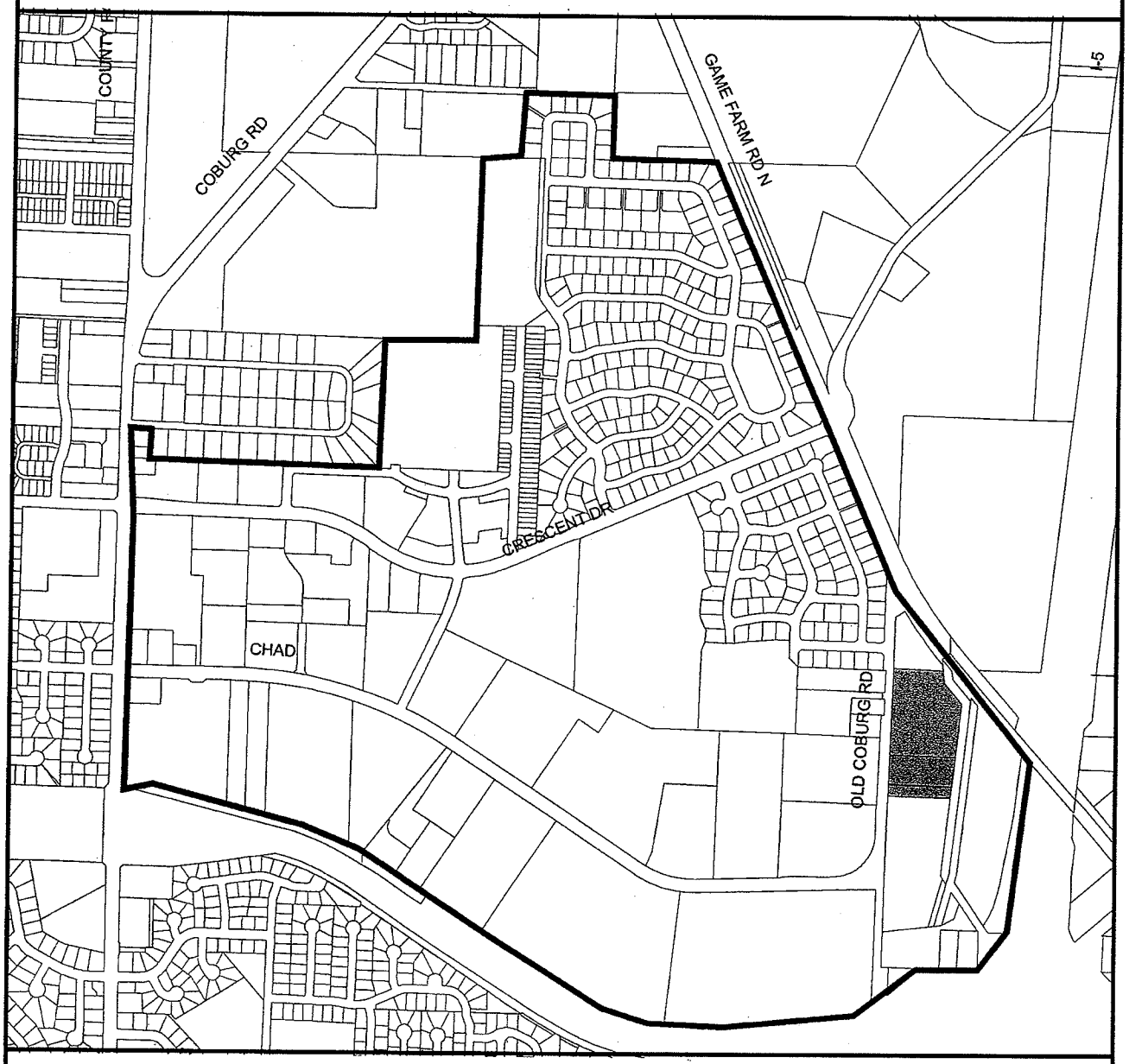
Existing Plan Designation: Special Light Industrial
Proposed Plan Designation: Medium Density Residential

- Subject Site
- Eugene City Limits
- Urban Growth Boundary

N

Ordinance No. 20382
EXHIBIT B

Huntington Crossing - Willakenzie Area Plan
Amendments to Coburg-Crescent Subarea (MA 06-3)



Coburg-Crescent Subarea (see Page 62 of Willakenzie Area Plan)

Proposed Amendments

Change from Campus Industrial to Medium Density Residential

Information based on Regional Geographic Information System data. Source data may be imprecise and subject to change.

N

1/16/07

Ordinance No. 20382
EXHIBIT C

Exhibit D

Staff Findings
Huntington Crossing
(MA 06-3)

Metro Plan Diagram Amendment (MA 06-3)

The proposed amendment would change the current Metro Plan land use designation from Campus Industrial to Medium Density residential. While there is no corresponding development proposal under review, the applicant indicates that the intent is to develop a mixed use development to include residential units and approximately 4,000 square feet of commercial space. A mixed use proposal would require approval through the planned unit development process within a medium residential zone. As no formal development proposal is under review, staff's analysis and findings are based solely on the request to re-designate the property as Medium Density Residential.

Eugene Code Section 9.7730(3) requires that the following criteria (in bold and *italics*) be applied to a Metro Plan diagram amendment:

(a) The amendment must be consistent with the relevant Statewide Planning Goals adopted by the Land Conservation and Development Commission; and

Goal 1 Citizen Involvement: *To develop a citizen involvement program that insures the opportunity for citizens to be involved in all phases of the planning process.*

The City has State-acknowledged provisions for citizen involvement that ensure the opportunity for citizens to be involved in all phases of the planning process and set out requirements for such involvement. The action does not amend the citizen involvement program. The process for reviewing these amendments complies with Goal 1 since it complies with, and surpasses the requirements of, the State-acknowledged citizen involvement provisions.

The City of Eugene land use code implements Statewide Planning Goal 1 by requiring that notice of the proposed amendments be given and public hearings be held prior to adoption. Consideration of the amendments begins with a City of Eugene Planning Commission/Lane County Planning Commission public hearing on October 24, 2006. On September 15, 2006, the City mailed notice of the proposed plan amendments to the Department of Land Conservation and Development, as required by the Eugene Code and in accordance with State statutes. On August 30, 2006, referrals concerning the pending applications were sent to the Oregon Department of Transportation (ODOT), City of Springfield, and Lane County. The Cal Young Neighborhood Association and City departments were also mailed a copy of the application on September 22, 2006 consistent with the Eugene Code. On September 22, 2006 notice of the Planning Commission public hearing was mailed to the applicant, owners and occupants of property within 300 feet of the subject property. On October 4, 2006, notice of the joint Planning Commissions public hearing was published in the *Register-Guard*, in accordance with the Eugene Code. On September 22, 2006, notice was also

posted in accordance with EC 9.7415(5). An additional public hearing before the Eugene City Council and Lane County Board of Commissioners will be scheduled following Planning Commission action. Notice to interested and affected parties will be provided for that hearing.

The process for adopting these amendments complies with Goal 1 since it complies with, and surpasses the requirements of the State's citizen involvement provisions.

Goal 2 - Land Use Planning: *To establish a land use planning process and policy framework as a basis for all decisions and actions related to use of land and to assure an adequate factual base for such decisions and actions.*

The Eugene-Springfield Metropolitan Area General Plan (Metro Plan) is the policy tool that provides a basis for decision-making in this area. The Metro Plan was acknowledged by the State in 1982 to be in compliance with statewide planning goals. These findings and record show that there is an adequate factual base for decisions to be made concerning the proposed amendments. Goal 2 requires that plans be coordinated with the plans of affected governmental units and that opportunities be provided for review and comment by affected governmental units. To comply with the Goal 2 coordination requirement, the City coordinated the review of these amendments with all affected governmental units. Specifically, notice was mailed to the State Department of Land Conservation and Development, Oregon Department of Transportation, Lane County, and the City of Springfield. There are no Goal 2 exceptions required for these amendments. Therefore, the amendments are consistent with Statewide Planning Goal 2.

Goal 3 - Agricultural Land: *To preserve and maintain agricultural lands.*

Goal 3 is not applicable to these amendments as the subject property and actions do not affect any agricultural plan designation or use. Goal 3 excludes lands inside an acknowledged urban growth boundary from the definition of agricultural lands. Since the subject property is entirely within the acknowledged urban growth boundary, Goal 3 is not relevant and the amendments do not affect the area's compliance with Statewide Planning Goal 3.

Goal 4 - Forest Land: *To conserve forest lands.*

Goal 4 is not applicable to these amendments as the subject property and actions do not affect any forest plan designation or use. Goal 4 does not apply within urban growth boundaries and, therefore, does not apply to the subject property, which is within Eugene's UGB (OAR 660-006-0020). Therefore, Goal 4 is not relevant and the amendments do not affect the area's compliance with Statewide Planning Goal 4.

Goal 5 - Open Spaces, Scenic and Historic Areas, and Natural Resources: *To conserve open space and protect natural and scenic resources.*

The following administrative rule (OAR 660-023-0250) is applicable to this post-acknowledgement plan amendment (PAPA) request:

(3) Local governments are not required to apply Goal 5 in consideration of a PAPA unless the

PAPA affects a Goal 5 resource. For purposes of this section, a PAPA would affect a Goal 5 resource only if:

(a) The PAPA creates or amends a resource list or a portion of an acknowledged plan or land use regulation adopted in order to protect a significant Goal 5 resource or to address specific requirements of Goal 5;

(b) The PAPA allows new uses that could be conflicting uses with a particular significant Goal 5 resource site on an acknowledged resource list; or

(c) The PAPA amends an acknowledged UGB and factual information is submitted demonstrating that a resource site, or the impact areas of such a site, is included in the amended UGB area.

The subject property does not include a Goal 5 resource site. The proposed amendments do not create or amend a list of Goal 5 resources, do not amend a plan or code provision adopted in order to protect a significant Goal 5 resource or to address specific requirements of Goal 5, and do not amend the acknowledged Urban Growth Boundary.

Therefore, Statewide Planning Goal 5 does not apply to these amendments.

Goal 6 - Air, Water and Land Resources Quality: *To maintain and improve the quality of the air, water, and land resources of the state.*

Goal 6 addresses waste and process discharges from development, and is aimed at protecting air, water and land from impacts from those discharges. Nothing in the proposal or the character of the site or potential uses indicates a future development that would compromise air, water and land resources. The proposal does not amend the metropolitan area's air, water quality or land resource policies. The record shows that the City can reasonably expect that future development of the site will comply with environmental laws. Therefore, the amendments are consistent with Statewide Planning Goal 6.

Goal 7 - Areas Subject to Natural Disasters and Hazards: *To protect life and property from natural disasters and hazards.*

Goal 7 requires that local government planning programs include provisions to protect people and property from natural hazards such as floods, land slides, earthquakes and related hazards, tsunamis and wildfires. The subject property is not located within known areas of natural disasters or hazards. The subject property is outside the flood zone and is not subject to hazards normally associated with steep slopes, wildfires, or tsunamis. Other hazards, such as earthquakes and severe winter storms can be mitigated at the time of development based on accepted building codes and building techniques. Therefore, these amendments are consistent with Statewide Planning Goal 7.

Goal 8 - Recreational Needs: *To satisfy the recreational needs of the citizens of the state and visitors and, where appropriate, to provide for the siting of necessary recreational facilities including destination resorts.*

Goal 8 ensures the provision of recreational facilities to Oregon citizens and is primarily concerned with the provision of those facilities in non-urban areas of the state. There are no public of private

recreational facilities on or adjacent to the subject property. Therefore the proposed amendments will not impact the provision of public recreational facilities, nor will they affect access to existing or future public recreational facilities. As such, the amendments are consistent with Statewide Planning Goal 8.

Goal 9 - Economic Development: *To provide adequate opportunities throughout the state for a variety of economic activities vital to the health, welfare, and prosperity of Oregon's citizens.*

Goal 9 requires that the city '[p]rovide for at least an adequate supply of sites of suitable sizes, types, location, and service levels for a variety of industrial and commercial uses consistent with plan policies[.]" OAR 660 Division 9 is LCDC's Goal 9 administrative rule. Among other things, the rule requires that cities complete an "Economic Opportunities Analysis." OAR 660-009-0015. Based on the Economic Opportunities Analysis, cities are to prepare Industrial and Commercial Development Policies. OAR 660-009-0020. Finally OAR 660-009-0025 requires that cities designate industrial and commercial lands sufficient to meet short and long term needs. OAR 660-009-0010(2) provides that the detailed planning requirements imposed by OAR 660 Division 9 apply "at the time of each periodic review of the plan (ORS 197.712(3))." In addition, OAR 660-009-0010(4) provides that, when a city changes its plan designations of lands in excess of two acres to or from commercial or industrial use, pursuant to a post acknowledgment plan amendment, it must address all applicable planning requirements and (a) Demonstrate that the proposed amendment is consistent with the parts of its acknowledged comprehensive plan which address the requirements of OAR 660-Division 9; or (b) Amend its comprehensive plan to explain the proposed amendment pursuant to OAR 660 Division 9; or (c) adopt a combination of (a) and (b) consistent with the requirements of Division 9.

The applicant proposed a change in plan designation of land in excess of two acres from the Campus-Industrial plan designation. The amendments will decrease the supply of available industrial land by approximately 6.89 acres for the purpose of facilitating a transit-oriented medium-density residential development. The proposed change is consistent with the parts of the Metro Plan that address the requirements of OAR 660 Division 9 (option (a), above). The City's Industrial Lands Inventory is acknowledged for compliance with the requirements of Goal 9 and its Administrative Rule. Currently, the City of Eugene has a surplus of industrial land. Additionally, as shown in the Metropolitan Industrial Lands Inventory Report (1993) and the Metropolitan Industrial Lands Policy Report, the subject property was not included in the inventory of the Metropolitan Plan Industrial Lands Study (See Industrial Lands Special Study Map, Sites in Subregion #5), so the re-designation from Campus Industrial of this specific parcel of will not affect the formally acknowledged inventory of industrial land. The proposed amendments are consistent with Statewide Planning Goal 9.

Goal 10 - Housing: *To provide for the housing needs of the citizens of the state.*

Goal 10 requires that communities plan for and maintain an inventory of buildable residential land for needed housing units. The request to re-designate 6.89 acres from Campus Industrial to Medium Density Residential increases the supply and availability of residential lands. The property affected by the proposed amendments was not included in supply of land available for residential development as inventoried in the acknowledged 1999 Residential Lands Study, so the re-

designation will result in an increase in buildable residential lands. Therefore, the amendments are consistent with Statewide Planning Goal 10.

Goal 11 - Public Facilities and Services: *To plan and develop a timely, orderly and efficient arrangement of public facilities and services to serve as a framework for urban and rural development.*

The area affected by the amendments is located outside the city limits but inside Eugene's Urban Growth Boundary. The existing level of public facilities and service is adequate to serve the needs of existing and future development, as public facilities are available or can be extended to the subject property. Public Works staff have indicated that a change in designation from Campus Industrial to Medium Density Residential will reduce the demand on public facilities and services and on the capacity needed to serve the subject properties. In addition, while the parcel is currently outside City limits, annexation is a requirement of any proposed development. City of Eugene Public Works staff have provided referral comments that indicate public facilities and services are available for the purpose of annexation. The provision of these amendments does not affect the planning or development of future public facilities or services. Therefore, the amendments are consistent with Statewide Planning Goal 11.

Goal 12 - Transportation: *To provide and encourage a safe, convenient and economic transportation system.*

Goal 12 is implemented through the Transportation Planning Rule (TPR), as defined in Oregon Administrative Rule OAR 660-012-0060. The Eugene-Springfield Metropolitan Area Transportation Plan (TransPlan) provides the regional policy framework through which the TPR is implemented at the local level. The TPR states that when land use changes, including amendments to acknowledged comprehensive plans, significantly affect an existing or planned transportation facility the local government shall put in place measures to assure that the allowed land uses are consistent with the identified function, capacity and performance standards (level of service and/or volume to capacity ratio) of the facility.

Under the TPR, an amendment to a comprehensive plan significantly affects an existing or planned transportation facility if it would:

(a) Change the functional classification of an existing or planned transportation facility;
(b) Change standards implementing a functional classification system; or
(c) As measured at the end of the planning period identified in the adopted transportation system plan and considering both existing transportation facilities and planned transportation facilities as required by the TPR:

    A. Allow land uses or levels of development that would result in types or levels of travel or access that are inconsistent with the functional classification of an existing or planned transportation facility;
    B. Reduce the performance of an existing or planned transportation facility below the minimum acceptable performance standard identified in the TSP or comprehensive plan; or

C. Worsen the performance of an existing or planned transportation facility that is otherwise projected to perform below the minimum acceptable performance standard identified in the TSP or comprehensive plan.

The proposed diagram amendment does not change the functional classification or a transportation facility or change the standards implementing a functional classification system. Therefore, it is does not have a significant effect under (a) or (b). Further, it does not have a significant effect under (c).

To address the TPR, the applicant submitted a Transportation Impact Analysis (TIA). The City of Eugene and the Oregon Department of Transportation (ODOT) collaborated on a scope of work for the TIA for the proposed plan amendment. Roadways near the development site include Old Coburg Road, classified as a major collector, North Game Farm Road, classified as a minor arterial, Chad Drive, classified as a Major Collector, and Crescent Drive, classified as a minor arterial. These classifications address the planned transportation needs of the surrounding area. The proposed re-designation is not inconsistent with the functional classification of the existing and planned transportation facilities.

The TIA evaluates the current performance of existing facilities and the performance of these facilities as a result of the amendments to re-designate 6.89 acres from Campus Industrial to Medium Density Residential. The TIA provides that the existing designation projects that 256 trips during the afternoon peak hour and 2,389 trips during average daily weekday traffic will be generated by the development site, based on a most reasonable development scenario. Staff have reviewed the analysis and findings in the TIA and concur with the applicant's conclusions regarding a most reasonable development scenario. "Trip" is defined as a single directional vehicle trip that has one origin and one destination. "Peak hour" is defined as the four highest contiguous 15-minute traffic volume periods.

The TIA further provides that under the proposed land use designation change, and subsequent zone change to R-2 Medium Density Residential, 93 trips during the afternoon peak hour and 974 trips during average daily weekday traffic will be generated by the development. The applicant has provided these findings based on the maximum number of units of 20 units per gross acre, as provided in the Metro Plan. The TIA also provides findings based on the "master site plan", which is not part of this application, but the applicant indicates this proposal will follow upon successful re-designation of the property. Under the proposed master plan, it is projected that 117 trips during the afternoon peak hour and 1,086 trips during the average daily weekday traffic will be generated by the development. These figures indicate that the re-designation of the subject property from Campus Industrial to Medium Density Residential will result in a reduction in the traffic generated by the subject property. City of Eugene and Oregon Department of Transportation (ODOT) have concurred that the proposed re-designation will not significantly affect the existing or planned transportation facility. As such, the amendments are consistent with Statewide planning Goal 12.

Old Coburg Road, adjacent to the western boundary of the development site, is currently under Lane County jurisdiction. Referral comments from Lane County Public Works staff indicate that Old Coburg Road is rural in nature and not currently suited for urban development, and that the Transportation Impact Analysis does not address Lane County Chapter 15 requirements. The

improvement of Old Coburg is currently a capital improvement project (CIP) called the Chad Drive extension project. This project is slated for construction in the spring/summer of 2008. In the event that the applicant chooses to proceed with development prior to the CIP, the development proposal would trigger City code requirements to review Old Coburg Road for capacity. As also noted by Lane County staff, in the event that Old Coburg Road remains in Lane County jurisdiction at the time a development proposal is submitted for the subject property, Lane County staff would have another opportunity to review a TIA.

This amendment will actually reduce existing potential impacts to the existing and planned transportation facilities. Therefore the proposed change will not result in a significant affect. The proposed amendments are consistent with Statewide Planning Goal 12.

Goal 13 - Energy Conservation: *To conserve energy.*

Goal 13 requires that land and uses developed on the land shall be managed and controlled so as to manage all forms of energy, based on sound economic principles. Changing the designation from Campus Industrial to Medium Density Residential does not specifically impact energy conservation or preclude sound energy conservation measures. The proposed amendments are consistent with Statewide Planning Goal 13.

Goal 14 - Urbanization: *To provide for an orderly and efficient transition from rural to urban land use.*

The amendments do not effect the transition from rural to urban land use, as the subject property is already within the Urban Growth Boundary. Therefore, Statewide Planning Goal 14 does not apply.

Goal 15 - Willamette River Greenway: *To protect, conserve, enhance and maintain the natural, scenic, historical, agricultural, economic and recreational qualities of lands along the Willamette River as the Willamette River Greenway.*

The subject property is not within the boundaries of the Willamette River Greenway. Therefore, Statewide Planning Goal 15 does not apply.

Goal 16 through 19 - Estuarine Resources, Coastal Shorelands, Beaches and Dunes, and Ocean Resources:

There are no coastal, ocean, estuarine, or beach and dune resources related to the property effected by these amendments. Therefore, these goals are not relevant and the amendments will not affect compliance with Statewide Planning Goals 16 through 19.

(b) Adoption of the amendment must not make the Metro Plan internally inconsistent.

The Metro Plan diagram amendment to re-designate 6.89 acres of land from Campus Industrial to Medium Density Residential will not create an internal conflict with the remainder of the Metro Plan. No text or other diagram changes are necessary to ensure internal consistency with the proposed diagram amendments; adoption of this amendment will not make the Metro Plan

internally consistent.

The applicant provided findings regarding how the Metro Plan diagram amendment is consistent with the policy direction contained in the Metro Plan. Those policies found to be applicable to this request are addressed below. Although the applicant addressed additional Metro Plan policies, they do not provide further, relevant guidance or mandatory approval criteria with respect to the proposal. However, to the extent that they may be applicable, the applicant's findings are incorporated herein by reference as further evidence that the amendment does not make the Metro Plan internally inconsistent.

The Metro Plan diagram included in the applicant's written materials is outdated, and not applicable. The Metro Plan diagram in the applicant's written materials shows the northern portion of the subject property as designated for Low Density Residential use. However, the applicable Metro Plan diagram (Ordinance No. 20319) does show the entire subject property designated as Campus Industrial. The portions of the applicant's written statement addressing the Low Density Residential designation, and the Metro Plan diagram in the applicant's materials, are not incorporated into these findings

The following polices are applicable to this request:

Residential Land Use and Housing Element:

> *Generally locate higher density residential development near employment or commercial services, in proximity to major transportation systems or within transportation-efficient nodes. (Policy A.11)*
>
> *Provide opportunities for a full range of choice in housing type, density, size, cost, and location. (Policy A.17)*

As noted by the applicant, the area proposed for designation as medium density residential is adjacent to the Chad Drive employment area to the southwest, and within .9 miles of the Springfield RiverBend medical employment area and the Gateway commercial center, which are in proximity to major transportation systems, including the existing street system and LTD services. Re-designation of the subject property to medium density residential provides additional opportunities for additional housing types, density, size, cost and location. The applicant's proposal is not inconsistent with the applicable policies.

Economic Element

> *Provide existing industrial activities sufficient adjacent land for future expansion. (Policy B.5)*
>
> *Increase the amount of undeveloped land zoned for light industrial and commercial uses correlating the effective supply in terms or suitability and availability with the projects of demand (Policy B.6)*

The policies above are brought into question with the request to remove the Campus Industrial Designation. According to the applicant's written materials, adjacent property owners with industrial uses were consulted regarding the availability of this parcel for purchase, and there was no desire of the surrounding property owners to acquire the property. In addition, there is currently vacant industrial land in the area, so the re-designation would not preclude existing industrial activities from expansion. The applicant also consulted a number of real estate agents and Metro Partnership staff who indicated that the size and orientation of the site posed significant limitations for industrial development. The suitability of the subject property for industrial activities and the consolidation potential is limited based on the relatively narrow, long lot configuration and the 6.89 acres size of the parcel. The areas for campus industrial uses were typically envisioned as large campus style developments. The Land Use Designations section of the Metro Plan describes a 50-acre minimum lot size for parcels over 50 acres, to protect undeveloped sites from piecemeal development until a site development plan can be approved by the responsible city. As suitability of this parcel for location or expansion of industrial uses is constrained, the proposed amendments are not inconsistent with the applicable Economic Element policies.

Transportation Element Policy

> *Require that new development pay for its capacity impact on the transportation system. (Finance Policy F.36)*

This finance policy provides direction to the City of Eugene to expand system development charge (SDC) methodologies to address the impact of new development on state, county and transit facilities. Currently, SDC methodologies charge new development only for the City's portion of the arterial-collector system. The intent of this policy, as described in Transplan, is for the City to consider additional system development charges to mitigate onsite or adjacent impacts. To the extent that this policy is applicable to the proposal, development resulting from the proposed amendment would be subject to SDCs.

COUNCIL ORDINANCE NUMBER 20395

COUNCIL BILL NUMBER 4956

AN ORDINANCE AMENDING THE WILLAKENZIE AREA PLAN INSET MAP D AND TEXT; AMENDING SECTION 9.9700 OF THE EUGENE CODE, 1971; AMENDING THE EUGENE ZONING MAP; AND ADOPTING A SEVERABILITY CLAUSE. (SUMMER OAKS/CRESCENT CENTER).

ADOPTED: October 22, 2007

PASSED: 5:3

REJECTED:

OPPOSED: Bettman, Taylor, Zelenka

ABSENT:

EFFECTIVE: November 24, 2007

ORDINANCE NO. 20395

AN ORDINANCE AMENDING THE WILLAKENZIE AREA PLAN INSET MAP D AND TEXT; AMENDING SECTION 9.9700 OF THE EUGENE CODE, 1971; AMENDING THE EUGENE ZONING MAP; AND ADOPTING A SEVERABILITY CLAUSE. (SUMMER OAKS/CRESCENT CENTER).

The City Council of the City of Eugene finds that:

A. The applicant, Western Steel Inc. and MVMM Edwards Investment LLC, submitted applications to the City of Eugene for amendments to the Willakenzie Area Plan Inset Map D and Text, Section 9.9700 of the Eugene Code, 1971, and the Eugene Zoning Map for property located east of Coburg Road, south of Crescent Avenue and east of Suzanne Way (Tax Lot 5100 of Assessor's Map 17-03-16-23 and Tax Lot 1200 of Assessor's Map 17-03-16-32).

B. The City of Eugene Planning Commission held a public hearing on the amendments contained in this Ordinance on August 14, 2007. Following the close of the public hearing the record was left open until August 29, 2007 to allow for new evidence and testimony, and applicant rebuttal testimony.

C. After reviewing the record and the additional information provided by staff and the applicant prior to the close of the record, the Planning Commission found that with the imposition of two conditions, which are a part of the revised Policy 2 of the Coburg/Crescent Subarea Policies of the Willakenzie Area Plan, there was sufficient information in the record to show compliance with applicable approval criteria for a refinement plan amendment, a code amendment, and zone change under provisions of the Eugene Code, 1971, and forwarded its recommendation to the Eugene City Council to approve the applications.

D. The City Council has considered the Findings and Recommendation of the Planning Commission, the testimony before the Planning Commission and City Council, and based thereon, and the legislative findings attached as Exhibit A hereto, approves the applications as hereinafter set forth.

NOW, THEREFORE,

THE CITY OF EUGENE DOES ORDAIN AS FOLLOWS:

Section 1. Inset Map D of the Coburg/Crescent Subarea Section of the Willakenzie Area Plan is amended to redesignate the property identified as Tax Lot 5100 of Assessor's Map 17-03-16-23 and Tax Lot 1200 of Assessor's Map 17-03-16-32 located east of Coburg Road, south of Crescent Avenue and east of Suzanne Way, from a designation of Neighborhood Commercial/Nodal Development to a designation of Community Commercial/Nodal Development, as shown on the attached Exhibit B,

which is incorporated herein.

Section 2. The Eugene Zoning Map is amended to rezone Tax Lot 5100 of Assessor's Map 17-03-16-23 and Tax Lot 1200 of Assessor's Map 17-03-16-32 from their existing C-1/SR/ND Neighborhood Commercial with Site Review overlay zone and Nodal Development overlay zone to C-2/SR/ND Community Commercial with Site Review overlay zone and Nodal Development overlay zone, as shown on the attached Exhibit C, which is incorporated herein.

Section 3. Policy 2 of the Coburg/Crescent Subarea Policies and Proposed Actions is amended as follows:

2. The City shall recognize the area south of Crescent Avenue north of and west of Shadow View Drive, as depicted on Inset Map D as "Summer Oaks – Crescent Center" as appropriate for the expansion of Neighborhood and Community Commercial development. The Neighborhood Commercial portion of Summer Oaks – Crescent Center shall not exceed 7 acres in size. Uses in the neighborhood commercial area are intended to serve the day-to-day shopping and service needs of residents and employees of the surrounding area. The Community Commercial portion of Summer Oaks – Crescent Center shall be zoned C-2/SR/ND Community Commercial with site review and nodal development overlays. Through the PUD approval process, the City may allow the uses and development intensities on the Community Commercial portion of Summer Oaks – Crescent Center to vary from the previously approved uses, provided that the developer demonstrates, based on the Institute of Transportation Engineers' Trip Generation Manual, that the p.m. peak hour trips generated by the proposed uses will be less than or equal to 213.

   If requested and otherwise approved as part of a PUD application, the City may reduce the minimum floor area ratio (FAR) within the C-2 zoned portion of Summer Oaks – Crescent Center to .70.

Section 4. Subsection (10)(a) of Section 9.9700 of the Eugene Code, 1971, is amended to provide:

9.9700 Willakenzie Area Plan Policies.

(10) Land Use Element – North Region, Coburg/Crescent Subarea.

(a) The City shall recognize the area south of Crescent Avenue north of and west of Shadow View Drive, as depicted on Inset Map D as "Summer Oaks – Crescent Center" as appropriate for the expansion of Neighborhood and Community Commercial development. The Neighborhood Commercial portion of Summer Oaks – Crescent Center shall not exceed 7 acres in size. Uses in the neighborhood commercial area are intended to serve the day-to-day shopping and service needs of residents and employees of the surrounding area. The Community Commercial portion of Summer Oaks – Crescent

Center shall be zoned C-2/SR/ND Community Commercial with site review and nodal development overlays. Through the PUD approval process, the City may allow the uses and development intensities on the Community Commercial portion of Summer Oaks – Crescent Center to vary from the previously approved uses, provided that the developer demonstrates, based on the Institute of Transportation Engineers' Trip Generation Manual, that the p.m. peak hour trips generated by the proposed uses will be less than or equal to 213.

If requested and otherwise approved as part of a PUD application, the City may reduce the minimum floor area ratio (FAR) within the C-2 zoned portion of Summer Oaks – Crescent Center to .70. (Policy 2)

Section 5. The findings set forth in the attached Exhibit A are adopted as findings in support of this Ordinance.

Section 6. If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held invalid or unconstitutional by a court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions hereof.

Passed by the City Council this

22nd day of October, 2007

City Recorder

Approved by the Mayor this

25 day of October, 2007

Mayor

Exhibit A

Findings

September 17, 2007

Summer Oaks Crescent Center (RA 06-4, Z 06-24, CA 07-1)
Refinement Plan Map and Text Amendments, Zone Change, Land Use Code Amendment

Refinement Plan Amendment Approval Criteria

The Eugene Code requires that a refinement plan amendment be consistent with **Eugene Code (EC) Sections 9.8424(1)** and **EC 9.8424(2).** The proposal is found to be consistent with approval criteria at EC 9.8424(2) and EC 9.8424(1). Findings relative to the amendment criteria (with criteria in ***bold italics***) are presented below.

Consistency with EC 9.8424(1)

EC 9.8424(1) requires that the refinement plan amendment be consistent with all of the following:
(a) Statewide planning goals;
(b) Applicable provisions of the Metro Plan
(c) Remaining portions of the refinement plan.

The proposal is not found to be consistent with refinement plan amendment criteria in EC 9.8424(1). Staff findings relative to the amendment criteria (with criteria in ***bold italics***) are presented below.

A. Consistency with Statewide Planning Goals

Goal 1 Citizen Involvement: *To develop a citizen involvement program that insures the opportunity for citizens to be involved in all phases of the planning process.*

In its land use code, the City has State-acknowledged provisions for citizen involvement that ensure the opportunity for citizens to be involved in all phases of the planning process and that set out requirements for such involvement. The proposed action does not amend these citizen involvement provisions. The process for reviewing the proposed amendment complies with Goal 1 since it complies with, and surpasses the requirements of, the State-acknowledged citizen involvement provisions.

The City of Eugene land use code implements Statewide Planning Goal 1 by requiring that notice of proposed amendments be given and public hearings be held prior to adoption. Consideration of the amendments begins with a City of Eugene Planning Commission public hearing on August 14, 2007. On December 12, 2006, the City mailed notice of the proposed plan amendments and zone change to the Department of Land Conservation and Development, as required by the Eugene Code and in accordance with State statutes. Referral comments were requested on June 8, 2007. Referrals were sent to the Oregon Department of Transportation (ODOT), City of Springfield, Lane County, the Cal Young Neighborhood Association and to City departments, consistent with the Eugene Code. On June

29, 2007, notice of the Planning Commission public hearing was mailed to the applicant, and owners and occupants of property in the area, the Cal Young Neighborhood Association, and other interested parties who requested notice, in accordance with the Eugene Code. On June 29, 2007, notice was also posted in accordance with EC 9.7415(5). On July 11, 2007, notice of the Planning Commission public hearing was published in the *Register-Guard*, in accordance with the Eugene Code. In addition to public meetings and mailed notices, printed materials related to these proceedings were made available to the public at Planning and Development Department offices. An additional public hearing before the Eugene City Council will be scheduled following Planning Commission action. Notice to interested and affected parties will be provided for that hearing. The process for adopting this amendment is consistent with Goal 1 since it complies with, and surpasses the requirements of the State's citizen involvement provisions.

Goal 2 - Land Use Planning: *To establish a land use planning process and policy framework as a basis for all decisions and actions related to use of land and to assure an adequate factual base for such decisions and actions.*

The Eugene-Springfield Metropolitan Area General Plan (Metro Plan) is the policy tool that provides a basis for decision-making in this area. The Metro Plan was acknowledged by the State in 1982 to be in compliance with statewide planning goals. These findings and the record show that there is an adequate factual base for decisions to be made concerning the proposed amendments. Goal 2 requires that plans be coordinated with the plans of affected governmental units and that opportunities be provided for review and comment by affected governmental units. To comply with the Goal 2 coordination requirement, the City coordinated the review of the proposed amendments with all affected governmental units. Specifically, notice was mailed to the State Department of Land Conservation and Development, Oregon Department of Transportation (ODOT), Lane County, and the City of Springfield. There are no Goal 2 exceptions required for this amendment. Therefore, the amendment is consistent with Statewide Planning Goal 2.

Goal 3 - Agricultural Land: *To preserve and maintain agricultural lands.*

Goal 3 is not applicable to this amendment as the subject property and actions do not affect any agricultural plan designation or use. Goal 3 excludes lands inside an acknowledged urban growth boundary from the definition of agricultural lands. Since the subject property is entirely within its acknowledged urban growth boundary, Goal 3 is not relevant and the amendment does not affect the area's compliance with Statewide Planning Goal 3.

Goal 4 - Forest Land: *To conserve forest lands.*

Goal 4 is not applicable to this amendment as the subject property and actions do not affect any forest plan designation or use. Goal 4 does not apply within urban growth boundaries; therefore it does not apply to the subject property, which is within Eugene's UGB (OAR 660-006-0020). Therefore, Goal 4 is not relevant and the amendment does not affect the area's compliance with Statewide Planning Goal 4.

Goal 5 - Open Spaces, Scenic and Historic Areas, and Natural Resources: *To conserve open space and protect natural and scenic resources.*

OAR 660-023-0250 does not require local governments to apply Goal 5 in consideration of a post acknowledgement plan amendment (PAPA) unless the PAPA affects a Goal 5 resource. The subject property does not include any Goal 5 resource site. The proposed amendment does not create or

amend a list of Goal 5 resources, does not amend a plan or code provision adopted in order to protect a significant Goal 5 resource or to address specific requirements of Goal 5, and does not amend the acknowledged Urban Growth Boundary. Therefore, the proposed amendment is consistent with Statewide Planning Goal 5.

Goal 6 - Air, Water and Land Resources Quality: *To maintain and improve the quality of the air, water, and land resources of the state.*

Goal 6 addresses waste and process discharges from development, and is aimed at protecting air, water and land from impacts from those discharges. Nothing in the proposal or the character of the site or potential uses indicates a future development that would compromise air, water and land resources. The proposal does not amend the metropolitan area's air, water quality or land resource policies. Therefore, the amendment is consistent with Statewide Planning Goal 6.

Goal 7 - Areas Subject to Natural Disasters and Hazards: *To protect life and property from natural disasters and hazards.*

Goal 7 requires that local government planning programs include provisions to protect people and property from natural hazards such as floods, land slides, earthquakes and related hazards, tsunamis and wildfires. The subject property is relatively flat in the midst of an urban area, and is not located within known areas of natural disasters or hazards. The subject property is outside the FEMA flood zone and is not subject to hazards normally associated with steep slopes, wildfires, or tsunamis. Other hazards, such as earthquakes and severe winter storms can be mitigated at the time of development based on accepted building codes and building techniques. Therefore, this amendment is consistent with Statewide Planning Goal 7.

Goal 8 - Recreational Needs: *To satisfy the recreational needs of the citizens of the state and visitors and, where appropriate, to provide for the siting of necessary recreational facilities including destination resorts.*

Goal 8 ensures the provision of recreational facilities to Oregon citizens and is primarily concerned with the provision of those facilities in non-urban areas of the state. There are no public or private recreational facilities on or adjacent to the subject site. Therefore, the proposed amendment will not impact the provision of recreational facilities, nor will it affect access to existing or future recreational facilities. Therefore, the amendment is consistent with Statewide Planning Goal 8.

Goal 9 - Economic Development: *To provide adequate opportunities throughout the state for a variety of economic activities vital to the health, welfare, and prosperity of Oregon's citizens.*

The proposed amendment would change the property's plan designation from one that supports limited commercial use (Neighborhood Commercial) to another that supports a wider range of commercial uses (Community Commercial). Both designations would also allow a range of commercial uses. However, a C-2 zoning would allow for a wider range of uses. A zone change from one type of commercial zoning to another will not affect the supply of commercial land. The proposed reduction in Floor Area Ratio may further local goals for economic development by accommodating a wider range of commercial development in a wider variety of design, layout and intensity. As discussed in Section EC 9.8865(2) below, the proposed amendment is also consistent with several policies in the Eugene Commercial Lands Study (1992).

The Metropolitan Industrial Lands Special Study (1991) addresses the industrial land supply. Lands considered available for industrial uses are typically those which have an Industrial plan designation. The subject site does not have an Industrial designation, and has been zoned Commercial since 1992. Therefore, the proposed plan amendment would have no effect on the supply of available industrial land as predicted by the Industrial Lands Special Study. Based on this, the proposed amendment is consistent with Statewide Planning Goal 9.

Goal 10 - Housing: *To provide for the housing needs of the citizens of the state.*

Goal 10 requires that communities plan for and maintain an inventory of buildable residential land for needed housing units. The property affected by the proposed amendments was designated in the 1992 Willakenzie Area Plan as commercial, and was not included in the supply of land available for residential development, as documented in the adopted 1999 Residential Lands and Housing Study (Ordinance No. 20159, 1999). Therefore, changing the land use designation from residential uses will not affect the adopted residential lands inventory. A refinement plan amendment and subsequent zone change to C-2/Community Commercial could provide opportunities to add to the housing supply, by accommodating high density residential development. Based on fact that the amendment would have no effect on the adopted residential land supply, the proposed amendment is consistent with Statewide Planning Goal 10.

Goal 11 - Public Facilities and Services: *To plan and develop a timely, orderly and efficient arrangement of public facilities and services to serve as a framework for urban and rural development.*

The subject parcels are located within a partially developed commercial area. Adequate access to the City's stormwater system, public wastewater lines, water and power are available to the site. The existing level of public facilities and service is adequate to serve the needs of existing and future development. The provision of this amendment does not affect the planning or development of future public facilities or services. Therefore, the amendment is consistent with Statewide Planning Goal 11.

Goal 12 - Transportation: *To provide and encourage a safe, convenient and economic transportation system.*

Several streets border the site affected by the proposed amendments. Those streets are Crescent Avenue to the north; Chad Drive to the south; and Suzanne Way, connecting Crescent and Chad, and Coburg Road to the west. Crescent Avenue is classified as a Minor Arterial, and Chad Drive as a Major Collector on the City of Eugene Street Classification Map, adopted in 1999. Suzanne Way is a private street. All streets are fully improved.

Goal 12 is implemented through the Transportation Planning Rule (TPR), as defined in Oregon Administrative Rule OAR 660-012-0000, *et seq.* The Eugene-Springfield Metropolitan Area Transportation Plan (TransPlan) provides the regional policy framework through which the TPR is implemented at the local level. The TPR states that when land use changes, including amendments to acknowledged comprehensive plans, significantly affect an existing or planned transportation facility, the local government must put in place measures to assure that the allowed land uses are consistent with the function, capacity and performance standards of those transportation facilities.

Pursuant to OAR 660-012-0060(1), the TPR requires a determination of which transportation facilities will experience a significant effect as a result of the proposed plan amendment, and defines what constitutes a significant effect. A plan amendment is considered to significantly affect a transportation facility if, for example, the amendment will reduce the performance of the transportation facility below

the minimum acceptable performance standard (often described in terms of Level of Service standards or volume/capacity ratios). If a local government determines that an amendment would significantly affect a transportation facility, the local government must put in place measures to assure that the allowed land uses are consistent with the identified "function, capacity and performance standards" of the facility (OAR 660-012-0060(1)). An example of such a measure is conditioning approval on the construction of a minor street improvement.

The applicant's March 8, 2007, Traffic Impact Analysis (TIA) provided the traffic levels that would be generated by the uses in the approved PUD for Summer Oaks-Crescent Center and the traffic levels that the applicant anticipated would be generated by the land uses that the applicant would like to establish on the site. (Original TIA is dated January 4, 2001, revised February 21, 2001.) Regarding traffic generation estimations based on the approved PUD, the applicant's TIA provided traffic data for a 4-story, 80,000 s.f. office building and a 6,000 s.f. restaurant on the portion of the PUD site that is the subject of this application.[1]

In response to staff's request for additional information, on August 9, 2007, the applicant submitted a supplemental TIA. The August 9 TIA provided a comparison of "worst case" scenarios under the existing C-1 designation and the proposed C-2 designation, and included data on existing levels of service (LOS) for nearby streets, and how those levels may be affected by traffic generated by allowable uses if the amendments and zone change were approved. All of the traffic impact data in the applicant's supplemental TIA relates to traffic conditions 2008. Based on the analyses in the TIA, the number of PM peak hour trips in 2008 if the site is developed under the current PUD approval (which could occur without the proposed amendments and zone change) ranges from 234 to 322. The number of PM peak hour trips anticipated in a worst case scenario under the existing C-1 zone and plan designation is 714. The traffic generated by the proposed C-2 designation is anticipated to be 1,196 PM peak hour trips. Pursuant to Table 6 of the applicant's supplemental TIA, in 2008 the proposed amendment would significantly effect a transportation facility (Crescent Avenue at Coburg Road). The applicant provides that "the proposed amendments will have a significant effect on the transportation system at the beginning of the planning period and thus at the end of the planning period."

To mitigate the proposed amendment's significant affect on the transportation facility the applicant proposes that the land use density and designation be required to limit the total number of PM peak hour trips, as measured by the ITE Trip Generation Manual, so as not to exceed the number of PM peak hour trips expected under the reasonable worst case under the existing C-1 zoning. Specifically, the applicant proposes a trip cap of 1588 daily trips and 213 PM peak hour trips on future uses of the site to mitigate the effect of the proposed amendment on the impacted transportation facilities.[2] The proposed trip cap reduces the number of trips to an amount less than is currently allowed under the existing C-1 zone. Accordingly, it is reasonable to conclude that the net effect of the proposed plan amendment and zone change with the trip cap will result in an overall reduction in the total number of trips on the surrounding transportation facilities; thus, with the trip cap, the allowed land uses would be

[1] The PUD for Summer Oaks-Crescent Center approval is currently in effect and governs development on this site. All new uses proposed for the site will be required to comply with the existing PUD; any significant change will require a new PUD. The proposed zone change to C-2 would accommodate the property owners' plans for a new extended stay hotel of approx. 100,000 s.f. (139 units), and a catering business of approx. 15,000 s.f., with 10,000 s.f. of office and 5,000 s.f. of specialty retail.

[2] The applicant's new desired uses for the site (hotel and catering business, etc.) are expected to generate up to 300 fewer daily vehicle trips than the approved PUD, and up to 27 fewer during the PM peak hour, with an expected 213 PM peak hour trips. While these uses were the basis for the applicant's proposed trip cap, the trip cap would apply to any future uses on the site.

consistent with the identified function, capacity and performance standards of the impacted transportation facilities.

The proposed reduction in Floor Area Ratio, as the applicant proposes, does not change the trip generation estimates or compliance with TPR, as the estimates are based on a rate-per unit that is multiplied by the size/scale of the proposed use, using scenarios with equal Floor Area Ratio.

Goal 13 - Energy Conservation: *To conserve energy.*

The proposed plan amendment does not specifically impact energy conservation. Therefore, the proposal is consistent with Statewide Planning Goal 13.

Goal 14 - Urbanization: *To provide for an orderly and efficient transition from rural to urban land use.*

The amendment does not affect the transition from rural to urban land use, as the subject property is already within the City limits. Therefore, Statewide Planning Goal 14 does not apply.

Goal 15 - Willamette River Greenway: *To protect, conserve, enhance and maintain the natural, scenic, historical, agricultural, economic and recreational qualities of lands along the Willamette River as the Willamette River Greenway.*

The subject property is not within the boundaries of the Willamette River Greenway. Therefore, Statewide Planning Goal 15 does not apply.

Goals 16 through 19 - Estuarine Resources, Coastal Shorelands, Beaches and Dunes, and Ocean Resources:

There are no coastal, ocean, estuarine, or beach and dune resources related to the property affected by these amendments. Therefore, these goals are not relevant and the amendment will not affect compliance with Statewide Planning Goals 16 through 19.

B. Consistency with applicable provisions of the Metro Plan

(1) Nodal Development Designation

"Nodal development is a mixed-use pedestrian-friendly land use pattern that seeks to increase concentrations of population and employment in well-defined areas with good transit service, a mix of diverse and compatible land uses, and public and private improvements designed to be pedestrian and transit oriented."

The Metro Plan Diagram shows the subject site within a nodal development area. The above Plan description of nodal development areas is implemented through the /ND Nodal Development overlay zone in the Eugene Land Use Code, which the applicant also proposed to maintain. The Willakenzie Area Plan land use diagram established a nodal development overlay zone for the Crescent Avenue Nodal Development Area (including the subject site and Crescent Village to the north). The applicant proposes to maintain the area's /ND overlay zone. The proposal to change the refinement plan designation and zoning of the property is consistent with the Metro Plan's description of nodal development areas.

In fact, the proposed zone change to C-2 would make it possible for the applicant to seek approval for a greater range of uses on the site. With an amendment to the existing PUD and within the confines of the proposed trip cap, the C-2 zoning could allow the applicant to develop uses that provide more concentrated employment centers, such as large office buildings, and uses that provide a wider range of commercial services, such as a large retail establishment, uses allowed in a C-2 zone, but not in C-1. Both the C-1 and C-2 zones allow a mix of uses, such as higher density residential development mixed with neighborhood commercial uses on the ground floor. However, the C-2 zone could accommodate higher density residential development, given the height limit in C-1 of 35 feet. This flexibility in the range and mix of uses can potentially further the goals of nodal development. The proposed reduction in FAR is a moderate reduction from a high FAR. The allowance of a lower FAR for these two parcels is not inconsistent with nodal development as described in the Metro Plan.

The proposal is consistent with this Metro Plan provision. The findings related to consistency of the proposal with the Willakenzie Refinement Plan in Section EC 9.8424(1)(c), and consistency with the nodal development area designation in Section EC 9.8424(2)(c), below, apply to consistency with the Metro Plan, and are also incorporated herein by reference.

(2) Commercial Designation

The Metro Plan Diagram designates the subject site as Commercial, without the cross-hatching that would indicate a "major retail center." The size and location of the site are not appropriate for a major retail center. The Community Commercial designation is intended for more intensive commercial activities, but less intensive than major retail centers. If the requested zone change were approved, approximately 4 acres within Summer Oaks – Crescent Center would be Community Commercial, and approximately 6 acres Neighborhood Commercial.

Neighborhood Commercial areas are not shown on the Metro Plan land use diagram, but are typically indicated in local refinement plans or special area plans. Neighborhood Commercial areas are intended to be "oriented to the day-to-day needs of the neighborhood served..." and characterized by convenience goods and personal services. Neighborhood Commercial sites "...shall be no more than five acres, including existing commercial development. The exact size shall depend on the numbers of establishments associated with the center of the population to be served" (Metro Plan II-G-4). The subject property is in a C-1 zoned area that is over 10 acres in size. Approval of the requested zone change would retain approximately 3 acres of neighborhood commercial areas along the south side of Crescent Avenue, and approximately 3 acres zoned Neighborhood Commercial west of the site, bringing remaining C-1-zoned areas closer to the Metro Plan's 5-acre size threshold. The proposal is consistent with the Metro Plan provisions.

C. Consistency with remaining portions of the refinement plan

The Willakenzie Area Plan (WAP) is the applicable refinement plan for this proposal. Approval of the request would amend WAP policies to add language specific to the site, and would amend the designation of the site on Inset Map D of the Coburg/Crescent Subarea of the WAP from Neighborhood Commercial to Community Commercial.

<u>Willakenzie Area Plan Land Use Policies:</u>

2.2 ***Apply the /SR Site Review suffix to all parcels zoned or designated for C-1 Neighborhood Commercial or C-2 General Commercial development in the Willakenzie planning area, using the Willakenzie Commercial Siting and Development Guidelines as the review criteria. These guidelines will be used to evaluate commercial development and redevelopment proposals until such time as the City adopts citywide commercial development standards or guidelines.***

The site currently has the /SR overlay, which the applicant proposes to retain. The Site Review process involves a land use application with public notice and opportunity for appeal, that includes consideration of adopted refinement plan policies in the decision. In addition, new citywide commercial standards have been adopted that also address neighborhood compatibility and other design goals. The proposed amendments and zone change are consistent with Policy 2.2.

5. ***Site review procedures or special development standards shall be considered for properties which abut or face one another, when the uses permitted on those properties are potentially incompatible.***

The change from C-1 to a C-2 zoning increases the potential for higher intensity commercial uses that may not be compatible with the adjacent neighborhood commercial areas. While the /ND overlay prohibits auto-oriented uses, it does not prevent other, potentially incompatible C-2-type uses. Approval processes such as Site Review or Planned Unit Development procedures can address most design and compatibility issues, such as building locations, bulk and height, pedestrian circulation, and screening. The PUD process further allows the flexibility to adjust development standards (subject to compliance with applicable refinement plan policies and a public hearing process) to better address particular site issues, such as compatibility or, in the case of the applicant's proposal, a reduced Floor Area Ratio.

Like many other parcels within the Crescent Avenue Nodal Development area, the site currently has the Site Review overlay zone. It does not currently have the Planned Unit Development overlay zone. However, the approved PUD currently in effect for Summer Oaks-Crescent Center was originally initiated by the property owner and, now that a PUD has been approved, any significant change to that approval will require a new PUD. The applicant proposes new policy language that would allow variation from the approved PUD, provided that traffic volumes are limited to a specified number, and that the proposed uses and impacts are reviewed through a PUD process. The PUD process is an appropriate process for reviewing traffic and other impacts in a comprehensive manner. Along with the Site Review Process, the Planned Unit Development review process will help ensure that the that future C-2-type development will be compatible with surrounding development. With these provisions, the requested amendments and zone change are consistent with this policy.

7. ***Mixed-use developments that combine living, working, and shopping opportunities shall be encouraged in the study area.***

Mixed use developments can be accommodated in both C-1 and C-2 zones currently available throughout the sub-area and the Crescent Avenue Nodal Development area, such as within Crescent Village to the north, the C-1-zoned area along Coburg near Kinney Loop, and along Crescent Avenue (2.72 acres). This policy applies to the broader Coburg-Crescent subarea, and does not specify that mixed uses should be located or encouraged within Summer Oaks-Crescent Village. Nonetheless, a C-2/Community Commercial designation of approximately 4 acres at Summer Oaks-Crescent Center can support mixed use development by allowing a

wide range of uses such as commercial, office and high density residential. A Floor Area Ratio of .70 rather than 1.0 does not preclude mixed-use development (see also discussion under EC 9.8424(2)(b), below). Based on this, the requested amendments and zone change are consistent with Policy 7.

Willakenzie Area Plan General Commercial and Industrial Policies:

3. ***Encourage the consolidation of parking lots, development of joint access, and use of access controls on commercial and industrial development.***

   The existing, approved Summer Oaks-Crescent Center planned development/site review agreement includes the establishment of joint access to parking areas. The proposed change to C-2 zoning and Floor Area Ratio reduction will not preclude the consolidation of parking lots and shared access. The Site Review or PUD approval process will require that any future development proposals address efficient, functional layout of parking areas and pedestrian and bicycle circulation. The proposed amendment is consistent with this policy.

Willakenzie Area Plan Coburg/Crescent Subarea Policies:

2. ***The City shall recognize the area south of Crescent Avenue and west of Shadow View Drive, as depicted on the Willakenzie Land Use Diagram (and as refined by Inset Map D) as appropriate for the expansion of Neighborhood Commercial development. The Neighborhood Commercial site shall not exceed 10 acres in size. Uses in this commercial area are intended to serve the day-to-day shopping and service needs of residents and employees of the surrounding area. (Policy 2, page 64.)***

   This policy is specific to the subject site, and is the policy proposed to be changed. The proposed language (see page 19, below) would provide the policy basis for rezoning a portion of Summer Oaks-Crescent Center from C-1 to C-2, and for reducing the Floor Area Ratio from 1.0 to .70. The existing policy is included here for reference only. The amendment criteria do not require consistency with the policy being changed, but with remaining policies. While the adopted refinement plan map specifically identified the subject site as appropriate for Neighborhood Commercial and not appropriate, at the time, for Community Commercial, it should be noted that this policy does not specifically prohibit a reduction in the size of the Neighborhood Commercial area. (Please see other sections below for further discussion of the proposed amendment.)

7. ***The City shall encourage the development of commercial uses which provide direct services to employees and residents of the surrounding areas. Examples include restaurants, financial institutions, day-care centers, health clubs, grocery stores, delicatessens, drug stores, and recreational facilities...***

   The current C-1/Neighborhood Commercial designation for the site was intended to encourage uses that are "*oriented to the day-to-day needs of the neighborhood served...*" *and characterized by convenience goods and personal services*" (Purpose of neighborhood commercial, Metro Plan II-G-4). Providing uses that serve the neighborhood also helps reduce reliance on the automobile, a goal of nodal development. Retaining the current zoning can encourage uses that provide direct services to employees and residents of the surrounding area, rather than drawing on a larger base needed by some C-2/community commercial uses. In addition, the C-1 zone contains size limits (5,000 s.f.) for retail uses that promote small

businesses. Such small businesses, such as a shoe repair shop, delicatessen, or hair salon, are likely to be locally-owned, to support, and be supported by neighboring residences and employment centers. Certain large, C-2-type uses may not provide direct services to the area, and can even supplant smaller businesses. In addition, certain C-2 uses by virtue of their intensity and scale are potentially incompatible with surrounding neighborhood commercial uses. For example, the height limit in C-1 is 35 feet, as compared to 120 feet in C-2.

The owners' planned extended stay hotel and catering business are not allowed in the C-1 zone. Both are too large for the current C-1 size limit of 5,000 s.f., and the "small business incentives" in C-1 that allows up to 10,000 s.f. if the Floor Area Ratio is at least .65. A hotel is excluded from the list of allowed uses in C-1, presumably because it typically draws from a more regional base, and rarely provides direct services to the neighborhood. However, an extended stay hotel may be a better "fit" than other types of lodging in a neighborhood commercial/nodal development area. These types of hotels generally see an average stay of 1 to 2 weeks, and typically do not provide on-site services. As a result, extended stay hotel "residents" are more likely to use and support neighboring services, such as gyms, grocery stores (to supply kitchenettes), and specialty retail shops. In addition, as the applicant points out, an extended stay hotel can serve the residents of the area by providing lodging for visiting family within walking distance of high density residential areas. The planned catering business is on the scale of a wholesale distributor (the category used in the submitted Traffic Impact Analysis), will have very few employees, and very little direct exchange with the local neighborhood. It should be noted that the current PUD approval already allows a 6,000 s.f. restaurant on Lot 4 and an 80,000 s.f. office building on Lot 5. Notwithstanding the owners' development plans, it must be assumed that, if the plan amendment and zone change are approved, other more or less compatible C-2 uses may occur on the site.

A C-2/Community Commercial designation can provide for a wider range of uses, a wider range of services, more dense employment and residential centers, and higher development densities than can be achieved through C-1 zoning. Most of the uses allowed in C-2 can provide the "direct services" anticipated by this policy. In addition, most uses allowed in the C-2 zone are not inherently incompatible with Neighborhood Commercial, a concern that arises usually because of their design or scale. Special development standards, such as required in Site Review or a PUD process, can address most issues of scale, form, character and relationship to surrounding uses. The Site Review process is already required for this site, as noted in the discussion under EC 9.8424(1)(c), Policy 5, above. Further, in order to implement the requested reduction in Floor Area Ratio, a PUD process will also be required by the proposed policy language.

While the owners' planned uses may not further the above policy, these and other C-2 uses are not necessarily inconsistent with it. Policy 7 is "aspirational," in the sense that it uses the term "encourage" as opposed to mandating compliance with clear and objective standards. Another reason that C-2/Community Commercial designation does not conflict with Policy 7 is that this policy does not specify that neighborhood commercial uses must be located within Summer Oaks-Crescent Center. The policy applies to the Coburg-Crescent subarea, which includes almost all of the nodal development area. As is typical for a nodal development area, the Crescent Avenue Nodal Development Area provides a mix of C-1 and C-2 zoning. Within the node, uses that provide neighborhood commercial services are provided elsewhere, in the Neighborhood Commercial area along Coburg near Kinney Loop, and the remaining Neighborhood Commercial area within Summer Oaks-Crescent Center (2.72 acres along Crescent, plus approximately 3 acres already developed with office uses). In addition

to these areas, Crescent Village to the north of the site is being developed as a mixed use center intended for neighborhood commercial uses, community commercial uses (a grocery store), and high density residential development. Although there is not an area specifically zoned C-1/Neighborhood Commercial in Crescent Village, neighborhood commercial-type uses are included in the development plans. For these reasons, a Neighborhood Commercial designation may no longer be necessary or desirable at the subject site.

There is a potential that the site could be developed with some C-2/Community Commercial uses that are much more intense than what was ever anticipated for the area in the Coburg-Crescent Sub-Area policies. However, there are several limiting factors that reduce the likelihood of that. First is the relatively small size of the development site (3.11 acres and 1.02 acres, for approx. 4 acres total). Parcel size and the /ND overlay zone would prohibit "big box" retail and many higher-impact C-2 uses retail. The proposal adds trip cap language that limits the intensity of any future uses. Also, the Site Review overlay zone (and additional Planned Unit Development review) and new commercial development standards (at EC 9.2170) would require that development on the site be designed to be compatible with surrounding uses, and address such design issues as scale, bulk, and circulation patterns.

The application includes proposed policy language that would allow C-2 uses with a "trip cap." The proposed trip cap helps limit intensity of possible uses that might be incompatible (see also discussion under Section EC 9.8424(1)(a) above, Statewide Goal 12 findings). However, relatively minor changes to the proposed policy are recommended. First, the proposed language is too broad, in that it requires the City to allow development (of any use, scale, character, etc.) so long as it does not exceed a certain trip cap. Traffic impacts/development intensities are not the only PUD approval criteria. Where possible, refinement plan language should avoid mandating approval of specific details that are the subject of separate, discretionary land use permits and additional public review processes, so the terms "the City shall approve..." should be revised to "the City may approve..." Also, any significant change to the approved PUD will require a new PUD, so the relationship of future C-2 uses to the previously approved 80,000 & 6,000 s.f. uses would no longer be relevant as a refinement plan policy. The reference may be removed without affecting the validity of a trip cap. Recommended, revised policy language would help clarify the intent and applicability of the proposed limits on future uses (see page 19).

Rezoning the site to C-2/Community Commercial does not preclude various C-1 uses or uses that provide for the day-to-day needs of residents and employees. A C-2 zone would provide more flexibility in uses, allowing a range of housing and commercial uses that can provide direct services. However, certain C-2 uses might be incompatible with the intent of the Policy 7. The proposed amendments, including revised policy language (as revised below on page 19) that accommodates a range of C-2 uses while limiting intensity and impacts through a "trip cap," would be consistent with this policy. The proposed FAR reduction does not conflict with Policy 7.

Consistency with EC 9.8424(2)

The refinement plan amendment addresses one or more of the following:
(a) An error in the publication of the refinement plan.
(b) New inventory material which relates to a statewide planning goal.

(c) New or amended community policies.
(d) New or amended provisions in a federal law or regulation, state statute, state regulation, statewide planning goal, or state agency land use plan.
(e) A change in circumstances in a substantial manner that was not anticipated at the time the refinement plan was adopted.

As discussed below, the plan amendment is consistent with approval criterion EC 9.8424(2), specifically, both subsections (c) and (e) above.

(c) New or amended community policies.

1. **Adoption of Nodal Development Overlay Zone.**
The site was designated C-1/Neighborhood Commercial in the 1992 Willakenzie Area Plan (WAP). Subsequent to the C-1 commercial zoning of the site, the Nodal Development overlay zone was also adopted for the Crescent Avenue Nodal Development Area (including the subject site and Crescent Village to the north). The WAP land use diagram implements this nodal development area. The purpose of the nodal development area, as stated in adopted Metro Plan provisions and the Eugene Land Use Code is as follows:

***"Nodal development is a mixed-use pedestrian-friendly land use pattern that seeks to increase concentrations of population and employment in well-defined areas with good transit service, a mix of diverse and compatible land uses, and public and private improvements designed to be pedestrian- and transit-oriented"*(Metro Plan II-G-8).**

"The /ND Nodal Development overlay zone is intended to direct and encourage development that is supportive of nodal development and to protect identified d nodal development areas from incompatible development prior to adoption of nodal development plans and implementing land use regulations..."(EC 9.4250).

Several Metro Plan policies direct local jurisdictions to designate nodal development areas. The key Metro Plan policy related to nodal development, applicable to the current request is:

F.3 Provide for transit-supportive land use patterns and development, including higher intensity, transit-oriented development along major transit corridors and near transit stations; medium- and high-density residential development within 1/4 mile of transit stations, major transit corridors, employment centers, and downtown areas; and development and redevelopment in designated areas that are or could be well served by existing or planned transit.

<u>Comparison of C-1/Neighborhood Commercial to C-2/Community Commercial</u>
One of the primary purposes of the Nodal Development (ND) overlay zone was to prevent incompatible development, such as "big box" retail and auto-oriented uses, until more specific area plans could be adopted. One of the standards specified in the ND overlay zone states: " No new building designed to be occupied by retail uses may exceed 50,000 square feet of building area...." (EC 9.4280(2)(b). While the proposed change to C-2/Community Commercial might allow intensive C-2-type uses, the "big box" otherwise allowed in a C-2 zone would not be allowed at this site, due to the size limit in the ND overlay. In addition, proposed policy language includes a trip cap that would preclude big box retail and similar uses. While the ND overlay zone specifically restricts only auto-oriented uses, it does not itself prohibit hotels, catering services or similar community commercial uses.

The proposed change to Community Commercial would allow a greater range of uses than Neighborhood Commercial, uses that might concentrate more residential uses, employment and services in the area. For example, high density residential development with neighborhood commercial uses on the ground floor is an appropriate mixed use in nodal development areas. However, the 35-foot height limit in C-1 may make it more difficult to achieve the multiple story development required to achieve the most efficient use of land in an urban area. The flexibility of a Community Commercial designation to accommodate a wider range of uses and development intensities than Neighborhood Commercial potentially provides more flexibility to respond to market changes and to surrounding growth, which can further the goals of nodal development.

Floor Area Ratio (FAR) Reduction

The ND overlay zone established the FAR of 1.0 for the area after the approval of the original PUD. An FAR of 1.0 is required whether the zone is C-1 or C-2. This new FAR requirement does not apply to the approved PUD, but would be triggered by a new PUD. The owners' planned extended stay hotel would have an FAR of .89; however, other uses would have a lower FAR. The applicant proposes a minimum site FAR of .70. The applicant maintains that an FAR of 1.0 is not feasible for a hotel or many other commercial uses. According to the applicant, alternative designs for the site were explored in an attempt to meet 1.0 FAR; however, even adding another story to the hotel did not meet 1.0 FAR, due to requirements for parking and circulation. As a comparison, the uses approved in the PUD prior to adoption of the ND overlay zone have an approximate FAR of .69. Notwithstanding the owners' immediate development plans, the .70 FAR, if approved, would apply to other C-2-type development on the site.

Generally, the higher the FAR, the more compact urban development can be achieved. A relatively high FAR generally furthers the goals of the ND overlay zone, and mixed-use, compact urban development. A moderately high FAR of .70 as proposed, does not necessarily prevent efficient development patterns. Moreover, the 5,000 s.f. size limit and 35-foot height limit in C-1 may hinder efforts to reach 1.0 FAR. Coupled with a C-2/Community Commercial designation, which allows taller and larger buildings than C-1/Neighborhood Commercial, a FAR of .7 may accommodate more dense urban development on the site than a 1.0 FAR with C-1 zoning.

The proposed amendments and FAR reduction would not be inconsistent with the purpose of the Crescent Avenue Nodal Development area established in the Willakenzie Area Plan. Based on the discussion above, the request meets this approval criterion.

2. **New policies have been adopted for the Nodal Development Area.**

In 2003, the City Council amended WAP policies for the Crescent Avenue Nodal Development Area that were intended to facilitate development of Crescent Village (north of the subject parcels) into a mixed use center. Adopted policies establish zoning that allows commercial, office, mixed use commercial and high density residential uses for this 40-acre site. Neighborhood commercial-type uses are allowed within the various zoning designations on the site, along with relatively large, intensive commercial uses, such as a 100,000 s.f. office building and a 50,000 s.f. grocery store. As part of the plan amendment process, the property owner requested, and obtained, a provision for reducing the Floor Area Ratio (FAR) from 1.0 to .40 in commercial areas in Crescent Village. However, adopted refinement plan policy language for Crescent Center allows variation from approved PUD uses and the FAR reduction only with a "trip cap," and only through the PUD approval process. The current request is similar to, and consistent with this precedent.

Since the adoption of these new policies, the City has approved a PUD for Crescent Village. This will result in a significant increase in the amount of neighborhood commercial-type uses (now under construction) in the nodal development area. The proposal to change approximately 4 acres in Summer Oaks-Crescent Center to C-2/Community Commercial is not likely to prevent the development of uses that serve the direct needs of area employees and residents, as most of that role is now being fulfilled by Crescent Village. As a FAR of .4 was approved for all commercial-zoned areas within Crescent Village, presumably to facilitate mixed use development, a FAR of .7 for approximately 4 acres within the node would be consistent with this precedent.

(e) A change in circumstances in a substantial manner that was not anticipated at the time the refinement plan was adopted.

The WAP established the C-1/Neighborhood Commercial designation for the site. Since then, the Metro Plan and Willakenzie Area Plan have been amended to apply the Nodal Development Overlay to this site and others, and other nodal development areas are now being developed.

The ND overlay zone does not prescribe the mix of uses or zones, and has minimal development standards. As a result, implementation of nodal development has been primarily through special area plans that prescribe uses and standards. Special area plans have been developed for 2 nodes (now zoned "Special Area Zone"), Chase Village and Royal Node. As a comparison to the current request, both Chase Node and Royal Node allow community commercial-type uses. Neither allow hotels, even in commercial zones. Bed & Breakfast establishments are allowed, subject to size limits. A catering service is allowed in both nodes. However, in both nodes, the size of commercial uses is limited: up to 20,000 s.f. for retail uses in Chase Node and 30,000 for any individual business in Royal Node (compared to approx. 15,000 s.f. and 100,000 s.f. proposed in current request, and 80,000 s.f. already approved for the site). Clearly, large, high-intensity commercial uses were not seen as appropriate uses in these other nodes. However, the character, location and surrounding uses of the Crescent Avenue Nodal Development Area, may warrant a different mix of uses. For example, remaining undeveloped areas within the Crescent Avenue area may be more suitable for providing intensive employment areas, being located within a 1/2 mile of the freeway on/off ramps, and surrounded by a large area of campus industrial uses.

During the development of the Chase Node plan, FAR minimums were considered and, ultimately, not adopted. At the time, it was believed that a 1.0 FAR was not possible for the types of uses anticipated for Chase Node, such as a grocery store and high density residential development, particularly given the parking requirements; and the standard was not easy to regulate where development was to be phased in over time. Alternatively, there are standards that establish minimum residential densities, and building heights of at least 2 floors in certain areas. Maximum building heights are 50 feet in commercial areas, or 120 feet in mixed use areas. The Royal Node special area plan sets building height limits of 50 feet in commercial and mixed use areas, and established a minimum FAR of .50 for stand-alone commercial uses. An FAR of .4 or .5 is not unreasonable outside of the downtown. In the C-1 zone's "small business incentive," the individual business size limit may be increased to 10,000 s.f., provided it meets an FAR of .65.

As another comparison, Crescent Village to the north of the site is being developed as a mixed use center intended for neighborhood commercial uses, community commercial uses (a grocery store), and high density residential development. Much of this is now constructed or under construction. Crescent Village policy language adopted in the WAP allowed a significant reduction in FAR to .40. Testimony during that refinement plan amendment indicated that it was difficult to achieve FAR 1.0 without cost-prohibitive structured/underground parking, due to code requirements for parking, landscaping, setbacks, etc. Although this argument was based on assumptions for a mix of GO, C-2 and R4 uses for a much larger site, some reduction in FAR may be appropriate for similar reasons for the Summer Oaks-Crescent Center site.

The proposed amendments, zone change and FAR reduction are generally consistent with the types of zoning and FAR levels seen in other mixed uses/nodal development areas.

Zone Change Approval Criteria

The proposal is to rezone the subject property from the existing zoning of C-1/SR/ND, Neighborhood Commercial zone with Site Review and Nodal Development overlay to C-2/SR/ND, Community Commercial zone with Site Review and Nodal Development overlay. The proposal is found to be consistent with the zone change approval criteria. Findings relative to the amendment criteria (with criteria in ***bold italics***) are presented below.

Compliance with EC 9.8865

EC 9.8865 requires that the zone change meet the following criteria:

(1) The proposed change is consistent with applicable provisions of the Metro Plan. The written text of the Metro Plan shall take precedence over the Metro Plan diagram where apparent conflicts or inconsistencies exist.

(2) The proposed zone change is consistent with applicable adopted refinement plans. In the event of inconsistencies between these plans and the Metro Plan, the Metro Plan controls.

(3) The uses and density that will be allowed by the proposed zoning in the location of the proposed change can be served through the orderly extension of key urban facilities and services.

(4) The proposed zone change is consistent with the applicable siting requirements set out for the specific zone in: (a) EC 9.2150 Commercial Zone Siting Requirements.

(5) In cases where the NR zone is applied based on EC 9.2510(3), the property owner shall enter into a contractual arrangement with the city to ensure the area is maintained as a natural resource area for a minimum of 50 years.

(1) Consistency with applicable provisions of the Metro Plan

Approval of the zone change is dependent upon approval of the refinement plan diagram and map amendment (discussed above). The findings related to consistency with the Metro Plan under EC 9.8424(1)(b) above, are incorporated herein by reference.

(2) Consistency with applicable adopted refinement plans

Willakenzie Area Plan:
Approval of the zone change is dependent upon approval of the refinement plan diagram and map amendment (discussed above). The findings related to consistency with the Willakenzie Area Plan (refinement plan) under EC 9.8424(1) above, are incorporated herein by reference.

Other applicable refinement plans:

The 1992 Eugene Commercial Lands Study (ECLS) contains policies related to commercial and neighborhood commercial zoning. It contains one policy specifically related to the Willakenzie area. These policies are discussed below.

11.0 Promote neighborhood-oriented commercial facilities and community commercial areas rather than additional major retail centers.

The proposed amendment to allow a wider range of commercial uses would encourage commercial development in an existing commercial area rather than in outlying major retail centers. Further, its relatively small size (approx. 4 acres) is typically too small to support a regional retail center. The proposal is consistent with Policy 11 of ECLS.

16.0 Take steps to address the underlying goal in the Metro Plan to have viable neighborhood commercial uses that meet the needs of nearby residents and reduce the use of the automobile.

This policy has been implemented citywide in a number of ways, particularly through the creation of nodal development areas. Within the Crescent Avenue Nodal Development area, a significant amount of commercial, office and residential development is now in place, which serves the residents of the area. A zone change to C-2 for approximately 4 acres within the node is not likely to affect the viability of providing for such uses throughout the node. The proposal is consistent with Policy 16 of the ECLS.

18.0 Identify appropriate areas within the Willakenzie subarea to accommodate office development and address neighborhood commercial needs. In identifying commercial sites, evaluate impacts on traffic patterns and surrounding land uses.

18.1: Consider the following new C-1 Neighborhood Commercial sites:

a. About 3 acres in size, at the southwest corner of Willagillespie and Clinton;

b. About 5 acres in size, along the south side of Willakenzie, west of the Sheldon Plaza Center. Also consider expansion of General Office zoning west of Sheldon Plaza, north of Cal Young Road;

c. About 10 acres in size, south of the future extension of Crescent, and west of the future Shadow View Drive;

d. Expansion of the existing neighborhood commercial site near the northerly intersection of Coburg Road and County Farm Loop to include a total of about 13 acres; and

e. About 5 acres in size, on the north side of Ayers Road, west of Gilham Road.

This policy was implement through the adoption of C-1 zoning for Summer Oaks -Crescent Center. While implementation Strategy 18.1 suggests consideration of a Neighborhood Commercial area size of 10 acres, the adopted policy does not require that these specific acreages be zoned for Neighborhood Commercial. Approval of the request would leave an area of Neighborhood Commercial zoning along Crescent Ave of approximately 3 acres. In addition, office development and neighborhood commercial developments are provided in other areas within the nodal development area. The proposal is not inconsistent with Policy 18 of the ECLS.

23.0 Foster the development of attractive and functional commercial areas that not only increase property values, but enhance Eugene's reputation as a pleasant, productive and attractive community in which to live or do business. Recognize that innovative building designs and neighborhood-enhancing streetscapes....are key factors in the success of such developments.

A C-2 zoning for the subject parcels is as likely as a C-1 zoning to contribute to attractive and functional commercial areas. The application of an overlay zone that requires design review, such as Site Review Overlay or PUD overlay, and adopted commercial development standards will help ensure that future proposed development is attractive, functional and compatible with the neighborhood. The proposal is consistent with Policy 16 of the ECLS.

(3) The uses and density that will be allowed by the proposed zoning in the location of the proposed change can be served through the orderly extension of key urban facilities and services.

The following key urban facilities and services, as defined in the Metro Plan, are currently available to the subject property, or can be extended in an orderly and efficient manner to serve future development: wastewater service, stormwater service, transportation, solid waste management, water service, fire and emergency medical services, police protection, city-wide parks and recreation programs, electric service, land use controls, communication facilities, and public schools on a district-wide basis. Details related to how/when/where those facilities and services are provided remain to be resolved in the context of any future development proposal. In regards to transportation, the findings under EC 9.8424(1), under Statewide Planning Goal 12, above, are incorporated herein by reference.

(4) The proposed zone change is consistent with the applicable siting requirements set out for the specific zone in: (a) EC 9.2150 Commercial Zone Siting Requirements.

The commercial zone siting requirements at EC 9.2150 only affect properties proposed for C-1 or C-4 zoning. There are no siting requirements in the Eugene Code for overlay zones. The proposed zone change is consistent with this criterion.

(5) In cases where the NR zone is applied based on EC 9.2510(3), the property owner shall enter into a contractual arrangement with the city to ensure the area is maintained as a natural resource area for a minimum of 50 years.

The above criterion is not applicable, as the proposed zone change does not include application of the NR zone.

Code Amendment Approval Criteria

The proposal is to amend the Eugene Land Use Code 9.9700 to incorporate new policy language resulting from the Willakenzie Area Plan amendment (described above), which would support a Community Commercial designation and Floor Area Ratio of .70 for the site. Incorporating policy language into this section of the Eugene Land Use Code allows the application of those policies to Site Review applications, subdivisions and partitions.

Consistency with EC 9.8065

The code amendment approval criteria are set forth in Eugene Code Section 9.8065. Eugene Code Section EC 9.8065(1) requires that the code amendment be consistent with applicable statewide planning goals as adopted by the Land Conservation and Development Commission. Eugene Code Section EC 9.8065(2) requires that the refinement plan amendment be consistent with applicable provisions of the Metro Plan and applicable adopted refinement plans.

The proposal is found to be consistent with code amendment approval criteria. Findings relative to the amendment criteria (with criteria in ***bold italics***) are presented below.

(1) Consistency with applicable Statewide Planning Goals

The findings related to consistency with applicable Statewide Planning Goals under EC 9.8424(1)(a) above, are incorporated herein by reference.

(2) Consistency with applicable provisions of the Metro Plan and applicable adopted refinement plans.

The findings related to consistency with applicable provisions of the Metro Plan under EC 9.8424(1)(b) above, and applicable adopted refinement plans under 9.8424(1)(c) above, are incorporated herein by reference.

REVISED WILLAKENZIE AREA PLAN POLICY LANGUAGE

(**Bold** = applicant's proposed changes; ***italics*** = additional City-recommended changes):

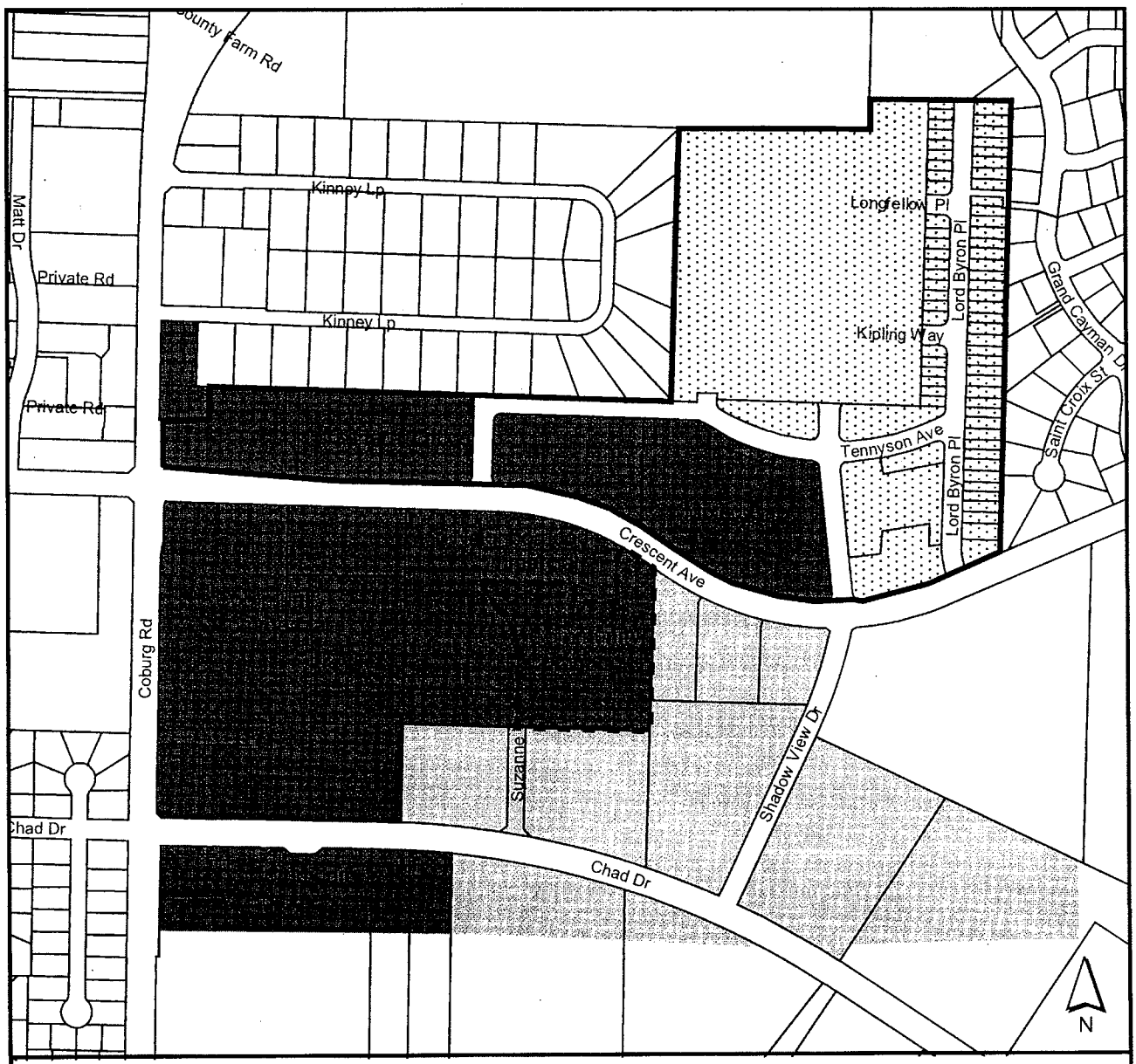
2.0 The City shall recognize the area south of Crescent Avenue, north of and west of Shadow View Drive, as depicted on [~~the Willakenzie Land Use Diagram (and as refined by~~] Inset Map D[~~)~~] **as "Summer Oaks - Crescent Center"** as appropriate for the expansion of Neighborhood **and Community** Commercial development. The Neighborhood Commercial **portion of Summer Oaks – Crescent Center** [~~site~~] shall not exceed [~~10~~] **7** acres in size. Uses in [~~this~~] **the neighborhood** commercial area are intended to serve the day-to-day shopping and service needs of residents and employees of the surrounding area. **The Community Commercial portion of Summer Oaks - Crescent Center shall be zoned C-2/SR/ND Community Commercial with site review and nodal development zoning overlays. *Through the PUD approval process, the City may allow the uses and development intensities on the Community Commercial portion of Summer Oaks - Crescent Center to vary from the previously approved uses, provided that* the developer demonstrates, based on the Institute of Transportation Engineers' Trip Generation Manual, that the p.m. peak hour trips generated by the proposed uses will be less than or equal to 213.**

Deleted: As part of a PUD approval, the City shall allow development on the C-2 zoned portion of Summer Oaks – Crescent Center to vary from the approved 80,000 square foot office building and 6,000 square foot restaurant if

If requested *and otherwise approved* as part of a PUD application, the City *may* reduce the minimum floor area ratio (FAR) within the C-2 zoned portion of Summer Oaks – Crescent Center to .70.

Deleted: shall

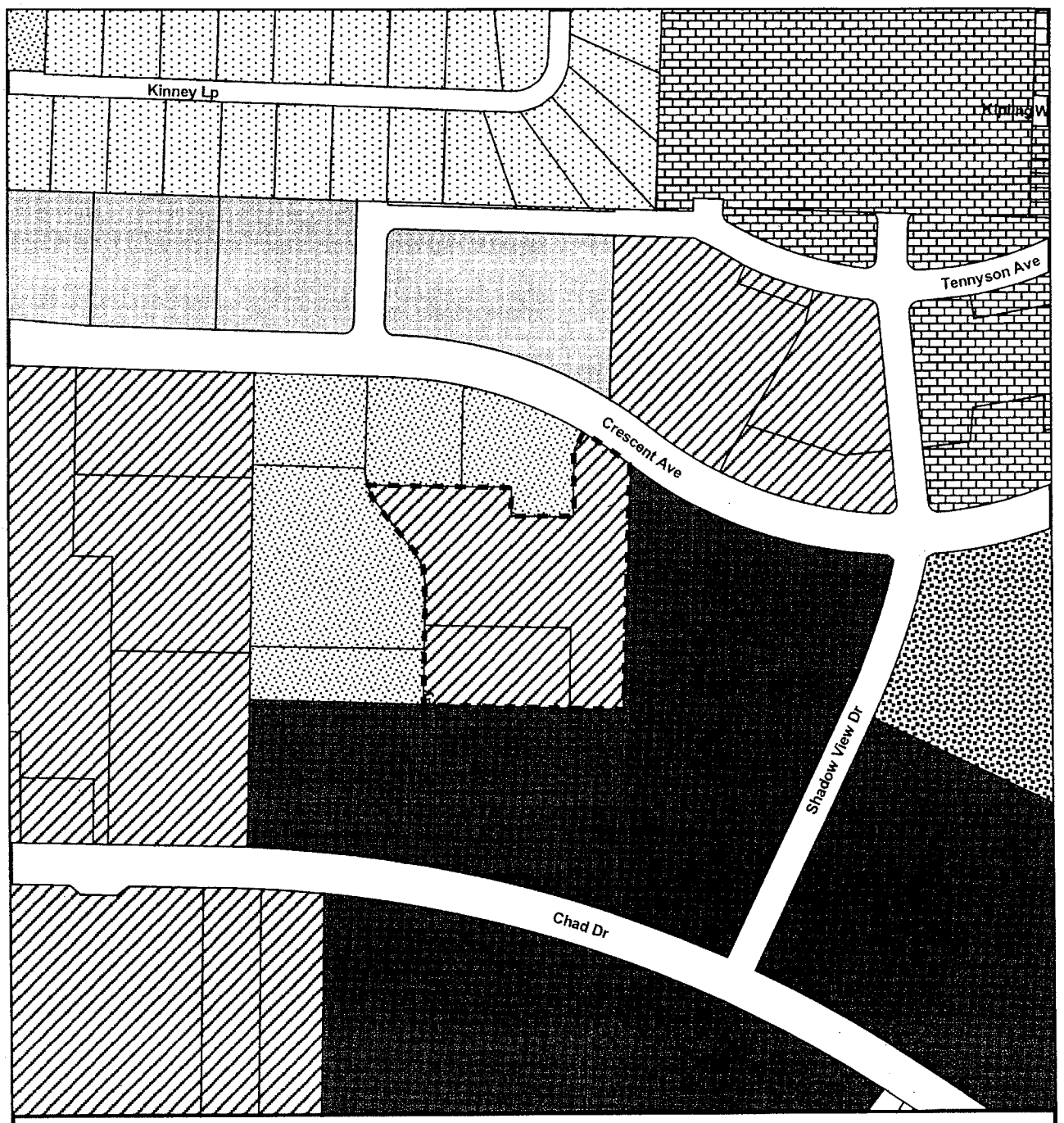
Exhibit B



INSET MAP D

- High Density Residential
- Commercial
- Campus Industrial
- Crescent Village Boundary
  Crescent Avenue Nodal Development Area not shown.
- Subject Site

Exhibit C



Summer Oaks-Crescent Center-Hotel (RA 06-4, Z 06-24, CA 07-1)

Assessor's Map: 17-03-16-23
Tax Lot: 5100
Assessor's Map: 17-03-16-32
Tax Lot: 1200

Proposed change from:
C-1 Neighborhood Commercial to
C-2 Community Commercial

- - Subject Site

Zoning

- C-1 Neighborhood Commercial
- C-2 Community Commercial
- GO General Office
- I-1 Campus Industrial
- R-1 Low Density Residential
- R-2 Medium Density Residential
- R-4 High Density Residential

N

COUNCIL ORDINANCE NUMBER 20415

COUNCIL BILL NUMBER 4982

AN ORDINANCE AMENDING THE WILLAKENZIE AREA PLAN TEXT IN THE WILLAMETTE GREENWAY SECTION; ADOPTING AN EXCEPTION TO STATEWIDE PLANNING GOAL 15 WILLAMETTE RIVER GREENWAY; AND ADOPTING A SEVERABILITY CLAUSE.

ADOPTED: JULY 28, 2008

PASSED: 5/2

REJECTED:

OPPOSED: Bettman, Taylor

ABSENT: Solomon

EFFECTIVE: August 31, 2008

ORDINANCE NO. 20415

AN ORDINANCE AMENDING THE WILLAKENZIE AREA PLAN TEXT IN THE WILLAMETTE GREENWAY SECTION; ADOPTING AN EXCEPTION TO STATEWIDE PLANNING GOAL 15 WILLAMETTE RIVER GREENWAY; AND ADOPTING A SEVERABILITY CLAUSE.

The City Council of the City of Eugene finds that:

A. On February 1, 2008 the Oregon Department of Transportation (ODOT) submitted an application to the City of Eugene for a Metro Plan text amendment, an Exception to Goal 15 Willamette River Greenway for the I-5 Willamette Bridge Project. An application was submitted at the same time for a text amendment to the Willakenzie Area Plan to allow for placement of fill within 35 feet from the top of bank of the Willamette River. Pursuant to provisions of the Eugene Code, 1971, the applications were processed concurrently.

B. A joint public hearing of the Planning Commissions of the City of Eugene, City of Springfield and Lane County was held on April 29, 2008 and a joint public meeting of the three Planning Commissions was held on June 3, 2008. Following the June 3, 2008 meeting the Eugene Planning Commission recommended approval of the Willakenzie Area Plan amendment and the taking of an exception to Statewide Planning Goal 15 Willamette River Greenway, to the Eugene City Council.

C. The Eugene City Council conducted a joint public hearing on this amendment on June 24, 2008 with the Springfield City Council and Lane County Board of Commissioners, and is now ready to take action based upon the above recommendation and evidence and testimony already in the record as well as the evidence and testimony presented at the joint elected officials public hearing.

D. Substantial evidence exists within the record demonstrating that the proposal meets the requirements of consistency with the approval criteria of EC 9.8424, and of applicable state and local law as described in Exhibit A and Exhibit B, attached hereto and which are adopted in support of this Ordinance.

NOW, THEREFORE,

THE CITY OF EUGENE DOES ORDAIN AS FOLLOWS:

Section 1. Paragraph 1. of the Willamette Greenway section of the Neighborhood Design Element of the Willakenzie Area Plan as currently set forth on page 155 of the Plan, is hereby amended to read and provide as follows:

1. Provision that all new structures, expansion of existing structures, drives, parking areas, or storage areas shall not be permitted within the first 35 feet back from the top of the

riverbank, unless the location of the floodway boundary requires a greater separation. There are four exceptions to this standard:

A. Structures designed solely for recreational use (e.g., a deck or steps leading to the river) and driveways for boat landings and water-related or water-dependent uses are permitted within the 35-foot setback.

B. Public improvements, including pedestrian and bicycle trials, public plazas, and similar amenities, but excluding roads and parking areas, are exempt from the setback requirements specified above.

C. Structures existing as of the date of adoption of this plan shall be allowed to rebuild at the same distance from the river that they were before destruction by fire, flood, or other disaster.

D. Replacement or expansion of the I-5 Willamette River Bridge and its approaches.

Section 2. The findings of fact and conclusions of law supporting a "reasons" exception to Statewide Planning Goal 15 and demonstrating compliance with OAR 660-004-0015, 660-004-0020 and 660-004-0022(6) for placement of fill within 35 feet from the top of bank of the Willamette River attached as Exhibit A and incorporated herein by this reference are adopted in support of this Ordinance.

Section 3. The findings set forth in attached Exhibit A and Exhibit B are adopted in support of this Ordinance.

Section 4. If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held invalid or unconstitutional by a court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions thereof.

Section 5. Except as amended herein, all other provisions of the Willakenzie Area Plan remain in full force and effect.

Passed by the City Council this

28th day of July, 2008.

Deputy **City Recorder**

Approved by the Mayor this

31 **day of July, 2008**

Kitty Piercy

Mayor

Exhibit A

Findings

I-5 Willamette Bridge Project (Eugene files MA 07-3, RA 08-1; Springfield file LRP2007-00010; Lane County file PA08-5230)

Metro Plan Text Amendment & Goal Exception (MA 07-3, LRP2007-00010, PA08-5230)

The proposed amendment includes an exception to Statewide Planning Goal 15 and a Metro Plan text amendment to allow fill within the Willamette River greenway for the I-5 Willamette Bridge Project. The project includes replacement of the Interstate 5 bridges over the Willamette River and Canoe Canal (Patterson Slough), including construction and later removal of one or more temporary bridges, demolition of the original and detour Willamette River and Canoe Canal bridges, construction of replacement bridges, reconstruction of the roadway approaches to the bridges, rehabilitation of project area, and completion of any required mitigation.

Eugene, Springfield and Lane County each adopted identical Metro Plan amendment criteria into their respective implementing ordinances and codes. Eugene Code 9.7730(3), Springfield Development Code Section Chapter 5, Section 5.14-100 through 5.14-155, and Lane Code 12.225(2)(a & b), set forth the corresponding Metro Plan amendment criteria. Since Eugene is the lead jurisdiction on this application, those criteria are addressed below under the Eugene Code as follows:

Eugene Code (EC) Section 9.7730(3) requires that the following criteria (in bold and *italics*) be applied to a Metro Plan text amendment:

(a) The amendment must be consistent with the relevant Statewide Planning Goals adopted by the Land Conservation and Development Commission; and

Goal 1 Citizen Involvement: *To develop a citizen involvement program that insures the opportunity for citizens to be involved in all phases of the planning process.*

The City has acknowledged provisions for citizen involvement that ensure the opportunity for citizens to be involved in all phases of the planning process and set out requirements for such involvement. The action does not amend the citizen involvement program. The process for reviewing these amendments complies with Goal 1 since it complies with, and surpasses the requirements of, the citizen involvement provisions.

The City of Eugene land use code implements Statewide Planning Goal 1 by requiring that notice of the proposed amendments be given and public hearings be held prior to adoption. As a Type I, site specific Metro Plan amendment, consideration of the amendments begins with a joint City of

Eugene, City of Springfield and Lane County Planning Commission public hearing on April 29, 2008.

Subsequent to deeming the applications complete, on February 27, 2008, the City mailed notice of the proposed plan amendments to the Department of Land Conservation and Development, as required by the Eugene Code and in accordance with State statutes. Referrals concerning the pending applications were sent to the Oregon Department of Transportation (ODOT), City of Springfield, Lane County, the affected Neighborhood Associations (Laurel Hill Valley Citizens and the Harlow Neighborhood Association), and to City departments. On March 14, 2008, notice of the joint Planning Commission public hearing was mailed to the applicant, and owners and occupants of property within 300 feet of the subject property, the affected neighborhood groups in all three jurisdictions and other interested parties such as the Whilamut Natural Area of Alton Baker Park. On March 26, 2008, notice was also posted in accordance with EC 9.7415(5) and 9.7735(1). On March 14, 2008, notice of the joint Planning Commission public hearing was also published in the *Register-Guard*, in accordance with the Eugene Code. An additional joint public hearing before the elected officials of the City of Eugene, City of Springfield and Lane County will be scheduled following Planning Commission action. Notice to interested and affected parties will also be provided for that hearing.

In response to the public notice, letters of written testimony have been received, including comments from two of the affected Eugene neighborhood groups; the Laurel Hill Valley Citizens (LHVC) and the Harlow Neighborhood Association (HNA). Responses to these comments are provided under the appropriate criteria below where applicable.

Additionally, the federal environmental process applicable to this project provides additional opportunities for public involvement including public meetings, open houses, newsletters, public comment period on the Environmental Assessment, and establishment of a Community Advisory Group. These efforts will continue public involvement outside of the land use application process, consistent with this Goal.

The processes used by Eugene, Springfield and Lane County including mailed, posted and published notice (as well as posting on the City of Eugene web page) for reviewing these amendments complies with Statewide Planning Goal 1, since it complies with and surpasses the requirements of the State's citizen involvement provisions.

<u>Goal 2 - Land Use Planning:</u> *To establish a land use planning process and policy framework as a basis for all decisions and actions related to use of land and to assure an adequate factual base for such decisions and actions.*

Part I - Planning

Part I of Goal 2 requires that actions related to land use be consistent with acknowledged comprehensive plans of cities and counties. The <u>Eugene-Springfield Metropolitan Area General Plan</u> (<u>Metro Plan</u>) is the policy tool that provides a basis for decision-making in this area. The <u>Metro Plan</u> was acknowledged by the State in 1982 to be in compliance with statewide planning goals. These findings and record show that there is an adequate factual base for decisions to be made concerning the proposed amendments. Goal 2 requires that plans be coordinated with the

plans of affected governmental units and that opportunities be provided for review and comment by affected governmental units. To comply with the Goal 2 coordination requirement, the City coordinated the review of these amendments with all affected governmental units. Specifically, notice was mailed to the State Department of Land Conservation and Development, Oregon Department of Transportation (ODOT), Lane County, and the City of Springfield. Lane County and the City of Springfield are participating in this amendment.

Part II - Exceptions

Part II of Goal 2 provides the conditions and standards for which a local jurisdiction can adopt an exception to a statewide goal. Relevant to this request is Statewide Planning Goal 15, Willamette River Greenway which does not allow non water-dependent, non water-related uses, such as the proposed transportation facility, within the greenway setback without receiving an exception. Because a goal 15 exception is required by D.11 of the Metro Plan, it is unnecessary to determine if Goal 15 itself would require such an exception. The need for a goal exception is specifically triggered by Policy D.11 of the Metro Plan, Willamette River Greenway, River Corridors, and Waterways Element, which states:

> *D.11 The taking of an exception shall be required if a non-water-dependent transportation facility requires placing of fill within the Willamette River Greenway setback.*
>
> *An exception to Statewide Planning Goal 15 Willamette River Greenway was approved for Oregon Department of Transportation (ODOT) I-5 right of way crossing the Willamette River and within the Willamette River Greenway Setback Line, for purpose of constructing a temporary detour bridge, implementing the conditions imposed on the Discretionary Use Approval (Springfield Journal SHR 2003-00115) and removing the temporary detour bridge after completion of the permanent replacement bridge. This exception satisfies the criteria of Oregon Administrative Rule (OAR) 660-004-0022(5) Willamette Greenway; the exception requirements of OAR 660-004-0020 Goal 2, Part II(c) for a 'reasons' exception; and pursuant to OAR 660-004-0015, is hereby adopted as an amendment to the Metro Plan text, Policy #D.11, Chapter III, Section D.*

The taking of an exception is consistent with Policy D.11 as the proposal includes the placement of fill within the Willamette River Greenway setback for a non-water-dependent transportation facility, and is consistent with the Goal 15 exception previously taken for the temporary bridge, as described under Policy D.11 above. To acknowledge the I-5 Willamette Bridge Project, Metro Plan Policy D.11 is proposed to be amended as follows in **bold**:

> **An exception to Statewide Planning Goal 15 Willamette River Greenway was approved for Oregon Department of Transportation (ODOT) for purposes of removing and replacing the decommissioned I-5 bridge, the temporary detour bridge and the Canoe Canal bridge with two new parallel bridges (one southbound and one northbound) within the I-5 right-of-way crossing the Willamette River and Canoe Canal and within the Willamette River Greenway Setback Line. The exception authorizes construction and later removal of one or more temporary work bridges; demolition of the decommissioned I-5 Willamette River Bridge, Canoe Canal Bridge, and detour**

bridges; construction of the two replacement bridges; reconstruction of the roadway approaches to the bridges (I-5 and ramps); rehabilitation of the project area; and completion of any required mitigation of project impacts. In association with these tasks, the exception further authorizes within the Willamette River Greenway Setback Line the addition and removal of fill within ODOT right-of-way and the removal of fill within a temporary slope easement east of I-5. This exception satisfies the criteria of Oregon Administrative Rule (OAR) 660-004-0022(6), Willamette Greenway, and the exception requirements of OAR 660-004-0020 Goal 2 Part II(c) for a "reasons" exception, and pursuant to OAR 660-004-0015, is hereby adopted as an amendment to the Metro Plan text, Policy D.11, Chapter 111, Section D.

In compliance with Metro Plan Policy D.11, the following provides analysis for a Goal 15 exception.

The Land Conservation and Development Commission (LCDC) administrative rule governing goal exceptions, OAR 660-004-0022(6), states that within urban areas, the proposed siting of uses that are neither water-dependent nor water-related within the Willamette River greenway setback area requires exceptions. The rule states the following:

> *(6) Willamette Greenway: Within an urban area designated on the approved Willamette Greenway Boundary maps, the siting of uses which are neither water-dependent nor water-related within the setback line required by Section C.3.k of the Goal may be approved where reasons demonstrate the following:*
>
> > *(a) The use will not have a significant adverse effect on the greenway values of the site under construction or on adjacent land or water areas;*
> >
> > *(b) The use will not significantly reduce the sites available for water-dependent or water-related uses within the jurisdiction;*
> >
> > *(c) The use will provide a significant public benefit; and*
> >
> > *(d) The use is consistent with the Legislative findings and policy in ORS 390.314 and the Willamette Greenway Plan approved by LCDC under ORS 390.322.*

The requirements for Goal exceptions are outlined in OAR 660, Division 4 and are as follows:

OAR 660-004-0018 Planning and Zoning for Exception Areas

> *(4) "Reasons" Exceptions:*
>
> > *(a) When a local government takes an exception under the "Reasons" section of ORS 197.732(1)(c) and OAR 660-004-0020 through 660-004-0022, plan and zone designations must limit the uses, density, public facilities and services, and activities to only those that are justified in the exception;*

(b) When a local government changes the types or intensities of uses or public facilities and services within an area approved as a "Reasons" exception, a new "Reasons" exception is required;

The taking of goal exceptions requires and results in amendments to the Metro Plan (ORS 197.732(8) defines an "exception" as a comprehensive plan provision, including an amendment to an acknowledged comprehensive plan). The exception provides for the continuation of the existing use of I-5 by motor vehicles for interstate mobility and commerce purposes. The new I-5 Willamette River bridges are needed to accommodate that use.

The new bridges will be replacement bridges to the decommissioned I-5 bridge and Canoe Canal bridge, which are part of the I-5 interstate highway facility whose existence is identified in the Transplan. As such, the new bridges will not be providing a use that does not already exist.

OAR 660-004-0022 Reasons Necessary to Justify an Exception Under Goal 2, Part II(c)

An exception under Goal 2, Part II(c) can be taken for any use not allowed by the applicable goal(s). The types of reasons that may or may not be used to justify certain types of uses not allowed on resource lands are set forth in the following sections of this rule: ...

(6) Willamette Greenway: Within an urban area designated on the approved Willamette Greenway Boundary maps, the siting of uses which are neither water-dependent nor water-related within the setback line required by Section C.3.k of the Goal may be approved where reasons demonstrate the following:

(a) The use will not have a significant adverse effect on the greenway values of the site under consideration or on adjacent land or water areas; ...

The new bridges would be located in the same location as the decommissioned and detour bridges, although they would require minor shifts of alignment and reconnection of portions of the Franklin Boulevard northbound and southbound on and off ramps as dictated by bridge design. The Whilamut Natural Area of Alton Baker Park lies west of the I-5 right-of-way in Eugene and the Eastgate Woodlands portion of the Whilamut Natural Area lies east of the I-5 right-of-way in Springfield. Since the project area includes portions of both parks where they are adjacent to I-5 and north of the Willamette River, unless otherwise differentiated, this area will be referred to as the Whilamut Natural Area and Eastgate Woodlands for the remainder of these findings. The area adjacent to ODOT's right-of-way is used as open space. This area contributes to the protection of natural, scenic, and recreational greenway values, including fish and wildlife habitat, water quality, protection from flooding, and public recreation.

Because the replacement bridges and associated fill will be located within existing ODOT right-of-way, which is outside of the Whilamut Natural Area and Eastgate Woodlands, there will be no reduction in the amount of permanent open space available at the parks. Because the bridges replace an existing, structurally defective bridge and existing I-5 facility, there will be no change in use of this area. Existing park and river users are accustomed to experiencing interstate travel at this location. The bicycle-pedestrian path linking Eugene and Springfield will continue to traverse

ODOT's right-of-way below the new bridges. Public access to the river will not be affected in any significant long-term manner and protection to riparian areas and fish and wildlife habitat will be maintained to the greatest possible extent. Additionally, specific development details will be reviewed for minimizing impacts through compliance with applicable approval criteria, related standards and any necessary conditions of approval, as further reviewed under local permitting processes such as the Willamette Greenway and Water Resources Conservation Overlay Zone.

The applicant acknowledges that the project will create some short term impacts to Willamette Greenway values during construction. Staging for bridge construction is likely to occupy up to five acres of park open space for up to four years. The bicycle/pedestrian path crossing ODOT's right-of-way will be closed for periods of up to a few days at a time; however, another path under the Canoe Canal Bridge, located approximately 600 feet to the north of this path, would remain open during any closures to accommodate bicycle and pedestrian traffic.

The new replacement bridges will span the Willamette River and Canoe Canal. Piers will be placed in the Willamette River to support the bridge structures. The new bridges will each have one pier near the center of the river and one on or near the south bank, but no piers will be located in the Canoe Canal. By comparison, the decommissioned bridge has five piers in the water, and the detour bridge has six, so the new bridges will provide a substantial net reduction in piers compared to the existing number. At a conceptual level, any reduction in the number of piers will have a positive rather than adverse effect on recreational use of the river, consistent with this standard. Additionally, the applicant proposes to implement a plan to prevent construction debris from dropping into the Willamette River. At a conceptual level, with the reduction in the number of piers, the new bridges spanning the Canoe Canal, and the construction measures proposed, the replacement bridges will not have an adverse affect but will have a positive affect on recreational use of the river, consistent with this standard.

Regarding environmental resources, at the conclusion of bridge construction, fill placed for the detour bridge and for temporary work bridges will be removed and those areas will be restored. Bridge construction and demolition, including construction and removal of associated temporary work platforms, will impact riparian vegetation within the greenway (see Figure 6, Approximate Vegetation Disturbance Areas). However, ODOT's temporary easement for use of Eastgate Woodlands requires ODOT to restore the property within 5 years of completion of the permanent replacement bridges. The applicant also proposes several construction, site preparation, post development, and coordination measures to minimize impacts to natural resources discussed under Metro Plan Policy E.2, which is incorporated herein by reference. Additionally, preliminary data indicates that there will be a *net decrease* of 31,000 cubic yards of fill in the Willamette River (30,000 cubic yards of fill added and 61,000 cubic yards of fill removed; application, page 5). With the exception of a few of the temporary storage areas, the replacement bridges are proposed within existing ODOT right-of-way which reduces impacts to non-transportation utilized areas. Based on these measures, affects on environmental resources will be minimized and mitigated. Furthermore, additional review of detailed site plans during the federal, state and local processes will require mitigation as appropriate, subject to applicable standards.

Regarding scenic values of the Willamette River greenway, the reduction in the total number of piers and in the number of piers within the Willamette River will improve views of the river and, as

such, contribute to a positive visual impact. Also, because a key consideration of the project is providing an aesthetically pleasing solution that recognizes the scenic beauty of the project area, ODOT has considered a range of bridge types and pier options, taking carefully into consideration community input obtained through a public process. At this phase, ODOT has developed two conceptual schematics illustrating the new I-5 bridges, but ODOT has not developed detailed engineering design plans. Ultimately, selection of the bridge type for each segment will be dependent primarily on aesthetic considerations and budget. The applicant has indicated the public input on the design will also be provided through other public outreach efforts.

While construction activities will temporarily impact greenway values, with the reduction in piers and fill, the location of the bridges in the existing right-of-way, and the mitigation measures proposed by the applicant, the new I-5 Willamette River bridges will have no significant adverse effect on the greenway values of ODOT's right-of-way (if any) or the adjacent park lands and water areas, consistent with this standard. Additionally, specific construction and operational details regarding mitigation of riparian impacts will be appropriately addressed during local permitting processes, subject to applicable approval criteria and related standards.

> *(b) The use will not significantly reduce the sites available for water-dependent or water-related uses within the jurisdiction; ...*

The two new replacement bridges will not reduce any sites available for water-dependent or water-related uses in Eugene or Springfield because the bridges will be constructed entirely within the same existing ODOT I-5 right-of-way where the decommissioned I-5 bridge and temporary detour bridge are located. The new bridges will have one pier each near the center of the river and one pier on or near the south bank (the Canoe Canal on the north side would be spanned completely and these bridges will be perched on fill associated with the roadway). In contrast, the decommissioned bridge has five piers in the water, and the detour bridge has six. At a conceptual level, a net reduction in piers in the water will be beneficial for water-dependent uses. Therefore, in the context of a plan amendment, this standard is met.

> *(c) The use will provide a significant public benefit; and ...*

I-5 is the primary north-south highway corridor serving California, Oregon, and Washington. The facility provides for the significant movement of people, freight, and other services, and serves as the backbone for international, interstate, and intrastate commerce. The applicant notes that on average, approximately 49,000 vehicles cross the Willamette River through the Eugene/Springfield area on I-5 each day, with numbers reaching greater than 63,000. Approximately 16 to 18 percent of daily trips are made by tractor trailer rigs hauling freight. By the year 2030, I-5 is expected to accommodate approximately 73,000 daily vehicle trips. The connectivity and mobility that I-5 provides to both the local community and to intrastate and interstate travelers constitutes a significant public benefit. This facility is recognized in the 1999 Oregon Highway Plan and in TransPlan. Therefore this standard is met.

> *(d) The use is consistent with the Legislative findings and policy in ORS 390.314 and the Willamette Greenway Plan approved by LCDC under ORS 390.322.*

The legislative findings and policy in ORS 390.3 14 are:

> *ORS 390.3 14. Legislative findings and policy*
>
> *(I) The Legislative Assembly finds that, to protect and preserve the natural, scenic, and recreational qualities of lands along the Willamette River, to preserve and restore historical sites, structures, facilities, and objects on lands along the Willamette River for public education and enjoyment and to further the state policy established under ORS 390.010, it is in the public interest to develop and maintain a natural, scenic, historical, and recreational greenway upon lands along the Willamette River to be known as the Willamette River Greenway.*

As previously stated, the I-5 Willamette River bridge predates the adoption of Goal 15. As an element of I-5, the bridge is provided for in TransPlan, which has been acknowledged to be in compliance with all statewide planning goals. Construction of the replacement bridges and removal of the decommissioned Canoe Canal and detour bridges will temporarily affect greenway values during construction. However, as discussed under Goal 6 (air, water quality, land), Goal 8 (recreation) and Metro Plan Policy E.2 (environment), and the remainder of these findings, the applicant proposes several measures to reduce or mitigate environmental and recreational impacts, and the reduction of piers and fill will have a positive affect on scenic resources along the Willamette River Greenway, consistent with this standard. Additionally, specific construction and operational details will be appropriately addressed during local permitting processes, subject to applicable approval criteria and related standards.

> *(2) In providing for the development and maintenance of the Willamette River Greenway, the Legislative Assembly:*
>
> *(a) Recognizing the need for coordinated planning for such greenway, finds it necessary to provide for development and implementation of a plan for such greenway through the cooperative efforts of the state and units of local government.*

The State of Oregon and units of local government, including Lane County and the cities of Springfield and Eugene, have cooperated in the implementation of greenway planning as required by legislative intent. The I-5 Willamette River Bridge Replacement Project, subject to this application, is and will be permitted through this established local and statewide greenway planning process.

> *(b) Recognizing the need of the people of this state for existing residential, commercial, and agricultural use of lands along the Willamette River, finds it necessary to permit the continuation of existing uses of lands that are included within such greenway; but, for the benefit of the people of this state, also to limit the intensification and change in the use of such lands so that such uses shall remain, to the greatest possible degree, compatible with the preservation of the natural, scenic, historical and recreational qualities of such lands.*

As previously stated, I-5 and the I-5 Willamette River bridge predate Goal 15. Like the original

bridge, the replacement bridges and their approaches will be located within ODOT's established I-5 right-of-way, thus avoiding significant adverse effects on the greenway and greenway values, consistent with this policy. Furthermore, as discussed under Goal 6 (air, water quality), Goal 8 Recreation and Metro Plan Policy E.2 (environment), and the remainder of these findings, the applicant proposes several measures to reduce or mitigate environmental and recreational impacts, and the reduction of piers and fill will have a positive affect on scenic resources along the Willamette River Greenway, consistent with this standard.

> *(c) Recognizing that the use of lands for farm use is compatible with the purposes of the Willamette River Greenway, finds that the use of lands for farm use should continue within the greenway without restriction.*

The I-5 Willamette River replacement bridges will be located entirely within the urbanized area of Springfield and Eugene, and not upon or near farm land within the greenway boundary. For this reason, the project will in no way impede the continuation of farm uses within the greenway, consistent with this policy.

> *(d) Recognizing the need for central coordination of such greenway for the best interests of all the people of this state, finds it necessary to place the responsibility for the coordination of the development and maintenance of such greenway in the State Parks and Recreation Department.*

Constructing the I-5 replacement bridges in no way limits or changes Oregon State Parks' responsibilities for the coordination of the development and maintenance of the greenway.

> *(e) Recognizing the lack of need for the acquisition of fee title to all lands along the Willamette River for exclusive public use for recreational purposes in such greenway, finds it necessary to limit the area within such greenway that may be acquired for state parks and recreational areas and for public recreational use within the boundaries of units of local government along the Willamette River.*

The replacement bridges and approaches will be located within existing public right-of-way that has been used for interstate highway purposes since before the enactment of the Willamette River greenway statutes and Goal 15. The land is in the public domain and will remain in the public domain after completion of construction of the new replacement bridges and demolition and removal of the decommissioned bridge, Canoe Canal bridge, and detour bridge. Therefore, the proposed project will not increase or decrease the amount of land available for acquisition for state parks and recreational areas or for public recreational use within the boundaries of units of local government along the Willamette River. Temporary staging areas outside of public rights-of-way will be rehabilitated to their previous state.

Therefore, an exception to Goal 15 is warranted for the reasons stated above, specifically OAR 660-0040-0022 (6)(c) and consistency with the remaining reasons, for the placement of fill within the greenway setback for the I-5 Willamette Bridge Replacement project. Goal exception requirements are as follows:

OAR 660-004-0020 Goal 2, Part II(c), Exception Requirements

> *(1) If a jurisdiction determines there are reasons consistent with OAR 660-004-0022 to use resource lands for uses not allowed by the applicable Goal or to allow public facilities or services not allowed by the applicable Goal, the justification shall be set forth in the comprehensive plan as an exception.*

The reasons consistent with OAR 660-004-0022(6) are set forth above to allow the construction of the I-5 Willamette River and Canoe Canal replacement bridges and the removal of the decommissioned bridge, existing Canoe Canal bridge, and temporary detour bridge, including the placement of fill needed for the new bridges or for temporary work bridges required to construct the new bridges or remove the decommissioned or detour bridges. The justifications are set forth in the comprehensive plan as an exception consistent with this rule.

> *(2) The four factors in Goal 2 Part II(c) required to be addressed when taking an exception to a Goal are:*
>
> > *(a) "Reasons justify why the state policy embodied in the applicable goals should not apply": The exception shall set forth the facts and assumptions used as the basis for determining that a state policy embodied in a goal should not apply to specific properties or situations, including the amount of land for the use being planned and why the use requires a location on resource land;*

The reasons justifying why the replacement bridges should be permitted within the greenway setback area, and why associated fill should be permitted, are those addressed above in the analysis demonstrating compliance with the criteria in OAR 660-004-0022(6). An exception to the Statewide Planning Goal 15 is necessary to allow additional fill to be placed in the greenway per Metro Plan Policy D.11. Here, approximately 30,000 cubic yards of fill will be placed within ODOT's existing I-5 right-of-way, while approximately 61,000 cubic yards of fill will be removed, resulting in a *net decrease* of 31,000 cubic yards of fill in the Willamette River.

Except for a few acres of park land needed temporarily for staging construction, all development will occur within ODOT's existing I-5 right-of-way, which is not resource land. The bridges require a location over the Willamette River greenway because I-5 already exists both north and south of the Willamette River and the highway cannot practicably be relocated to avoid crossing the river.

> > *(b) "Areas which do not require a new exception cannot reasonably accommodate the use":*
>
> > > *(A) The exception shall indicate on a map or otherwise describe the location of possible alternative areas considered for the use, which do not require a new exception. The area for which the exception is taken shall be identified;*
> >
> > > *(B) To show why the particular site is justified, it is necessary to discuss why other areas which do not require a new exception cannot reasonably accommodate the proposed use. Economic factors can be considered along*

with other relevant factors in determining that the use cannot reasonably be accommodated in other areas. Under the alternative factor the following questions shall be addressed:

(i) Can the proposed use be reasonably accommodated on nonresource land that would not require an exception, including increasing the density of uses on nonresource land? If not, why not?

(ii) Can the proposed use be reasonably accommodated on resource land that is already irrevocably committed to nonresource uses, not allowed by the applicable Goal, including resource land in existing rural centers, or by increasing the density of uses on committed lands? If not, why not?

(iii) Can the proposed use be reasonably accommodated inside an urban growth boundary? If not, why not?

(iv) Can the proposed use be reasonably accommodated without the provision of a proposed public facility or service? If not, why not?

(C) This alternative areas standard can be met by a broad review of similar types of areas rather than a review of specific alternative sites. Initially, a local government adopting an exception need assess only whether those similar types of areas in the vicinity could not reasonably accommodate the proposed use. Site specific comparisons are not required of a local government taking an exception, unless another party to the local proceeding can describe why there are specific sites that can more reasonably accommodate the proposed use. A detailed evaluation of specific alternative sites is thus not required unless such sites are specifically described with facts to support the assertion that the sites are more reasonable by another party during the local exceptions proceeding.

The applicant states that I-5 replacement bridges are needed because the decommissioned bridge is structurally unsafe and the detour bridge was not constructed to accommodate anticipated traffic volumes over the long term, nor does it meet current seismic standards. The replacement bridges and their approaches will be located entirely within ODOT's existing I-5 right-of-way. Because the Willamette River is quite wide in the vicinity of I-5, piers will again be needed within the setback area to support the proposed replacement bridges; however, fewer piers will be used compared to existing conditions. In addition, fill is required to support the approaches to the new bridges, including the new bridges over the Canoe Canal.

Given the non-water dependent and non-water-related nature of the use, and given that fill would be required for pier support and bridge approaches regardless of where in the vicinity the bridges are located, there are no alternative sites crossing the Willamette River that would not also require a new exception. It is noted that the proposed use will be located inside an urban growth boundary on land that is neither agricultural nor forest land. By remaining within the existing ODOT right-of-way, the project avoids significant impacts to park lands. Because transportation improvements,

including bridges, are considered public facilities, the use cannot be reasonably accommodated without the provision of the proposed public facility. Analysis regarding possible alternative sites is discussed further under subsection (c) directly below, which is incorporated herein by reference.

> *(c) The long-term environmental, economic, social and energy consequences resulting from the use at the proposed site with measures designed to reduce adverse impacts are not significantly more adverse than would typically result from the same proposal being located in other areas requiring a Goal exception. The exception shall describe the characteristics of each alternative areas considered by the jurisdiction for which an exception might be taken, the typical advantages and disadvantages of using the area for a use not allowed by the Goal, and the typical positive and negative consequences resulting from the use at the proposed site with measures designed to reduce adverse impacts. A detailed evaluation of specific alternative sites is not required unless such sites are specifically described with facts to support the assertion that the sites have significantly fewer adverse impacts during the local exceptions proceeding. The exception shall include the reasons why the consequences of the use at the chosen site are not significantly more adverse than would typically result from the same proposal being located in areas requiring a goal exception other than the proposed site. Such reasons shall include but are not limited to, the facts used to determine which resource land is least productive; the ability to sustain resource uses near the proposed use; and the long-term economic impact on the general area caused by irreversible removal of the land from the resource base. Other possible impacts include the effects of-the proposed use on the water table, on the costs of improving roads and on the costs to special service districts;*

No other sites requiring exceptions are being considered for this use. This is because the use is not a new use, but rather the replacement of an existing, structurally deficient bridge within an existing right-of-way. Locating the replacement bridges within the existing right-of-way is both necessary and practicable because that right-of-way lines up with the existing I-5 approaches to the north and south. Relocating the bridge replacement project outside the existing I-5 right-of-way would require ODOT to relocate the approaches at considerable additional cost and impact to not only the greenway, but also to protected park and recreational resources, including the Whilamut Natural Area and Eastgate Woodlands. Further, relocating the bridge could require the closure of one or more existing interchanges or ramps, result in demolition of residences and businesses, and result in a hazardous geometry due to the presence of immovable geologic features. Alternative bridge alignment locations to the north or south of the existing footprint and right-of-way were dismissed from further analysis due to the following impacts:

- Right-of-way would need to be acquired from Alton Baker Park, which is prohibited under Section 4(f) of the federal Department of Transportation Act of 1966 unless there are no other prudent and feasible alternatives.
- Right-of-way would need to be acquired from homes and/or businesses on the south side of the river that would not be required if the highway remains on its current alignment.
- A shifted highway would be closer to existing homes, resulting in higher noise and visual impacts.
- Major high-tension power transmission lines are located on both sides of the bridge and one

would need to be relocated if the alignment was shifted.

Given the replacement nature of this project, the fact that crossing the Willamette River at some location is unavoidable, and ODOT's inability to realign I-5 on adjoining lands based on federal restrictions protecting park lands, there are no feasible and prudent alternatives to re-using the existing I-5 right-of-way. Accordingly, in terms of economic, social, environmental, and energy consequences, there are no areas warranting comparison. I-5 is an important highway in the State of Oregon and freight corridor on the west coast. The connectivity and mobility it provides statewide, interstate, and regional travelers provides tremendous benefits both economically and socially. The ability to rebuild within the existing ODOT I-5 right-of-way minimizes energy consumption and environmental impacts, as the current right-of-way use for interstate travel purposes is maintained. As such, consistent with this standard, the right-of-way is the least productive land in the immediate area in terms of sustaining resource uses. It's continued use for this purpose also means that no other resource or recreational lands need be removed from the resource base therefore this standard is met.

> *(d) The proposed uses are compatible with other adjacent uses or will be so rendered through measures designed to reduce adverse impacts. The exception shall describe how the proposed use will be rendered compatible with adjacent land uses. The exception shall demonstrate that the proposed use is situated in such a manner as to be compatible with surrounding natural resources and resource management or production practices. Compatible is not intended as an absolute term meaning no interference or adverse impacts of any type with adjacent uses.*

Uses adjacent to the affected portion of I-5 include park land and the Willamette River, and residential and industrial uses. The temporary staging areas are adjacent to park land and the Willamette River, ODOT and Lane County property, and between I-5 and I-5 ramps. With the exception of the temporary staging areas, the replacement bridges and associated improvements are being proposed within approximately the same location as both the original and temporary bridges and will be located within existing rights-of-way and right-of-way easements. Considering that this area has been utilized as the I-5 bridge location since prior to the establishment of Goal 15, replacement of the facility in the same location is more compatible than relocating the facility and converting non-transportation areas to this use. The proposal also includes a reduction in the number of piers from the existing 11 piers to 8, a net reduction in fill, and sound walls. At a conceptual level, these elements will reduce adverse impacts to environmental, recreational and scenic resources and will increase compatibility of the project with adjacent recreational, residential and industrial uses of the area. Regarding the temporary staging locations, the impacts will be temporary and the applicant has proposed several measures to reduce adverse impacts of the construction activities including: a plan to prevent debris from falling into the Willamette River, maintaining a continuous bicycle/pedestrian path, limiting work hours, and restoring the temporary staging areas upon project completion. Additional measures proposed by the applicant to reduce environmental, recreational and scenic impacts, are further discussed under Metro Plan Policy E.2, Goal 8 below, and OAR 660-004-0022(6)(a) above, which are incorporated herein by reference. These measures will further reduce adverse impacts to the adjacent park land and Willamette River, residential, and industrial uses consistent with this standard.

In addition, compatibility with greenway and Goal 5 resource values associated with the Willamette River, riparian areas both north and south of the river, the Whilamut Natural Area and Eastgate Woodlands will be further ensured through compliance with acknowledged Eugene and Springfield permitting requirements adopted to implement Goals 15 and 5; Willamette River Greenway and greenway setback review, and the Water Resources Conservation Overlay Zone, subject to applicable standards and conditions. As noted earlier, the bridges are an existing use within the ODOT right-of-way. This proposal replaces the original bridge with two new bridges: one for northbound traffic, the other for southbound traffic, and replaces the Canoe Canal bridge. It also removes the detour bridge. Given that a bridge has been accommodating highway traffic in this area for decades, most new impacts will be associated with bridge construction or demolition. By remaining within the existing ODOT right-of-way, and employing Best Management Practices and other impact avoidance or mitigation techniques identified or required during the local permitting processes, impacts to surrounding natural resource lands can be minimized to protect natural resource qualities in and the use and enjoyment of the Willamette River, the Willamette River greenway, and the Whilamut Natural Area and Eastgate Woodlands.

Based on the above findings, an exception to Goal 15 is warranted and meets the requirements of OAR 660-0040-0020 for the placement of fill within the greenway setback for the I-5 Willamette Bridge Replacement project.

Therefore, the amendments and goal exception are consistent with Statewide Planning Goal 2.

Goal 3 - Agricultural Land: *To preserve and maintain agricultural lands.*

Goal 3 is not applicable to these amendments as the subject property and actions do not affect any agricultural plan designation or use. Goal 3 excludes lands inside an acknowledged urban growth boundary from the definition of agricultural lands. Since the subject property is entirely within the acknowledged urban growth boundary, Goal 3 is not relevant and the amendments do not affect the area's compliance with Statewide Planning Goal 3.

Goal 4 - Forest Land: *To conserve forest lands.*

Goal 4 is not applicable to these amendments as the subject property and actions do not affect any forest plan designation or use. Goal 4 does not apply within urban growth boundaries and, therefore, does not apply to the subject property, which is within the Eugene-Springfield urban growth boundary (OAR 660-006-0020). Therefore, Goal 4 is not relevant and the amendments do not affect the area's compliance with Statewide Planning Goal 4.

Goal 5 - Open Spaces, Scenic and Historic Areas, and Natural Resources: *To conserve open space and protect natural and scenic resources.*

The following administrative rule (OAR 660-023-0250) is applicable to this post-acknowledgement plan amendment (PAPA) request:

(3) Local governments are not required to apply Goal 5 in consideration of a PAPA unless the PAPA affects a Goal 5 resource. For purposes of this section, a PAPA would affect a Goal 5

resource only if:

(a) The PAPA creates or amends a resource list or a portion of an acknowledged plan or land use regulation adopted in order to protect a significant Goal 5 resource or to address specific requirements of Goal 5;

(b) The PAPA allows new uses that could be conflicting uses with a particular significant Goal 5 resource site on an acknowledged resource list; or

(c) The PAPA amends an acknowledged UGB and factual information is submitted demonstrating that a resource site, or the impact areas of such a site, is included in the amended UGB area.

The subject project area includes Goal 5 resource sites; the Willamette River, a riparian resource between I-5 and E. 18th Avenue, and riparian resources in Alton Baker Park (the Canoe Canal). Subsections (a) and (c) above are not applicable to this request as the proposed amendments do not create or amend a list of Goal 5 resources, do not amend a plan or code provision adopted in order to protect a significant Goal 5 resource or to address specific requirements of Goal 5, and do not amend the acknowledged Urban Growth Boundary. Regarding subsection (b), the I-5 Willamette Bridge Project is replacement of an existing use in approximately the same location, even considering the additional widening of the roadway. Therefore, (b) is not applicable because the project includes replacement of an existing use, not a new use.

Based on the findings above, Statewide Planning Goal 5 is either not applicable or is met through compliance with the acknowledged local permitting process.

<u>Goal 6 - Air, Water and Land Resources Quality</u>: *To maintain and improve the quality of the air, water, and land resources of the state.*

Goal 6 addresses waste and process discharges from development, and is aimed at protecting air, water and land from impacts from those discharges. The proposal does not amend the metropolitan area's air, water quality or land resource policies. The applicant's findings show that the City can reasonably expect that future development of the site will comply with applicable environmental laws as follows:

Additionally, regarding air quality, the replacement bridges themselves should have no adverse impact on air quality because they merely replace an existing facility that has been decommissioned as being structurally unsafe. Regardless of the potential future addition of 6 lanes, the new bridges do not necessarily result in more people driving on I-5. Instead, existing traffic volumes will be shifted from the detour bridge to the new bridges. If the decommissioned I-5 bridge is not replaced, those vehicles would be forced each day onto city streets and county roads not designed for such trips. The ensuing degradation to the air quality along these alternative routes caused by unmanageable congestion would be in direct contradiction to the purpose of Goal 6. Even the potential increase in the number of lanes does not necessarily increase the number of people driving on I-5, but rather increases continuous traffic movement. Regarding air quality, this goal is met by the proposed plan amendments.

Regarding water quality, construction of the replacement bridges and the removal of the decommissioned and detour bridges will impact water quality by affecting soils and vegetation

within the Willamette River and along the greenway setback. Water quality may also be affected where impervious surfaces are added along the bridge approaches. Where areas are paved, water cannot penetrate the soils so it rushes over the surface. This can increase erosion and the movement of fine sediments and increase pollutant loads in watercourses. While construction of the replacement bridges will result in some new impervious surfaces, overall the project will result in a net decrease in impervious surface because ODOT will remove the approach roadway for the detour bridge.

The applicant also proposes that water quality impacts will be mitigated through the use of effective land-based stormwater treatment systems that include measures to preserve and restore mature vegetation and maximize infiltration. The use of construction techniques that include temporary and permanent Best Management Practices for erosion and sediment control and spill control and prevention also can achieve compliance with clean water standards. Oregon Highway Plan 5A.1 directs ODOT to implement Best Management Practices. Based on these findings, water quality will be maintained and mitigated, consistent with this goal. In addition, through the local permitting process, Eugene and Springfield can impose appropriate conditions to ensure that Best Management Practices are employed and that water quality is maintained, subject to applicable approval criteria and related standards. By doing so, Goal 6 is satisfied.[2]

Regarding noise, a project noise technical report was prepared as part of the Environmental Assessment (as required by NEPA) to analyze potential noise impacts resulting from the project. Per the ODOT Noise Manual (June 1996) analysis procedures, noise mitigation measures were evaluated to reduce noise levels to nearby residences as a result of the project. Noise walls were determined to meet the ODOT effectiveness and cost-effectiveness criteria in two locations and are recommended as mitigation (see supplemental information, Figures 7-9). The final wall locations will be determined after public input is completed as part of the NEPA process. Additionally, as stated on page 13 of the written statement, the applicant proposes the following general measures:

- Continue public involvement through design and construction
- limit work hours
- limit noise

Therefore, in the context of a plan amendment, the proposed amendments are consistent with Statewide Planning Goal 6. Additionally, specific construction and operational details will be appropriately addressed during local permitting processes, subject to applicable approval criteria and related standards.

<u>Goal 7 - Areas Subject to Natural Disasters and Hazards:</u> *To protect life and property from natural disasters and hazards.*

Goal 7 requires that local government planning programs include provisions to protect people and

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2 Currently, there is no stormwater treatment for the decommissioned and detour bridges. Providing water quality treatment for the new bridges, which would be required through the applicant's proposed Best Management Practices, would have a beneficial effect on water quality. The water quality report for the project noted that the amount of runoff from the bridges would be so minor relative to the volume of flow in the Willamette River that the effect would be negligible.

property from natural hazards such as floods, land slides, earthquakes and related hazards, tsunamis and wildfires. It is not subject to hazards normally associated with wildfires, or tsunamis.

Consistent with this goal, the City of Eugene has adopted provisions regulating development in floodplains and floodways, and building codes regulations that address slopes and seismic concerns.

To the extent that this is relevant to the proposed plan amendment, the existing detour bridge does not meet current seismic standards. Consistent with this goal, the proposed bridge replacement project will provide bridges that meet current seismic, safety and design standards.

Additionally, regarding slopes, portions of the project area are identified on the map for Relative Slope Instability Hazards. The portions of the project site in the Whilamut Natural Area and Eastgate Woodlands, and the area southeast of I-5 and the Willamette River are identified as moderate hazard areas. However, both of these areas are proposed for only temporary staging locations. The applicant has completed 10 borings on either side of the river as part of a geotechnical investigation related to the temporary detour bridge (three north of the river, seven south of the river). A geological report (which was not submitted for this application) indicates that geological resources in the project area consist of fill material, alluvium, and bedrock. The processes affecting these materials are man-made, such as excavation and grading, and natural. Since there is an existing bridge, impacts to geological resources would consist of relatively minor changes in topography, minor settlement of near-surface materials, possible increase in erosion, minor changes to the river flow regime and related sediment and related sediment transport, and potential changes in slope stability (from vegetation removal). These impacts would occur as a result of excavation, placement of structure and fills, and clearing and grading. Impacts related to construction would be temporary, localized changes to river flow regime; stability of partially constructed slopes; erosion; and resultant sedimentation. The highest risk to landslide would be slope failure into the Willamette River; however, considering the low height of the riverbank, such a failure would be limited to a small area relative to the width of the river. The applicant states that geotechnical investigations will also be completed during design to determine the best method to seat foundations and piers and to reduce effects related to hazards. Additionally, slopes will be constructed in a manner that reduces potential for erosion or small landslides.

Therefore, the project would have no permanent effects on geological resources. In the context of a plan amendment, landslide and earthquake hazards are addressed consistent with this goal. Furthermore, specific construction details will be further reviewed during the local permitting processes, subject to applicable standards, such as, based on the earthquake hazard, geotechnical investigations should be completed prior to construction to determine the best method to seat foundations, piers, and bents to reduce effects related to earthquakes (e.g., lateral spread, liquefaction). In addition, slopes should be constructed in a manner that reduces the potential for erosion or small landslides.

Regarding flooding, portions of the project area are located within the floodway and floodplain of the Willamette River. As previously stated, both Eugene and Springfield have adopted ordinances regulating construction within floodways and floodplains. Furthermore, in response to Metro Plan policies C.30 and C.31 below, which is incorporated herein by reference, because the I-5 Willamette Bridge project is located within a FEMA designated regulatory floodway and

floodplain, the design of the replacement bridges must satisfy the regulations set forth in the National Flood Insurance Program (NFIP). The NFIP requires that any modifications that cause a rise in the Base Flood Elevations (BFEs, which corresponds to water surface elevations associated with the 100-year flood event) must be approved by FEMA.

Two pier location scenarios are currently under consideration (Proposed Option A and Proposed Option B, see written statement page 9). Based on preliminary modeling, Option A would result in an increase of 0.02 feet over existing conditions for the 100-year flood event. For the Environmental Assessment, 'the hydraulic conditions of the I-5 Willamette Bridge Project were analyzed using the U.S. Army Corp of Engineers' HEC-RAS model. Natural, existing and proposed conditions (with pier locations Options A and B) were modeled. Conservative assumptions regarding pier size were used for this modeling. Refined design of the concepts and further hydraulic analysis will allow confirmation that the proposed project will result in no rise of the base flood elevation.

Option B would result in a decrease of 0.54 feet for the 100-year flood event, which is consistent with the no-rise standard and consistent with this goal. While Option A shows an increase of 0.02, which does not meet the no-rise requirement, this is not a detailed analysis and modeling will be run again when the design is refined for the permitting process in order to meet the no-rise requirement. A FEMA "no-rise" certification will be obtained from the City of Eugene for any construction or structures within floodways/special flood hazard areas that are outside of rights-of-way, within Eugene. In addition, the applicant states that the no-rise condition is also a requirement of ODOT for any bridge replacement project.

Other hazards, such as earthquakes and severe winter storms can be mitigated at the time of development based on accepted building codes and building techniques. As previously stated, specific construction and operational details will be appropriately addressed during local permitting processes, subject to applicable approval criteria and related standards.

Therefore, in the context of a plan amendment, the preliminary no-rise data, the landslide information, and findings above, the proposed plan amendments are consistent with Statewide Planning Goal 7.

<u>Goal 8 - Recreational Needs:</u> *To satisfy the recreational needs of the citizens of the state and visitors and, where appropriate, to provide for the siting of necessary recreational facilities including destination resorts.*

Goal 8 ensures the provision of recreational facilities to Oregon citizens and is primarily concerned with the provision of those facilities in non-urban areas of the state. East Alton Baker Park is located to the east and west of I-5 right-of-way, which includes recreation, bicycle and pedestrian paths and the canoe canal (utilized by kayakers). The portion of the park that is west of I-5 in Eugene is now called the Whilamut Natural Area and the portion of the park east of I-5 in Springfield is called the Eastgate Woodlands of the Whilamut Natural Area (abbreviated here as Eastgate Woodlands) and these areas will be referred to as such for the remainder of these findings unless otherwise indicated. The demolition and construction of the bridges will take place within the I-5 right-of-way, which is not part of the park; therefore the replacement bridges will not remove or increase recreational opportunities at the park. However, removal of the detour bridge will include

removal of fill material from and rehabilitation of a portion of Eastgate Woodlands. The temporary easement obtained by ODOT to do this work requires rehabilitation of the area within 5 years of completion of the permanent bridges. This easement will ensure that recreational use of this area will return to pre-project conditions.

Additionally, during construction the park will be temporarily affected. Through the other local permitting processes (Willamette Greenway permit, Water Resources Conservation Overlay review, Willamette Greenway setback, etcetera) construction impacts will be required to be minimized through conditions of approval that would preserve bicycle, pedestrian and boater safety, and to maintain consistency with operational provisions in the East Alton Baker Park Plan (which includes the Whilamut Natural Area and Eastgate Woodlands). Public access to the Willamette River will continue to be provided through ODOT's right-of-way under the bridges therefore public access to the river will not be affected (written statement page 49, Metro Plan Policy D.9). Although the bicycle/pedestrian pathways may be impacted during construction, the application will provide a continuous route across ODOT right-of-way for the bicycle/pedestrian pathways that will be maintained on both the north and the south sides of the river during construction (written statement, page 61, Willakenzie Area Plan, Neighborhood Design Element- Willamette Greenway, Use Management Standard 2). Additionally, specific construction and operational details regarding public access and recreational impacts will be appropriately addressed during local permitting processes, subject to applicable approval criteria and related standards.

Comments were received stating that (to summarize) the bridge provides a crossing of Franklin Boulevard and the railroad and that this provides an opportunity for those crossing to be made available to pedestrians and bicyclists. Additionally, the comments note that since the replacement is not accommodating such a crossing, the applicant has insufficient analysis regarding the provision of adequate access to Alton Baker Park. As discussed in more detail under the Metro Plan Transportation Element, Policy F.14 below which is incorporated herein by reference, the applicant proposes a continuous route across ODOT right-of-way for the bicycle/pedestrian pathways to be maintained on both the north and the south sides of the river during construction. This mitigates for the temporary impacts to the existing bicycle/pedestrian pathways and ensures that connections between existing paths and to near-by Knickerbocker Bridge are maintained. In the context of the proposed plan amendments, this adequately addresses access for bicyclists and pedestrians as these are the existing bicycle and pedestrian facilities affected by the proposed amendments.

Based on the findings above, in the context of a plan amendment, the proposal will not impact the provision of public recreational facilities, nor will they affect access to existing or future public recreational facilities. The amendments are therefore consistent with Statewide Planning Goal 8.

Goal 9 - Economic Development: *To provide adequate opportunities throughout the state for a variety of economic activities vital to the health, welfare, and prosperity of Oregon's citizens.*

The Administrative Rule for Statewide Planning Goal 9 (OAR 660 Division 9) requires that the City "[p]rovide for at least an adequate supply of sites of suitable sizes, types, location, and service levels for a variety of industrial and commercial uses consistent with plan policies[.]" Among other things, the rule requires that cities complete an "Economic Opportunities Analysis." OAR 660-009-0015. Based on the Economic Opportunities Analysis, cities are to prepare Industrial and

Commercial Development Policies. OAR 660-009-0020. Finally OAR 660-009-0025 requires that cities designate industrial and commercial lands sufficient to meet short and long term needs. OAR 660-009-0010(2) provides that the detailed planning requirements imposed by OAR 660 Division 9 apply "at the time of each periodic review of the plan (ORS 197.712(3))." In addition, OAR 660-009-0010(4) provides that, when a city changes its plan designations of lands in excess of two acres to or from commercial or industrial use, pursuant to a post acknowledgment plan amendment, it must address all applicable planning requirements and (a) demonstrate that the proposed amendment is consistent with the parts of its acknowledged comprehensive plan which address the requirements of OAR 660 Division 9; or (b) amend its comprehensive plan to explain the proposed amendment pursuant to OAR 660 Division 9; or (c) adopt a combination of (a) and (b) consistent with the requirements of Division 9.

In the context of OAR 660-009-0010(4), the Eugene Commercial Lands Study (ECLS) is acknowledged for compliance with the requirements of Goal 9 and its Administrative Rule. The ECLS constitutes the City's obligation under OAR 660 Division 9. However, since the I-5 Willamette Bridge Project is occurring in approximately the same location of the existing bridges, within existing right-of-way, existing right-of-way easements, or temporary staging areas (within existing right-of-way or park property), OAR 660-009-0010(4) does not apply because the proposed amendment will not remove any land from the commercial land supply. Therefore, the amendments are consistent with Statewide Planning Goal 9.

Goal 10 - Housing: *To provide for the housing needs of the citizens of the state.*

Goal 10 requires that communities plan for and maintain an inventory of buildable residential land for needed housing units. The Administrative Rule for Statewide Planning Goal 10 (OAR 660 Division 8) states that "the mix and density of needed housing is determined in the housing needs projection. Sufficient buildable land shall be designated on the comprehensive plan map to satisfy housing needs by type and density range as determined in the housing needs projection. The local buildable lands inventory must document the amount of buildable land in each residential plan designation." The comprehensive plan map for the City is the Metro Plan land use diagram. The 1999 Eugene-Springfield Metropolitan Area Residential Lands and Housing Study (RLS) is acknowledged for compliance with the requirements of Goal 10 and its Administrative Rule.

As previously stated, the proposed plan amendment will accommodate a bridge replacement project that will occur in approximately the same location as the existing bridges, within existing right-of-way, existing right-of-way easements, or temporary staging areas (that are within right-of-way or park property). Therefore, the inventory of residential land will not be impacted and thus Statewide Planning Goal 10 is not applicable.

Goal 11 - Public Facilities and Services: *To plan and develop a timely, orderly and efficient arrangement of public facilities and services to serve as a framework for urban and rural development.*

The area affected by the amendments, the bridge right-of-way, is located entirely within the City limits of both the City of Eugene and the City of Springfield. The proposed amendments would allow demolition and replacement of the temporary I-5 bridge and reconstruction of the roadway

approaches to the bridges, which are all public facilities that are acknowledged in the Oregon Highway Plan and the local regional transportation plan (TransPlan) as necessary public facilities and services. Replacement of the temporary bridge with permanent bridges that meets current seismic standards ensures that this public facility continues to safely serve the area. The provision of these amendments does not significantly affect the planning or development of future public facilities or services. Therefore, the amendments are consistent with Statewide Planning Goal 11.

Goal 12 - Transportation: *To provide and encourage a safe, convenient and economic transportation system.*

Goal 12 is implemented through the Transportation Planning Rule (TPR), as defined in Oregon Administrative Rule OAR 660-012-0000, et seq. The Eugene-Springfield Metropolitan Area Transportation Plan (TransPlan) provides the regional policy framework through which the TPR is implemented at the local level. The TPR (OAR 660-012-0060) states that when land use changes, including amendments to acknowledged comprehensive plans, significantly affect an existing or planned transportation facility the local government shall put in place measures to assure that the allowed land uses are consistent with the identified function, capacity and performance standards (level of service, volume to capacity ratio, etc.) of the facility. TransPlan, which implements Goal 12, identifies I-5 (including the I-5 bridge) as an existing transportation facility.

Determination of Significant Effect
The TPR requires a determination of which existing and planned transportation facilities will experience a significant effect as a result of the proposed plan amendment, and defines what constitutes a significant effect.

OAR 660-012-0060(1) Plan and Land Use Regulation Amendments

As stated in the following findings, the plan amendments propose no significant effect on any planned or existing facilities under OAR 660-012-0060(1)(a), (b) or (c). OAR 660-012-0060(1) Plan and Land Use Regulation Amendments states the following:

> *(1) Where an amendment to a functional plan, an acknowledged comprehensive plan, or a land use regulation would significantly affect an existing or planned transportation facility, the local government shall put in place measures as provided in section (2) of this rule to assure that allowed land uses are consistent with the identified function, capacity, and performance standards (e.g. level of service, volume to capacity ratio, etc.) of the facility. A plan or land use regulation amendment significantly affects a transportation facility if it would:*
>
> *(a) Change the functional classification of an existing or planned transportation facility (exclusive of correction of map errors in an adopted plan);*
>
> *(b) Change standards implementing a functional classification system; or*

The proposed amendment will not change the functional classification of an existing or planned transportation facility or change the standards implementing a functional classification system.

(c) As measured at the end of the planning period identified in the adopted transportation system plan:

(A) Allow land uses or levels of development that would result in types or levels of travel or access that are inconsistent with the functional classification of an existing or planned transportation facility;

(B) Reduce the performance of an existing or planned transportation facility below the minimum acceptable performance standard identified in the TSP or comprehensive plan; or

(C) Worsen the performance of an existing or planned transportation facility that is otherwise projected to perform below the minimum acceptable performance standard identified in the TSP or comprehensive plan.

The proposed amendment will allow for the construction of bridges to replace existing bridge facilities that have been decommissioned as being structurally unsafe. The replacement bridges will be constructed in approximately the same location as the decommissioned bridge. Since 2004 (when the primary bridges were decommissioned as unsafe), a (temporary) detour bridge has provided I-5 traffic access over the Willamette River. Once the proposed bridges are constructed, existing traffic volumes currently using the detour bridge will be shifted from the detour bridge to the new bridges. Construction of the proposed bridges will simply reroute traffic from the current detour bridge to the (permanent) replacement bridges allowed by the proposed amendment.

While the replacement bridges will be designed and constructed to accommodate six lanes of travel, because I-5 is only four lanes, the bridges will be striped for four lanes. Until I-5 is widened to six lanes, the bridges will remain striped for four lanes. Designing and constructing the bridges to allow for six lanes of travel is intended to accommodate future traffic needs traveling along I-5; the additional I-5 traffic will be generated by future development throughout the State of Oregon and, because I-5 is a major interstate, throughout the United States. The construction of the replacement bridges, whether striped for four lane or six lanes, does not generate any additional vehicular trips, it simply provides passage over the Willamette River. When the bridges are eventually striped for six lanes (to be made consistent with I-5), the additional bridge capacity will increase the performance and function of I-5, not worsen it.

Accordingly, the proposed amendment will not allow land uses or levels of development that will result in types or levels of travel or access that are inconsistent with the functional classification of an existing or planned transportation facility under OAR 660-012-0060(1)(c)(A).

Further, the proposed amendments will not reduce the performance of an existing or planned transportation facility below the minimum acceptable performance standard identified in the TSP or comprehensive plan under (1)(c)(B), or worsen the performance of an existing or planned transportation facility that is otherwise projected to perform below the minimum acceptable performance standard identified in the TSP or comprehensive plan under (1)(c)(C).

For the reasons discussed above, the proposed amendment will not significantly affect an existing or planned transportation facility.

OAR 660-012-0015 Preparation and Coordination of Transportation System Plans

OAR 660-012-0015(1) directs ODOT to prepare and adopt a state transportation system plan that identifies a system of transportation facilities and services adequate to meet identified state transportation needs. The Oregon Transportation Commission has done that through adoption of the Oregon Transportation Plan (OTP) and modal plans, including the Oregon Highway Plan. The OTP includes policies to increase the efficient movement of people and goods for commerce and production of goods and services that is coordinated with regional and local plans. It emphasizes managing the existing transportation system effectively and improving that system before adding new facilities.

The OTP also promotes a safe, efficient, and reliable freight system to support economic vitality. The OHP identifies I-5 as an interstate highway within the state's roadway network. That highway necessarily includes a bridge over the Willamette River in Eugene/Springfield. OAR 660-012-0015(2) and (3) require that regional and local TSPs be consistent with the state TSP. Transplan currently recognizes the importance of I-5 to the region. Because the replacement bridges are necessary to maintaining I-5, by approving the proposed plan amendments, all plans will remain consistent and the requirements of Goal 12 will be satisfied.

Based on the above findings, the proposal is consistent with Statewide Planning Goal 12.

<u>Goal 13 - Energy Conservation:</u> *To conserve energy.*

Statewide Planning Goal 13 calls for land uses to be managed and controlled "so as to maximize the conservation of all forms of energy, based upon sound economic principles." Goal 13 is directed at the development of local energy policies and implementing provisions and does not state requirements with respect to other types of land use decisions. It is not clear that the goal has any bearing on a site-specific decision such as the one at issue. There is no implementing rule that clarifies the requirements of Goal 13. To the extent that Goal 13 could be applied to the proposed plan amendments, the proposal is consistent with Goal 13; the I-5 Willamette Bridge project is located in the same location as the existing and previous bridges and will continue to make efficient use of energy with safe, direct and efficient access though the area.

Comments were received that, in summary, the applicant fails to consider the conservation of energy by any means other than that of maximizing the efficiency of car and truck traffic. Specifically, failure to consider any provision for incorporating bicycle traffic into the crossing does not maximize the conservation of all forms of energy, particularly petroleum energy. However, given that Goal 13 is directed at developing local energy conservation policies, it is determined that Goal 13 is not a means to require a specific project to add a bicycle and pedestrian component.

Based on the findings above, the proposal is consistent with Statewide Planning Goal 13.

<u>Goal 14 - Urbanization:</u> *To provide for an orderly and efficient transition from rural to urban land*

use.

The amendments do not affect the transition from rural to urban land use, as the project area is centrally located to the Metro Plan and is entirely within the Eugene-Springfield UGB. Therefore, Statewide Planning Goal 14 does not apply.

Goal 15 - Willamette River Greenway: *To protect, conserve, enhance and maintain the natural, scenic, historical, agricultural, economic and recreational qualities of lands along the Willamette River as the Willamette River Greenway.*

Portions of the project area are within the boundaries of the Willamette River Greenway. As found under Goal 2 above, which is incorporated herein by reference, a goal 15 exception is required by Policy D.11 of the Metro Plan and the applicant meets the requirements for an exception to Goal 15. Based on these findings, the proposal complies with Statewide Planning Goal 15 as excepted.

Goal 16 through 19 - Estuarine Resources, Coastal Shorelands, Beaches and Dunes, and Ocean Resources:

There are no coastal, ocean, estuarine, or beach and dune resources related to the property affected by these amendments. Therefore, these goals are not relevant and the amendments will not affect compliance with Statewide Planning Goals 16 through 19.

(b) Adoption of the amendment must not make the Metro Plan internally inconsistent.

The applicant proposes to amend the Metro Plan text of Policy D.11 to allow the placement of fill within the Willamette River greenway for the construction of the I-5 Willamette Bridge Project. As found below, this text amendment will not create an internal conflict with the remainder of the Metro Plan. The applicant provided detailed findings intending to show how the Metro Plan text amendment is consistent with the policy direction contained in the Metro Plan. To the extent that they may be applicable, the applicant's findings are also incorporated herein by reference.

The following Metro Plan polices are applicable to this request:

B. Economic Element

B.18 Encourage the development of transportation facilities which would improve access to industrial and commercial areas and improve freight movement capabilities by implementing the policies and projects in the Eugene-Springfield Metropolitan Area Transportation Plan (TransPlan) and the Eugene Airport Master Plan.

While the expressed language of this policy may not be mandatory, the applicant's findings are provided as further support for the proposed amendments. Replacing the decommissioned I-5 Willamette River bridge with two new bridges, and associated improvements, will maintain the access, mobility, and freight movement capabilities that the decommissioned bridge and temporary detour bridge have provided. By ensuring mobility is maintained along the interstate highway system through Eugene and Springfield, the replacement bridges will help provide convenient

access to industrial and commercial areas on connecting roads consistent with this policy.

C. Environmental Resources Element

C.8 Local governments shall develop plans and programs which carefully manage development on hillsides and in water bodies, and restrict development in wetlands in order to prevent erosion and protect the scenic quality, surface water and groundwater quality, forest values, vegetation, and wildlife values of those areas.

C.9 Each city shall complete a separate study to meet its requirements under the Goal 5 Rule for wetlands, riparian corridors, and wildlife habitat within the UGB. Lane County and the respective city jointly will adopt the inventory and protection measures for the area outside the city limits and inside the UGB.

C.10 Local governments shall encourage further study (by specialists) of endangered and threatened plant and wildlife species in the metropolitan area.

C.11 Local governments shall protect endangered and threatened plant and wildlife species, as recognized on a legally adopted statewide list, after notice and opportunity for public input.

These policies are directed to the local governments of Eugene, Springfield and Lane County and not necessarily the applicant. However, they are applicable to the extent that the cities of Eugene and Springfield and Lane County have adopted regulations to protect these resources, and that the applicant will be required to apply for applicable permits pursuant to those local requirements (Eugene's Willamette Greenway permit and Water Resources Conservation Overlay Zone, and Springfield's 75-riparian setback review).

C.23 Design and construction of new noise-sensitive development in the vicinity of existing and future streets and highways with potential to exceed general highway noise levels shall include consideration of mitigating measures, such as acoustical building modifications, noise barriers, and acoustical site planning. The application of these mitigating measures must be balanced with other design considerations and housing costs.

Comments were also received regarding the noise abatement walls and limiting noise from the project. Since the project is not a "new noise-sensitive development in the vicinity of existing and futures streets and highways..." but is rather the reverse, a highway in the vicinity of existing residential development, this policy is not applicable. Furthermore, the highway is replacing an existing highway in approximately the same location. In the event that this policy is found applicable, the applicant's findings are incorporated to demonstrate consistency. As previously discussed under Goal 6 above, a project noise technical report was prepared as part of the Environmental Assessment (as required by NEPA) to analyze potential noise impacts resulting from the project. Per the ODOT Noise Manual (June 1996) analysis procedures, noise mitigation measures were evaluated to reduce noise levels to nearby residences as a result of the project. Noise walls were determined to meet the ODOT effectiveness and cost-effectiveness criteria in two locations and are recommended as mitigation (see supplemental information, Figures 7-9). The final

wall locations will be determined after public input is completed as part of the NEPA process. Additionally, as stated on page 13 of the written statement, the applicant proposes the following general measures:

- Continue public involvement through design and construction
- limit work hours
- limit noise

Based on these findings, this policy is satisfied.

C.26 Local Governments shall continue to monitor, to plan for, and to enforce applicable air and water quality standards and shall cooperate in meeting applicable federal, state and local air and water quality standards.

As previously stated under Goal 6, which is incorporated herein by reference, it is not anticipated that the replacement bridges will have a permanent adverse impact on air quality as the bridges are replacing an existing bridge. The applicant is proposing several measures including site preparation, site construction, coordination and post development measures discussed under Metro Plan Policy E.2, which is incorporated herein by reference, to reduce and mitigate impacts to water quality, consistent with this policy. In addition, water quality impacts will be further reviewed for compliance with local standards under the local permitting process for Willamette Greenway permit, Water Resources Conservation Overlay Zone and the 75-foot riparian setback and under the NEPA Environmental Assessment, subject to applicable requirements.

C.30 Except as otherwise allowed according to Federal Emergency Management Agency (FEMA) regulations, development shall be prohibited in floodways if it could result in an increased flood level. The floodway is the channel of a river or other water course and III-C-16 the adjacent land area that must be reserved to discharge a one-percent-chance flood in any given year.

C.31 When development is allowed to occur in the floodway or floodway fringe, local regulations shall control such development in order to minimize the potential danger to life and property. Within the UGB, development should result in in-filling of partially developed land. Outside the UGB, areas affected by the floodway and floodway fringe shall be protected for their agricultural and sand and gravel resource values, their open space and recreational potential, and their value to water resources.

C.32 Local governments shall require site-specific soil surveys and geologic studies where potential problems exist. When problems are identified, local governments shall require special design considerations and construction measures be taken to offset the soil and geologic constraints present, to protect life and property, public investments, and environmentally-sensitive areas.

Regarding Policy C.30 and C.31, as discussed under Statewide Planning Goal 7, Natural Hazards, which is incorporated herein by reference, the I-5 Willamette Bridge Project is partially located within a FEMA designated regulatory floodway and floodplain. Therefore, the design of the replacement bridge must satisfy the regulations set forth in the National Flood Insurance Program

(NFIP). The NFIP requires that any modifications that cause a rise in the Base Flood Elevations (BFEs, which corresponds to water surface elevations associated with the 100-year flood event) must be approved by FEMA. The no-rise condition is also a requirement of ODOT for any bridge replacement project.

Consistent with C.31, both Eugene and Springfield have adopted ordinances regulating construction within floodplains and floodways; City of Eugene FEMA "no-rise" certification for any construction or structures within floodways/special flood hazard areas; and City of Springfield Type I permit to allow any construction in the floodplains or floodways within Springfield. Comments from the Eugene Floodplain Manager note that a FEMA no-rise certificate would only be required through the City of Eugene for construction (fill) or structures within the floodway or floodplain that are outside of the right-of-way. The proposal includes temporary staging areas outside of the ODOT right-of-way; portions of the Whilamut Natural Area and Eastgate Woodlands, and ODOT and Lane County property both located southeast of I-5 and the Willamette River. For these areas, prior to any fill or other development within the regulatory floodway, ODOT will be required to obtain a "no-rise" certification stating that the development will not impact the pre-project (before the temporary bridge) base flood elevation elevations, floodway elevations and floodway data widths. This certification must be signed by a professional engineer and supported by technical data consistent with current FEMA standards.

Based on the preliminary modeling, the proposed pier location options would result in the following; Option A would result in an increase of 0.02 feet over existing conditions for the 100-year flood event and, Option B would result in a decrease of 0.54 feet for the 100- year flood event. Option B, including a decrease in base flood elevation, is consistent with the no-rise and Policies C.30 and C.31. Option A's preliminary analysis shows an increase of 0.02 base flood elevation, which does not meet the no-rise requirement. However, a detailed no-rise analysis has not been submitted and the modeling will be run again to meet the no-rise requirement when the design is refined for the permitting process. Furthermore, ODOT requires its bridges to meet the no-rise requirement. Therefore, in the context of a plan amendment, these policies are met. Specific construction and operational details will be appropriately addressed during local and state permitting processes, subject to applicable approval criteria and related standards.

Regarding Policy C.32, as noted under Goal 7, portions of the project area proposed for temporary staging areas are identified as moderate hazard risk areas on the map identifying Relative Slope Instability Hazards in Eugene. However, while this information may guide the City in adopting code revisions, it does not apply directly to land use applications as it is not adopted as refinement plan or as codified land use criteria. Additionally, based on the earthquake hazard, geotechnical investigations can be completed prior to construction to determine the best method to seat foundations, piers, and bents to reduce effects related to earthquakes (e.g., lateral spread, liquefaction). In addition, slopes can be constructed in a manner that reduces the potential for erosion or small landslides.

Based on the findings above, in the context of a plan amendment, the proposed plan amendments are consistent with these policies.

D. Willamette River Greenway, River Corridors, and Waterways Element

D.9 Local and state governments shall continue to provide adequate public access to the Willamette River Greenway.

The applicant proposes that the public access connecting to the Willamette River Greenway will continue to be provided through ODOT's right-of-way under the I-5 bridges, therefore public access to the Willamette River Greenway will not be permanently affected. As noted under Goal 8 Recreational Need above, which is incorporated herein by reference, a continuous route across ODOT right-of-way for the bicycle/pedestrian pathways will be maintained on both the north and the south sides of the river during construction (written statement, page 61, Willakenzie Area Plan, Neighborhood Design Element- Willamette Greenway, Use Management Standard 2). Therefore, in the context of a plan amendment, this policy is met. Additionally, these specific construction and operational details will be appropriately addressed during local permitting processes, subject to applicable approval criteria and related standards.

D.11 The taking of an exception shall be required if a non-water-dependent transportation facility requires placing of fill within the Willamette River Greenway setback.

An exception to Statewide Planning Goal 15 Willamette River Greenway was approved for Oregon Department of Transportation (ODOT) I-5 right of way crossing the Willamette River and within the Willamette River Greenway Setback Line, for purpose of constructing a temporary detour bridge, implementing the conditions imposed on the Discretionary Use Approval (Springfield Journal SHR 2003-00115) and removing the temporary detour bridge after completion of the permanent replacement bridge. This exception satisfies the criteria of Oregon Administrative Rule (OAR) 660-004-0022(5) Willamette Greenway; the exception requirements of OAR 660-004-0020 Goal 2, Part II(c) for a 'reasons' exception; and pursuant to OAR 660-004-0015, is hereby adopted as an amendment to the Metro Plan text, Policy #D.11, Chapter III, Section D.

As discussed under Goal 2 above, in accordance with Policy D.11, the applicant is requesting an exception to Goal 15 for reasons outlined under OAR 660-004-0022. An exception is warranted per the standards set forth in OAR 660-004-0020. Therefore, the above Metro Plan text for Policy D.11 must be amended to acknowledge this Goal 15 exception. Accordingly, the following text amendment is proposed, with old text ~~struck out~~ and new text in **bold**:

~~An exception to Statewide Planning Goal 15 Willamette River Greenway was approved for Oregon Department of Transportation (ODOT) I-5 right of way crossing the Willamette River and within the Willamette River Greenway Setback Line, for purpose of constructing a temporary detour bridge, implementing the conditions imposed on the Discretionary Use Approval (Springfield Journal SHR 2003-00115) and removing the temporary detour bridge after completion of the permanent replacement bridge. This exception satisfies the criteria of Oregon Administrative Rule (OAR) 660-004-0022(5) Willamette Greenway; the exception requirements of OAR 660-004-0020 Goal 2, Part II(c) for a 'reasons' exception; and pursuant to OAR 660-004-0015, is hereby adopted as an amendment to the Metro Plan text, Policy #D.11, Chapter III, Section D.~~

An exception to Statewide Planning Goal 15 Willamette River Greenway was approved for Oregon Department of Transportation (ODOT) for purposes of removing and replacing the decommissioned I-5 bridge, the temporary detour bridge and the Canoe Canal bridge with two new parallel bridges (one southbound and one northbound) within the I-5 right-of-way crossing the Willamette River and Canoe Canal and within the Willamette River Greenway Setback Line. The exception authorizes construction and later removal of one or more temporary work bridges; demolition of the decommissioned I-5 Willamette River Bridge, Canoe Canal Bridge, and detour bridges; construction of the two replacement bridges; reconstruction of the roadway approaches to the bridges (I-5 and ramps); rehabilitation of the project area; and completion of any required mitigation of project impacts. In association with these tasks, the exception further authorizes within the Willamette River Greenway Setback Line the addition and removal of fill within ODOT right-of-way and the removal of fill within a temporary slope easement east of I-5. This exception satisfies the criteria of Oregon Administrative Rule (OAR) 660-004-0022(6), Willamette Greenway, and the exception requirements of OAR 660-004-0020 Goal 2 Part II(c) for a "reasons" exception, and pursuant to OAR 660-004-0015, is hereby adopted as an amendment to the Metro Plan text, Policy D.11, Chapter 111, Section D.

The proposed text amendment replaces the stand-alone paragraph under Policy D.11 regarding the temporary bridge. The applicant's proposed Metro Plan text amendment to Policy D.11 is adequate and with this text amendment and Goal 15 exception granted under Goal 2 above, Policy D.11 will be satisfied.

E. Environmental Design Element

E.2 Natural vegetation, natural water features, and drainage-ways shall be protected and retained to the maximum extent practical. Landscaping shall be utilized to enhance those natural features. This policy does not preclude increasing their conveyance capacity in an environmentally responsible manner.

Bridge construction and demolition, including construction and removal of associated temporary work platforms, will impact riparian vegetation within the greenway.

Construction is proposed within existing ODOT rights-of-ways and easements, with the exception of temporary staging areas. As discussed above under Goal 8 Recreational Need, removal of the detour bridges will include removal of fill material from and rehabilitation of a portion of the Whilamut Natural Area. ODOT has obtained a temporary easement to do this work which requires rehabilitation of the area within 5 years of completion of the permanent bridges. Construction best management practices will be implemented to minimize the effects of construction activities. Disturbed areas will be restored and ODOT will work with the community throughout the design and construction process to get input and advice on ways to avoid and minimize environmental impacts.

According to the applicant, a species list provided by ORNHIC (Oregon Natural Heritage Information Center) indicates that there are no federal or state-listed Endangered Species Act (ESA)

terrestrial wildlife species known to reside within the project area. There are no known federal or state ESA –listed plant species or plant habitats have been identified within the project area. Two salmonid populations listed under the ESA are documented as occurring within the reach of the Willamette River that flows through the project area:

- Upper Willamette River spring Chinook (Oncorhynchus tshawytscha) and critical habitat – federally threatened – FT.
- Columbia River bull trout (Salvelinus confluentus) Distinct Population Segment (DPS) and critical habitat - FT.

ODOT will coordinate with Oregon Department of Fish and Wildlife through the design process to identify opportunities to minimize habitat disturbance. To avoid and minimize potential impacts to fish and wildlife species habitat during and after construction activities, all applicable OTIA III State Bridge Delivery Program EPS will be implemented to reduce the extent of direct and indirect impacts to habitat. These include:

- Minimize effects to natural stream and floodplain by keeping the work area to the smallest footprint needed.
- Prepare and implement a plan to prevent construction debris from dropping into the Willamette River and to remove materials that may drop with a minimum disturbance to aquatic habitat.
- Prepare site restoration plans for upland, wetland, and streambank areas to include native plant species and noxious weed abatement techniques, and use large wood and rock as components of streambed protection treatments.
- Flag boundaries of clearing limits and sensitive areas to be avoided during construction.
- Coordinate with Willamalane Park and Recreation District and the Eugene Parks and Open Space Division regarding sensitive areas in the Whilamut Natural Area and Eastgate Woodlands that should be avoided during construction.
- Restore and revegetate disturbed areas.

ODOT also proposes (written statement, page 13) to avoid, minimize and/or mitigate impacts of this project, consistent with this policy, by utilizing the following general measures amongst others:

- Continue public involvement through design and construction
- Plan traffic management to keep all travel modes open and safe during construction
- Limit work hours
- Restore/enhance affected areas
- Limit project noise

Public comment was received expressing support for these measures, especially limiting project noise and work hours, especially for pile driving activities.

In addition, specific design details will be reviewed and conditioned to minimize environmental impacts during federal and local permitting processes, subject to applicable approval criteria and related standards. The applicant proposes that the project will meet the OTIA III Environmental Performance Standards (EPS) in order to satisfy the requirements of the programmatic

environmental permits that apply to the statewide bridge program. These performance standards define the level of effect that a project may have upon the environment, thereby limiting or avoiding impacts to the environment through the use of proper planning, design, and construction activities. To avoid fish and wildlife species and minimize temporary impacts from construction activities, all applicable OTIA III State Bridge Delivery Program EPS will be implemented to reduce the extent of direct and indirect impacts to fish and wildlife species. Effects to water resources during construction and operation of the project will be minimized through the implementation of applicable mitigation measures in the OTIA III State Bridge Delivery Program EPS. It is noted that with regard to pier locations shown on page 9 of the application, Option B indicates a pier closer to the Mill Race, while Option A shows a pier closer to the Willamette River, however, no specific design is being reviewed at this time in the context of a plan amendment. Local permitting processes include Willamette Greenway permit and Water Resources Conservation Overlay for Eugene, and a 75-foot riparian setback review for Springfield. Natural vegetation, natural water features, and drainage-ways shall be protected and retained to the maximum extent practical, consistent with these permitting processes.

This adequately addresses protection of natural vegetation, natural water features, and drainage-ways in the context of the proposed plan amendments. Additionally, these specific construction and operational details will be appropriately addressed during local permitting processes, subject to applicable approval criteria and related standards.

E.4 Public and private facilities shall be designed and located in a manner that preserves and enhances desirable features of local and neighborhood areas and promotes their sense of identity.

The replacement bridges will be located within the same ODOT right-of-way where the decommissioned bridge is located, an area already utilized by transportation infrastructure. The proposal also includes a reduction in the total number of piers, a reduction in the number of piers in the Willamette River, and review of bridge design options (based on aesthetic and budgetary considerations) through a separate public process; all of which should contribute to a positive visual impact, consistent with this policy.

Additionally, impacted riparian areas and other lands within the greenway setback will be protected during the later permitting process through the imposition of approval conditions as necessary to comply with applicable approval criteria and related standards. Specifics of the bridge design can be considered during the plan amendment process or, for Springfield, through the Discretionary Use Approval process as provided in SDC 3.3-325 25.050 and 5.9-120. Conceptual designs are being addressed as part of the federal draft environmental process that precedes local land use decision-making. Additionally, as noted above in the discussion of Statewide Planning Goal 1, the public is involved in this process. Among other things, ODOT established a Community Advisory Group (CAG) composed of representatives of local neighborhood associations, parks departments (City of Eugene and Willamalane Park and Recreation District), the Citizen Planning Committee for the Whilamut Natural Area, chambers of commerce, and the University of Oregon that has been involved in the development of the project and will continue to be involved during selection of the bridge type, its design, and construction.

Comments were received regarding concerns with traffic during the construction period along Martin Luther King Blvd, in the Alton Baker Park/Autzen Stadium area, and North Walnut Path where there will be large construction vehicles entering and exiting for several years. As noted above, the applicant has proposed limiting work hours and project noise as well as sound walls. Conceptually, this is consistent with this policy. Furthermore, these concerns are more appropriately addressed during the local permitting processes where a construction management plan and detailed site plan will be reviewed in detail for minimizing these types of impacts.

F. Transportation Element

As previously mentioned, comments were received stating that the applicant's responses to Goals 1 and 2 of the Metro Plan, Transportation Element, do not demonstrate that these goals have been met. To summarize, Goals 1 and 2 support a transportation system that supports choices in modes of travel that will reduce reliance on the automobile and that enhances quality of life and economic opportunity by being balanced, accessible, efficient, safe, interconnected, environmentally responsible, etcetera (see Metro Plan pages III-F-1 and 2). According to the Metro Plan (page I-4), a goal is "a broad statement of philosophy that describes the hopes of the people of the community for the future of the community. A goal may never be completely attainable, but is used as a point to strive for." A goal is not something for which an application is measured against. Whereas a policy, which is a "statement adopted as part of the Metro Plan to provide a consistent course of action, moving the community toward attainment of its goal," can be used for determining consistency with the Metro Plan. As such, compliance with the goals, as measured through application of the policies, is determined as follows:

F. 10 Protect and manage existing and future transportation infrastructure.

Consistent with this policy, the I-5 Willamette Bridge Project replaces a structurally deficient bridge with two new permanent bridges built to current seismic standards using construction methods meeting environmental requirements for permanent (rather than temporary) structures, and associated improvements, to accommodate anticipated traffic volumes and weight loads. This project reflects an effort to manage and protect I-5, which is an essential part of the region's and state's existing transportation infrastructure, consistent with this policy.

Furthermore, in response to the same policy in TransPlan (TSI System-Wide Policy 1), that this policy calls for the protection and management of existing transportation facilities in a way that sustains their long-term capacity and function. I-5 is an existing transportation facility whose function is that of an interstate highway providing connections to major cities, regions of the state and other states. As an interstate highway, I-5 also serves as a major freight route. TransPlan recognizes I-5 as a single facility that includes a connection over the Willamette River. Failure to replace the decommissioned I-5 bridge and temporary detour bridge with new permanent bridges capable of sustaining I-5's long-term capacity and functions would be inconsistent with TransPlan and this policy.

F.14 Address the mobility and safety needs of motorists, transit users, bicyclists, pedestrians and the needs of emergency vehicles when planning and constructing roadway system improvements.

As described in TransPlan, the intent of this policy is to support the design and construction of systems and facilities that accommodate multiple modes. However, it also supports consideration of the needs of emergency vehicles in the design and construction of system improvements. I-5 across the Willamette River is an existing transportation facility identified in Transplan and the OHP. Because the original I-5 bridge is structurally deficient and had to be decommissioned, new permanent bridges are needed to address the safety and mobility needs of motorists and facilitate efficient movement of emergency vehicles between the north and south sections of Eugene and Springfield. The new permanent replacement bridges will be designed to meet applicable state and federal safety and mobility standards. The temporary detour bridge cannot accommodate the safety needs of motorists because it does not meet current seismic standards and the construction methods used to build it only met environmental requirements as they applied to temporary, not permanent, structures.

Comments were received stating that (to summarize) the bridge provides a crossing of Franklin Boulevard and the railroad and provides an opportunity for those crossing to be made available to pedestrians and bicyclists, and since the replacement is not accommodating such a crossing, the applicant has insufficient analysis addressing the mobility and safety needs of bicyclists and pedestrians. As previously discussed under Goal 8, Recreation which is incorporated herein by reference, the applicant proposes a continuous route across ODOT right-of-way for the bicycle/pedestrian pathways to be maintained on both the north and the south sides of the river during construction. In the context of the proposed plan amendments, this adequately addresses mobility and safety for bicyclists and pedestrians as these are the existing bicycle and pedestrian facilities affected by the proposed amendments.

Existing bicycle/pedestrian connections between the Laurel Hill Valley area and Alton Baker Park (and other areas north of the Willamette River) exist via Riverview, then westerly along the widened sidewalk on the south side of Franklin Boulevard to Walnut Street (where there is a signalized crossing of Franklin/ORE99/BusinessORE126), northeasterly to an underpass beneath the railroad, then east to the Knickerbocker Bridge which connects to the southbank path and Day Island area that have connections to the canoe canal bridge and bike path north along the west side of I-5 to Martin Luther King Jr. Boulevard. The applicant proposes to maintain a continuous bicycle/pedestrian pathway along the south (and north) side of the river through construction. Additionally, TransPlan has identified some improvements (unfunded projects) to the local system between the Walnut/Garden Avenue path connections to the Knickerbocker Bridge and path connections within Alton Baker Park. Furthermore, while the policies do not require a new pedestrian and bicycle connection in conjunction with this plan amendment, the applicant is not prohibited from incorporating a new pedestrian/bicycle element into their facility.

Additionally, the findings under Statewide Planning Goal 12 regarding transportation are incorporated herein by reference as demonstration of consistency with this policy. Based on these findings, this policy is met.

F.15 Motor vehicle level of service policy:

a. Use motor vehicle level of service standards to maintain acceptable and reliable performance on the roadway system. These standards shall be used for:

(1) Identifying capacity deficiencies on the roadway system.

(2) Evaluating the impacts on roadways of amendments to transportation plans, acknowledged comprehensive plans and land-use regulations, pursuant to the TPR (OAR 660-012-0060).

(3) Evaluating development applications for consistency with the land-use regulations of the applicable local government jurisdiction.

b. Acceptable and reliable performance is defined by the following levels of service under peak hour traffic conditions: LOS E within Eugene's Central Area Transportation Study (CATS) area, and LOS D elsewhere.

c. Performance standards from the OHP shall be applied on state facilities in the Eugene-Springfield metropolitan area.

In some cases, the level of service on a facility may be substandard. The local government jurisdiction may find that transportation system improvements to bring performance up to standard within the planning horizon may not be feasible, and safety will not be compromised, and broader community goals would be better served by allowing a substandard level of service. The limitation on the feasibility of a transportation system improvement may arise from severe constraints, including but not limited to environmental conditions, lack of public agency financial resources, or land use constraint factors. It is not the intent of TSI Roadway Policy #2: Motor Vehicle Level of Service to require deferral of development in such cases. The intent is to defer motor vehicle capacity increasing transportation system improvements until existing constraints can be overcome or develop an alternative mix of strategies (such as: land use measures, TDM, short-term safety improvements) to address the problem.

The I-5 Willamette River replacement bridges will be striped to provide two travel lanes in each direction, consistent with current striping patterns. As noted under Goal 12 above, incorporated by reference, the construction of the replacement bridges, whether striped for four lane or six lanes, does not generate any additional vehicular trips, it simply provides passage over the Willamette River and greenway. When the bridges are eventually striped for six lanes (to be made consistent with I-5), the additional bridge capacity will increase the performance and function of I-5, not worsen it. Additionally, it is noted that TransPlan projects 150 and 260 provide for the future widening of I-5 from four to six travel lanes north and south of the Willamette River.

(Because the I-5 Willamette River Bridge and roadway is already recognized in TransPlan, there is no need to amend the plan. The required exceptions are not taken to meet requirements of Statewide Planning Goal 12 or the Transportation Planning Rule (TPR), but to comply with Willamette River Greenway requirements in Goal 15 and the Metro Plan. These findings address the consistency of the needed plan amendments with applicable Metro Plan requirements and land use regulations. Other applicable land use regulations will be addressed during the local permitting processes.)

F. 16 Promote or develop a regional roadway system that meets the combined needs for travel through, within and outside the region.

Although this policy language is not mandatory, the applicant's findings are incorporated herein as further demonstration of compliance with the Transportation Element: I-5 is a state facility that

serves both statewide and regional transportation needs as defined in the TPR, i.e., needs for movement of people and goods (1) between and through regions of the state and between states (state need), and (2) between and through communities and accessibility to regional destinations within a metropolitan area (regional need). As such, it is an integral element of the Eugene-Springfield metropolitan area's regional roadway system. Indeed, it is likely the principal arterial serving the combined needs for travel through, within, and outside the region. Replacing a structurally deficient bridge with two new bridges and associated improvements promotes the maintenance and continuation of the regional roadway system serving the combined needs for travel through, within, and outside the region, consistent with this policy.

F.29 Support reasonable and reliable travel times for freight/goods movement in the Eugene-Springfield region.

Although this policy language is not mandatory, the applicant's findings are incorporated herein as further demonstration of compliance with the Transportation Element: consistent with this policy, connecting I-5 north and south of the Willamette River via new, structurally safe bridge crossings is essential to ensuring that reasonable and reliable travel times for moving freight and goods in the region are maintained. Without the connection, tens of thousands of vehicles daily would be required to seek alternative means for crossing the river, clogging capacity and causing congestion and delay throughout Eugene and Springfield. Existing roadways lack sufficient capacity to accommodate the existing 49,000 daily vehicle trips or the 73,000 daily vehicle trips anticipated on the I-5 Willamette River Bridge by 2030.

F.34 Operate and maintain transportation facilities in a way that reduces the need for more expensive future repair.

Permanent replacement for the decommissioned bridge is necessary to improve safety and ensure mobility of all users of I-5 in the Eugene/Springfield area. Replacing the unsafe decommissioned bridge and substandard detour bridge with permanent bridges and associated improvements that meets current safety and design standards and that handles increasing traffic volumes will result in the continued operation of I-5 and will eliminate the potential for a more costly, expedited future repair to ensure continued mobility, consistent with this policy.

G. Public Facilities and Services Element

G.18 The cities and Lane County shall adopt a strategy for the unincorporated area of the UGB to: reduce the negative effects of filling in floodplains and prevent the filling of natural drainage channels except as necessary to ensure public operations and maintenance of these channels in a manner that preserves and/or enhances floodwater conveyance capacity and biological function.

G.19 Maintain flood storage capacity within the floodplain, to the maximum extent practical, through measures that may include reducing impervious surface in the floodplain and adjacent areas.

As discussed under Goal 7 Natural Hazards and Metro Plan Policies C.30 and C.31, which are

incorporated herein by reference, in the context of the plan amendments the proposal is consistent with these policies. Specifically, the applicant's preliminary no-rise analysis indicates Option B would decrease the base flood elevation and Option A would increase the base flood elevation by 0.02 feet, which does not meet the no-rise requirement. However, the applicant has not submitted a detailed analysis and the modeling will be run again when the design is refined for the permitting process to meet the no-rise requirement. ODOT also requires its bridges to meet the no-rise requirement. Therefore, in the context of a plan amendment, these policies are satisfied. Additionally, the specific details of the development will be appropriately addressed during local and state requirements, subject to applicable approval criteria and related standards.

Additionally, both the cities of Springfield and Eugene have adopted ordinances to regulate the construction within floodplains and floodways outside of rights-of-way. The applicant will be required to apply for the necessary permits which can be conditioned to ensure appropriate floodplain and floodway construction and mitigation. Furthermore, ODOT's own project rules require that the proposal result in a no-rise of flood elevation.

The following findings are regarding consistency with other applicable refinement plans (TransPlan, Riverfront Park Study, Laurel Hill Plan) that are not proposed to be amended:

TransPlan

TransPlan was adopted as a refinement to the Metro Plan. The I-5 bridge and roadway is identified within TransPlan, therefore, determination of consistency with TransPlan is necessary. However, it is noted that the applicable TransPlan policies have been incorporated into the Metro Plan under the Transportation Element policies above. The applicable TransPlan policies are as follows: TSI System-Wide Policies, Policy 1; TSI Roadway Policies, Policies 1-3; and TSI Goods Movement Policies, Policy 1. Therefore, the findings for Metro Plan policies F.10, F.14, F.15, F.16, and F.29 are incorporated herein by reference to demonstrate compliance with these applicable policies of TransPlan.

As previously mentioned, comments were received stating that the applicant's response to TransPlan Goals 1 and 2 (Metro Plan, Transportation Element, Goal 1 and 2), Objective #3, and TSI Roadway Policy #1 do not demonstrate that these goals and objectives have been met. To summarize, Goals 1 and 2 support a transportation system that supports choices in modes of travel that will reduce reliance on the automobile and that enhances quality of life and economic opportunity by being balanced, accessible, efficient, safe, interconnected, environmentally responsible, etcetera (see TransPlan Chapter 2, page 3 and Metro Plan pages III-F-1 and 2). According to the TransPlan (Chapter 2, page 3), a goal is "a broad statement of philosophy that describes the hopes of the people of the community for the future of the community. A goal may never be completely attainable, but is used as a point to strive for." A goal is not something for which an application is measured against. Similarly, an objective is "an attainable target that the community attempts to reach in striving to meet a goal. An objective may also be considered as an intermediate point that will help fulfill the overall goal." Whereas a policy, which is a "statement adopted as part of TransPlan to provide a consistent course of action, moving the community toward attainment of its goal," can be used for determining consistency with the TransPlan. As such, compliance with the goals and objectives, as measured through application of the policies, is determined under the Metro Plan, Transportation Element policies above. Regarding TSI Roadway

Policy #1, see findings under Metro Plan Policy F.14.

Riverfront Park Study
Riverfront Park Study (RPS) is adopted as a refinement of the Metro Plan. Review of the RPS indicates that the study boundary includes the south bank of the Willamette River up to the I-5 bridge. Figure 5 of the applicant's February 22, 2008 submittal materials identify a broad area for the temporary construction bridge location, which includes the south bank of the Willamette where it abuts the I-5 bridge. Although the exact temporary construction bridge locations will determined through subsequent permitting processes, the RPS is applicable to the extent the area is potentially impacted as shown on Figure 5, and the applicable polices are as follows:

Transportation

5. *Required transportation projects will be phased and the phasing schedule will depend upon the level of participation of non-public funds (i.e., participation by a developer) and the level of actual development.*

The applicant indicates that it is not expected that the project will be phased.

Environment

2. *The existing Millrace which passes through a portion of the study area is an important environmental and historic city feature. Development occurring in the Riverfront Park shall maintain or improve the visual and bicycle/pedestrian access to and along the Mill Race, expanding its use for public recreation while at the same time recognizing its role as a storm runoff channel.*

3. *Development occurring in the Riverfront Park area shall be designed to preserve a significant cluster of black locust, English oak, and redleaf plum trees located just east of the current location of the bicycle path.*

4. *Development in the Riverfront Park area shall, when possible, maintain and enhance the public's physical access to the river and the riparian strip along its banks.*

The new bridges will be constructed in approximately the same location as the decommissioned and detour bridges. Though there would be a slight shift in the alignment of I-5, all improvements would remain within the existing ODOT right-of-way. The new bridges therefore will not be located within the Riverfront Park Study area. However, as previously stated, portions of the temporary work bridges may be located within a small portion of the Riverfront Park Study area. ODOT would acquire temporary easements for use of non-ODOT property during construction. The Riverfront Park Study area in which a portion of the temporary work bridges may be located is just east of the I-5 replacement bridges shown in Figure 3, south of the Willamette River, and north of Franklin Boulevard. The section of the Riverfront Park Study area that may be affected by the temporary work bridges does not include the Millrace and cluster of trees mentioned in the Riverfront Park Study Environmental Policies 2 and 3; therefore, these elements would not be affected. Public access to the river and along the Millrace will not be directly affected. See

responses to Goal 5 and Metro Plan Policy E.2.

Laurel Hill Plan
The Laurel Hill Plan (LHP) is adopted as a refinement of the Metro Plan. Review of the LHP indicates that a portion of the I-5 project is within the study boundary (see applicant's February 22, 2008 submittal materials, Figures 6 and 8). Therefore, the applicable policies are as follows:

Land Use and Future Urban Design

C. Policies

6. The Laurel Hill Plan supports the South Hill Study standards. In general, alteration of the land contours shall be minimized to retain views of natural features and retain as much of the forested atmosphere as possible. Aside from purely aesthetic considerations, these hillsides demand care in development because the topsoil is thin and the water runoff is rapid. Proposed developments shall respect the above considerations. The Valley hillside policy applies to all land with an average slope, from toe to crest, of 15 percent or greater. (A 15-percent slope is one in which the land rises 15 feet per 100 horizontal feet.)

a. If, in the opinion of the responsible City official, an adverse conservation or geological condition exists upon a parcel of land proposed for a subdivision, or before any major hillside clearing, excavation, filling or construction is contemplated, the requirements of the Uniform Building Code, Chapter 70, Excavation and Grading, and those sections of the code relative to foundation design may be invoked.

b. Considerable latitude shall be allowed the developer in the shaping, depth, and required street frontages of lots where it is necessary to preserve the terrain.

Regarding the standards of the South Hills Study which the LHP supports, the land within the southern portion of the project area (within the South Hills Study area) is below 500 feet in elevation (written statement, page 65). Project work within this area consists of roadway alignment. Therefore, since the project is below 500 feet in elevation, the project is not subject to the South Hills Study policies referred to above.

In addition, geological resources in the project area consist of fill material, alluvium, and bedrock. The processes affecting these materials are man-made, such as excavation and grading, and are naturally created. The project would have no permanent effects on geological resources. Based on the earthquake hazard, geotechnical investigations should be completed prior to construction to determine the best method to seat foundations, piers, and bents to reduce effects related to earthquakes (e.g., lateral spread, liquefaction). In addition, slopes should be constructed in a manner that reduces the potential for erosion or small landslides.

Furthermore, project improvements would occur within the existing ODOT right-of-way. The vegetation removed will be limited to the minimum area necessary for construction and staging activities. Following construction, cleared areas will be revegetated and returned to existing conditions to the extent practicable. Grading would be limited to minimum area necessary. Areas

affected by construction activities would be restored following construction.

Conclusion
Based on the findings above and the Goal 15 exception provided under Goal 2, the proposed amendments are consistent with the Statewide planning goals and the remainder of the Metro Plan.

Recommendation
Metro Plan Amendment Conclusion: Based on the available information and materials in the record, and the above preliminary findings, are found consistent with the applicable approval criteria regarding the Statewide Planning Goals and the remaining portions of the Metro Plan.

Exhibit B

Findings

I-5 Willamette Bridge Project
(Eugene file RA 08-1)

Refinement Plan Text Amendment (RA 08-1) (City of Eugene decision only)

The proposal includes a text amendment the Willakenzie Area Plan, a City of Eugene refinement plan, to allow the placement of fill within 35 feet from the top of bank of the Willamette River for the I-5 Willamette Bridge Project. The project includes replacement of the I-5 bridges over the Willamette River and Canoe Canal (Patterson Slough), including construction and later removal of one or more temporary bridges, demolition of the original and detour Willamette River and Canoe Canal bridges, construction of replacement bridges, reconstruction of the roadway approaches to the bridges, rehabilitation of project area, and completion of any required mitigation.

EC 9.8424 requires that the following criteria (in ***bold and italic***) be applied to a Refinement Plan amendment.

(1)(a) The refinement plan amendment is consistent with the Statewide planning goals.

With respect to the proposed refinement plan and Metro Plan amendments, the applicable Statewide planning goals are evaluated under EC 9.7730(3)(a) of the Metro Plan Amendment findings (see Exhibit A). As incorporated herein by reference, these amendments are found consistent with the Statewide planning goals.

(1)(b) The refinement plan amendment is consistent with the applicable provisions of the Metro Plan.

With respect to the proposed refinement plan and Metro Plan amendments, the applicable provisions of the Metro Plan are evaluated under EC 9.7730(3)(b) of the Metro Plan Amendment findings (see Exhibit A). As incorporated herein by reference, these amendments are found consistent with the Metro Plan.

(1)(c) The refinement plan amendment is consistent with the remaining portions of the refinement plan.

The Willakenzie Area Plan (WAP) encompasses an area north of the Willamette River and west of I-5, which would be affected by the I-5 Willamette Bridge Project. The WAP text amendment to allow the placement of fill within 35 feet of the top of bank of the Willamette River is determined to be consistent with remaining portions of the refinement plan as discussed below.

The applicant provided detailed findings regarding how the WAP text amendment is consistent with

the policy direction contained in the WAP. Those policies found to be applicable to this request are addressed below.

Land Use Element

Land Use Policies and Proposed Actions

1. *The City shall use the Land Use Diagram and accompanying text and policies of the Willakenzie Refinement Plan, as well as other applicable City goals, policies, and plans, to provide policy direction for public decisions affecting the plan area.*

The applicant is proposing a refinement plan text amendment which, as found below, would ensure that the proposed project is consistent with the WAP policies. Diagrams in the WAP identify I-5 as a major arterial and part of the overall transportation system in the WAP, see the transportation functional classification map on page 84 which shows I-5 over the Willamette River and Canoe Canal. As proposed, this application is consistent with this policy.

3. *Retain existing significant vegetation whenever possible to provide buffering between residential and nonresidential uses, as well as between low-density and higher density residential uses.*

The project will result in the temporary removal of some existing vegetation buffering residential areas from I-5. The vegetation removed will be limited to the minimum area necessary for construction and staging activities (see Figure 6 for approximate locations). As discussed in more detail under Metro Plan policy E.2 (see Exhibit A) which is incorporated herein by reference, following construction, cleared areas will be revegetated and returned to existing conditions to the extent practicable. Therefore, in the context of a plan amendment, this policy is satisfied. It is noted that with regard to pier locations shown on page 9 of the application, Option B indicates a pier closer to the Mill Race on the south side, while Option A shows a pier closer to the Willamette River on the north side, however, no specific design is being reviewed at this time in the context of a plan amendment. Furthermore, specific details of the development will be further addressed during local and state requirements, subject to applicable approval criteria and related standards.

4. *Recognize Coburg Road, the Ferry Street Bridge, Beltline Road, Delta Highway, I-5, and the Eugene-Springfield Highway (I-105) as designated entrance corridors to the city as identified in the adopted City of Eugene Entrance Beautification Study.*

The following are applicable policies from the Entrance Beautification Study as follows:

Entrance Beautification Study

1. Identify the most direct and attractive routes into the city, encourage their use, and maintain and improve the character and quality of the entrance experience along these routes.

2. Design and implement improvements to Eugene's entrances which recognize the diversity

and identity of the areas in which the entrances are located.

3. Cooperate with other jurisdictions to make the most efficient use of available funds in achieving beautification of Eugene's entrances.

4. When evaluating designs for entrance beautification projects, give preference to designs which reduce long-term maintenance costs.

WAP Land Use Element Policy 4 recognizes I-5 as an entrance corridor. The applicant has provided conceptual illustrations of possible bridge designs (written statement, pages 9-10) although no specific design is proposed at this time, nor is a specific design typically necessary in the context of plan amendments. Replacing the decommissioned I-5 Willamette River Bridge and associated improvements is consistent with that categorization as an entrance corridor and, for all practical purposes, necessary for I-5 to retain this designation. Additionally, as discussed under the Goal 15 exception criteria OAR 660-004-0022(6)(a) (see Exhibit A) and under Transportation Element Policy 4 below, which are incorporated herein by reference, bridge design aesthetics is the subject of other on-going public participation processes. In the context of the plan amendment, and including the additional public outreach processes on design and local permitting processes, the proposal is consistent with this study.

<u>Transportation Element</u>

1. The transportation network within the Willakenzie area shall be planned and designed to ensure: a) preservation of existing neighborhoods; b) an adequate system of arterials and collectors for the efficient movement of through traffic; and c) the preservation of the use of local streets for local traffic.

The functional classification map identifies I-5 (including bridges over the Willamette River and Canoe Canal) as a major arterial. With regard to (b) and (c) above, I-5 cannot adequately provide for the efficient movement of traffic through the Willakenzie area without replacing the unsafe, structurally deficient decommissioned bridge with a new river crossing. The amendment to Neighborhood Design Element, Use Management Standard 1 (Willamette River Greenway), addressed below, is necessary to ensure continued compliance and to maintain plan consistency with this Transportation Element Policy 1. With regard to (a) above, as previously stated, the project will occur within existing right-of-way and right-of-way easements. Some temporary staging locations are located outside of the right-of-way, however those are temporary in nature and the applicant proposes to re-store those areas upon project completion. Since no non-infrastructure areas will be permanently converted to ODOT use for this project, as proposed, this project will contribute to preservation of existing neighborhoods consistent with this policy.

4. The City shall provide for improvements to designated entrance corridors, including those in County and State jurisdictions, in conjunction with construction or reconstruction projects affecting those streets.

4.1. As part of the design process, provide for the development of corridor design plans that recognize the unique characteristics and individual identities of each of the

designated entrance corridors.

While the City is not proposing any improvements at this time, the bridge crosses the Willamette River and is a defining feature of Eugene-Springfield. The project area also includes an important and highly used park with a designated natural area (the Whilamut Natural Area) and unique cultural features. Further, the bridge is an important symbolic gateway between Eugene and Springfield as well as for the Willamette River valley. A key consideration of the project is providing an aesthetically pleasing solution that recognizes the scenic beauty of the project area and therefore, a range of bridge types and pier options were considered. Selection of the bridge type for each segment is dependent primarily on aesthetic considerations and budget. Additionally, the reduction in the total number of piers and in the number of piers within the Willamette River will improve views of the river and, as such, contribute to a significant positive visual impact.

Regarding 4.1, ODOT is developing the project to retain design flexibility related to bridge form, materials, and aesthetic treatments as well as to allow flexibility to the engineers to design an economical bridge that also meets community requirements. Selection of the bridge type for each segment is dependent primarily on aesthetic considerations and budget. The bridge design is being reviewed during a separate public process.

7. *To the greatest extent possible, the City shall encourage regional and intercity traffic to use major rather than minor arterials.*

The Transportation Element functional classification map designates I-5 as a major arterial. The proposed amendment to the Neighborhood Design Element, Willamette Greenway Use Management Standard 1 (discussed below) is consistent with this policy because it provides for the continued use of I-5 through the area to serve through and regional traffic. Because the decommissioned bridge must be replaced for safety reasons, this policy can only be satisfied by approving the requested goal exceptions and Willakenzie Area Plan amendment. Therefore the proposal is consistent with this policy.

8. *The City shall work with developers and the State of Oregon to ensure that noise attenuation is provided for existing and proposed residential developments along State highways when improvements are made to those roads.*

    8.1. *At the request of residents, the City should work with residents and the State to determine cost-effectiveness and cost distribution for sounds barriers along existing freeways in the established neighborhoods where sound barriers are not currently installed.*

    8.2. *The City should work with the State to ensure local, State, and Federal regulations pertaining to noise attenuation are met whenever a freeway is improved.*

A project noise technical report was prepared as part of the Environmental Assessment (as required by NEPA) to analyze potential noise impacts resulting from the project. Per the ODOT Noise Manual (June 1996) analysis procedures, noise mitigation measures were evaluated to reduce noise levels to nearby residences as a result of the project. Noise walls were determined to meet the

ODOT effectiveness and cost-effectiveness criteria in two locations and are recommended as mitigation (see supplemental information, Figures 7-9). The final wall locations will be determined after public input is completed as part of the NEPA process.

Additionally, as stated on page 13 of the written statement, the applicant proposes the following general measures:

- Continue public involvement through design and construction
- limit work hours
- limit noise

Comments were received from the affected neighborhood association, the Harlow Neighborhood Association, regarding the noise level in the residential area to the east of the bridge (the area of the Willakenzie Area Plan) and that the Environmental Assessment does not fully address this issue specifically about the noise level and the possibility of mitigation by the use of sound walls. As discussed above, the applicant has identified potential sound wall locations, although it is notable that according to Figures 7 and 8, no sound walls are identified in the formal Willakenzie Area Plan or in the Harlow Neighborhood Association area (the closest is proposed on the east side of I-5). The sound walls, although not technically in the WAP at this time, in addition to the measures outlined above demonstrate consistency with this policy. Therefore, in the context of a plan amendment, these policies are satisfied with the findings above. Furthermore, the specific details of the development regarding sound walls and other noise mitigation measures will be more aptly addressed during the NEPA Environmental Assessment process and in the context of a more specific site plan required as part of a subsequent permit process, rather than at the plan amendment level.

Based on the information provided, and as reviewed in detail for compliance with federal noise requirements under other federal processes, the proposal is consistent with these policies.

<u>Neighborhood Design Element</u>
Willamette Greenway

Use Management Standard

1. *Provision that all new structures, expansion of existing structures, drives, parking areas, or storage areas shall not be permitted within the first 35 feet back from the top of the riverbank, unless the location of the floodway boundary requires a greater separation. There are [three] four exceptions to this standard:*
    - A. *Structures designed solely for recreational use (i.e., a deck or steps leading to the river) and driveways for boat landings and water-related or water-dependent uses are permitted within the 35-foot setback.*
    - B. *Public improvements, including pedestrian and bicycle trails, public plazas, and similar amenities, but excluding roads and parking areas, are exempt from the setback requirements specified above.*
    - C. *Structures existing as of the date of adoption of this plan shall be allowed to rebuilt at the same distance from the river that they were before destruction by fire, flood, or other disaster.*

In the context of this use management standard, because the I-5 replacement bridges (1) are not designed solely for recreational use; (2) would be elements of an interstate highway; and (3) are not being rebuilt due to a disaster, this use management standard requires an amendment. Accordingly, the applicant proposes that the standard be amended to read as follows on page 155 of the Willamette Greenway Section in the Willakenzie Area Plan Neighborhood Design Element, with **bold** text indicating new text:

> **D. Replacement or expansion of the I-5 Willamette River Bridge and its approaches.**

The proposed text amendment would allow the portions of the I-5 Willamette Bridge Replacement project within the setback to occur. Furthermore, as found previously under Goal 2 above, an exception to Goal 15 is warranted in this case to allow the I-5 Willamette Bridge Project to place fill within in the Willamette River. As amended, the proposal is consistent with this policy.

Use Management Standard
2. Provision for public pedestrian and bicycle access along the river.

As previously discussed under Statewide Planning Goal 8 (see Exhibit A) which is incorporated herein by reference, the bicycle and pedestrian trails will, to the maximum extent practicable, be kept open, safe, and useable during project construction. Although it is possible that the existing bicycle/pedestrian pathways will be interrupted during construction, the applicant proposes that a continuous route across ODOT right-of-way for the bicycle/pedestrian pathways will be maintained on both the north side and the south side of river during construction. The project will not have a long-term effect on existing bicycle/pedestrian access along the river, consistent with this policy. Furthermore, through the other local permitting processes (Willamette Greenway permit, Water Resources Conservation Overlay review, Willamette Greenway setback, etcetera) construction impacts will be minimized through compliance with applicable approval criteria, related standards and any necessary conditions of approval to preserve bicycle, pedestrian and boater safety.

Use Management Standard
5. Activities or uses such as open storage of materials shall be discouraged within the greenway.

The applicant indicates that two staging areas for material storage and stockpiling, equipment storage, job trailers, employee parking, and other construction-related uses would be occupied during construction; one on the north side of the river and one on the south. The currently-proposed staging areas would be located on ODOT right-of-way, but would also require the temporary occupancy of three parcels not currently owned by ODOT (including portions of the Whilamut Natural Area and Eastgate Woodlands) within the greenway and adjacent to I-5. ODOT will acquire temporary easements for use of non-ODOT property during construction and proposes to revegetate all disturbed areas. Although both of these storage areas are within the greenway boundary and given the temporary nature of the storage for construction of the bridges, the proposal is consistent with this policy as it will not include long-term or permanent storage. In addition, through the other local permitting processes (Willamette Greenway permit, Water Resources Conservation Overlay review, Willamette Greenway setback, etcetera) construction impacts will be reviewed in detail and minimized through compliance with applicable approval criteria, related standards and any

necessary conditions of approval.

Use Management Standard
7. Significant fish and wildlife habitats, as identified in the adopted Natural Resources Special Study, or Metropolitan Plan Natural Assets and Constraints Working Paper shall be protected. Sites subsequently determined by the Oregon Department of Fish and Wildlife shall also be protected.

Portions of the project area are included within areas identified as natural assets and natural constraints, as identified in the following *Metropolitan Plan Natural Assets and Constraints Working Papers*: Development Prohibitions, Development Limitations, Flood Hazards, Wildlife, Scenic Areas, and Willamette River Greenway. No threatened or endangered terrestrial wildlife or plant species or habitat are known to reside within the project area. However, federally threatened salmonid populations are documented as occurring within the reach of the Willamette River that flows through the project area. Therefore, this policy is applicable. As previously discussed, there are several other policies that address impacts to these assets and constraints. Specifically, the findings regarding Goal 6 and Metro Plan Policy E.2 (see Exhibit A) are incorporated herein by reference as demonstration of how the proposed amendment is consistent with this standard.

The applicant states that ODOT will coordinate with ODFW through the design process to identify opportunities to minimize habitat disturbance. To avoid and minimize potential impacts to fish and wildlife species habitat during and after construction activities, all applicable OTIA III State Bridge Delivery Program EPS will be implemented to reduce the extent of direct and indirect impacts to habitat. These include:

- Minimize effects to natural stream and floodplain by keeping the work area to the smallest footprint needed.
- Prepare and implement a plan to prevent construction debris from dropping into the Willamette River and to remove materials that may drop with a minimum disturbance to aquatic habitat.
- Prepare site restoration plans for upland, wetland, and streambank areas to include native plant species and noxious weed abatement techniques, and use large wood and rock as components of streambed protection treatments.
- Flag boundaries of clearing limits and sensitive areas to be avoided during construction.
- Coordinate with Willamalane Park and Recreation District and the Eugene Parks and Open Space Division regarding sensitive areas in Alton Baker Park and the Whilamut Natural Area that should be avoided during construction.
- Restore and revegetate disturbed areas.

Additionally, through other permitting processes, a detailed development plan will be reviewed and impacts to assets minimized, through compliance with applicable approval criteria, related standards, and any necessary conditions of approval. As previously discussed under Metro Plan policy E.2 (see Exhibit A), significant fish and wildlife habitats can and will be protected through compliance with the permitting requirements contained in the Eugene and Springfield development codes for developments in the greenway and in areas subject to Statewide Goal 5 (i.e. Willamette Greenway permit, 75-foot riparian setback, Water Resources Conservation Overlay). The cities of

Eugene and Springfield can impose approval conditions as they deem necessary to protect fish and wildlife habitats to the extent practicable, consistent with the need to provide a new I-5 Willamette River crossing relevant to the Transportation Element policies identified above.

The applicant is also proceeding with an Environmental Assessment as required by NEPA, which will assess the proposals environmental impacts. The applicant will also need floodway/floodplain development permits from the City of Eugene and Springfield. Additionally, as previously stated, the applicant will be conducting additional public outreach efforts regarding the aesthetics of the bridge design.

Based on the findings above, the proposal complies with this standard in the context of a plan amendment. Additionally, further review during the local and other permitting processes will address the details of the proposal for the impacts to the resources *Metropolitan Plan Natural Assets and Constraints Working Paper* through compliance with applicable approval criteria, related standards, and any necessary conditions of approval.

Use Management Standard
8. The natural vegetative riparian fringe along the Willamette River, as identified on the Willakenzie Area Plan Natural Resource Area Map, shall be protected and enhanced to the maximum extent practicable.

The *Willakenzie Area Plan Natural Resource Area Map* identifies portions of the project area, including the temporary storage area proposed in the Whilamut Natural Area, as a natural resource area. The applicant states that the riparian vegetation removed will be limited to the minimum area necessary for construction and staging activities, and as required by the cities of Eugene and Springfield regulations, as previously discussed. Following construction, cleared areas will be revegetated and returned to existing conditions to the extent practicable. As discussed under Metro Plan Policy E.2 (see Exhibit A), which is incorporated herein by reference, the applicant proposes several other measures regarding site construction, site preparation and coordination with stake holders to minimize impacts to the riparian area. Therefore, in the context of a plan amendment, this standard is met.

In addition, the natural vegetation riparian fringe along the Willamette River will be further protected as the specific details of the development will be further addressed during local and state requirements, subject to applicable approval criteria and related standards.

Use Management Standard
9. Scenic qualities and viewpoints, as identified in the Metro Plan Natural Assets and Constraints Working Paper shall be preserved.

Portions of the project area are identified as scenic areas, specifically the Willamette River and portions of Alton Baker Park adjacent to I-5. The new replacement bridges will be located within ODOT's I-5 right-of-way in essentially the same location as the decommissioned bridge. Furthermore, the reduction in the number of piers and fill would have a positive effect on scenic qualities. Therefore, in the context of a plan amendment, the proposal will have no substantial negative effect on the scenic qualities of these scenic areas or on any viewpoints.

Neighborhood Design Element – Natural Resource Area Protection

1. Significant wetland, riparian, water and upland sites in the Willakenzie area shall be protected from encroachment and degradation in order to retain their important functions related to fish and wildlife habitat, flood control, sedimentation and erosion control, water-quality control, and groundwater pollution control.

As discussed under Metro Plan Policy E.2 (see Exhibit A), which is incorporated herein by reference, the applicant proposes several measures regarding site and vegetation restoration, site construction, site preparation and coordination with stake holders, to minimize impacts to the riparian area. Therefore, in the context of a plan amendment, this standard is met.

Furthermore, as previously discussed, affected riparian areas and fish and wildlife habitat in the Willakenzie area will be further protected, and flood control managed, as the specific details of the development will be further addressed during local and state requirements, subject to applicable approval criteria and related standards (including Willamette Greenway permit, Water Resources Conservation Overlay, 75-foot riparian setback, FEMA no-rise certification, NEPA).

Conclusion
Based on the findings above, the applicant's proposed WAP text amendment is consistent with the remaining portions of the refinement plan.

(2) The refinement plan amendment addresses one or more of the following:
- ***(a) An error in the publication of the refinement plan.***
- ***(b) New inventory material which relates to a statewide planning goal.***
- ***(c) New or amended community policies.***
- ***(d) New or amended provisions in a federal law or regulation, state statute, state regulation, statewide planning goal, or state agency land use plan.***
- ***(e) A change of circumstances in a substantial manner that was not anticipated at the time the refinement plan was adopted.***

The proposed amendments are not based on an error in the publication of the WAP, new inventory material relating to a statewide planning goal or new or amended state or federal laws, regulations, or policies; therefore EC 9.8424(2)(a), (b) and (d), above, are not applicable to this request. Regarding subsection (c), if it is found that subsection (e) is not applicable as discussed below, it is arguable that the proposed refinement plan amendment constitutes a new or amended community policy under subsection (c) based on the proposed amendment to the Metro Plan to acknowledge this project.

Regarding EC 9.8424(2)(e), the I-5 Willamette Bridge Project constitutes a change in circumstances in a substantial manner that was not anticipated at the time the refinement plan was adopted, specifically with regard to the structural problems of the original I-5 bridge and the need to bring the bridges (and thus the associated portions of the I-5 facility) up to current state and federal safety and mobility requirements.

The WAP encompasses an area north of the Willamette River and east of I-5 that would be affected by the I-5 Willamette Bridge Project. As relevant to the bridge project, the WAP sets out "use management standards" that it deems consistent with Goal 15 and that "shall apply to development within the greenway in the Willakenzie area." The use standards within the WAP are explicitly incorporated in the Eugene Code's approval criteria for Willamette greenway permits.

The following use management standard is relevant to this application. The applicant indicates that it is of particular concern to ODOT because, in its current form, it does not appear to permit the project to go forward:

"1. Provision that all new structures, expansion of existing structures, drives, parking areas, or storage areas shall not be permitted within the first 35 feet back from the top of the riverbank, unless the location of the floodway boundary requires a greater separation. There are three exceptions to this standard:

A. Structures designed solely for recreational use...

B. Public improvements, including pedestrian and bicycle trails, public plazas, and similar amenities, but excluding roads and parking areas, are exempt from the setback requirements specified above.

C. Structures existing as of the date of adoption of this plan shall be allowed to rebuilt at the same distance from the river that they were before destruction by fire, flood, or other disaster."

As previously discussed in detail under this WAP use management standard above, which is incorporated herein by reference, the I-5 Willamette River Bridge was an existing structure at the time this standard was adopted and it is likely that the structural deficiencies in the bridge were unknown and the need to replace the I-5 bridge was unanticipated.

Because the I-5 replacement bridges (A) are not designed solely for recreational use; (B) would be elements of an interstate highway; and (C) are not being rebuilt due to a fire, flood or other disaster, this use management standard requires amending. Accordingly, ODOT proposes that the standard be amended to read as follows on page 155 of the Willamette Greenway Section in the Willakenzie Area Plan Neighborhood Design Element, with **bold** indicating new text:

D. Replacement or expansion of the I-5 Willamette River Bridge and its approaches.

As found under Statewide Planning Goal 2 (see Exhibit A), which is incorporated herein by reference, an exception to Goal 15 is warranted in accordance with Metro Plan Policy D.11 for the I-5 Willamette Bridge Project in order to address the structural deficiencies of the temporary bridge. The proposed amendment to the WAP allows the Goal 15 exception warranted under Goal 2 to be implemented. Given this change in circumstance, the proposed refinement plan text amendment is warranted.

Recommendation

Refinement Plan Amendment Conclusion: Based on the available information and materials in

the record, and the above preliminary findings, the proposal is found consistent with the applicable approval criteria regarding the Statewide Planning Goals, the Metro Plan, and the remaining portions of the refinement plan.

Planning & Development
Planning

City of Eugene
99 West 10th Avenue
Eugene, Oregon 97401
(541) 682-5377
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www.eugene-or.gov

NOTICE OF DECISION

August 1, 2008

On July 28, 2008, the Eugene City Council adopted Ordinance No. 20414 and 20415 amending the Eugene-Springfield Metropolitan Area General Plan (Metro Plan) text including an exception to Goal 15, and amending the Willakenzie Area Plan text, for the I-5 Willamette Bridge Project City Files (MA 07-3 & RA 08-1).

Ordinance 20414 specifically amends the text of policy D.11 of the Eugene-Springfield Metropolitan Area General Plan (Metro Plan) to read and provide as follows: "An exception to Statewide Planning Goal 15 Willamette River Greenway was approved for Oregon Department of Transportation (ODOT) for purposes of removing and replacing the decommissioned I-5 bridge, the temporary detour bridge and the Canoe Canal bridge with two new parallel bridges (one southbound and one northbound) within the I-5 right-of-way crossing the Willamette River and Canoe Canal and within the Willamette River Greenway Setback Line. The exception authorizes construction and later removal of one or more temporary work bridges; demolition of the decommissioned I-5 Willamette River Bridge, Canoe Canal Bridge, and detour bridges; construction of the two replacement bridges; reconstruction of the roadway approaches to the bridges (I-5 and ramps); rehabilitation of the project area; and completion of any required mitigation of project impacts. In association with these tasks, the exception further authorizes within the Willamette River Greenway Setback Line the addition and removal of fill within ODOT right-of-way and the removal of fill within a temporary slope easement east of I-5. This exception satisfies the criteria of Oregon Administrative Rule (OAR) 660-004-0022(6), Willamette Greenway, and the exception requirements of OAR 660-004-0020 Goal 2 Part II(c) for a "reasons" exception, and pursuant to OAR 660-004-0015, is hereby adopted as an amendment to the Metro Plan text, Policy D.11, Chapter III, Section D."

Ordinance 20415 specifically amends the text of the Willakenzie Area Plan for portions of paragraph one in the Willamette Greenway section to read and provide as follows:

"1. Provision that all new structures, expansion of existing structures, drives, parking areas, or storage areas shall not be permitted within the first 35 feet back from the top of the riverbank, unless the location of the floodway boundary requires a greater separation.

There are four exceptions to this standard:

A. Structures designed solely for recreational use (e.g., a deck or steps leading to the river) and driveways for boat landings and water-related or water-dependent uses are permitted within the 35-foot setback.

B. Public improvements, including pedestrian and bicycle trials, public plazas, and similar amenities, but excluding roads and parking areas, are exempt from the setback requirements specified above.

C. Structures existing as of the date of adoption of this plan shall be allowed to rebuild at the same distance from the river that they were before destmction by fire, flood, or other disaster.

D. Replacement or expansion of the I-5 Willamette River Bridge and its approaches."

The amendments, findings and related materials can be reviewed at 1st Floor Reception, Atrium Building, 99 West 10th Avenue, between 9:00 a.m. and 5:00 p.m., Monday through Friday.

All decisions of the elected officials are final. Persons who participated either orally or in writing in the local government proceedings leading to adoption of the amendments may appeal the decision to the Land Use Board of Appeals within 21 days of the decision. Appeals to the Oregon Land Use Board of Appeals are governed by ORS 197.825 to 197.845.

For additional information, please contact:

Heather O'Donnell, Associate Planner
City of Eugene Planning Division
99 West 10th Avenue
Eugene, OR 97401

E-mail: heather.m.odonnell@ci.eugene.or.us
Phone: (541) 682-5488

COUNCIL ORDINANCE NUMBER 20444

COUNCIL BILL NUMBER 5017

AN ORDINANCE AMENDING THE EUGENE-SPRINGFIELD METROPOLITAN AREA GENERAL PLAN LAND USE DIAGRAM; AMENDING THE WILLAKENZIE AREA PLAN PURSUANT TO SECTION 9.7750(4) OF THE EUGENE CODE, 1971; ADOPTING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE; RETURNING THE ANNEXED PORTION OF THE "RIVER RIDGE" SITE TO THE LOW DENSITY RESIDENTIAL DESIGNATION.

ADOPTED: November 23, 2009

SIGNED: November 24, 2009

PASSED: 5/3

REJECTED:

OPPOSED: Brown, Taylor, Zelenka

ABSENT:

EFFECTIVE: December 25, 2009

ORDINANCE NO. 20444

AN ORDINANCE AMENDING THE EUGENE-SPRINGFIELD METROPOLITAN AREA GENERAL PLAN LAND USE DIAGRAM; AMENDING THE WILLAKENZIE AREA PLAN PURSUANT TO SECTION 9.7750(4) OF THE EUGENE CODE, 1971; ADOPTING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE; RETURNING THE ANNEXED PORTION OF THE "RIVER RIDGE" SITE TO THE LOW DENSITY RESIDENTIAL DESIGNATION.

The City Council of the City of Eugene finds that:

A. On May 11, 2009, the Eugene City Council initiated amendments to the Metropolitan Area General Plan and the Willakenzie Area Plan.

B. The amendments contained in this Ordinance are based on the recommendation of the Eugene Planning Commission.

C. The City of Eugene Planning Commission and Lane County Planning Commission held a joint public hearing on the amendments contained in this Ordinance on August 4, 2009, and the Eugene Planning Commission forwarded its recommendations to the Eugene City Council for amendments to the Metropolitan Area General Plan Land Use Diagram as shown Exhibit A, and the Willakenzie Area Plan Land Use Diagram as shown on Exhibits B and C.

D. On October 7, 2009, the Eugene City Council and the Lane County Board of Commissioners held a joint public hearing to consider the amendments and on November 9, 2009, the Eugene City Council passed a motion to adopt all of the proposed amendments in a single ordinance. At its next meeting, on November 16, 2009, the Eugene City Council passed a motion to reconsider its November 9 action and directed that the amendments be divided into two separate ordinances: one relating to the land over which the City has sole jurisdiction and the other relating to the land over which the City and County have joint jurisdiction.

THE CITY OF EUGENE DOES ORDAIN AS FOLLOWS:

Section 1. Portions of the property identified as Tax Lot 306 of Assessor's Map 17-03-07-00 on the Eugene-Springfield Metropolitan Area General Plan (*Metro Plan*) Land Use Diagram and all of the property identified as Tax Lot 305 of Assessor's Map 17-03-07-00 on the Eugene-Springfield Metropolitan Area General Plan (*Metro Plan*) Land Use Diagram, located north of Ayres Road and west of North Delta Highway, are amended from a designation of Parks and Open Space (POS) to a designation of Low Density Residential (LDR) as shown on the attached Exhibit A, which is incorporated

herein.

Section 2. Consistent with the provisions of Section 9.7750(4) of the Eugene Code, 1971, the land referenced in Section 1 above is automatically and concurrently redesignated from Parks/Open Space to Low-Density Residential on both the Willakenzie Area Plan Land Use Diagram located between pages 19 and 20 of the Willakenzie Area Plan, as shown on Exhibit B, which is incorporated herein, and on the Willakenzie Area Plan Unincorporated Subarea diagram located at page 53 of the Willakenzie Area Plan, as shown on Exhibit C, which is incorporated herein.

Section 3. The findings set forth in the attached Exhibit D are adopted as findings in support of this Ordinance.

Section 4. If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held invalid or unconstitutional by a court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions hereof.

Section 5. By operation of this Section, upon the effective date of its future annexation to the City of Eugene, the portion of the property identified as Tax Lot 304 of Assessor's Map 17-03-07-00 as shown on the attached Exhibit E shall be automatically redesignated on the Metro Plan diagram and in the Willakenzie Area Plan to the Low Density Residential (LDR) designation.

Passed by the City Council this

23rd day of November, 2009

Elizabeth Sourst

Acting City Recorder

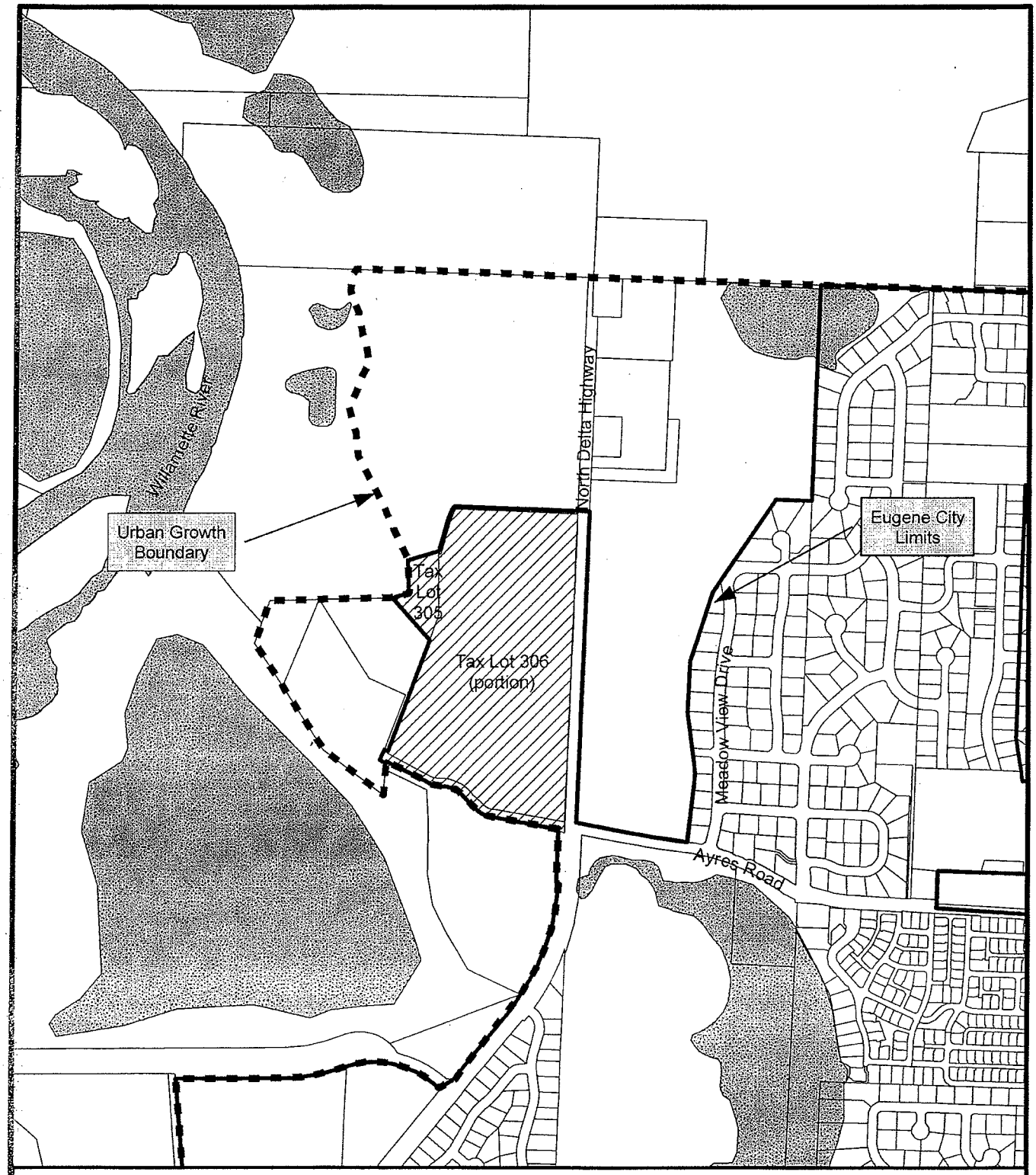
Approved by the Mayor this

24th day of November, 2009

Kitty Piercy

Mayor

Exhibit A



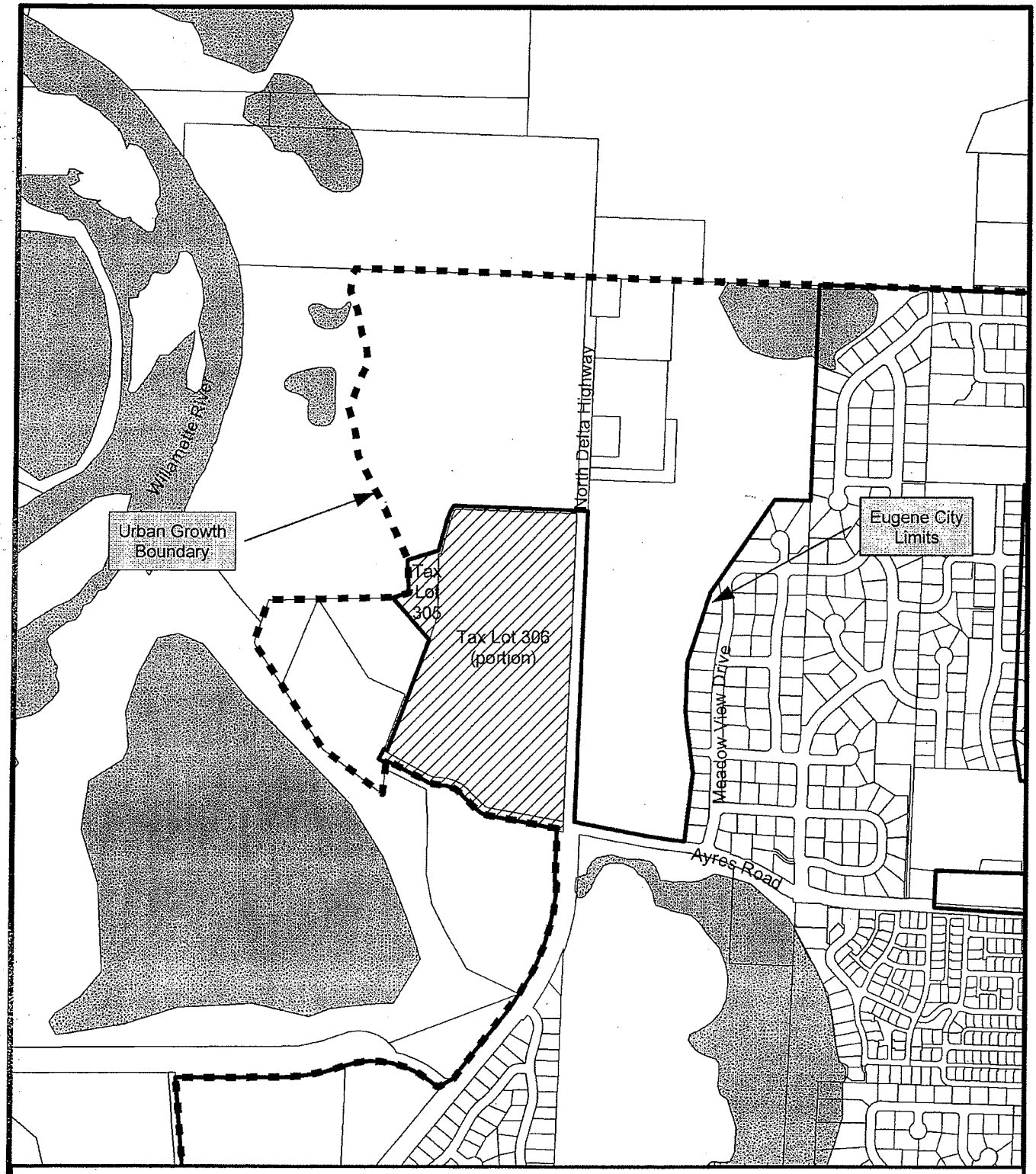
Metro Plan Diagram Amendment for River Ridge (City File MA 09-3)

- Property proposed for change from Parks and Open Space to Low Density Residential
- Eugene City Limits
- Urban Growth Boundary
- Water Bodies

N W E S

0 335 670 1,340 Feet

Exhibit B



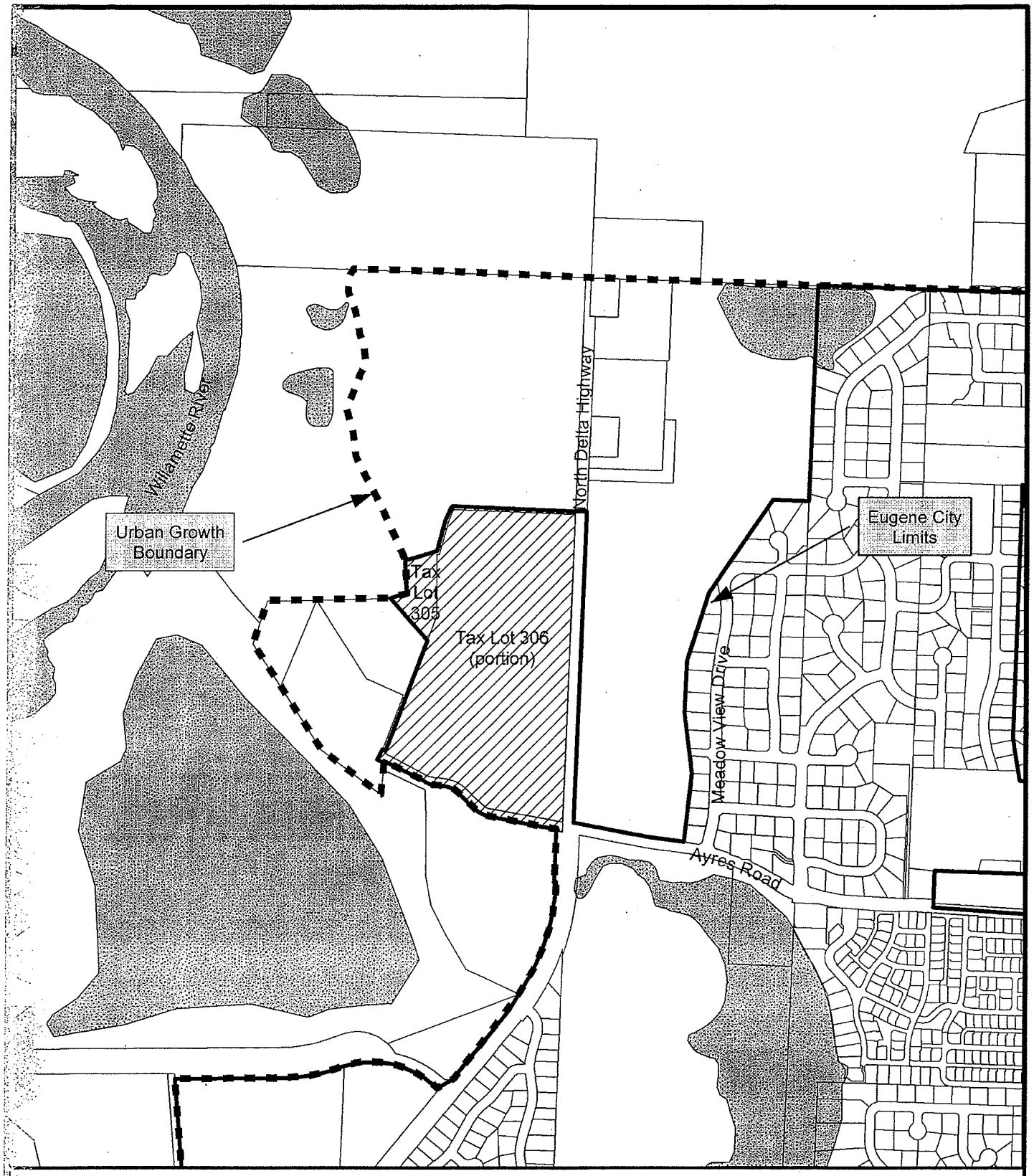
Willakenzie Area Plan Land Use Diagram Amendment for River Ridge (City File MA 09-3)

- Property proposed for change from Parks and Open Space to Low Density Residential
- Eugene City Limits
- Urban Growth Boundary
- Water Bodies

N W E S

0 340 680 1,360 Feet

Exhibit C



Willakenzie Area Plan Unincorporated Subarea Diagram Amendment for River Ridge (City File MA 09-3)

- Property proposed for change from Parks and Open Space to Low Density Residential
- Eugene City Limits
- Urban Growth Boundary
- Water Bodies

N W E S

0 335 670 1,340 Feet

EXHIBIT D

Findings of Consistency

<u>Metro Plan Diagram Amendments</u> Eugene Code Section 9.7730(3) requires that the following criteria (in bold and *italics*) be applied to a Metro Plan diagram amendment:

(a) The amendment must be consistent with the relevant Statewide Planning Goals adopted by the Land Conservation and Development Commission; and

<u>Goal 1 Citizen Involvement</u>: *To develop a citizen involvement program that insures the opportunity for citizens to be involved in all phases of the planning process.*

The City has acknowledged provisions for citizen involvement that ensure the opportunity for citizens to be involved in all phases of the planning process and set out requirements for such involvement. The action does not amend the citizen involvement program. The process for reviewing these amendments complies with Goal 1 since it complies with, and surpasses the requirements of, the citizen involvement provisions.

The City of Eugene land use code implements Statewide Planning Goal 1 by requiring that notice of the proposed amendments be given and public hearings be held prior to adoption. Consideration of the amendments begins with a joint City of Eugene and Lane County Planning Commission public hearing on August 4, 2009. On June 19, 2009, the City mailed notice of the proposed plan amendments to the Department of Land Conservation and Development, as required by the Eugene Code and in accordance with State statutes. Referrals concerning the pending applications were sent to the Oregon Department of Transportation (ODOT), City of Springfield, Lane County, the Cal Young Neighborhood Association and to City departments. On July 13, 2009, notice of the Planning Commission public hearing was mailed to the property owners and occupants of property within 500 feet of the subject property, Cal Young Neighborhood Association, interested parties who requested notice, and other community organizations requesting such notice, which is in excess of the requirements of the Eugene Code. On July 15, 2009, notice of the Planning Commission public hearing was published in the *Register-Guard*, in accordance with the Eugene Code. In addition to public meetings and mailed notices, printed materials related to these proceedings were made available at Planning and Development Department offices, and provided via the City's internet site at www.eugeneplanning.org.

The process for adopting these amendments complies with Statewide Planning Goal 1 since it complies with, and surpasses the requirements of the State's citizen involvement provisions.

<u>Goal 2 - Land Use Planning:</u> *To establish a land use planning process and policy framework as a basis for all decisions and actions related to use of land and to assure an adequate factual base for such decisions and actions.*

The Eugene-Springfield Metropolitan Area General Plan (<u>Metro Plan</u>) is the policy tool that provides a basis for decision-making in this area. The <u>Metro Plan</u> was acknowledged by the State in 1982 to be in compliance with statewide planning goals. These findings and record show that there is an adequate factual base for decisions to be made concerning the proposed amendments.

Goal 2 requires that plans be coordinated with the plans of affected governmental units and that opportunities be provided for review and comment by affected governmental units. To comply with the Goal 2 coordination requirement, the City coordinated the review of these amendments with all affected governmental units. Specifically, notice was mailed to the State Department of Land Conservation and Development, Oregon Department of Transportation (ODOT), Lane County, and the City of Springfield. There are no Goal 2 exceptions required for these amendments. Therefore, the amendments are consistent with Statewide Planning Goal 2.

Goal 3 - Agricultural Land: *To preserve and maintain agricultural lands.*

Goal 3 is not applicable to these amendments as the subject property and actions do not affect any agricultural plan designation or use. Goal 3 excludes lands inside an acknowledged urban growth boundary from the definition of agricultural lands. Since the subject property is entirely within the acknowledged urban growth boundary, Goal 3 is not relevant and the amendments do not affect the area's compliance with Statewide Planning Goal 3.

Goal 4 - Forest Land: *To conserve forest lands.*

Goal 4 is not applicable to these amendments as the subject property and actions do not affect any forest plan designation or use. Goal 4 does not apply within urban growth boundaries and, therefore, does not apply to the subject property, which is within Eugene's urban growth boundary (OAR 660-006-0020). Therefore, Goal 4 is not relevant and the amendments do not affect the area's compliance with Statewide Planning Goal 4.

Goal 5 - Open Spaces, Scenic and Historic Areas, and Natural Resources: *To conserve open space and protect natural and scenic resources.*

The following administrative rule (OAR 660-023-0250) is applicable to this post-acknowledgement plan amendment (PAPA) request:

(3) Local governments are not required to apply Goal 5 in consideration of a PAPA unless the PAPA affects a Goal 5 resource. For purposes of this section, a PAPA would affect a Goal 5 resource only if:

- *(a) The PAPA creates or amends a resource list or a portion of an acknowledged plan or land use regulation adopted in order to protect a significant Goal 5 resource or to address specific requirements of Goal 5;*
- *(b) The PAPA allows new uses that could be conflicting uses with a particular significant Goal 5 resource site on an acknowledged resource list; or*
- *(c) The PAPA amends an acknowledged UGB and factual information is submitted demonstrating that a resource site, or the impact areas of such a site, is included in the amended UGB area.*

The subject property does not include a Goal 5 resource site. The proposed amendments do not create or amend a list of Goal 5 resources, do not amend a plan or code provision adopted in order to protect a significant Goal 5 resource or to address specific requirements of Goal 5, and do not amend the acknowledged Urban Growth Boundary.

Goal 6 - Air, Water and Land Resources Quality: *To maintain and improve the quality of the air, water, and land resources of the state.*

Goal 6 addresses waste and process discharges from development, and is aimed at protecting air, water and land from impacts from those discharges. Nothing in the proposal or the character of the site or potential uses indicates a future development that would compromise air, water and land resources. The proposal does not amend the metropolitan area's air, water quality or land resource policies. Based on allowed low density residential uses, the City can reasonably expect that future development of the site comply with applicable environmental laws. Therefore, the amendments are consistent with Statewide Planning Goal 6.

Goal 7 - Areas Subject to Natural Disasters and Hazards: *To protect life and property from natural disasters and hazards.*

Goal 7 requires that local government planning programs include provisions to protect people and property from natural hazards such as floods, landslides, earthquakes and related hazards, tsunamis and wildfires. The subject property is not located within known areas of natural disasters or hazards. The subject property is outside the flood zone and is not subject to hazards normally associated with steep slopes, wildfires, or tsunamis. Other hazards, such as earthquakes and severe winter storms can be mitigated at the time of development based on accepted building codes and building techniques. Therefore, these amendments are consistent with Statewide Planning Goal 7.

Goal 8 - Recreational Needs: *To satisfy the recreational needs of the citizens of the state and visitors and, where appropriate, to provide for the siting of necessary recreational facilities including destination resorts.*

Goal 8 ensures the provision of recreational facilities to Oregon citizens and is primarily concerned with the provision of those facilities in non-urban areas of the state. Unlike planning for its residential, commercial or industrial land needs under Goals 9 and 10, planning for a city's recreational needs is largely a matter of local choice. The applicable statutes, Statewide Planning Goals and administrative rules are not prescriptive as to the amount of park land that a city must have to serve its population. While the City takes into consideration the existence of private recreation facilities and open space in its parks planning process, because there is no guarantee that lands owned by private entities will remain in perpetuity as public open space and/or recreation facilities, the City does not (and is not required to) account for private facilities and open space in its supply of recreation facilities, parks and open space. The subject property is not included on any list, inventory or map identifying the City's existing parks and open space supply. As such, changing the designation of the subject property will have no impact on the City's parks and open space supply. While the proposed amendments will impact a private recreational facility, the proposed amendments will not impact the provision of public recreational facilities, nor will they affect access to existing or future public recreational facilities. Therefore, the amendments are consistent with Statewide Planning Goal 8.

Goal 9 - Economic Development: *To provide adequate opportunities throughout the state for a variety of economic activities vital to the health, welfare, and prosperity of Oregon's citizens.*

The Administrative Rule for Statewide Planning Goal 9 (OAR 660 Division 9) requires that the city '[p]rovide for at least an adequate supply of sites of suitable sizes, types, location, and service levels for a variety of industrial and commercial uses consistent with plan policies[.]" Among other things, the rule requires that cities complete an "Economic Opportunities Analysis." OAR 660-009-0015. Based on the Economic Opportunities Analysis, cities are to prepare Industrial and Commercial Development Policies. OAR 660-009-0020. Finally OAR 660-009-0025 requires that cities designate industrial and commercial lands sufficient to meet short and long term needs. OAR 660-009-0010(2) provides that the detailed planning requirements imposed by OAR 660 Division 9 apply "at the time of each periodic review of the plan (ORS 197.712(3))."

The proposed amendment will not make any changes to the existing land currently designated commercial. Thus, the amendments are consistent with Statewide Planning Goal 9.

Goal 10 - Housing: *To provide for the housing needs of the citizens of the state.*

Goal 10 requires that communities plan for and maintain an inventory of buildable residential land for needed housing units.

The proposed amendment will re-designate approximately 63 acres from Parks and Open Space to Residential, thereby increasing the City's current supply of residential lands. Since the subject property is not currently designated for residential use and is not included in the documented supply of "buildable land" that is available for residential development as inventoried in the acknowledged 1999 Residential Lands Study, the proposed amendment will increase the City's existing inventory of land that is available for residential development. Therefore, the amendments are consistent with Statewide Planning Goal 10.

Goal 11 - Public Facilities and Services: *To plan and develop a timely, orderly and efficient arrangement of public facilities and services to serve as a framework for urban and rural development.*

A portion of the area affected by the amendments is located outside the city limits but inside the Eugene-Springfield Urban Growth Boundary. The existing level of public facilities and service is adequate to serve the needs of existing and future development, as public facilities are available or can be extended to the subject property. While a portion of the subject property is located outside City limits, annexation is a requirement for any new use that would generate an additional need for urban facilities and services. Public facilities and services are available for the purpose of annexation. The provision of these amendments does not affect the planning or development of future public facilities or services. Therefore, the amendments are consistent with Statewide Planning Goal 11.

Goal 12 - Transportation: *To provide and encourage a safe, convenient and economic transportation system.*

Goal 12 is implemented through the Transportation Planning Rule (TPR), as defined in Oregon Administrative Rule OAR 660-012-0000, et seq. The Eugene-Springfield Metropolitan Area Transportation Plan (TransPlan) provides the regional policy framework through which the TPR is

implemented at the local level. The TPR (OAR 660-012-0060) states that when land use changes, including amendments to acknowledged comprehensive plans, significantly affect an existing or planned transportation facility the local government shall put in place measures to assure that the allowed land uses are consistent with the identified function, capacity and performance standards (level of service, volume to capacity ratio, etc.) of the facility.

Section 9.8670 of the Eugene Code, 1971, requires a development applicant to comply with the City's Traffic Impact Analysis (TIA) Review code provisions if the proposed development will "generate 100 or more vehicle trips during any peak hour as determined by using the most recent edition of the Institute of Transportation Engineer's Trip Generation Manual." One of the stated purposes of the City's TIA Review requirement is "to ensure that developments which will generate a significant amount of traffic, cause an increase in traffic that will contribute to traffic problems in the area, or result in levels of service of the roadway system in the vicinity of the development that do not meet adopted level of service standards provide the facilities necessary to accommodate the traffic impact of the proposed development."

The City's TIA Review follows a Type II process and is approved or conditionally approved upon the applicant's demonstration of compliance with the following criteria at EC 9.8680:

> (1) Traffic control devices and public or private improvements as necessary to achieve the purposes listed in this section will be implemented. These improvements may include, but are not limited to, street and intersection improvements, sidewalks, bike lanes, traffic control signs and signals, parking regulation, driveway location, and street lighting.
>
> (2) Public improvements shall be designed and constructed to the standards specified in EC 9.6505 Improvements - Specifications. The requirement of improvements based on a traffic impact analysis does not negate the ability of the city traffic engineer to require improvements by other means specified in this code or rules or regulations adopted thereunder.
>
> (3) An exception to any or all of the requirements listed in the "Standards for Traffic Impact Analyses" for development that generate less than 100 trips in any peak hour may be granted if the applicant demonstrates that the study is not necessary in order to demonstrate compliance with this subsection.
>
> (4) In addition to the above criteria, if the Traffic Impact Analysis Review was required based on EC 9.8670(4), the improvements shall also address the structural capacity of the street in the County's jurisdiction and address identified structural deficiencies, or reduction in the useful life of existing street structures related to the proposed development. Improvements may be needed to eliminate the identified structural deficiencies and to accommodate vehicle impacts to structures.

In accordance with the above-quoted Eugene City code provisions, prior to the any development on the subject property that will generate more than 100 peak hour trips per day, the developer will need to prepare a TIA Review that parallels the TPR analysis required by Statewide Planning Goal 12. Because of the size of the subject property (approximately 63 acres), the number of allowed

single-family dwelling units could be in excess of 300 units. Based on the ITE Trip Generation Manual, 300 residential units would generate an estimated 300 PM peak trips, far exceeding the number of PM peak trips that would trigger the City's TIA Review code provisions. No development that will generate more than 100 PM peak trips will be able to occur on the subject property without a demonstration of compliance with the City's TIA Review requirements.

Based on the following testimony from the Department of Land Conservation and Development, no TPR findings are necessary for this action:

> "1. The amendment to the Metro Plan Diagram which re-designated the 63 acres from Low Density Residential to Parks and Open Space occurred as a result of adoption of Task 17 of the 2005 Eugene-Springfield Periodic Review Work Order 001662. In adopting the Revised Metro Plan Diagram reflecting the "Housekeeping" amendments to the Metro Plan Diagram, Ordinance #20319 in April 2004, it appears that no TRP analysis was conducted. In reviewing the acknowledgement file, I could not find any documentation why a TRP 060 analysis was not required so I must assume that the "Housekeeping" amendments to the Metro Plan Diagram were determined to not meet the threshold of significance as stipulated in 660.012.060(1). The acknowledged 2002 TransPlan was the controlling TPR document at the time. So in this case returning the plan designation to Low Density Residential to reflect the property's current zoning would not meet the threshold of "significant" either.
>
> 2. TransPlan, the metro area's TSP was last updated in 2002 and subsequently acknowledged by the Department; prior to adoption and acknowledgement of the "Housekeeping" amendments to the Metro Plan Diagram. The Metro Plan Diagram in effect in 2002 was the land use plan used to model traffic impacts. Consequently, returning the 63 acres from Parks and Open Space to Low Density Residential would be consistent with the Metro Plan Diagram used in the 2002 TransPlan and no TPR 060 analysis is required since in this case returning the plan designation to Low Density Residential to reflect the property's current zoning would not meet the threshold of "significant" either."

<u>Goal 13 - Energy Conservation:</u> *To conserve energy.*

Statewide Planning Goal 13 calls for land uses to be managed and controlled "so as to maximize the conservation of all forms of energy, based upon sound economic principles." Goal 13 is directed at the development of local energy policies and implementing provisions and does not state requirements with respect to other types of land use decisions. It is not clear that the goal has any bearing on a site-specific decision such as the one at issue. There is no implementing rule that clarifies the requirements of Goal 13. To the extent that Goal 13 could be applied to the proposed change in designation, the designation is consistent with Goal 13. The proposed site is located so that a future development can make efficient use of energy with direct and efficient access. The proposal is consistent with Statewide Planning Goal 13.

Goal 14 - Urbanization: *To provide for an orderly and efficient transition from rural to urban land use.*

The amendments do not affect the transition from rural to urban land use, as the subject property is within the Eugene-Springfield Urban Growth Boundary limits. Therefore, Statewide Planning Goal 14 does not apply.

Goal 15 - Willamette River Greenway: *To protect, conserve, enhance and maintain the natural, scenic, historical, agricultural, economic and recreational qualities of lands along the Willamette River as the Willamette River Greenway.*

The subject property is not within the boundaries of the Willamette River Greenway. Therefore, Statewide Planning Goal 15 does not apply.

Goal 16 through 19 - Estuarine Resources, Coastal Shorelands, Beaches and Dunes, and Ocean Resources:

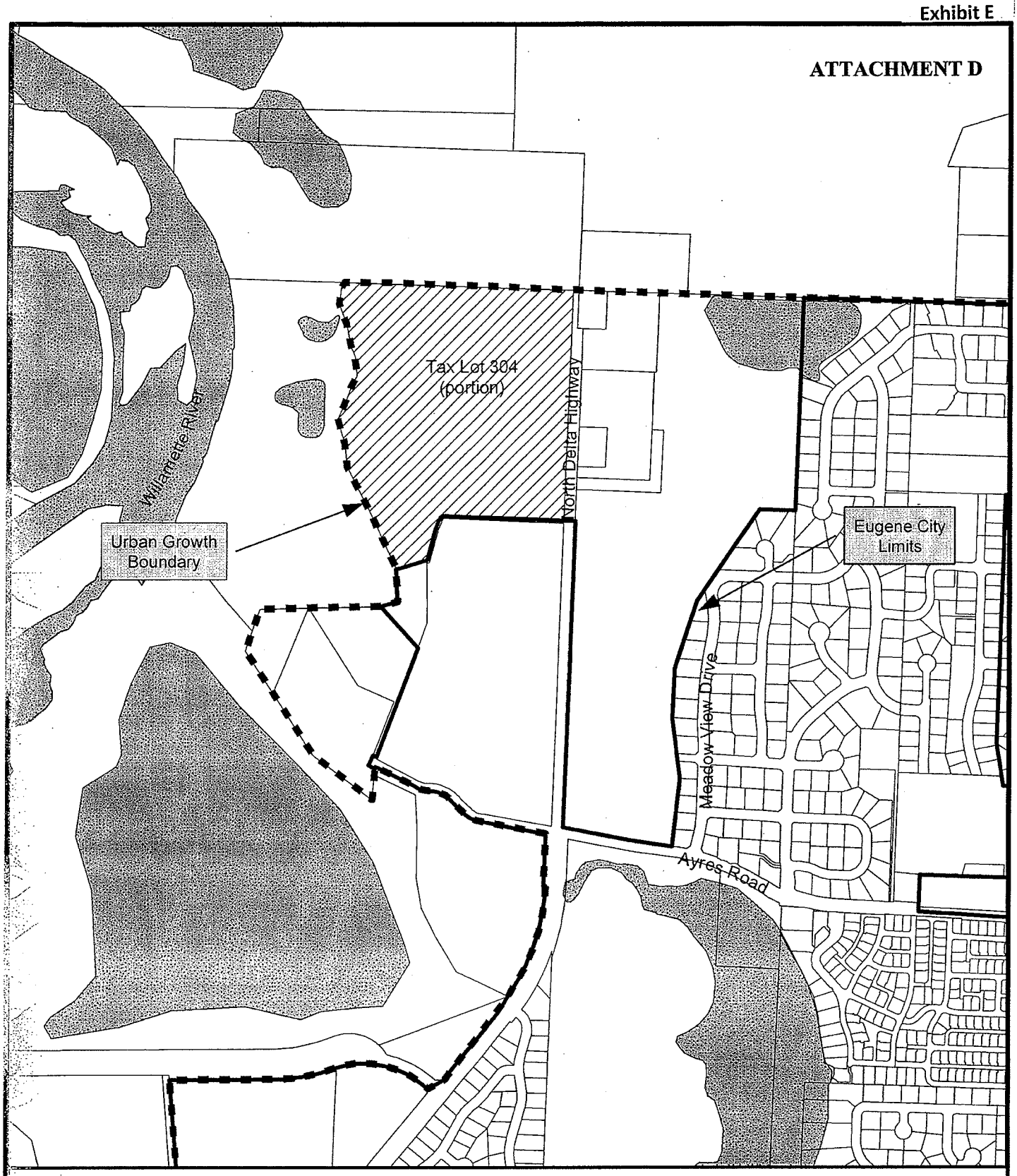
There are no coastal, ocean, estuarine, or beach and dune resources related to the property effected by these amendments. Therefore, these goals are not relevant and the amendments will not affect compliance with Statewide Planning Goals 16 through 19.

(b) Adoption of the amendment must not make the Metro Plan internally inconsistent.

The Metro Plan diagram amendment to re-designate approximately 63 acres of land from Parks and Open Space to Low Density Residential will not create an internal conflict with the remainder of the Metro Plan. No text or other diagram changes are necessary to ensure internal consistency with the proposed diagram amendments; adoption of this amendment will not make the Metro Plan internally consistent.

Exhibit E

ATTACHMENT D



Metro Plan Diagram Amendment for River Ridge (City File MA 09-3)

- Property proposed for change from Parks and Open Space to Low Density Residential
- Eugene City Limits
- Urban Growth Boundary
- Water Bodies

0 335 670 1,340 Feet

N W E S

COUNCIL ORDINANCE NUMBER 20445

COUNCIL BILL NUMBER 5018

AN ORDINANCE AMENDING THE EUGENE-SPRINGFIELD METROPOLITAN AREA GENERAL PLAN LAND USE DIAGRAM; AMENDING THE WILLAKENZIE AREA PLAN PURSUANT TO SECTION 9.7750(4) OF THE EUGENE CODE, 1971; ADOPTING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE; RETURNING THE UNANNEXED PORTION OF THE "RIVER RIDGE" SITE TO THE LOW DENSITY RESIDENTIAL DESIGNATION

ADOPTED: November 23, 2009

SIGNED: November 24, 2009

PASSED: 5/3

REJECTED:

OPPOSED: Brown, Taylor, Zelenka

ABSENT:

EFFECTIVE: December 25, 2009

ORDINANCE NO. 20445

AN ORDINANCE AMENDING THE EUGENE-SPRINGFIELD METROPOLITAN AREA GENERAL PLAN LAND USE DIAGRAM; AMENDING THE WILLAKENZIE AREA PLAN PURSUANT TO SECTION 9.7750(4) OF THE EUGENE CODE, 1971; ADOPTING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE; RETURNING THE UNANNEXED PORTION OF THE "RIVER RIDGE" SITE TO THE LOW DENSITY RESIDENTIAL DESIGNATION.

The City Council of the City of Eugene finds that:

A. On May 11, 2009, the Eugene City Council initiated amendments to the Metropolitan Area General Plan and the Willakenzie Area Plan.

B. The amendments contained in this Ordinance are based on the recommendation of the Eugene Planning Commission.

C. The City of Eugene Planning Commission and Lane County Planning Commission held a joint public hearing on the amendments contained in this Ordinance on August 4, 2009, and the Eugene Planning Commission forwarded its recommendations to the Eugene City Council for amendments to the Metropolitan Area General Plan Land Use Diagram as shown Exhibit A, and the Willakenzie Area Plan Land Use Diagram as shown on Exhibits B and C.

D. On October 7, 2009, the Eugene City Council and the Lane County Board of Commissioners held a joint public hearing to consider the amendments and on November 9, 2009, the Eugene City Council passed a motion to adopt all of the proposed amendments in a single ordinance. At its next meeting, on November 16, 2009, the Eugene City Council passed a motion to reconsider its November 9 action and directed that the amendments be divided into two separate ordinances: one relating to the land over which the City has sole jurisdiction and the other relating to the land over which the City and County have joint jurisdiction.

THE CITY OF EUGENE DOES ORDAIN AS FOLLOWS:

Section 1. The portion of the property identified as Tax Lot 304 of Assessor's Map 17-03-07-00 on the Eugene-Springfield Metropolitan Area General Plan (*Metro Plan*) Land Use Diagram, located north of Ayres Road and west of North Delta Highway, is amended from a designation of Parks and Open Space (POS) to a designation of Low Density Residential (LDR) as shown on the attached Exhibit A, which is incorporated herein.

Section 2. Consistent with the provisions of Section 9.7750(4) of the Eugene Code, 1971, the land referenced in Section 1 above is automatically and concurrently redesignated from Parks/Open Space to Low-Density Residential on both the Willakenzie Area Plan Land Use Diagram located between pages 19 and 20 of the Willakenzie Area Plan, as shown on Exhibit B, which is incorporated herein, and on the Willakenzie Area Plan Unincorporated Subarea diagram located at page 53 of the Willakenzie Area Plan, as shown on Exhibit C, which is incorporated herein.

Section 3. The findings set forth in the attached Exhibit D are adopted as findings in support of this Ordinance.

Section 4. If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held invalid or unconstitutional by a court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions hereof.

Section 5. Notwithstanding the effective date of ordinances as provided in the Eugene Charter of 2002, this Ordinance shall become effective 30 days from the date of its passage by the City Council and approval by the Mayor, or upon the date the Lane County Board of Commissioners has adopted an ordinance containing identical provisions to those described in sections 1 and 2 of this Ordinance, whichever is later.

Passed by the City Council this

23rd day of November, 2009

Elizabeth Forest

Acting City Recorder

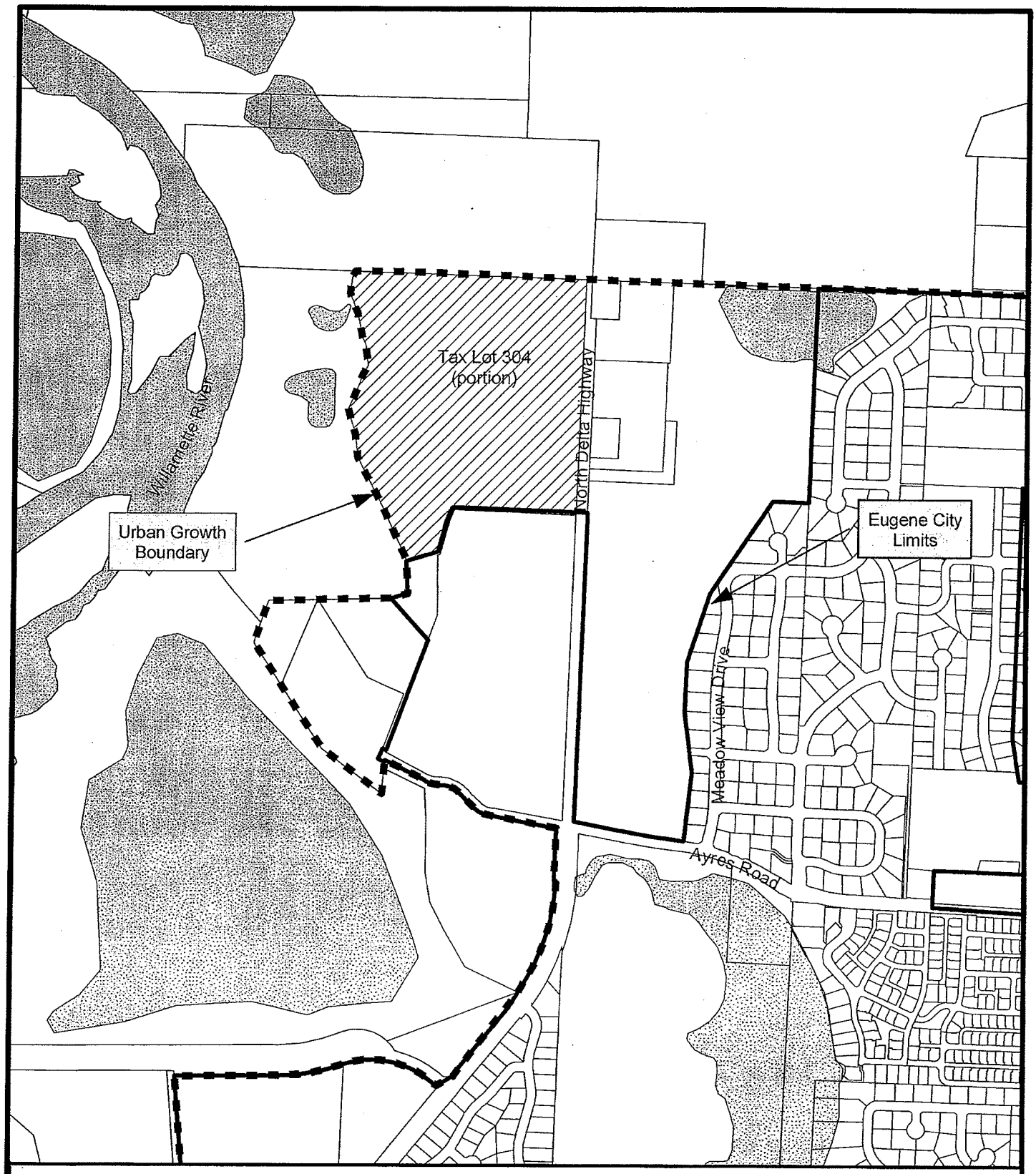
Approved by the Mayor this

24th day of November, 2009

Kitty Piercy

Mayor

Exhibit A



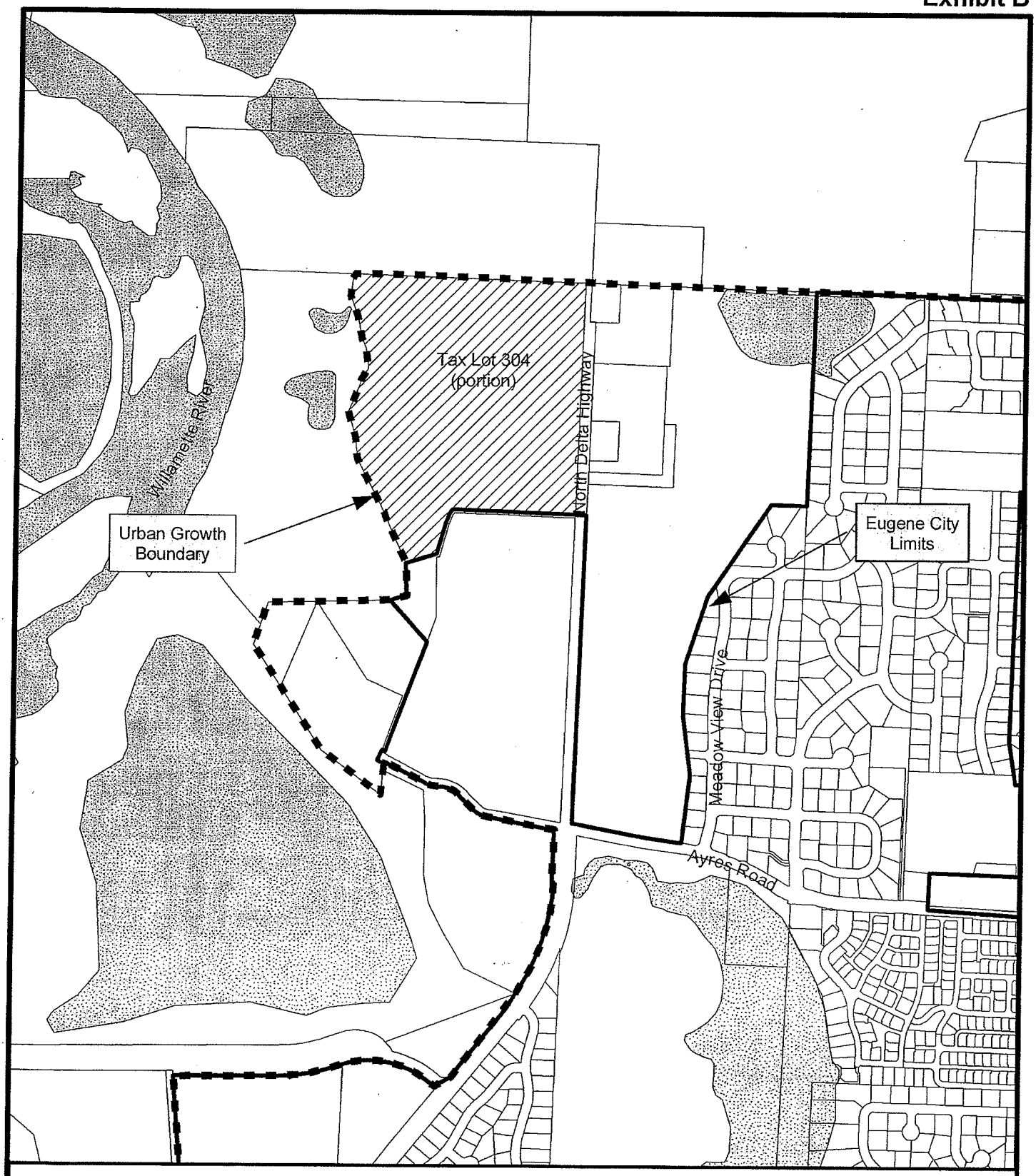
Metro Plan Diagram Amendment for
River Ridge (City File MA 09-3)

- Property proposed for change from Parks and Open Space to Low Density Residential
- Eugene City Limits
- Urban Growth Boundary
- Water Bodies

0 335 670 1,340 Feet

N W E S

Exhibit B



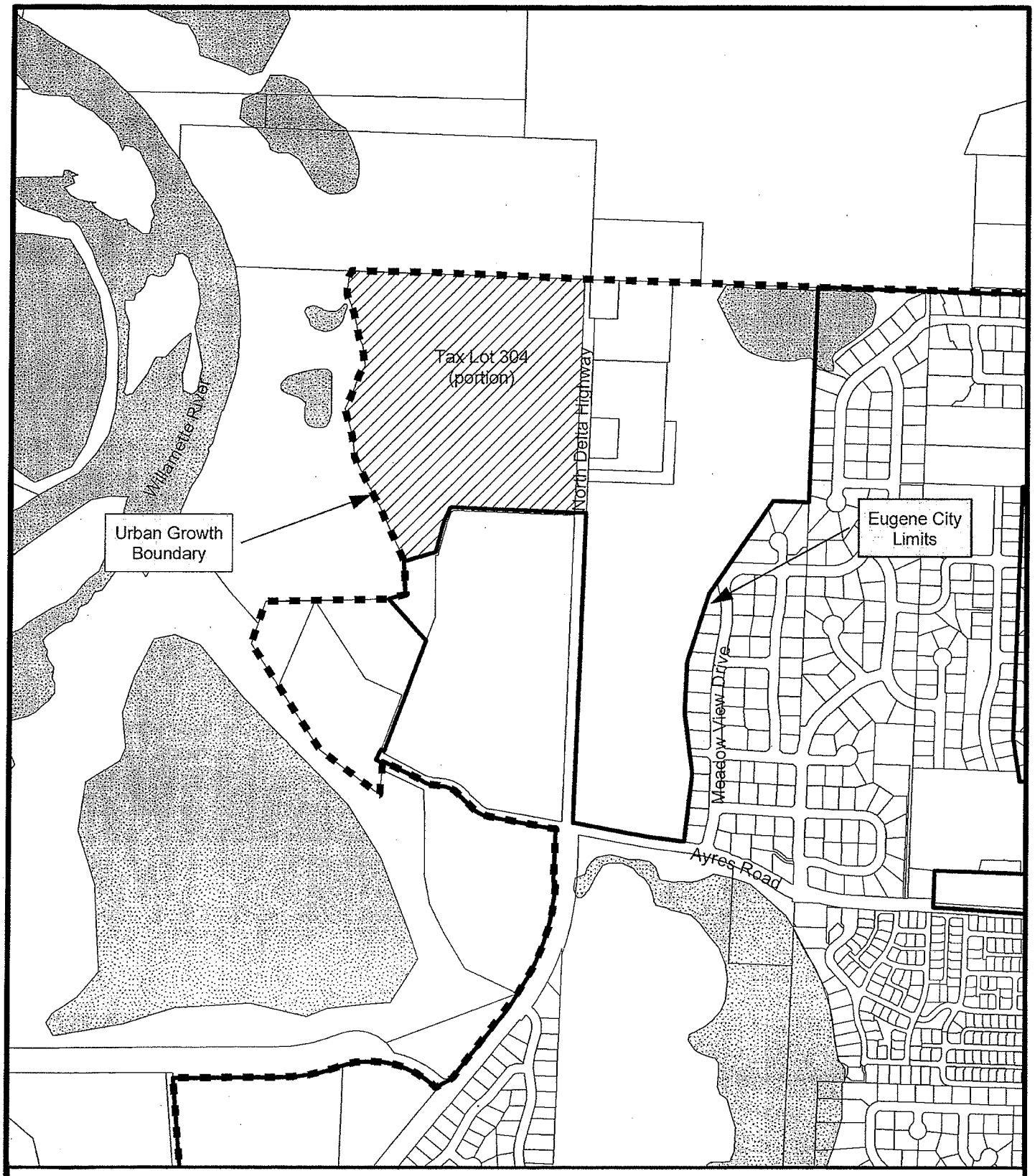
Willakenzie Area Plan Land Use Diagram
Amendment for River Ridge (City File MA 09-3)

- Property proposed for change from Parks and Open Space to Low Density Residential
- Eugene City Limits
- Urban Growth Boundary
- Water Bodies

N W E S

0 345 690 1,380 Feet

Exhibit C



Willakenzie Area Plan Unincorporated Subarea Diagram
Amendment for River Ridge (City File MA 09-3)

- Property proposed for change from Parks and Open Space to Low Density Residential
- Eugene City Limits
- Urban Growth Boundary
- Water Bodies

N W E S

0 330 660 1,320 Feet

EXHIBIT D

Findings of Consistency

<u>Metro Plan Diagram Amendments</u> Eugene Code Section 9.7730(3) requires that the following criteria (in bold and *italics*) be applied to a Metro Plan diagram amendment:

(a) The amendment must be consistent with the relevant Statewide Planning Goals adopted by the Land Conservation and Development Commission; and

<u>Goal 1 Citizen Involvement</u>: *To develop a citizen involvement program that insures the opportunity for citizens to be involved in all phases of the planning process.*

The City has acknowledged provisions for citizen involvement that ensure the opportunity for citizens to be involved in all phases of the planning process and set out requirements for such involvement. The action does not amend the citizen involvement program. The process for reviewing these amendments complies with Goal 1 since it complies with, and surpasses the requirements of, the citizen involvement provisions.

The City of Eugene land use code implements Statewide Planning Goal 1 by requiring that notice of the proposed amendments be given and public hearings be held prior to adoption. Consideration of the amendments begins with a joint City of Eugene and Lane County Planning Commission public hearing on August 4, 2009. On June 19, 2009, the City mailed notice of the proposed plan amendments to the Department of Land Conservation and Development, as required by the Eugene Code and in accordance with State statutes. Referrals concerning the pending applications were sent to the Oregon Department of Transportation (ODOT), City of Springfield, Lane County, the Cal Young Neighborhood Association and to City departments. On July 13, 2009, notice of the Planning Commission public hearing was mailed to the property owners and occupants of property within 500 feet of the subject property, Cal Young Neighborhood Association, interested parties who requested notice, and other community organizations requesting such notice, which is in excess of the requirements of the Eugene Code. On July 15, 2009, notice of the Planning Commission public hearing was published in the *Register-Guard*, in accordance with the Eugene Code. In addition to public meetings and mailed notices, printed materials related to these proceedings were made available at Planning and Development Department offices, and provided via the City's internet site at www.eugeneplanning.org.

The process for adopting these amendments complies with Statewide Planning Goal 1 since it complies with, and surpasses the requirements of the State's citizen involvement provisions.

<u>Goal 2 - Land Use Planning:</u> *To establish a land use planning process and policy framework as a basis for all decisions and actions related to use of land and to assure an adequate factual base for such decisions and actions.*

The Eugene-Springfield Metropolitan Area General Plan (<u>Metro Plan</u>) is the policy tool that provides a basis for decision-making in this area. The <u>Metro Plan</u> was acknowledged by the State in 1982 to be in compliance with statewide planning goals. These findings and record show that there is an adequate factual base for decisions to be made concerning the proposed amendments.

Goal 2 requires that plans be coordinated with the plans of affected governmental units and that opportunities be provided for review and comment by affected governmental units. To comply with the Goal 2 coordination requirement, the City coordinated the review of these amendments with all affected governmental units. Specifically, notice was mailed to the State Department of Land Conservation and Development, Oregon Department of Transportation (ODOT), Lane County, and the City of Springfield. There are no Goal 2 exceptions required for these amendments. Therefore, the amendments are consistent with Statewide Planning Goal 2.

Goal 3 - Agricultural Land: *To preserve and maintain agricultural lands.*

Goal 3 is not applicable to these amendments as the subject property and actions do not affect any agricultural plan designation or use. Goal 3 excludes lands inside an acknowledged urban growth boundary from the definition of agricultural lands. Since the subject property is entirely within the acknowledged urban growth boundary, Goal 3 is not relevant and the amendments do not affect the area's compliance with Statewide Planning Goal 3.

Goal 4 - Forest Land: *To conserve forest lands.*

Goal 4 is not applicable to these amendments as the subject property and actions do not affect any forest plan designation or use. Goal 4 does not apply within urban growth boundaries and, therefore, does not apply to the subject property, which is within Eugene's urban growth boundary (OAR 660-006-0020). Therefore, Goal 4 is not relevant and the amendments do not affect the area's compliance with Statewide Planning Goal 4.

Goal 5 - Open Spaces, Scenic and Historic Areas, and Natural Resources: *To conserve open space and protect natural and scenic resources.*

The following administrative rule (OAR 660-023-0250) is applicable to this post-acknowledgement plan amendment (PAPA) request:

(3) Local governments are not required to apply Goal 5 in consideration of a PAPA unless the PAPA affects a Goal 5 resource. For purposes of this section, a PAPA would affect a Goal 5 resource only if:

- *(a) The PAPA creates or amends a resource list or a portion of an acknowledged plan or land use regulation adopted in order to protect a significant Goal 5 resource or to address specific requirements of Goal 5;*
- *(b) The PAPA allows new uses that could be conflicting uses with a particular significant Goal 5 resource site on an acknowledged resource list; or*
- *(c) The PAPA amends an acknowledged UGB and factual information is submitted demonstrating that a resource site, or the impact areas of such a site, is included in the amended UGB area.*

The subject property does not include a Goal 5 resource site. The proposed amendments do not create or amend a list of Goal 5 resources, do not amend a plan or code provision adopted in order to protect a significant Goal 5 resource or to address specific requirements of Goal 5, and do not amend the acknowledged Urban Growth Boundary.

Goal 6 - Air, Water and Land Resources Quality: *To maintain and improve the quality of the air, water, and land resources of the state.*

Goal 6 addresses waste and process discharges from development, and is aimed at protecting air, water and land from impacts from those discharges. Nothing in the proposal or the character of the site or potential uses indicates a future development that would compromise air, water and land resources. The proposal does not amend the metropolitan area's air, water quality or land resource policies. Based on allowed low density residential uses, the City can reasonably expect that future development of the site comply with applicable environmental laws. Therefore, the amendments are consistent with Statewide Planning Goal 6.

Goal 7 - Areas Subject to Natural Disasters and Hazards: *To protect life and property from natural disasters and hazards.*

Goal 7 requires that local government planning programs include provisions to protect people and property from natural hazards such as floods, landslides, earthquakes and related hazards, tsunamis and wildfires. The subject property is not located within known areas of natural disasters or hazards. The subject property is outside the flood zone and is not subject to hazards normally associated with steep slopes, wildfires, or tsunamis. Other hazards, such as earthquakes and severe winter storms can be mitigated at the time of development based on accepted building codes and building techniques. Therefore, these amendments are consistent with Statewide Planning Goal 7.

Goal 8 - Recreational Needs: *To satisfy the recreational needs of the citizens of the state and visitors and, where appropriate, to provide for the siting of necessary recreational facilities including destination resorts.*

Goal 8 ensures the provision of recreational facilities to Oregon citizens and is primarily concerned with the provision of those facilities in non-urban areas of the state. Unlike planning for its residential, commercial or industrial land needs under Goals 9 and 10, planning for a city's recreational needs is largely a matter of local choice. The applicable statutes, Statewide Planning Goals and administrative rules are not prescriptive as to the amount of park land that a city must have to serve its population. While the City takes into consideration the existence of private recreation facilities and open space in its parks planning process, because there is no guarantee that lands owned by private entities will remain in perpetuity as public open space and/or recreation facilities, the City does not (and is not required to) account for private facilities and open space in its supply of recreation facilities, parks and open space. The subject property is not included on any list, inventory or map identifying the City's existing parks and open space supply. As such, changing the designation of the subject property will have no impact on the City's parks and open space supply. While the proposed amendments will impact a private recreational facility, the proposed amendments will not impact the provision of public recreational facilities, nor will they affect access to existing or future public recreational facilities. Therefore, the amendments are consistent with Statewide Planning Goal 8.

Goal 9 - Economic Development: *To provide adequate opportunities throughout the state for a variety of economic activities vital to the health, welfare, and prosperity of Oregon's citizens.*

The Administrative Rule for Statewide Planning Goal 9 (OAR 660 Division 9) requires that the city '[p]rovide for at least an adequate supply of sites of suitable sizes, types, location, and service levels for a variety of industrial and commercial uses consistent with plan policies[.]" Among other things, the rule requires that cities complete an "Economic Opportunities Analysis." OAR 660-009-0015. Based on the Economic Opportunities Analysis, cities are to prepare Industrial and Commercial Development Policies. OAR 660-009-0020. Finally OAR 660-009-0025 requires that cities designate industrial and commercial lands sufficient to meet short and long term needs. OAR 660-009-0010(2) provides that the detailed planning requirements imposed by OAR 660 Division 9 apply "at the time of each periodic review of the plan (ORS 197.712(3))."

The proposed amendment will not make any changes to the existing land currently designated commercial. Thus, the amendments are consistent with Statewide Planning Goal 9.

Goal 10 - Housing: *To provide for the housing needs of the citizens of the state.*

Goal 10 requires that communities plan for and maintain an inventory of buildable residential land for needed housing units.

The proposed amendment will re-designate approximately 63 acres from Parks and Open Space to Residential, thereby increasing the City's current supply of residential lands. Since the subject property is not currently designated for residential use and is not included in the documented supply of "buildable land" that is available for residential development as inventoried in the acknowledged 1999 Residential Lands Study, the proposed amendment will increase the City's existing inventory of land that is available for residential development. Therefore, the amendments are consistent with Statewide Planning Goal 10.

Goal 11 - Public Facilities and Services: *To plan and develop a timely, orderly and efficient arrangement of public facilities and services to serve as a framework for urban and rural development.*

A portion of the area affected by the amendments is located outside the city limits but inside the Eugene-Springfield Urban Growth Boundary. The existing level of public facilities and service is adequate to serve the needs of existing and future development, as public facilities are available or can be extended to the subject property. While a portion of the subject property is located outside City limits, annexation is a requirement for any new use that would generate an additional need for urban facilities and services. Public facilities and services are available for the purpose of annexation. The provision of these amendments does not affect the planning or development of future public facilities or services. Therefore, the amendments are consistent with Statewide Planning Goal 11.

Goal 12 - Transportation: *To provide and encourage a safe, convenient and economic transportation system.*

Goal 12 is implemented through the Transportation Planning Rule (TPR), as defined in Oregon Administrative Rule OAR 660-012-0000, et seq. The Eugene-Springfield Metropolitan Area Transportation Plan (TransPlan) provides the regional policy framework through which the TPR is

implemented at the local level. The TPR (OAR 660-012-0060) states that when land use changes, including amendments to acknowledged comprehensive plans, significantly affect an existing or planned transportation facility the local government shall put in place measures to assure that the allowed land uses are consistent with the identified function, capacity and performance standards (level of service, volume to capacity ratio, etc.) of the facility.

Section 9.8670 of the Eugene Code, 1971, requires a development applicant to comply with the City's Traffic Impact Analysis (TIA) Review code provisions if the proposed development will "generate 100 or more vehicle trips during any peak hour as determined by using the most recent edition of the Institute of Transportation Engineer's Trip Generation Manual." One of the stated purposes of the City's TIA Review requirement is "to ensure that developments which will generate a significant amount of traffic, cause an increase in traffic that will contribute to traffic problems in the area, or result in levels of service of the roadway system in the vicinity of the development that do not meet adopted level of service standards provide the facilities necessary to accommodate the traffic impact of the proposed development."

The City's TIA Review follows a Type II process and is approved or conditionally approved upon the applicant's demonstration of compliance with the following criteria at EC 9.8680:

> (1) Traffic control devices and public or private improvements as necessary to achieve the purposes listed in this section will be implemented. These improvements may include, but are not limited to, street and intersection improvements, sidewalks, bike lanes, traffic control signs and signals, parking regulation, driveway location, and street lighting.
>
> (2) Public improvements shall be designed and constructed to the standards specified in EC 9.6505 Improvements - Specifications. The requirement of improvements based on a traffic impact analysis does not negate the ability of the city traffic engineer to require improvements by other means specified in this code or rules or regulations adopted thereunder.
>
> (3) An exception to any or all of the requirements listed in the "Standards for Traffic Impact Analyses" for development that generate less than 100 trips in any peak hour may be granted if the applicant demonstrates that the study is not necessary in order to demonstrate compliance with this subsection.
>
> (4) In addition to the above criteria, if the Traffic Impact Analysis Review was required based on EC 9.8670(4), the improvements shall also address the structural capacity of the street in the County's jurisdiction and address identified structural deficiencies, or reduction in the useful life of existing street structures related to the proposed development. Improvements may be needed to eliminate the identified structural deficiencies and to accommodate vehicle impacts to structures.

In accordance with the above-quoted Eugene City code provisions, prior to the any development on the subject property that will generate more than 100 peak hour trips per day, the developer will need to prepare a TIA Review that parallels the TPR analysis required by Statewide Planning Goal 12. Because of the size of the subject property (approximately 63 acres), the number of allowed

single-family dwelling units could be in excess of 300 units. Based on the ITE Trip Generation Manual, 300 residential units would generate an estimated 300 PM peak trips, far exceeding the number of PM peak trips that would trigger the City's TIA Review code provisions. No development that will generate more than 100 PM peak trips will be able to occur on the subject property without a demonstration of compliance with the City's TIA Review requirements.

Based on the following testimony from the Department of Land Conservation and Development, no TPR findings are necessary for this action:

> "1. The amendment to the Metro Plan Diagram which re-designated the 63 acres from Low Density Residential to Parks and Open Space occurred as a result of adoption of Task 17 of the 2005 Eugene-Springfield Periodic Review Work Order 001662. In adopting the Revised Metro Plan Diagram reflecting the "Housekeeping" amendments to the Metro Plan Diagram, Ordinance #20319 in April 2004, it appears that no TRP analysis was conducted. In reviewing the acknowledgement file, I could not find any documentation why a TRP 060 analysis was not required so I must assume that the "Housekeeping" amendments to the Metro Plan Diagram were determined to not meet the threshold of significance as stipulated in 660.012.060(1). The acknowledged 2002 TransPlan was the controlling TPR document at the time. So in this case returning the plan designation to Low Density Residential to reflect the property's current zoning would not meet the threshold of "significant" either.
>
> 2. TransPlan, the metro area's TSP was last updated in 2002 and subsequently acknowledged by the Department; prior to adoption and acknowledgement of the "Housekeeping" amendments to the Metro Plan Diagram. The Metro Plan Diagram in effect in 2002 was the land use plan used to model traffic impacts. Consequently, returning the 63 acres from Parks and Open Space to Low Density Residential would be consistent with the Metro Plan Diagram used in the 2002 TransPlan and no TPR 060 analysis is required since in this case returning the plan designation to Low Density Residential to reflect the property's current zoning would not meet the threshold of "significant" either."

<u>Goal 13 - Energy Conservation:</u> *To conserve energy.*

Statewide Planning Goal 13 calls for land uses to be managed and controlled "so as to maximize the conservation of all forms of energy, based upon sound economic principles." Goal 13 is directed at the development of local energy policies and implementing provisions and does not state requirements with respect to other types of land use decisions. It is not clear that the goal has any bearing on a site-specific decision such as the one at issue. There is no implementing rule that clarifies the requirements of Goal 13. To the extent that Goal 13 could be applied to the proposed change in designation, the designation is consistent with Goal 13. The proposed site is located so that a future development can make efficient use of energy with direct and efficient access. The proposal is consistent with Statewide Planning Goal 13.

Goal 14 - Urbanization: *To provide for an orderly and efficient transition from rural to urban land use.*

The amendments do not affect the transition from rural to urban land use, as the subject property is within the Eugene-Springfield Urban Growth Boundary limits. Therefore, Statewide Planning Goal 14 does not apply.

Goal 15 - Willamette River Greenway: *To protect, conserve, enhance and maintain the natural, scenic, historical, agricultural, economic and recreational qualities of lands along the Willamette River as the Willamette River Greenway.*

The subject property is not within the boundaries of the Willamette River Greenway. Therefore, Statewide Planning Goal 15 does not apply.

Goal 16 through 19 - Estuarine Resources, Coastal Shorelands, Beaches and Dunes, and Ocean Resources:

There are no coastal, ocean, estuarine, or beach and dune resources related to the property effected by these amendments. Therefore, these goals are not relevant and the amendments will not affect compliance with Statewide Planning Goals 16 through 19.

(b) Adoption of the amendment must not make the Metro Plan internally inconsistent.

The Metro Plan diagram amendment to re-designate approximately 63 acres of land from Parks and Open Space to Low Density Residential will not create an internal conflict with the remainder of the Metro Plan. No text or other diagram changes are necessary to ensure internal consistency with the proposed diagram amendments; adoption of this amendment will not make the Metro Plan internally consistent.

ORDINANCE NO. 20107

AN ORDINANCE AMENDING THE EUGENE-SPRINGFIELD METROPOLITAN AREA GENERAL PLAN DIAGRAM AND THE WILLAKENZIE AREA PLAN DIAGRAM TO REDESIGNATE PROPERTY IDENTIFIED AS MAP 17-03-16-32, A PORTION OF TAX LOT 600 (COSTCO SITE) FROM CAMPUS INDUSTRIAL TO COMMERCIAL, AND REZONING THE PROPERTY FROM I-1, SPECIAL LIGHT INDUSTRIAL TO C-2/SR, GENERAL COMMERCIAL WITH SITE REVIEW SUBDISTRICT.

The City Council of the City of Eugene finds that:

A. On November 24, 1997, Costco Wholesale Corporation submitted an application for a Type II Metro Plan diagram amendment, concurrent automatic amendment to the Willakenzie Area Plan (refinement plan), and concurrent zone change to redesignate and rezone property identified as Map 17-03-16-32, a portion of Tax Lot 600, referred to as the Costco site. The applicant requested a Metro Plan designation change from Campus Industrial designation to Commercial designation. Approval of the proposed Metro Plan amendment results in the automatic concurrent amendment of the Willakenzie Area Plan land use diagram and subarea map, giving the site a Commercial designation under that Plan. The zone change requested would replace the site's zoning from I-1 Special Light Industrial to C-2/SR General Commercial with a Site Review overlay.

B. This proposal came to the City of Eugene for action pursuant to procedures for amendment and refinement of the Metro Plan described in the Metro Plan and Chapter 9 of the Eugene Code, 1971 (EC), which establishes the Eugene City Council as the approval body for Type II Metro Plan diagram amendments located within the incorporated city limits of Eugene.

C. On December 5, 1997, the Metro Plan amendment application was referred to Lane County and the City of Springfield, and referral notice of the application and public hearing information was mailed to the Cal Young Neighborhood Group.

D. On December 31, 1997, notice of the hearing was mailed to the owner of the property subject to the amendment, and to owners and occupants of property within 300 feet of the subject property.

E. On December 31, 1997, notice of the hearing was published in the Eugene Register-Guard.

F. On December 19, 1997, the proposed amendment and notice of the City Council hearing on the amendment was mailed to the Oregon Department of Land Conservation and Development as required by ORS 197.610.

G. On January 21, 1998, the Eugene Planning Commission held a public hearing on the application and voted to approve the request as submitted by the applicant. As per EC 9.130, the Planning Commission hearing was the sole evidentiary hearing on this application, and all evidence in support or opposition to the proposed amendment had to be introduced at the Planning Commission hearing.

H. On February 10, 1998, notice of the Eugene City Council hearing was mailed to the applicant, neighborhood association and those who had requested to be placed on the Interested Parties list for the Metro Plan amendment.

I. The Eugene City Council held a public hearing on the request on February 23, 1998, and is now ready to take action on the requested amendment. The City Council hearing was on the evidentiary record created before the Planning Commission.

J. Evidence exists within the record and the findings attached hereto that the proposal meets the requirements of Chapter 9 of the Eugene Code, 1971, and the requirements of applicable state and local law.

NOW, THEREFORE,

THE CITY OF EUGENE DOES ORDAIN AS FOLLOWS:

Section 1. The above findings, and the findings set forth in Exhibit C attached hereto and incorporated herein by this reference are hereby adopted.

Section 2. The Metro Plan Diagram land use designation for the property identified as Map 17-03-16-32, a portion of Tax Lot 600, referred to as the Costco site, is amended from Campus Industrial to Commercial, as depicted on Exhibit A attached hereto and incorporated herein by this reference.

Section 3. The Willakenzie Area Plan land use diagram and subarea map designation for the property identified as Map 17-03-16-32, a portion of Tax Lot 600 is automatically amended from Campus Industrial to Commercial, as depicted on Exhibit A attached hereto and incorporated herein by this reference, in conformance with the provisions of EC 9.136(4).

Section 4. The zoning for the property identified as Map 17-03-16-32, a portion of Tax Lot 600, referred to as the Costco site, is amended from I-1, Special Light Industrial to C-2/SR General Commercial with Site Review Subdistrict, as depicted on Exhibit A attached hereto and incorporated herein by this reference. Site Review criteria to be applied to this property are provided in Exhibit B attached hereto and incorporated herein by this reference.

Section 5. If any section, subsection, sentence, clause, phrase, or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction,

that portion shall be deemed a separate, distinct, and independent provision and that holding shall not affect the validity of the remaining portions of this Ordinance.

Passed by the City Council this

23rd day of February, 1998

City Recorder

Approved by the Mayor this

23rd day of February, 1998

Mayor

ORDINANCE NO. 20265

AN ORDINANCE CONCERNING THE CHASE NODAL DEVELOPMENT AREA; AMENDING THE EUGENE-SPRINGFIELD METROPOLITAN AREA GENERAL PLAN AND THE WILLAKENZIE AREA PLAN; ADOPTING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

The City Council of the City of Eugene finds that:

A. On September 10, 2001 the City Council adopted Ordinance No. 20234 that effected amendments to the transportation element of the Eugene-Springfield Metropolitan Area General Plan (Metro Plan), related changes to the Plan text, and adopted revisions to TransPlan. Included in the text amendments was the addition of a new section entitled "Nodal Development Area (Node)," and inclusion of "ND - Nodal Development" to the text for the Legend Block on the Metro Plan Diagram.

B. The Metro Plan, in describing the Nodal Development Area designation states that "[a]reas identified as nodal development areas in TransPlan are considered to have potential for this type of land use pattern." Page II-E-4. TransPlan Map A1 identifies the Chase Gardens subarea as an area for nodal development. See area identified as 6K.

C. These proceedings have been initiated by the City of Eugene pursuant to procedures for amendment and refinement of the Metro Plan described in the Metro Plan and Chapter 9 of the Eugene Code, 1971 (EC), which requires approval of the Eugene City Council and Lane County Board of Commissioners for Type II Metro Plan diagram amendments located between the incorporated city limits of Eugene and the Plan boundary. Since a text amendment to the refinement plan is required for consistency with the proposed Metro Plan diagram amendment, a concurrent refinement plan amendment application to redesignate property is being processed. The proceedings are following a Type V process.

D. On November 21, 2001, notice of the proposed amendments was mailed to the Oregon Department of Land Conservation and Development as required by ORS 197.610. Comments were received in response to the notice and were added to the record.

E. On December 20, 2001, notice of the Planning Commission hearing was mailed to property owners, neighborhood groups, and other interested parties. Notice was published in the Register-Guard, a daily newspaper of general circulation, on December 21, 2001. The notice included a description of all proposed actions and approval criteria. When the record was reopened by the Planning Commission on January 28, 2002, notice was mailed by February 6, 2002 to all persons that had submitted testimony for the public hearing.

F. The Eugene and Lane County Planning Commissions held a joint public hearing on the measures to establish the Chase Node on January 8, 2002.

G. After the public hearing, the Eugene Planning Commission held work sessions on January 28, 2002 and April 2, 2002, and recommended approval of the measures with certain revisions. After a work session on May 21, 2002, the Lane County Planning Commission also recommended approval of the measures with the revisions identified in the Eugene Planning Commission recommendation.

H. On August 27, 2002 notice of the Joint Eugene City Council/Lane County Board of Commissioners hearing was mailed to owners of property subject to the amendments, the neighborhood association, and those who had requested to be placed on the Interested Parties list for the Metro Plan amendment. Notice of that hearing was also published in the Register-Guard on August 27, 2002.

I. The Eugene City Council held a public hearing on the request on September 18, 2002, and is now ready to take action on the requested amendments.

J. Evidence exists within the record and the findings attached hereto that the proposal meets the requirements of Chapter 9 of the Eugene Code, 1971, and the requirements of applicable state and local law.

NOW, THEREFORE,

THE CITY OF EUGENE DOES ORDAIN AS FOLLOWS:

Section 1. The Metro Plan Diagram is amended to change the underlying designations of 6 properties and to add the ND-Nodal Development designation to those properties, as identified and described on Exhibit A attached hereto. The Metro Plan Diagram is further amended to add the ND-Nodal Development designation to 41 properties identified and described on Exhibit A. The underlying designations for these 41 properties shall remain unchanged.

Section 2. Consistent with the provisions of EC 9.7750(4), the Willakenzie Area Plan land use diagram located between pages 19 and 20 of the Willakenzie Area Plan is automatically amended to apply the ND-Nodal Development designation as reflected in Exhibit A.

Section 3. The Willakenzie Area Plan is amended by replacing pages 71-74 of the Land Use Element - Chase Gardens Subarea, with the text and maps attached as Exhibit B to this Ordinance.

Section 4. The above findings, and the Legislative Findings set forth in Exhibit C attached hereto serve as findings in support of this Ordinance, but are not adopted.

Section 5. If any section, subsection, sentence, clause, phrase, or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, that portion shall be deemed a separate, distinct, and independent provision and that holding shall not affect the validity of the remaining portions of this Ordinance.

Section 6. Notwithstanding the effective date of ordinances as provided in the Eugene Charter of 1976, this Ordinance shall become effective 30 days from the date of its passage by the City Council and approval by the Mayor, or upon the date of its acknowledgment as provided by ORS 197.625, whichever date is later, providing that by that date the Lane County Board of Commissioners has adopted an ordinance containing identical provisions to those described in Sections 1, 2 and 4 of this Ordinance.

Passed by the City Council this

12th day of November, 2002

Kathleen L. Friland
City Recorder

Approved by the Mayor this

12th day of November, 2002

James D. Torrey
Mayor

Exhibit A
to Ordinance 20265
Chase Gardens Nodal Development Area
Properties Subject to Change in Metro Plan Designation

Tax Lot	Current Designation	Proposed Designation	Owner
Change Underlying Designation and Add ND Designation			
17032840 100	Commercial	HDR/ND	Wylie Gordon K & Linda
17032840 102	Commercial	HDR/ND	Wylie Gordon K & Linda
17032840 103	Commercial	HDR/ND	Wylie Gordon K & Linda
17032840 1406	HDR	HDR/ND, Commercial/ND	Simpson Housing LTD Partnership
17032842 3300	HDR	Commercial/ND	Mallard II LLC
17032842 3500	HDR	Parks and Open Space/ND	Eugene City of
Add ND Designation Only			
17032830 100	HDR	HDR/ND	Cherry Creek Village LLC
17032830 200	HDR	HDR/ND	Cherry Creek Village LLC
17032830 300	HDR	HDR/ND	Eugene City of
17032830 400	HDR	HDR/ND	Eugene City of
17032830 500	HDR	HDR/ND	Parkgrove Apartments LLC
17032830 501	HDR	HDR/ND	Parkgrove Apartments LLC
17032830 502	HDR	HDR/ND	Parkgrove Apartments LLC
17032830 1600	HDR	HDR/ND	Eugene City of
17032840 300	HDR	HDR/ND	Eugene City of
17032840 400	HDR	HDR/ND	Eugene City of
17032840 500	HDR	HDR/ND	Eugene City of
17032840 600	HDR	HDR/ND	Eugene City of

Tax Lot	Current Designation	Proposed Designation	Owner
17032840 703	HDR	HDR/ND	Cherry Creek Village LLC
17032840 800	HDR	HDR/ND	Eugene Water & Electric Board
17032840 900	HDR	HDR/ND	Eugene City of
17032840 1000	HDR	HDR/ND	Eugene City of
17032840 1101	HDR	HDR/ND	Thompson Vanessa M & Jerry E
17032840 1200	HDR	HDR/ND	Eugene City of
17032840 1301	HDR	HDR/ND	Cherry Creek Village LLC
17032840 1302	HDR	HDR/ND	Cherry Creek Village LLC
17032840 1400	HDR	HDR/ND	SHLP Financing LLC
17032840 1401	HDR	HDR/ND	Holloman Nancy
17032840 1402	HDR	HDR/ND	Hufford David W
17032840 1405	HDR	HDR/ND	SHLP Financing LLP
17032840 1407	HDR, Commercial	HDR/ND, Commercial/ND	Robinson Jean Verda
17032840 1800	Commercial	Commercial/ND	White Thompson E
17032840 1900	HDR	HDR/ND	Robinson Jean
17032840 2000	HDR	HDR/ND	Robinson Jean
17032840 2103	HDR	HDR/ND	Chase David L & Lynn F
17032840 2200	HDR	HDR/ND	Brenaman J Ralph TE
17032841 100	HDR	HDR/ND	Hudman Garden Way LLC
17032842 100	HDR	HDR/ND	University Commons
17032842 200	HDR	HDR/ND	University Commons
17032842 3400	HDR	HDR/ND	University Commons
17032843 100	HDR	HDR/ND	McKenna Estates LLC
17032843 200	HDR	HDR/ND	McKenna Estates LLC
17032843 300	HDR	HDR/ND	Gray Roy C Jr
17033312 802	Commercial	Commercial/ND	Gorman Richard E DC

Exhibit A - 2

Tax Lot	Current Designation	Proposed Designation	Owner
17033312 1000	Commercial	Commercial/ND	Gorman Richard E DC
17033312 1100	Commercial	Commercial/ND	Northwest Pipeline Corporation
N/A	Public Land	Public Land/ND	City of Eugene (Q St. Channel)

ORDINANCE NO. 20282

AN ORDINANCE CONCERNING THE CRESCENT AVENUE NODAL DEVELOPMENT AREA; AMENDING THE EUGENE-SPRINGFIELD METROPOLITAN AREA GENERAL PLAN DIAGRAM, THE WILLAKENZIE AREA PLAN LAND USE DIAGRAM AND THE EUGENE OVERLAY ZONE MAP FOR THE INCORPORATED PORTION OF THE AREA; ADOPTING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

The City Council of the City of Eugene finds that:

A. On September 10, 2001, the City Council adopted Ordinance No. 20234 that effected amendments to the transportation element of the Eugene-Springfield Metropolitan Area General Plan (Metro Plan) and related changes to the Plan text, and adopted revisions to TransPlan, a refinement plan to the Metro Plan.

B. Included in the Metro Plan text amendments was the addition of a new section entitled "Nodal Development Area (Node)," and inclusion of "ND - Nodal Development" to the text for the Legend Block on the Metro Plan Diagram.

C. The Metro Plan, in describing the Nodal Development Area Designation states that "[a]reas identified as nodal development areas in TransPlan are considered to have potential for this type of land use pattern." Page II-E-4. TransPlan Map A1 identifies an area north and south of Crescent Avenue as an area for nodal development. See area identified as 6D.

D. The Eugene Planning Commission recommended, and on February 20, 2002 the Eugene City Council approved revisions to the boundary of area 6D to include unincorporated property north of the City limits within the Crescent Avenue nodal development area.

E. Chapter IV of the Metro Plan sets forth procedures for amendment of the Metro Plan, which for the City of Eugene are implemented by the provisions of Chapter 9 of the Eugene Code, 1971 (EC).

F. These proceedings have been initiated by the City of Eugene pursuant to procedures for amendment and refinement of the Metro Plan, which requires approval of the Eugene City Council for Type II Metro Plan diagram amendments located inside the incorporated city limits of Eugene.

G. On October 18, 2002, notice of a joint public hearing to be held by the Eugene and Lane County planning commissions with maps depicting the proposed amendments was mailed to the Oregon Department of Land Conservation and Development as required by ORS 197.610. No

comment was received in response to the notice. Notice of the public hearing was also mailed on November 1, 2002 to property owners and occupants, to persons who requested notice and to Eugene neighborhood associations. On November 13, 2002, notice was mailed to property owners within 300 feet of the area and notice was published in the Register-Guard.

H. On December 3, 2002, Eugene and Lane County planning commissions held a joint public hearing on the proposed amendments and completed their recommendations following the public hearing. The Eugene Planning Commission unanimously recommended (5:0) that the City Council approve the amendments to the Metro Plan diagram and concurrent automatic amendment to the Willakenzie Area Plan to depict the incorporated portion of the Crescent area as a nodal development area and approve the amendments to the Eugene Overlay Zone map, with strong reservations that this and all future nodes require a currently unscheduled nodal planning process to make the goals of nodal development attainable and to make this development compatible with adjacent properties.

I. On January 5, 2003, notice of the joint Eugene City Council and Lane County Board of Commissioners public hearing was published in The Register-Guard and, on January 10, 2003, notice of the joint public hearing was mailed to those who testified before the planning commissions or requested notice in writing and those who had requested to be placed on the interested parties list for the amendments.

J. On January 22, 2003, the Eugene City Council conducted a joint public hearing with the Board of County Commissioners on these amendments and the Eugene City Council is now ready to take action.

K. Evidence exists within the record and the findings attached hereto indicating that the proposal meets the requirements of Chapter 9 of the Eugene Code, 1971, and the requirements of applicable state and local law.

NOW, THEREFORE

THE CITY OF EUGENE DOES ORDAIN AS FOLLOWS:

Section 1. The Metro Plan diagram is amended to add the ND-Nodal Development designation to properties identified and described on Exhibit A attached hereto. The underlying designations for these properties shall remain unchanged.

Section 2. Consistent with the provisions of EC 9.7750(4), the Willakenzie Area Plan land use diagram located between pages 19 and 20 of the Willakenzie Area Plan is automatically amended to apply the ND-Nodal Development designation as reflected in Exhibit A.

Section 3. The Eugene Overlay Zone Map is amended to add the /ND Nodal Development overlay zone as reflected in Exhibit B.

Section 4. The above findings, and the Legislative Findings set forth in Exhibit C attached hereto serve as findings in support of this Ordinance, but are not adopted.

Section 5. If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held invalid or unconstitutional by a court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions thereof.

Section 6. Notwithstanding the effective date of ordinances as provided in the Eugene Charter of 2002, this Ordinance shall become effective 30 days from the date of its passage by the City Council and approval by the Mayor, or upon the date of its acknowledgment as provided by ORS 197.625, whichever date is later.

Passed by the City Council this

24th day of February, 2003

Deputy City Recorder

Approved by the Mayor this

24th day of February, 2003

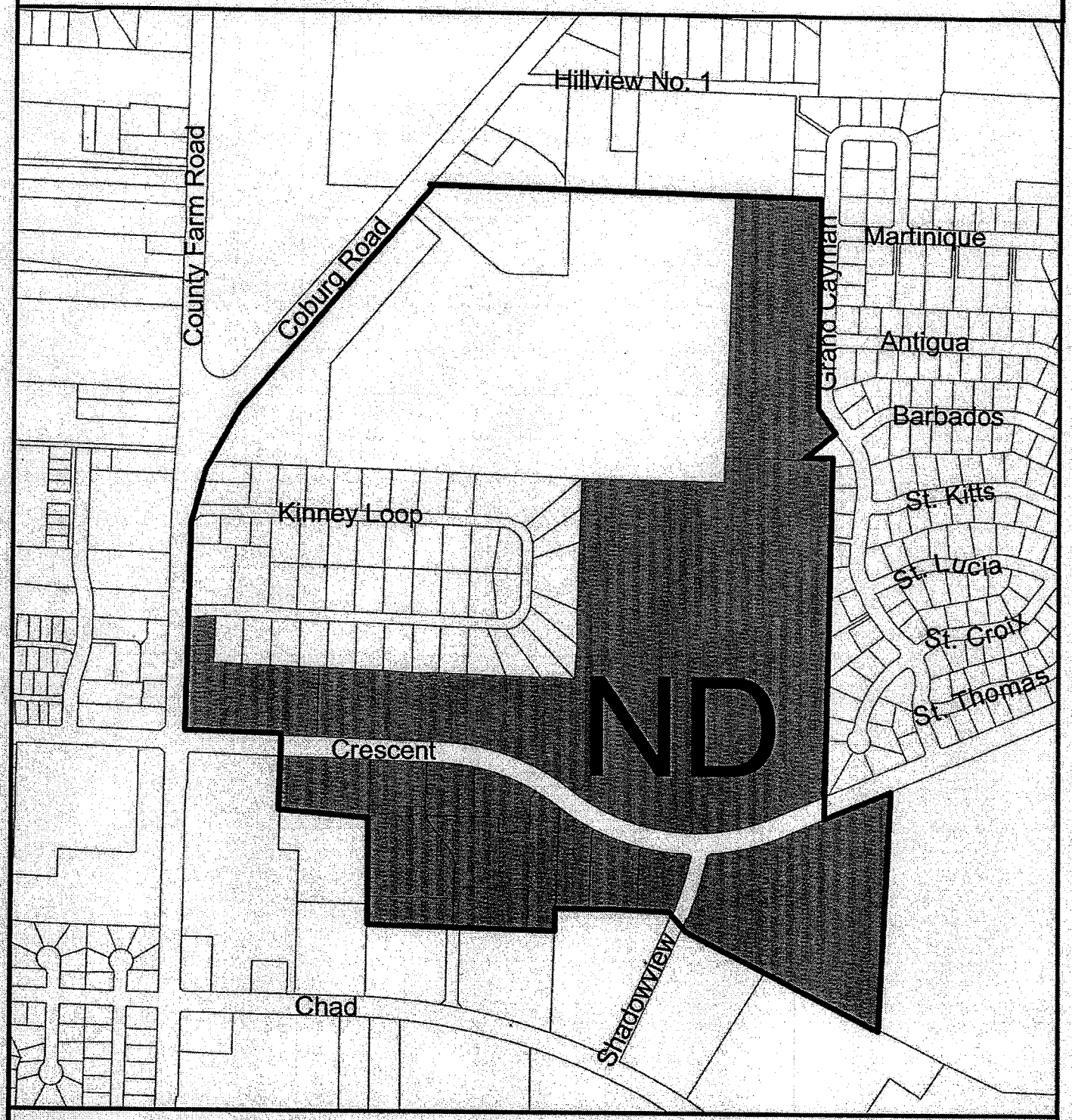
Mayor

Exhibit A

Crescent Avenue Nodal Development Area Metro Plan Diagram Amendments
Incorporated Properties Subject to Addition of ND- Nodal Development Designation

Map and Tax Lot Number
17-03-16-21, Lot 100
17-03-16-23, Lot 4000
17-03-16-23, Lot 4100
17-03-16-23, Lot 4200
17-03-16-23, Lot 4700
17-03-16-23, Lot 4501
17-03-16-23, Lot 4900
17-03-16-23, Lot 5000
17-03-16-23, Lot 5100
17-03-16-23, Lot 5200
17-03-16-23, Lot 5300
17-03-16-24, Lot 2200
17-03-16-31, Lot 100
17-03-16-31, Lot 501
17-03-16-31, Lot 502
17-03-16-31, Lot 503
17-03-16-32, Lot 1100
17-03-16-32, Lot 1200

Crescent Avenue Nodal Development Area
Metro Plan Diagram and
Willakenzie Plan Diagram Amendments (MA 02-9)



ND Add ND Nodal Development Symbol (Incorporated Area)

Crescent Nodal Development Area

N

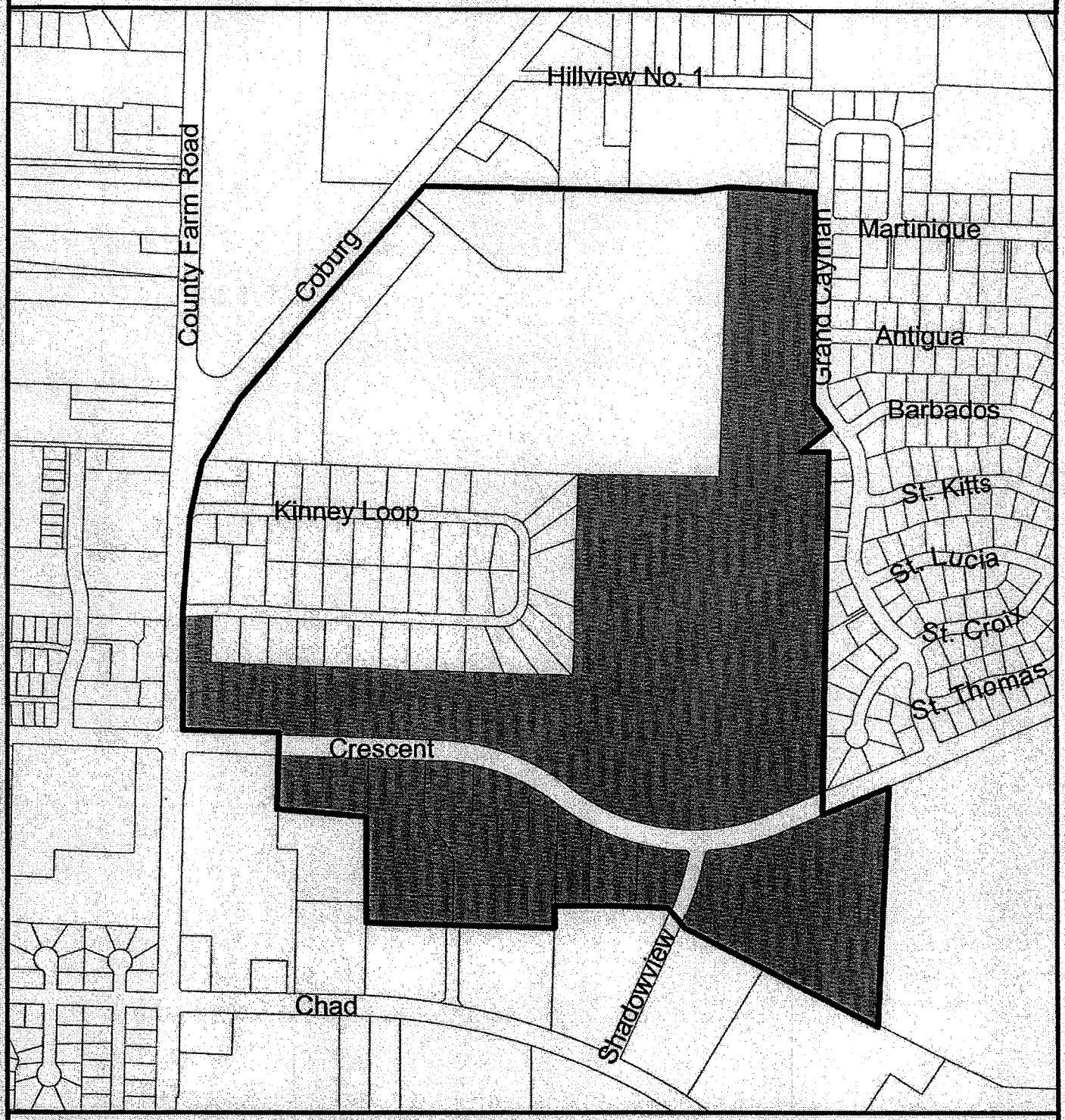
Exhibit A-2

Exhibit B

Crescent Avenue Nodal Development Area Zone Change
Incorporated Properties Subject to Addition of /ND Nodal Development Overlay Zone

Map and Tax Lot Number	Current Zoning	Proposed Zoning
17-03-16-21, Lot 100	R-2/PD	R-2/PD/ND
17-03-16-23, Lot 4000	R-1	R-1/ND
17-03-16-23, Lot 4100	R-1	R-1/ND
17-03-16-23, Lot 4200	R-1	R-1/ND
17-03-16-23, Lot 4700	GO/SR	GO/SR/ND
17-03-16-23, Lot 4501	C-2/SR	C-2/SR/ND
17-03-16-23, Lot 4900	C-1/SR	C-1/SR/ND
17-03-16-23, Lot 5000	C-1/SR	C-1/SR/ND
17-03-16-23, Lot 5100	C-1/SR	C-1/SR/ND
17-03-16-23, Lot 5200	C-1/SR	C-1/SR/ND
17-03-16-23, Lot 5300	C-1/SR	C-1/SR/ND
17-03-16-24, Lot 2200	R-4	R-4/ND
17-03-16-31, Lot 100	R-2/PD	R-2/PD/ND
17-03-16-31, Lot 501	I-1/SR	I-1/SR/ND
17-03-16-31, Lot 502	I-1/SR	I-1/SR/ND
17-03-16-31, Lot 503	I-1/SR	I-1/SR/ND
17-03-16-32, Lot 1100	C-1/SR	C-1/SR/ND
17-03-16-32, Lot 1200	C-1/SR	C-1/SR/ND

Crescent Avenue Nodal Development Area
Eugene Overlay Zone Map Amendments (Z 02-12)



Add /ND Nodal Development Overlay Zone (Incorporated Area)

Crescent Nodal Development Area

N

Exhibit B-2

ORDINANCE NO. 20283

AN ORDINANCE CONCERNING THE CRESCENT AVENUE NODAL DEVELOPMENT AREA; AMENDING THE EUGENE-SPRINGFIELD METROPOLITAN AREA GENERAL PLAN DIAGRAM AND THE WILLAKENZIE AREA PLAN LAND USE DIAGRAM FOR THE UNINCORPORATED PORTION OF THE AREA; ADOPTING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

The City Council of the City of Eugene finds that:

A. On September 10, 2001, the City Council adopted Ordinance No. 20234 that effected amendments to the transportation element of the Eugene-Springfield Metropolitan Area General Plan (Metro Plan) and related changes to the Plan text, and adopted revisions to TransPlan, a refinement plan to the Metro Plan.

B. Included in the Metro Plan text amendments was the addition of a new section entitled "Nodal Development Area (Node)," and inclusion of "ND - Nodal Development" to the text for the Legend Block on the Metro Plan Diagram.

C. The Metro Plan, in describing the Nodal Development Area Designation states that "[a]reas identified as nodal development areas in TransPlan are considered to have potential for this type of land use pattern." Page II-E-4. TransPlan Map A1 identifies an area north and south of Crescent Avenue as an area for nodal development. See area identified as 6D.

D. The Eugene Planning Commission recommended, and on February 20, 2002 the Eugene City Council approved revisions to the boundary of area 6D to include unincorporated property north of the City limits within the Crescent nodal development area.

E. Chapter IV of the Metro Plan sets forth procedures for amendment of the Metro Plan, which for the City of Eugene are implemented by the provisions of Chapter 9 of the Eugene Code, 1971 (EC).

F. These proceedings have been initiated by the City of Eugene pursuant to procedures for amendment and refinement of the Metro Plan, which requires approval of the Eugene City Council and Lane County Board of Commissioners for Type II Metro Plan diagram amendments located between the incorporated city limits of Eugene and the Plan boundary.

G. On October 18, 2002, notice of a joint public hearing to be held by the Eugene and Lane County planning commissions with maps depicting the proposed amendments was mailed to the Oregon Department of Land Conservation and Development as required by ORS 197.610. No comment was received in response to the notice. Notice of the public hearing was also mailed on

November 1, 2002 to property owners and occupants, to persons who requested notice and to Eugene neighborhood associations. On November 13, 2002, notice was mailed to property owners within 300 feet of the area and notice was published in the Register-Guard.

H. On December 3, 2002, Eugene and Lane County planning commissions held a joint public hearing on the proposed amendments and completed their recommendations following the public hearing. The Eugene Planning Commission unanimously recommended (5:0) that the City Council approve the amendments to the Metro Plan diagram and concurrent automatic amendment to the Willakenzie Area Plan to depict the unincorporated portion of the Crescent area as a nodal development area, with strong reservations that this and all future nodes require a currently unscheduled nodal planning process to make the goals of nodal development attainable and to make this development compatible with adjacent properties.

I. On January 5, 2003, notice of the joint Eugene City Council and Lane County Board of Commissioners public hearing was published in The Register-Guard and, on January 10, 2003, notice of the joint public hearing was mailed to those who testified before the planning commissions or requested notice in writing and those who had requested to be placed on the interested parties list for the amendments.

J. On January 22, 2003, the Eugene City Council conducted a joint public hearing with the Board of County Commissioners on these amendments and the Eugene City Council is now ready to take action.

K. Evidence exists within the record and the findings attached hereto indicating that the proposal meets the requirements of Chapter 9 of the Eugene Code, 1971, and the requirements of applicable state and local law.

NOW, THEREFORE

THE CITY OF EUGENE DOES ORDAIN AS FOLLOWS:

Section 1. The Metro Plan diagram is amended to add the ND-Nodal Development designation to properties identified and described on Exhibit A attached hereto. The underlying designations for these properties shall remain unchanged.

Section 2. Consistent with the provisions of EC 9.7750(4), the Willakenzie Area Plan land use diagram located between pages 19 and 20 of the Willakenzie Area Plan is automatically amended to apply the ND-Nodal Development designation as reflected in Exhibit A.

Section 3. The above findings, and the Legislative Findings set forth in Exhibit B attached hereto serve as findings in support of this Ordinance, but are not adopted.

Section 4. If any section, subsection, sentence, clause, phrase or portion of this Ordinance

is for any reason held invalid or unconstitutional by a court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions thereof.

Section 5. Nothwithstanding the effective date of ordinances as provided in the Eugene Charter of 2002, this Ordinance shall become effective 30 days from the date of its passage by the City Council and approval by the Mayor, or upon the date of its acknowledgment as provided by ORS 197.625, whichever date is later, providing that by that date the Lane County Board of Commissioners has adopted an ordinance containing identical provisions to those described in sections 1 and 2 of this Ordinance.

Passed by the City Council this

24th day of February, 2003

Deputy City Recorder

Approved by the Mayor this

24th day of February, 2003

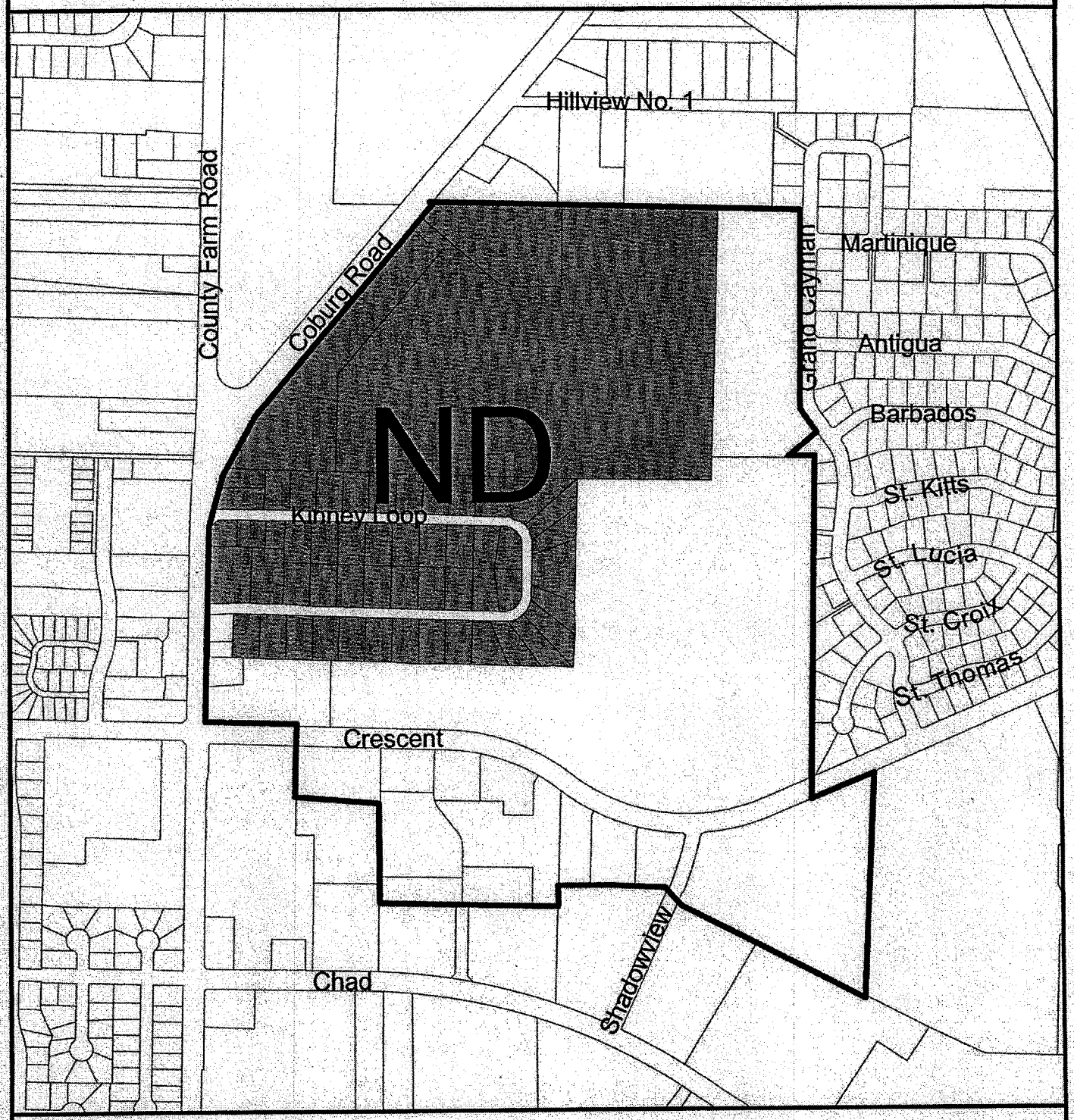
Mayor

Exhibit A

Crescent Avenue Nodal Development Area Metro Plan Diagram Amendments
Unincorporated Properties Subject to Addition of ND-Nodal Development Designation

Map and Tax Lot Number	Map and Tax Lot Number	Map and Tax Lot Number
Map 17-03-16-22, Lot 101	Map 17-03-16-23, Lot 100	Map 17-03-16-23, Lot 2100
Map 17-03-16-22, Lot 102	Map 17-03-16-23, Lot 200	Map 17-03-16-23, Lot 2200
Map 17-03-16-22, Lot 200	Map 17-03-16-23, Lot 300	Map 17-03-16-23, Lot 2300
Map 17-03-16-22, Lot 300	Map 17-03-16-23, Lot 400	Map 17-03-16-23, Lot 2400
Map 17-03-16-22, Lot 400	Map 17-03-16-23, Lot 500	Map 17-03-16-23, Lot 2500
Map 17-03-16-22, Lot 500	Map 17-03-16-23, Lot 600	Map 17-03-16-23, Lot 2600
Map 17-03-16-22, Lot 600	Map 17-03-16-23, Lot 700	Map 17-03-16-23, Lot 2700
Map 17-03-16-22, Lot 700	Map 17-03-16-23, Lot 800	Map 17-03-16-23, Lot 2800
Map 17-03-16-22, Lot 800	Map 17-03-16-23, Lot 900	Map 17-03-16-23, Lot 2900
Map 17-03-16-22, Lot 900	Map 17-03-16-23, Lot 1000	Map 17-03-16-23, Lot 3000
Map 17-03-16-22, Lot 1000	Map 17-03-16-23, Lot 1100	Map 17-03-16-23, Lot 3100
Map 17-03-16-22, Lot 1100	Map 17-03-16-23, Lot 1200	Map 17-03-16-23, Lot 3200
Map 17-03-16-22, Lot 1200	Map 17-03-16-23, Lot 1300	Map 17-03-16-23, Lot 3300
Map 17-03-16-22, Lot 1201	Map 17-03-16-23, Lot 1400	Map 17-03-16-23, Lot 3400
Map 17-03-16-22, Lot 1300	Map 17-03-16-23, Lot 1500	Map 17-03-16-23, Lot 3500
	Map 17-03-16-23, Lot 1600	Map 17-03-16-23, Lot 3600
	Map 17-03-16-23, Lot 1700	Map 17-03-16-23, Lot 3700
	Map 17-03-16-23, Lot 1800	Map 17-03-16-23, Lot 3800
	Map 17-03-16-23, Lot 1900	Map 17-03-16-23, Lot 3900
	Map 17-03-16-23, Lot 2000	

Crescent Avenue Nodal Development Area
Metro Plan Diagram and
Willakenzie Plan Diagram Amendments (MA 02-9)



ND Add ND Nodal Development Symbol (Unincorporated Area)

Crescent Nodal Development Area

N

Exhibit A-2

ORDINANCE NO. 20302

AN ORDINANCE AMENDING THE EUGENE-SPRINGFIELD METROPOLITAN AREA GENERAL PLAN DIAGRAM AND THE WILLAKENZIE AREA PLAN DIAGRAM AND TEXT; AMENDING THE EUGENE ZONING MAP AND THE EUGENE OVERLAY ZONE MAP; AMENDING SECTIONS 9.2741, 9.4280 AND 9.9700 OF THE EUGENE CODE, 1971; ADOPTING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

The City Council of the City of Eugene finds that :

A. On June 23, 2003, the Eugene City Council initiated amendments to the Land Use Code to allow concurrent processing with an application to amend the Willakenzie Area Plan for a proposed mixed use project called the Crescent Village Planned Unit Development (PUD).

B. The Land Use Code amendments contained in this Ordinance are based on the privately initiated plan amendment application and the recommendation of the Planning Commission.

C. The Planning Commission held a public hearing on the amendments contained in this Ordinance on August 12, 2003 and a work session on September 8, 2003, and has forwarded its recommendations to the City Council for amendments to the Metropolitan Area General Plan, Willakenzie Area Plan, Eugene Zoning Map, Eugene Overlay Zone Map, and the Eugene Code, 1971, which have been incorporated herein.

THE CITY OF EUGENE DOES ORDAIN AS FOLLOWS:

Section 1. The Eugene-Springfield Metropolitan Area General Plan Diagram is amended to change 5.6 acres of land designated High-Density Residential/Nodal Development to Commercial/Nodal Development designation and to change 5.0 acres of land designated High-Density Residential/Nodal Development to Commercial/Mixed Use/Nodal Development designation, as shown on the attached Exhibit A, which is incorporated herein.

Section 2. Consistent with the provisions of Section 9.7750(4) of the Eugene Code, 1971:

(a) The Willakenzie Area Plan land use diagram located between pages 19 and 20 of the Willakenzie Area Plan is amended to redesignate the 10.6 acres of land referred to in Section 1 above from High Density Residential/Nodal Development designation to Commercial/Nodal Development designation, as more specifically reflected on attached Exhibit B, which is incorporated herein.

(b) The Coburg-Crescent Subarea Diagram located at page 62 of the Willakenzie Area Plan is amended to add "Commercial Mixed Use" to the legend for that Diagram, to change 5.6 acres of land shown as High Density Residential/Nodal Development to Commercial/Nodal Development, and to change 5.0 acres of land shown as High Density Residential/Nodal Development to Commercial/Mixed Use/Nodal Development, as more specifically reflected on the attached Exhibit C which is incorporated herein.

(c) The Diagram at Inset Map "D", page 65 of the Willakenzie Area Plan is amended to change 5.6 acres of land shown as High Density Residential to Commercial (General Office), and 5.0 acres of land shown as High Density Residential to Commercial (Mixed Use) and to add the Crescent Village boundary, as more specifically reflected on Exhibit D which is incorporated herein.

Section 3. The Willakenzie Area Plan text is amended as follows:

(a) Policies 6, 7, 8, 9, 11 and 12 of the Land Use Element Coburg/Crescent Subarea Policies and Proposed Actions are amended, without change to any of the Proposed Actions, and new Policies 13, 14, and 15 are added thereto, to provide as follows:

6. The City shall recognize that the area adjacent to the north side of Crescent Avenue, designated as Commercial on the Willakenzie Coburg-Crescent Subarea Land Use Diagram shall be zoned General Office.

7. The City shall encourage the development of commercial uses which provide direct services to employees and residents of the surrounding areas. Examples include restaurants, financial institutions, day-care centers, health clubs, grocery stores, delicatessens, drug stores, and recreational facilities. As part of an approved PUD, a drive-through facility may be permitted, but only for pharmaceutical prescription dispensing or financial services.

8. Commercial uses are appropriate and desirable within residential planned unit developments when services provided are of a type that will fulfill the day-to-day shopping and service needs of area residents and when those services are to be utilized primarily by the population of northeast Eugene (north of Beltline Highway and east of Gilham Street). Vehicle-oriented services including, but not limited to, service stations, repair garages, and drive-in restaurants shall not be permitted in residential PUD commercial areas.

9. The land use plan diagram for the Coburg/Crescent Subarea indicates general locations for parks/open space and low-, medium-, and high-

density residential uses. The City shall allow for the consideration of a different arrangement of residential and park/open space uses subject to the following criteria:

A. Provision shall be made for an eastern access to the School District 4J school site;
B. Provision shall be made for a park site immediately adjacent to the 4J school site;
C. Low-density residential uses shall border North Game Farm Road;
D. The future parks site must have adequate street frontage (as determined by the City);
E. High - density residential development proposed for areas to the east of the Kinney Loop subdivision and west of Crescent Meadows subdivision must be sensitive to the low-density residential development within these subdivisions, while allowing for the development of the site; and
F. Provision shall be made for design elements which ensure compatibility between residential and industrial land uses.

11. The City shall allow development of clinics or other medical facilities in that portion of the Coburg/Crescent Subarea that is designated for high-density residential use, subject to an approved planned unit development.

12. The City shall apply the C-2 Community Commercial with a /PD Planned Unit Development overlay zone to the area along the north side of Crescent Avenue designated as Commercial Mixed Use in the Coburg-Crescent Subarea.

13. Development of the area depicted as "Crescent Village" on Inset Map D (page 65) shall only be permitted pursuant to a single final PUD that includes a master plan for all property within the Crescent Village boundaries. The City shall apply the /PD Planned Unit Development overlay zone to all property within the Crescent Village boundaries, and remove the /SR Site Review overlay.

14. Except as provided in this Policy, the intensities of uses otherwise permitted within the Crescent Village boundaries shall not exceed any of the intensities listed in Table 1.

Table 1
Crescent Village Maximum Permitted Land Use Intensity

Development Type	Maximum Intensities
Apt/Rowhouse/Condo*	631 dwelling units
Specialty Retail*	32 KSF
Shopping Center (commercial)	115 KSF
Grocery Store (supermarket)	50 KSF

General Office	102 KSF	
Medical-Dental Office	30 KSF	

KSF = 1,000 square feet
*Includes 4 flex unit buildings of 4,000 square feet per building – retail, office or living space permitted.

As part of a PUD approval, the City may vary the allowed intensities from those in Table 1 if the developer demonstrates based on the Institute of Transportation Engineers' Trip Generation Manual: (a) those proposed uses and intensities are otherwise consistent with the applicable zoning and land use standards; and (b) the projected peak hour trips from the combination of the proposed uses will be less than or equal to 845 trips into the Crescent Village area and 885 trips out of the area.

15. If requested as part of an application for development, the City shall reduce the minimum floor area ratio (FAR) within the Crescent Village boundaries to .40 for the commercially zoned portion of that area.

(b) The Willakenzie Area Plan Transportation Policies and Proposed Actions are amended to revise Policy 3, as follows:

3. The City shall continue to provide direct access from Coburg Road to the Kinney Loop subdivision via Kinney Loop. If in the future, access onto Coburg Road from Kinney Loop becomes a hazard, the City shall consider the addition of an access point to the Kinney Loop area via Crescent Avenue. This additional access to Kinney Loop off Crescent Avenue should be to provide access to the Kinney Loop subdivision as part of a well connected grid street system.

Section 4. The Eugene Zoning Map is amended to rezone the western portion of Assessor's Map 17-03-16-24, Tax Lot 2200 from its R-4 (High Density Residential) base zone to GO (General Office) and to rezone the central portion of that Tax Lot from its R-4 (High Density Residential) base zone to C-2 (Community Commercial), as shown on the attached Exhibit E, which is incorporated herein.

Section 5. The Eugene Overlay Zone Map is amended to apply the /PD (Planned Unit Development) overlay zone to Assessor's Map 17-03-16-24, Tax Lot 2200 in its entirety. The Eugene Overlay Zone Map is also amended to apply the /PD (Planned Unit Development) Overlay Zone to Assessor's Map 17-03-16-23, Tax Lot 4700, and to remove the /SR (Site Review) Overlay Zone from that Tax Lot. These amendments are more specifically shown on the attached Exhibit E, which is incorporated herein.

Section 6. Subsection (1)(d) of Section 9.2741 of the Eugene Code, 1971, is

amended to provide:

9.2741 **Special Use Limitations for Table 9.2740.**

(1) Hospitals, Clinics or Other Medical Facilities. In the R-3 and R-4 zones, these uses are subject to the following regulations:

(d) Clinics and other medical facilities shall be permitted in that portion of the Coburg/Crescent area designated for high-density residential use, subject to an approved planned unit development.

Section 7. Subsection (2)(a) of Section 9.4280 of the Eugene Code, 1971, is amended to provide:

9.4280 **Prohibited Uses and Special Use Limitations.**

(2) Special Use Limitations.

(a) No use may include a drive-through facility, unless explicitly permitted in a refinement plan.

Section 8. Subsection (10) of Section 9.9700 of the Eugene Code, 1971, is amended to provide:

9.9700 **Willakenzie Area Plan Policies.**

(10) Land Use Element - North Region, Coburg/Crescent Subarea.

(a) The City shall recognize the area south of the future extension of Crescent, and west of the future Shadow View Drive, as depicted on the Willakenzie Land Use Diagram (and as refined by Inset Map D), as appropriate for the expansion of Neighborhood Commercial development. The Neighborhood Commercial site shall not exceed 10 acres in size. Uses in this commercial area are intended to serve the day-to-day shopping and service needs of area residents and employees of the Special Light Industrial area. Clinics and medical offices shall not be permitted in this neighborhood commercial area. (Policy 2)

(b) The city of Eugene shall ensure that industrial development in the Coburg/Crescent subarea is sensitive to and compatible with surrounding uses and will conform to the Coburg/Crescent Special Light Industrial Siting and Development Standards. (Policy 3)

(c) The City shall recognize that the area adjacent to the north side of Crescent Avenue, designated as Commercial on the Willakenzie Coburg-Crescent Subarea Land Use Diagram

shall be zoned General Office. (Policy 6)

(d) The City shall encourage the development of commercial uses which provide direct services to employees and residents of the surrounding areas. Examples include restaurants, financial institutions, day-care centers, health clubs, grocery stores, delicatessens, drug stores, and recreational facilities. As part of an approved PUD, a drive-through facility may be permitted, but only for pharmaceutical prescription dispensing or financial services. (Policy 7)

(e) Commercial uses are appropriate and desirable within residential planned unit developments when services provided are of a type that will fulfill the day-to-day shopping and service needs of area residents and when those services are to be utilized primarily by the population of northeast Eugene (north of Beltline Highway and east of Gilham Street). Vehicle-oriented services including, but not limited to, service stations, repair garages, and drive-in restaurants shall not be permitted in residential PUD commercial areas. (Policy 8)

(f) The land use plan diagram for the Coburg/Crescent Subarea indicates general locations for parks/open space and low-, medium-, and high-density residential uses. The City shall allow for the consideration of a different arrangement of residential and park/open space uses subject to the following criteria:

1. Provision shall be made for an eastern access to the School District 4J school site;
2. Provision shall be made for a park site immediately adjacent to the 4J school site;
3. Low-density residential uses shall border North Game Farm Road;
4. The future parks site must have adequate street frontage (as determined by the City);
5. High - density residential development proposed for areas to the east of the Kinney Loop subdivision and west of Crescent Meadows subdivision must be sensitive to the low-density residential development within these subdivisions, while allowing for the development of the site; and
6. Provision shall be made for design elements which ensure compatibility between residential and industrial land uses. (Policy 9)

(g) The City shall recognize the area on the north side of Crescent Avenue east of Coburg Road, as depicted on the

Willakenzie Land Use Diagram, as appropriate for high-density residential development. (Policy 10)

(h) The City shall allow development of clinics or other medical facilities in that portion of the Coburg/Crescent Subarea that is designated for high-density residential use, subject to an approved planned unit development. (Policy 11)

(i) The City shall apply the C-2 Community Commercial with a /PD Planned Unit Development overlay zone to the area along the north side of Crescent Avenue designated as Commercial Mixed Use in the Coburg-Crescent Subarea. (Policy 12)

(j) Development of the area depicted as "Crescent Village" on Inset Map D (page 65) shall only be permitted pursuant to a single final PUD that includes a master plan for all property within the Crescent Village boundaries. The City shall apply the /PD Planned Unit Development overlay zone to all property within the Crescent Village boundaries, and remove the /SR Site Review overlay. (Policy 13)

(k) Except as provided in this Policy, the intensities of uses otherwise permitted within the Crescent Village boundaries shall not exceed any of the intensities listed in Table 1.

Table 1
Crescent Village Maximum Permitted Land Use Intensity

Development Type	Maximum Intensities
Apt/Rowhouse/Condo*	631 dwelling units
Specialty Retail*	32 KSF
Shopping Center (commercial)	115 KSF
Grocery Store (supermarket)	50 KSF
General Office	102 KSF
Medical-Dental Office	30 KSF

KSF = 1,000 square feet
*Includes 4 flex unit buildings of 4,000 square feet per building – retail, office or living space permitted.

As part of a PUD approval, the City may vary the allowed intensities from those in Table 1 if the developer demonstrates based on the Institute of Transportation Engineers' Trip Generation Manual: (a) those proposed uses and intensities are otherwise consistent with the applicable zoning and land use standards; and (b) the projected peak hour trips from the combination of the proposed uses will be less than or equal to 845 trips into the Crescent Village area and 885 trips out of the area. (Policy

14)

(l) If requested as part of an application for development, the City shall reduce the minimum floor area ratio (FAR) within the Crescent Village boundaries to .40 for the commercially zoned portion of that area. (Policy 15)

Section 9. The findings set forth in Exhibit F attached hereto are adopted as findings in support of this Ordinance.

Section 10. The maps attached hereto as Exhibits A, B, C, D and E depict the amendments being effected by this Ordinance. Exhibits G and H are adopted as replacement maps for the Coburg-Crescent Subarea Diagram located at page 62 of the Willakenzie Area Plan and the Inset Map D located at page 65 of that Plan, respectively. Exhibits G and H incorporate the amendments effected by this Ordinance, and the City's reclassification of the old Special Light Industrial and General Commercial Districts to the Campus Industrial and Community Commercial Zones respectively (Ordinance No. 20224, with effective date set by Ordinance No. 20229, remanded and readopted by Ordinance No. 20249). The maps have been further updated to reflect completion of transportation improvements and land divisions in the area. Exhibit I is adopted to be inserted into the Willakenzie Area Plan after the Willakenzie Land Use Diagram following page 19. Exhibit I replaces the Northeast portion of the Willakenzie Land Use Diagram.

Section 11. The City Recorder, at the request of, or with the concurrence of the City Attorney, is authorized to administratively correct any reference errors contained herein or in other provisions of the Eugene Code, 1971, to the provisions added, amended or repealed herein.

Section 12. If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held invalid or unconstitutional by a court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions hereof.

Section 13. Notwithstanding the effective date of ordinances as provided in the Eugene Charter of 2002, this Ordinance shall become effective 30 days from the date of its passage by the City Council and approval by the Mayor, or upon the date of its acknowledgment as provided by ORS 197.625, whichever date is later.

Passed by the City Council this

10th day of November, 2003

Mary Heidman

City Recorder

Approved by the Mayor this

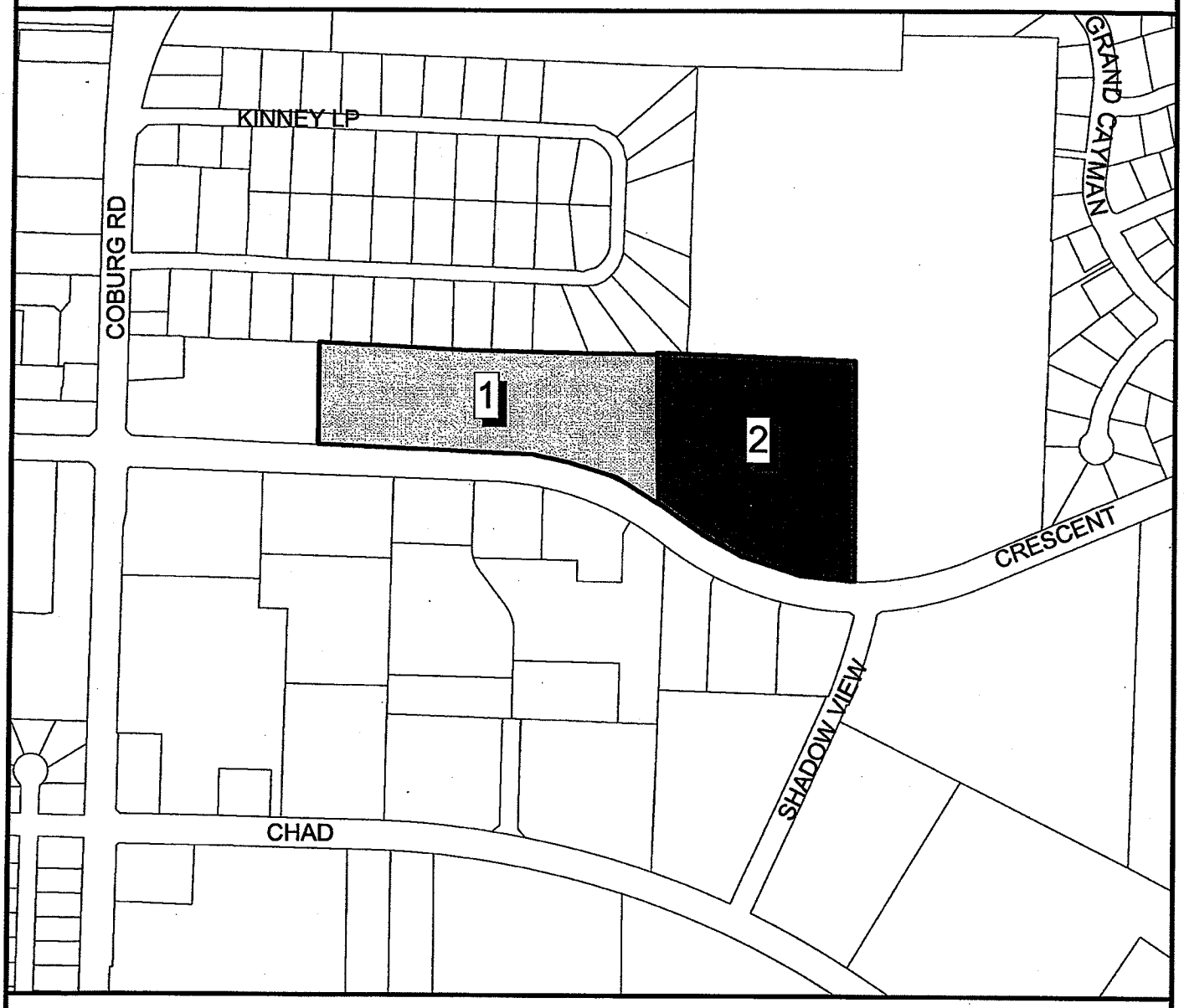
10th day of November, 2003

James D. Torrey

Mayor

Exhibit A

Crescent Village - Metro Plan Amendments (MA 03-1)



Proposed Metro Plan Amendments

1 Change from High Density Residential/Nodal Development to Commercial/Nodal Development.

2 Change from High Density Residential/Nodal Development to Commercial Mixed Use/Nodal Development.

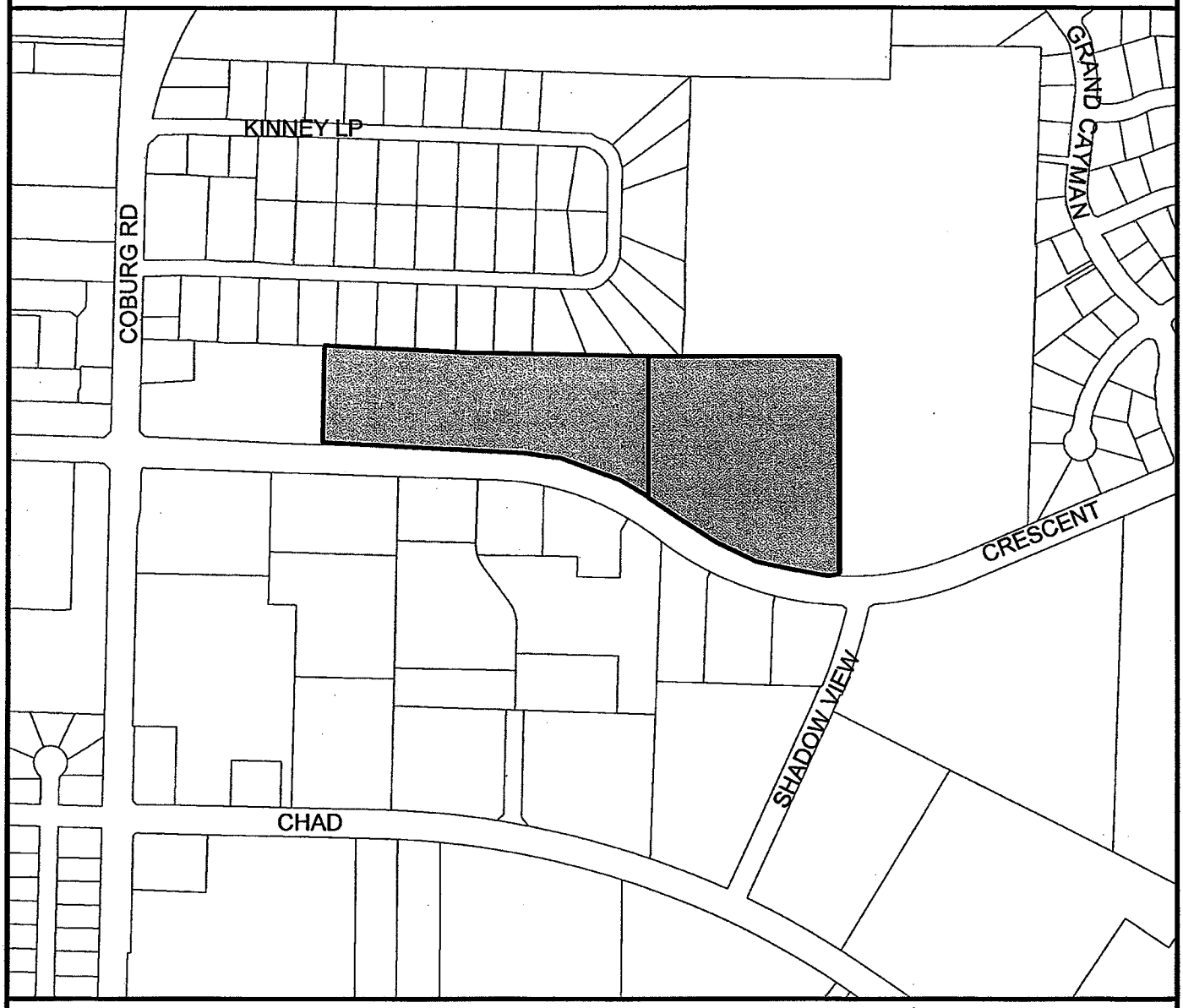
Information based on Regional Geographic Information System data. Source data may be imprecise and subject to change.

N

11-4-03

Exhibit B

Crescent Village - Willakenzie Land Use Diagram Amendment (RA 03-2)



Proposed Willakenzie Land Use Diagram Amendment

Change from High Density Residential/Nodal Development to Commercial/Nodal Development.

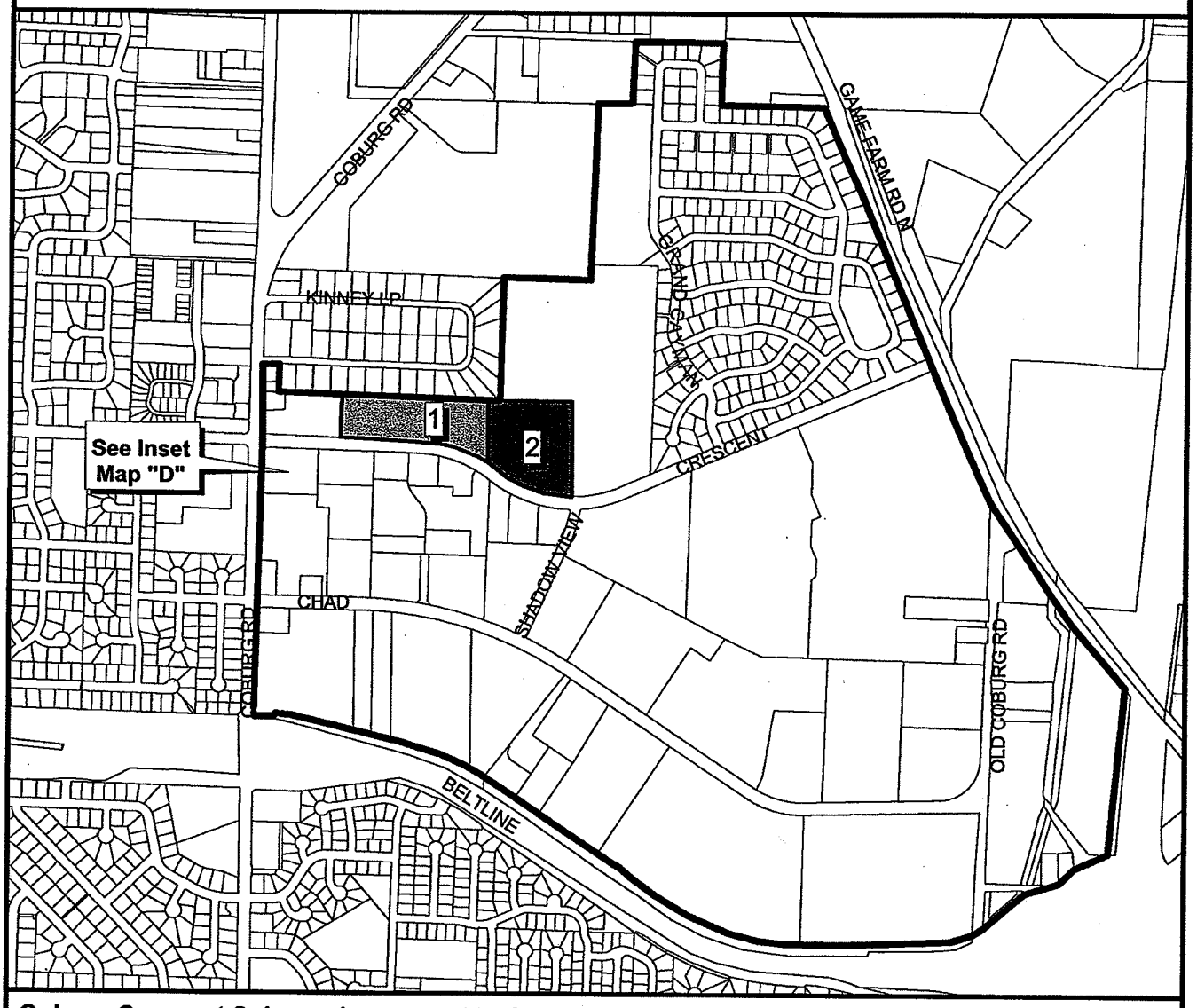
Information based on Regional Geographic Information System data. Source data may be imprecise and subject to change.

N

11-4-03

Exhibit C

Crescent Village - Willakenzie Area Plan Amendments to Coburg-Crescent Subarea (RA 03-2)



Coburg-Crescent Subarea (see page 62 of Willakenzie Area Plan)

Proposed Amendments

1 Change from High Density Residential/Nodal Development to Commercial/Nodal Development

2 Change from High Density Residential/Nodal Development to Commercial Mixed Use/Nodal Development

* Amend legend to add Commercial Mixed Use

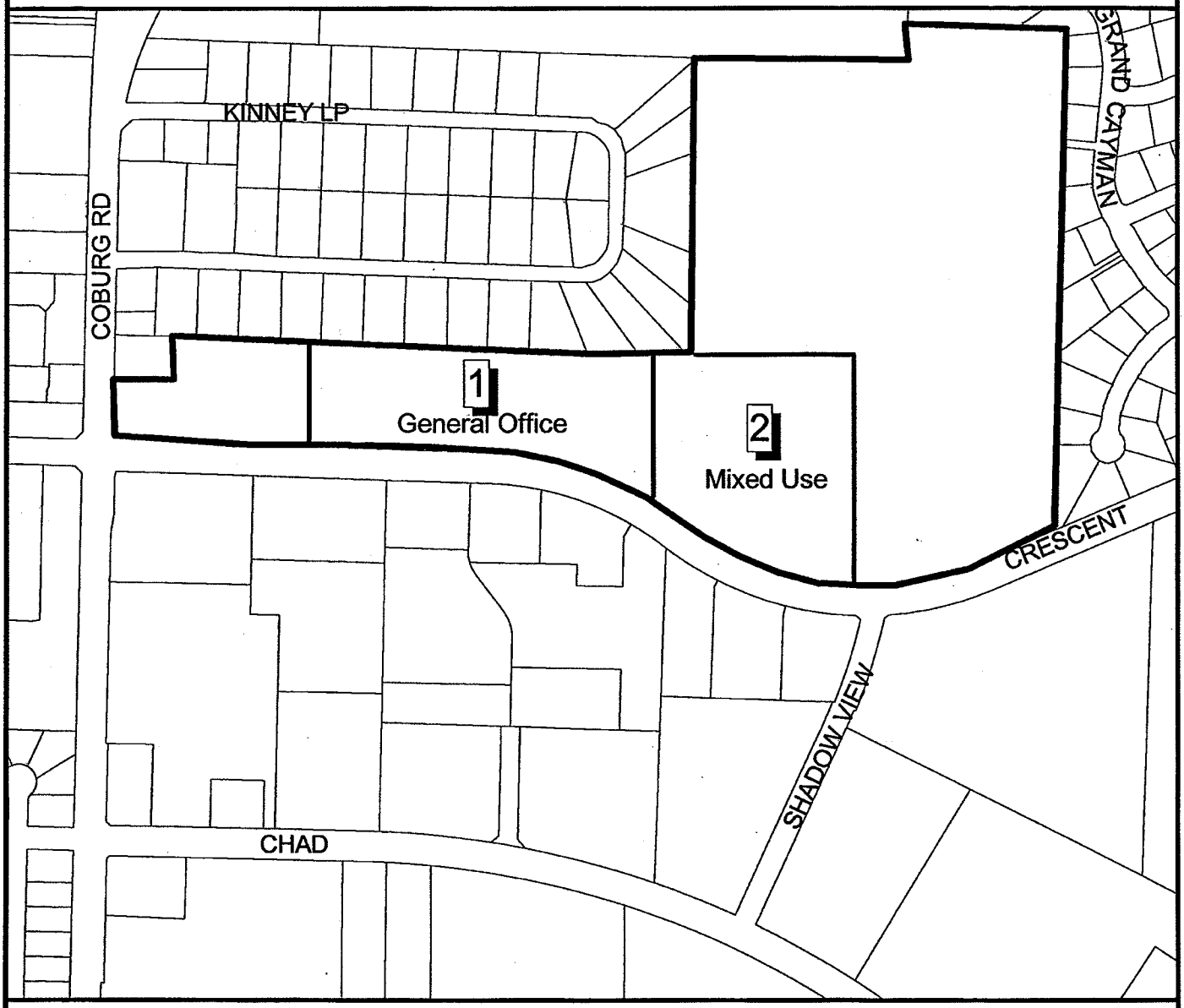
Information based on Regional Geographic Information System data. Source data may be imprecise and subject to change.

N

11-4-03

Exhibit D

Crescent Village - Willakenzie Area Plan Amendments to Inset Map "D" (RA 03-2)



Proposed Changes

1 Change from High Density Residential to Commercial (General Office)

2 Change from High Density Residential to Commercial (Mixed Use).

Amend to add Crescent Village boundary

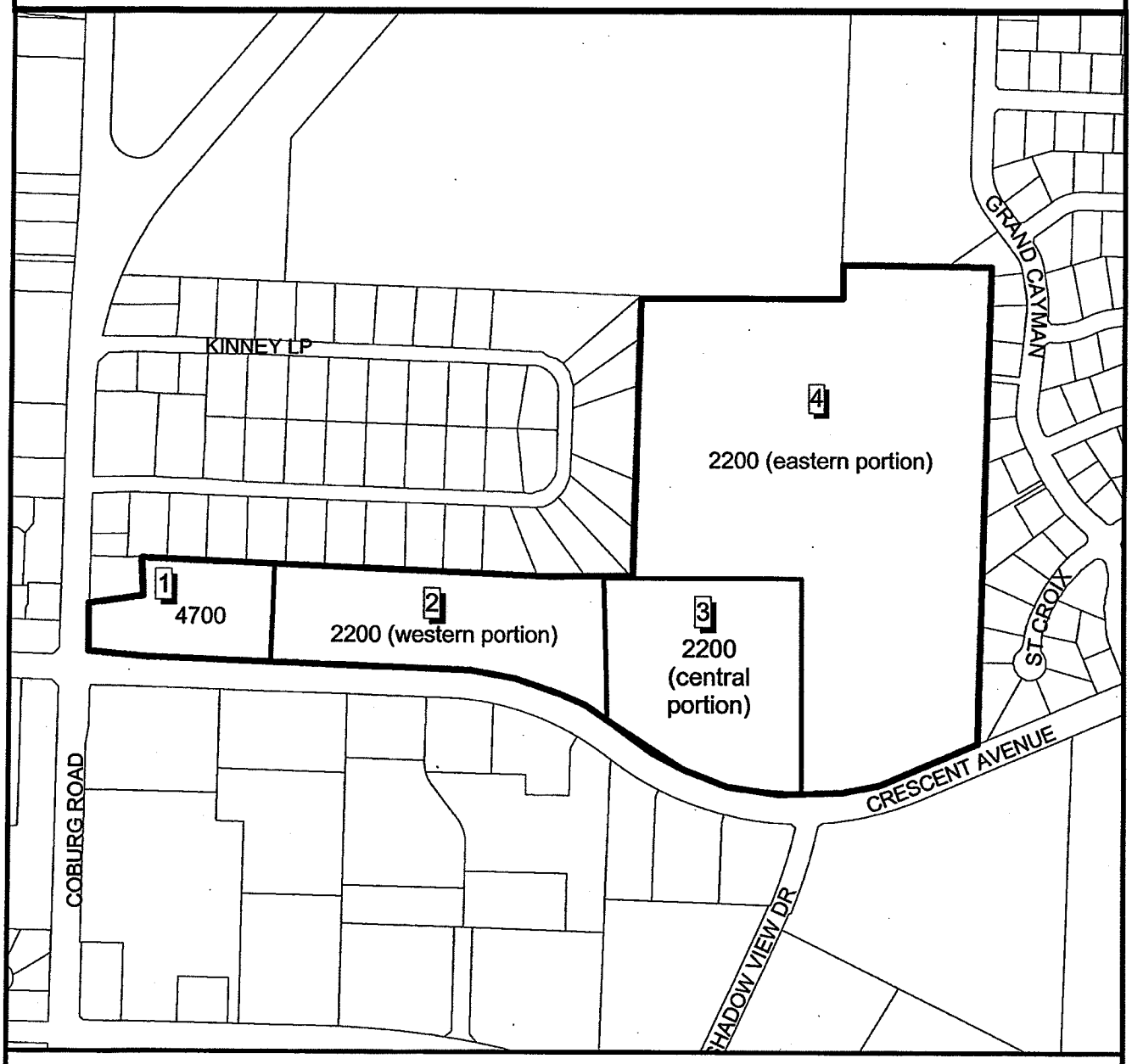
Information based on Regional Geographic Information System data. Source data may be imprecise and subject to change.

N

11-4-03

Exhibit E

Eugene Zoning Map and Overlay Zone Map Changes (Z 03-3)



Assessor's Map: 17-03-16-23; Tax lot: 4700
Assessor's Map: 17-03-16-24; Tax lot: 2200

Proposed Changes

1. Remove /SR Site Review overlay and Apply /PD Planned Unit Development overlay (Retain General Office zoning and /ND overlay) Tax Lot 4700

2. Change base zone from R-4 High Density Residential to GO General Office. Apply /PD overlay (Retain /ND overlay) Tax Lot 2200 western portion

3. Change base zone from R-4 High Density Residential to C-2 Community Commercial. Apply /PD overlay. (Retain /ND overlay) Tax Lot 2200 central portion

4. Apply /PD overlay. Retain R-4/ND. Tax Lot 2200 eastern portion

N

11-4-03

ORDINANCE NO. 20305

AN ORDINANCE AMENDING THE WILLAKENZIE AREA PLAN TEXT; AMENDING SECTIONS 9.2160 AND 9.9700 OF THE EUGENE CODE, 1971; ADOPTING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

The City Council of the City of Eugene finds that:

A. On September 8, 2003, the Eugene City Council initiated the process for considering this Ordinance's amendments to Chapter 9 of the Eugene Code, 1971, to allow concurrent processing of the Code amendments with privately-initiated amendments to the Willakenzie Area Plan.

B. The amendments incorporated in this Ordinance relate to the Summer Oaks Crescent Center Planned Unit Development approved by the City in May, 2001.

C. The Planning Commission held a public hearing on the amendments contained in this Ordinance on October 28, 2003, and has forwarded its recommendations to the City Council.

THE CITY OF EUGENE DOES ORDAIN AS FOLLOWS:

Section 1. Policy 2 of the Willakenzie Area Plan Land Use Element, Coburg/Crescent Subarea is amended as follows:

2. The City shall recognize the area south of Crescent Avenue and west of Shadow View Drive, as depicted on the Willakenzie Land Use Diagram (and as refined by Inset Map D), as appropriate for the expansion of Neighborhood Commercial development. The Neighborhood Commercial site shall not exceed 10 acres in size. Uses in this commercial area are intended to serve the day-to-day shopping and service needs of residents and employees of the surrounding area.

Section 2. The "Clinic or other Medical Health Treatment Facility" entry under the Medical, Health, and Correctional Services category of Table 9.2160 in Section 9.2160 of

the Eugene Code, 1971, is amended to provide:

Table 9.2160 Commercial Zone Land Uses and Permit Requirements					
	C-1	C-2	C-3	C-4	GO
Medical, Health, and Correctional Services					
Clinic or other Medical Health Treatment Facility (including mental health).	P(1)	P	P	P(9)	P

Section 3. Subsection (10)(a) of Section 9.9700 of the Eugene Code, 1971, is amended to provide:

9.9700 Willakenzie Area Plan Policies.

(10) Land Use Element - North Region, Coburg/Crescent Subarea.

(a) The City shall recognize the area south of Crescent Avenue and west of Shadow View Drive, as depicted on the Willakenzie Land Use Diagram (and as refined by Inset Map D), as appropriate for the expansion of Neighborhood Commercial development. The Neighborhood Commercial site shall not exceed 10 acres in size. Uses in this commercial area are intended to serve the day-to-day shopping and service needs of residents and employees of the surrounding area. (Policy 2)

Section 4. The findings set forth in Exhibit A attached hereto are adopted as findings in support of this Ordinance.

Section 5. The City Recorder, at the request of, or with the concurrence of the City Attorney, is authorized to administratively correct any reference errors contained herein or in other provisions of the Eugene Code, 1971, to the provisions added, amended or repealed herein.

Section 6. If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held invalid or unconstitutional by a court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision

and such holding shall not affect the validity of the remaining portions hereof.

Section 7. Notwithstanding the effective date of ordinances as provided in the Eugene Charter of 2002, this Ordinance shall become effective 30 days from the date of its passage by the City Council and approval by the Mayor, or upon the date of its acknowledgment as provided by ORS 197.625, whichever date is later.

Passed by the City Council this

3rd day of December, 2003

City Recorder

Approved by the Mayor this

3rd day of December, 2003

Mayor

COUNCIL ORDINANCE NUMBER 20305

COUNCIL BILL NUMBER 4854

AN ORDINANCE AMENDING THE WILLAKENZIE AREA PLAN TEXT; AMENDING SECTIONS 9.2160 AND 9.9700 OF THE EUGENE CODE, 1971; ADOPTING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

ADOPTED: December 3, 2003

PASSED: 5/1

REJECTED:

OPPOSED: Taylor

ABSENT: Bettman, Solomon

EFFECTIVE DATE: January 2, 2004, or upon the date of its acknowledgment as provided by ORS 197.625, whichever is later

ORDINANCE NO. 20305

AN ORDINANCE AMENDING THE WILLAKENZIE AREA PLAN TEXT; AMENDING SECTIONS 9.2160 AND 9.9700 OF THE EUGENE CODE, 1971; ADOPTING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

The City Council of the City of Eugene finds that:

A. On September 8, 2003, the Eugene City Council initiated the process for considering this Ordinance's amendments to Chapter 9 of the Eugene Code, 1971, to allow concurrent processing of the Code amendments with privately-initiated amendments to the Willakenzie Area Plan.

B. The amendments incorporated in this Ordinance relate to the Summer Oaks Crescent Center Planned Unit Development approved by the City in May, 2001.

C. The Planning Commission held a public hearing on the amendments contained in this Ordinance on October 28, 2003, and has forwarded its recommendations to the City Council.

THE CITY OF EUGENE DOES ORDAIN AS FOLLOWS:

Section 1. Policy 2 of the Willakenzie Area Plan Land Use Element, Coburg/Crescent Subarea is amended as follows:

2. The City shall recognize the area south of Crescent Avenue and west of Shadow View Drive, as depicted on the Willakenzie Land Use Diagram (and as refined by Inset Map D), as appropriate for the expansion of Neighborhood Commercial development. The Neighborhood Commercial site shall not exceed 10 acres in size. Uses in this commercial area are intended to serve the day-to-day shopping and service needs of residents and employees of the surrounding area.

Section 2. The "Clinic or other Medical Health Treatment Facility" entry under the Medical, Health, and Correctional Services category of Table 9.2160 in Section 9.2160 of

the Eugene Code, 1971, is amended to provide:

Table 9.2160 Commercial Zone Land Uses and Permit Requirements					
	C-1	C-2	C-3	C-4	GO
Medical, Health, and Correctional Services					
Clinic or other Medical Health Treatment Facility (including mental health).	P(1)	P	P	P(9)	P

Section 3. Subsection (10)(a) of Section 9.9700 of the Eugene Code, 1971, is amended to provide:

9.9700 Willakenzie Area Plan Policies.

(10) Land Use Element - North Region, Coburg/Crescent Subarea.

(a) The City shall recognize the area south of Crescent Avenue and west of Shadow View Drive, as depicted on the Willakenzie Land Use Diagram (and as refined by Inset Map D), as appropriate for the expansion of Neighborhood Commercial development. The Neighborhood Commercial site shall not exceed 10 acres in size. Uses in this commercial area are intended to serve the day-to-day shopping and service needs of residents and employees of the surrounding area. (Policy 2)

Section 4. The findings set forth in Exhibit A attached hereto are adopted as findings in support of this Ordinance.

Section 5. The City Recorder, at the request of, or with the concurrence of the City Attorney, is authorized to administratively correct any reference errors contained herein or in other provisions of the Eugene Code, 1971, to the provisions added, amended or repealed herein.

Section 6. If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held invalid or unconstitutional by a court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision

and such holding shall not affect the validity of the remaining portions hereof.

Section 7. Notwithstanding the effective date of ordinances as provided in the Eugene Charter of 2002, this Ordinance shall become effective 30 days from the date of its passage by the City Council and approval by the Mayor, or upon the date of its acknowledgment as provided by ORS 197.625, whichever date is later.

Passed by the City Council this

3rd day of December, 2003

City Recorder

Approved by the Mayor this

3rd day of December, 2003

Mayor

Exhibit A

Findings for Summer Oaks Crescent Center
RA 03-1, CA 03-4

Willakenzie Area Plan Amendments (RA 03-1) Eugene Code Section 9.8424 requires an evaluation of any refinement plan amendment to determine whether the amendment is consistent with the following criteria shown in ***bold and italics***.

EC 9.8424(1)(a): The refinement plan amendment is consistent with the Statewide planning goals.

> **Goal 1 - Citizen Involvement:** *To develop a citizen involvement program that insures the opportunity for citizens to be involved in all phases of the planning process.*

The City has acknowledged provisions for citizen involvement which ensure the opportunity for citizens to be involved in all phases of the planning process and set out requirements for such involvement. The action taken did not amend the citizen involvement program. The process for adopting these amendments complied with Goal 1 since it complied with, and surpassed the requirements of, the citizen involvement provisions.

The Willakenzie Area Plan amendment is limited to text changes within the Coburg-Crescent Subarea and specifically the development site in the Summer Oaks Crescent Center Final Planned Unit Development (PUD). (City file: PDF 01-2) The plan amendment is subject to the Type IV public notification and hearing process beginning at EC 9.7410.

On August 22, 2003, Planning staff deemed the Willakenzie Area Plan amendment complete and ready for processing. On September 8, 2003, the Eugene City Council initiated the code amendment being processed concurrent with the plan amendment according to the Type V procedures beginning at EC 9.7500.

On August 28, 2003, a referral concerning the pending applications was sent to the Oregon Department of Transportation (ODOT), School District 4J, Lane County Public Works, Lane Transit District and other service providers. In addition, a referral was sent to the Cal Young Neighborhood Group. On September 10, 2003, the City mailed notice of the proposed plan and code amendment to the Department of Land Conservation and Development, as required by EC 9.7415(1) and EC 9.7520(1) and in accordance with State statutes.

On September 26, 2003, notice of the Planning Commission public hearing was mailed to the applicant, owners and occupants of property within 300 feet of the subject property, the Cal Young neighborhood group, and other community organizations requesting such notice in accordance with EC 9.7415(2).
On October 28, 2003, the Eugene Planning Commission conducted a public hearing on the plan and code amendments. After receiving public testimony from all those present wishing to speak,

the Planning Commission closed the public hearing and record. The Planning Commission than began deliberations and forwarded a recommendation to the City Council.

In accordance with Eugene Code provisions, additional public notice was provided concerning the December 1, 2003, public hearing of the City Council.

These processes afford ample opportunity for citizen involvement consistent with Goal 1. Therefore, the amendments are consistent with Statewide Planning Goal 1.

> **Goal 2 - Land Use Planning:** *To establish a land use planning process and policy framework as a basis for all decisions and actions related to use of land and to assure an adequate factual base for such decisions and actions.*

The record shows that there is an adequate factual base to support this ordinance as Goal 2 requires. Further, the Goal 2 coordination requirement is met. Goal 2 requires that plans be coordinated with the plans of affected governmental units and that opportunities be provided for review and comment by affected governmental units. To comply with the Goal 2 coordination requirement, the City coordinated the adoption of these amendments with all affected governmental units. Specifically, notice was mailed to: Lane County, Springfield, Lane Transit District; Eugene Water and Electric Board; Eugene School District 4J; and the following state agencies: Department of Land Conservation and Development and Oregon Department of Transportation. There are no Goal 2 Exceptions required for this ordinance.

> **Goal 3 - Agricultural Land:** *To preserve and maintain agricultural lands.*

The amendments are for property located within the city limits and do not affect any land designated for agricultural use. Therefore, Goal 3 is not applicable or relevant to the amendments.

> **Goal 4 - Forest Land:** *To conserve forest lands by maintaining the forest land base and to protect the state's forest economy by making possible economically efficient forest practices that assure the continuous growing and harvesting of forest tree species as the leading use on forest land consistent with sound management of soil, air, water, and fish and wildlife resources and to provide for recreational opportunities and agriculture.*

The amendments are for property located within the city limits and do not affect any land designated for forest use. Therefore, Goal 4 is not applicable or relevant to the amendments.

> **Goal 5 - Open Spaces, Scenic and Historic Areas, and Natural Resources**: *To conserve open space and protect natural and scenic resources.*

These amendments do not create or amend the area's list of Goal 5 resources, do not amend a

code provision adopted in order to protect a significant Goal 5 resource or to address specific requirements of Goal 5, do not allow new uses that could be conflicting uses with a significant Goal 5 resource site and do not amend the acknowledged Urban Growth Boundary. Therefore, Goal 5 does not apply.

> **Goal 6 - Air, Water and Land Resources Quality:** *To maintain and improve the quality of the air, water and land resources of the state.*

The prior action to apply the /ND Nodal Development overlay zone to the subject property was a significant step towards implementing the nodal development concept; an approach to integration of land use and transportation planning that seeks to increase the use of alternative modes of transportation and reduce demand for automobile-related transportation facilities. Increasing the use of alternative modes of transportation will help to improve regional and local air quality. The amendments further the concept of nodal development by permitting a broader range of uses and providing additional opportunities for residents in the northeast area of Eugene to have access to employment and commercial services, specifically medical clinics. Therefore, the amendments are consistent with Goal 6.

> **Goal 7 - Areas Subject to Natural Disasters and Hazards:** *To protect life and property from natural disasters and hazards.*

The subject parcels are not located within known areas of natural disasters or hazards. The site is outside the 500-year flood zone and is not subject to hazards normally associated with steep slopes, wildfires, or tsunamis. Other hazards, such as earthquakes and severe winter storms can be mitigated at the time of development based on accepted building codes and building techniques. Based on these facts, the proposed designation will not result in development in areas normally associated with natural disaster or the damage and loss of life normally associated therewith. Therefore, the amendments are consistent with Statewide Planning Goal 7.

> **Goal 8 - Recreational Needs:** *To satisfy the recreational needs of the citizens of the state and visitors and, where appropriate, to provide for the siting of necessary recreational facilities including destination resorts.*

Goal 8 ensures provision of recreation facilities to the citizens of the state. The proposed designation will not impact provision of recreation facilities. Access to recreation opportunities, including a future City park located north of the subject property and west of Grand Cayman, will not be affected as a result of the proposed amendment. Therefore, the amendments are consistent with Statewide Planning Goal 8.

> **Goal 9 - Economic Development:** *To provide adequate opportunities throughout the state for a variety of economic activities vital to the health, welfare, and prosperity of Oregon's citizens.*

The property specifically affected by the amendments is designated in the Metro Plan and the Willakenzie Area Plan as "Commercial/Nodal Development". The commercial designation is further refined in the Willakenzie Area Plan as "Neighborhood Commercial". (Inset Map D, page 65.) The property is within the Crescent Avenue Nodal Development Area. The amendments do not change the plan designation of the Summer Oaks Crescent Center. The amendments do not change the existing zoning of the property (C-1 Neighborhood Commercial). There is no change in the quantity of land available for commercial development. The amendments only include removal of a specific prohibition against clinics. In all other areas in Eugene, medical clinics are a permitted use in C-1 Neighborhood Commercial. Removal of the restriction on clinics will provide additional opportunities for medical facilities enhancing the variety of economic activity that can occur on the site and better addressing the health needs of Oregon's citizens. Therefore, the amendments are consistent with statewide planning Goal 9.

Goal 10 - Housing: *To provide for the housing needs of citizens of the state.*

The area affected by this ordinance is entirely planned and zoned for commercial use. The proposed change in policy to allow clinics will not impact the supply or availability of residential land. Therefore, the amendments are consistent with statewide planning Goal 10.

Goal 11 - Public Facilities and Services: *To plan and develop a timely, orderly and efficient arrangement of public facilities and services to serve as a framework for urban and rural development.*

The area affected by this ordinance is located in the city limits and served by public facilities in which the existing level of service is adequate to serve the needs of existing and future development. Therefore, the amendments are consistent with statewide planning Goal 11.

Goal 12 - Transportation: *To provide and encourage a safe, convenient and economic transportation system.*

Goal 12 is implemented through the Transportation Planning Rule (TPR, OAR 660-12). The Eugene-Springfield Metropolitan Area Transportation Plan (TransPlan) provides the regional policy framework through which the TPR is enacted at the local level. The previous addition of the "ND Nodal Development" Metro Plan Diagram designation on the subject property implemented policy direction in the TransPlan, acknowledged for compliance with Goal 12 in 2001.

TransPlan Land Use Policy 5, which was also adopted as Metro Plan Transportation Policy F-5, specifically relates to the completion of "nodal development plans" and states:

Land Use Policy 5: Within three years of TransPlan adoption, apply the ND, Nodal Development designation to areas selected by each jurisdiction, adopt and apply measures to protect designated nodes from incompatible development and adopt a schedule for completion of nodal development plans and implementing ordinances.

The City of Eugene has adopted and applied the /ND Nodal Development overlay zone to protect the Crescent Avenue node from incompatible development. The amendments will increase the diversity of uses and employment opportunities that may occur within the Crescent Avenue node. Medical clinics are a compatible use within a transit oriented development.

Under the state TPR, a local government must provide a form of mitigation described in OAR 660-012-0060(1) when the local government adopts amendments to land use regulations which significantly affect a transportation facility. A land use regulation amendment "significantly affects a transportation facility" if it meets one of the following four factors:

> *(a) Changes the functional classification of an existing or planned transportation facility;*

The proposed ordinance does not change the functional classification of any transportation facility.

> *(b) Changes standards implementing a functional classification system;*

The proposed ordinance does not change the standards for implementing a functional classification system.

> *(c) Allows types or levels of uses which would result in levels of travel or access which are inconsistent with the functional classification of a transportation facility;*

The proposed ordinance does not allow types or levels of uses which would result in levels of travel or access which are inconsistent with the functional classification of a transportation facility. The amendments undo an action taken by the City in 1992 that prohibited the establishment of a clinic on a specific commercial development site in the Coburg/Crescent area of Eugene. Prior to the adoption of the Willakenzie Area Plan in September 1992, the subject property was planned and zoned I-1 Campus Industrial. During adoption of the Willakenzie Area Plan, the land use designation of the subject property was changed to Neighborhood Commercial with a specific policy prohibiting clinics on the site. The prohibition on clinics had nothing to do with traffic impacts. In October 1992, the zoning of the site was changed from I-1 Campus Industrial to C-1 Neighborhood Commercial consistent with the Willakenzie Area Plan. Since that time, the site has maintained its C-1 Neighborhood Commercial zoning, allowing it to establish any other use allowed in the zone by the City's acknowledged code and plans. The clinic use is no more traffic-intensive than many other uses allowed on the site by the code and plans, such as a restaurant and the policy reasons that supported the prohibitions no longer exist. The removal of the clinic prohibition does not result in levels of travel of access which are inconsistent with the functional classification of a transportation facility.

Further, the City's code requires that traffic impacts of any development proposal under this ordinance that would otherwise have a significant affect on transportation facility must be mitigated as part of the development's approval. The City of Eugene's Traffic Impact Analysis Review

process ensures that this ordinance does not run afoul of OAR 660-012-0060. The City Code requires Traffic Impact Analysis Review whenever a proposed development will generate 100 or more vehicle trips during any peak hour using the most recent edition of the Institute of Transportation Engineer's Trip Generation Manual. EC 9.8670(1). If such a use is proposed for construction, it is required to go through the City's Type II or Type III Traffic Impact Analysis Review. Traffic Impact Analysis Review is also required for any development that will result in an increase in traffic that will contribute to traffic problems (based on current accident rates, traffic volumes or speeds that warrant action under the City's traffic calming program), or that will result in traffic in areas where the City has documented pedestrian and/or bicycle safety concerns. As discussed under (d), below, the City also requires a Traffic Impact Analysis Review if an engineering analysis (the City's or another engineer's) indicates that approval of the development would result in levels of service that would fail to meet adopted level of service standards.

Among other things, the Review requires that the development meet the purposes set out at 9.8650, including the provision of facilities necessary to accommodate the traffic impact of the proposed development through the use of traffic control devices and public or private improvements. EC 9.8650; 9.8680. This means that the development must include mitigation measures so that it does not have a "significant impact on a transportation facility." The Review requires that a proposed development must design and construct its traffic improvements to meet the City's standards, including required right-of-way and paving widths according to the street's functional classification system. EC 9.8680; 9.6505; 9.6870. A development that fails to meet this (or any other criterion at EC 9.8650) must be denied. Through this Review process, the City will ensure that a development's impact on any transportation facility will be consistent with the functional classification for that facility.

(d) Would reduce the performance standards of the facility below the minimum acceptable level identified in TransPlan.

The proposed ordinance will not reduce the performance standards of any facility below the minimum acceptable level identified in TransPlan.

Further, as described above, the City's code requires that traffic impacts of any development proposal under this ordinance that would otherwise have a significant effect on transportation facility must be mitigated as part of the development's approval. The City of Eugene's Traffic Impact Analysis Review process ensures that this ordinance does not run afoul of OAR 660-012-0060. The City Code requires Traffic Impact Analysis Review whenever an engineering analysis (the City's or another engineer's) of a proposed development indicates that approval of the development would result in levels of service that would fail to meet adopted level of service standards. As discussed above, through this Review process, the City will ensure that a development that is proposed under this ordinance will not reduce the performance standards of the facility below the minimum acceptable level identified in TransPlan.

As shown in the analysis provided above, the ordinance is consistent with Statewide Planning Goal 12.

Goal 13 - Energy Conservation: *To conserve energy.*

Goal 13 states, in part, that land use planning should, "to the maximum extent possible, combine increasing density gradients along high capacity transportation corridors to achieve greater energy efficiency" (see Goal 13, guideline 4). The overall intent of nodal development is to provide compact urban level development along high capacity transit corridors. The location of the subject site proximate to Beltline (a major arterial), and being directly adjacent to Coburg Road and Crescent Avenue (both minor arterials) accomplishes this intent. As noted previously in this report, Coburg Road has been selected as a priority corridor for enhanced transit service (BRT). Therefore, the amendments are consistent with Statewide Planning Goal 13.

Goal 14 - Urbanization: *To provide for an orderly and efficient transition from rural to urban land use.*

For all of the properties affected by this ordinance, all necessary urban services are in place. Therefore, the amendments are consistent with Statewide Planning Goal 14.

Goal 15 - Willamette River Greenway: *To protect, conserve, enhance and maintain the natural, scenic, historical, agricultural, economic and recreational qualities of lands along the Willamette River as the Willamette River Greenway.*

The subject sites are not within the Willamette River Greenway. Therefore, this goal is not relevant and the amendments will not affect compliance with Goal 15.

Goals 16 through 19 (Estuarine Resources, Coastal Shorelands, Beaches and Dunes, and Ocean Resources)**:**

There are no coastal, ocean, estuarine, or beach and dune resources related to the property or involved in the amendment. Therefore, these goals are not relevant and the amendments will not affect compliance with Goals 16 through 19.

EC 9.8424(1)(b): The refinement plan amendment is consistent with applicable provisions of the <u>Metro Plan</u>

As indicated in the applicant's written statement, "None of the substantive portions of the Metro Plan will be invoked or affected by this amendment. The process used to make this amendment is consistent with Finding 3, page iv-1, which states that refinement plans are appropriate in areas of development pressure and with Policy 3.c., page IV-2, which anticipates refinement plan amendments."

EC 9.8424(1)(c): The refinement plan amendment is consistent with the remaining portions of the refinement plan.

The amendments do not create any inconsistencies with other portions of the Willakenzie Area Plan. The refinement plan actually identifies the area as suitable for neighborhood commercial uses.

EC 9.8424(2): The refinement plan amendment addresses one or more of the following:
(a) An error in the publication of the Refinement Plan.

This ordinance is not based on an error in the publication of the Willakenzie Area Plan.

(b) New inventory material which relates to a statewide planning goal.

This ordinance is not based on new inventory material relating to a statewide planning goal.

(c) New or amended community policies.

This ordinance is directly impacted by amendments to policies contained in the Metro Plan and Willakenzie Area Plan related to Crescent Village, a proposed mixed use, transit oriented development immediately to the north of the Summer Oaks Crescent Center. The amendments remove reference to a potential hospital and provide for a limited amount clinic space. (Refer to additional findings under EC 9.8424(2)(d) below.)

(d) New or amended provisions in a federal law or regulation, state statute, state regulations, statewide planning goal, or state agency land use plan.

This ordinance is not based on new or amended state or federal laws, regulations, or policies.

(e) A change of circumstances in a substantial manner that was not anticipated at the time the Refinement Plan was adopted.

A significant change of circumstances has occurred that directly affects this ordinance. Specifically, PeaceHealth decided not to build a hospital on the 36-acre site on the north side of Crescent Avenue immediately across from the subject property. The anticipated presence of the hospital and, more particularly, the demand it would create for ancillary clinics and other medical service providers, led to the Willakenzie Area Plan policy this amendment seeks to change.

Additional findings from the applicant's written statement are hereby incorporated herein.

Code Amendments (CA 03-2) Eugene Code Section 9.8065 requires an evaluation of any code amendment to determine whether the change is consistent with the following criteria shown in ***bold and italics***.

EC 9.8065(1) Is consistent with applicable statewide planning goals as adopted by the Land Conservation and Development Commission.

See findings under EC 9.8424(1)(a), above.

EC 9.8065(2) Is consistent with applicable provisions of the Metro Plan and applicable adopted refinement plans.

See findings under EC 9.8424(1)(b) and 9.8424(1)(c), above.

EC 9.8065(3) In the case of establishment of a special area zone, is consistent with EC 9.3020 Criteria for Establishment of an S Special Area Zone.

No special area zone is established by the ordinance.

ORDINANCE NO. 20382

AN ORDINANCE AMENDING THE EUGENE-SPRINGFIELD METROPOLITAN AREA GENERAL PLAN LAND USE DIAGRAM; AMENDING THE WILLAKENZIE AREA PLAN PURSUANT TO SECTION 9.7750(4) OF THE EUGENE CODE, 1971; ADOPTING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE. (HUNTINGTON CROSSING).

The City Council of the City of Eugene finds that :

A. The applicant, Pop Corn LLC, submitted an application to the City of Eugene for an amendment to the Metropolitan Area General Plan and the Willakenzie Area Plan.

B. The amendments contained in this Ordinance are based on the application submitted and the recommendation of the Eugene Planning Commission.

C. The City of Eugene Planning Commission and Lane County Planning Commission held a joint public hearing on the amendments contained in this Ordinance on October 24, 2006, and the Eugene Planning Commission has forwarded its recommendations to the Eugene City Council for amendments to the Metropolitan Area General Plan Land Use Diagram as shown Exhibit A, and the Willakenzie Area Plan Land Use Diagram as shown on Exhibit B.

THE CITY OF EUGENE DOES ORDAIN AS FOLLOWS:

Section 1. The Eugene-Springfield Metropolitan Area General Plan Land Use Diagram for the property identified as Tax Lots 500, 600, and 700 of Assessor's Map 17-03-16-41, located east of Old Coburg Road at 89295, 89297, and 89317 Old Coburg Road, is amended from a designation of Campus Industrial to a designation of Medium Density Residential as shown on the attached Exhibit A, which is incorporated herein.

Section 2. Consistent with the provisions of Section 9.7750(4) of the Eugene Code, 1971, the Willakenzie Area Plan Land Use Diagram located between pages 19 and 20 of the Willakenzie Area Plan is automatically amended to redesignate the land referenced in Section 1 above, from Special Light Industrial to Medium Density Residential, as shown on the attached Exhibit B, which is incorporated herein and the Willakenzie Area Plan Coburg-Crescent Subarea diagram located at page 62 of the Willakenzie Area Plan is automatically amended to redesignate the land referenced in Section 1 above, from Campus Industrial to Medium-Density Residential, as shown on the attached Exhibit C, which is incorporated herein.

Section 3. The findings set forth in the attached Exhibit D are adopted as

findings in support of this Ordinance.

Section 4. If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held invalid or unconstitutional by a court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions hereof.

Section 5. Nothwithstanding the effective date of ordinances as provided in the Eugene Charter of 2002, this Ordinance shall become effective 30 days from the date of its passage by the City Council and approval by the Mayor, or upon the date the Lane County Board of Commissioners has adopted an ordinance containing identical provisions to those described in sections 1 and 2 of this Ordinance, whichever is first.

Passed by the City Council this

12th day of March, 2007

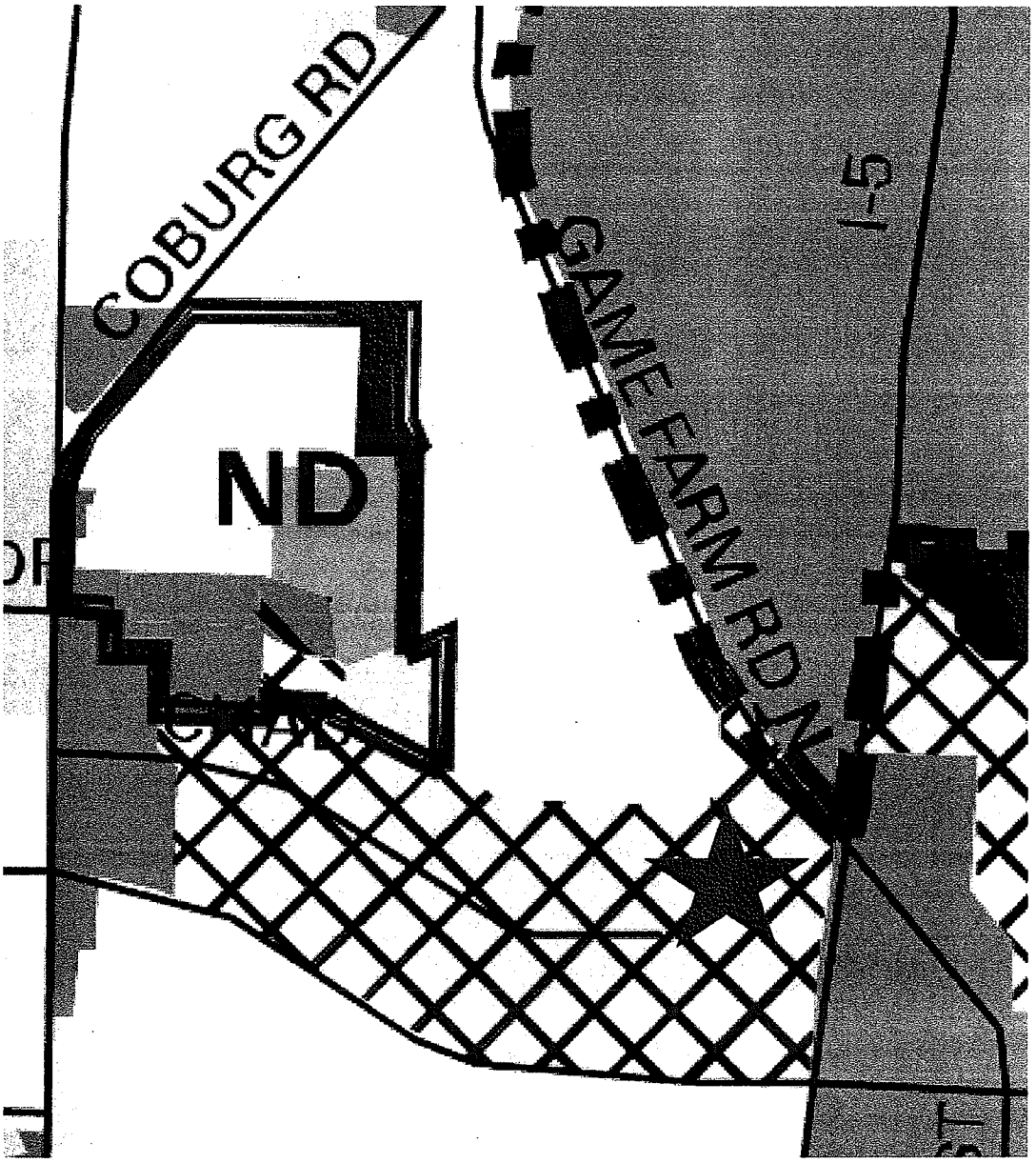
City Recorder

Approved by the Mayor this

14th day of March, 2007

Mayor

Huntington Crossing Metro Plan Amendment (MA 06-3)

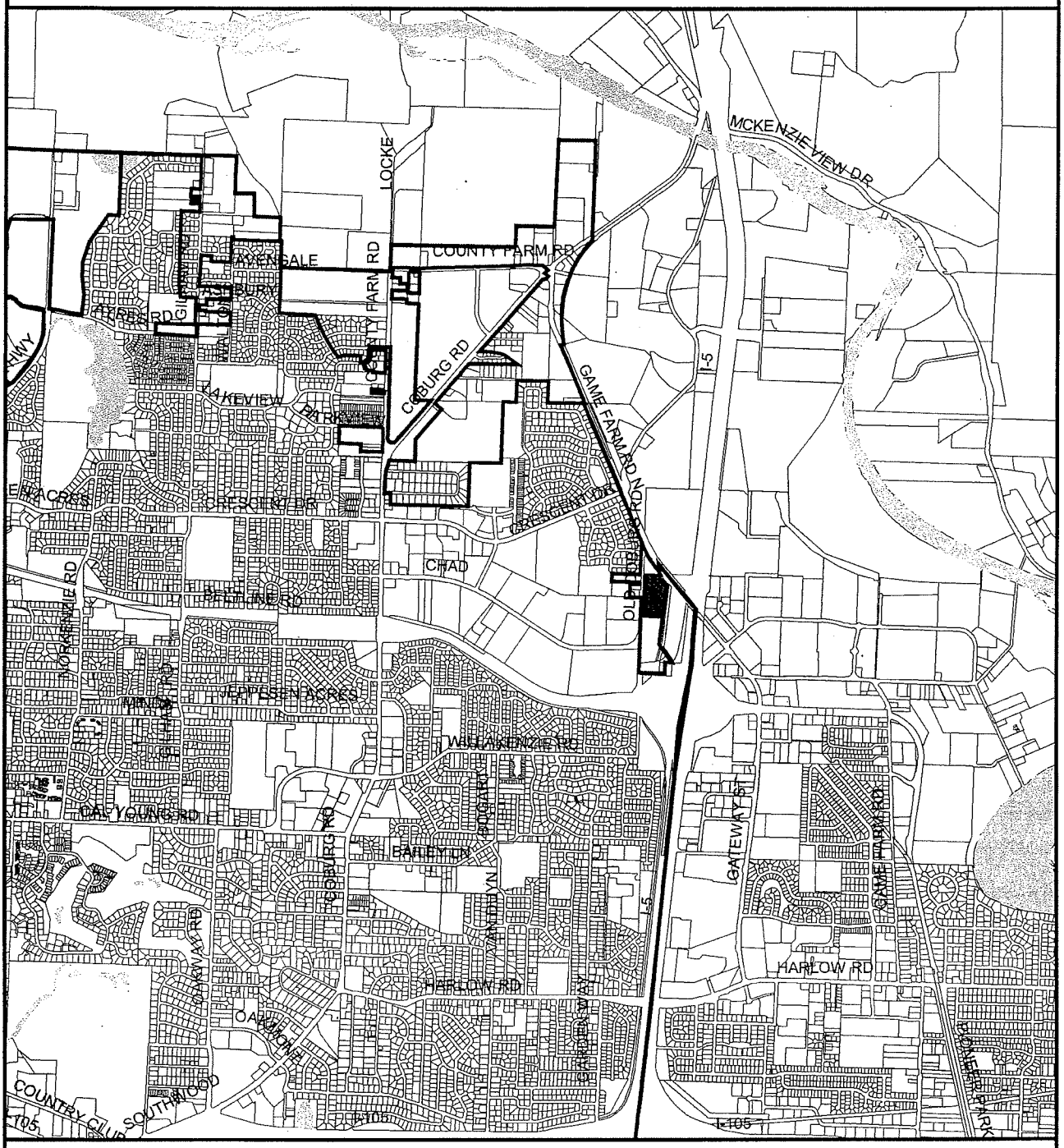


Existing Plan Designation: Campus Industrial
Proposed Plan Designation: Medium Density Residential

N

Ordinance No. 20382
EXHIBIT A

Huntington Crossing Refinement Plan Amendments (RA 06-2)



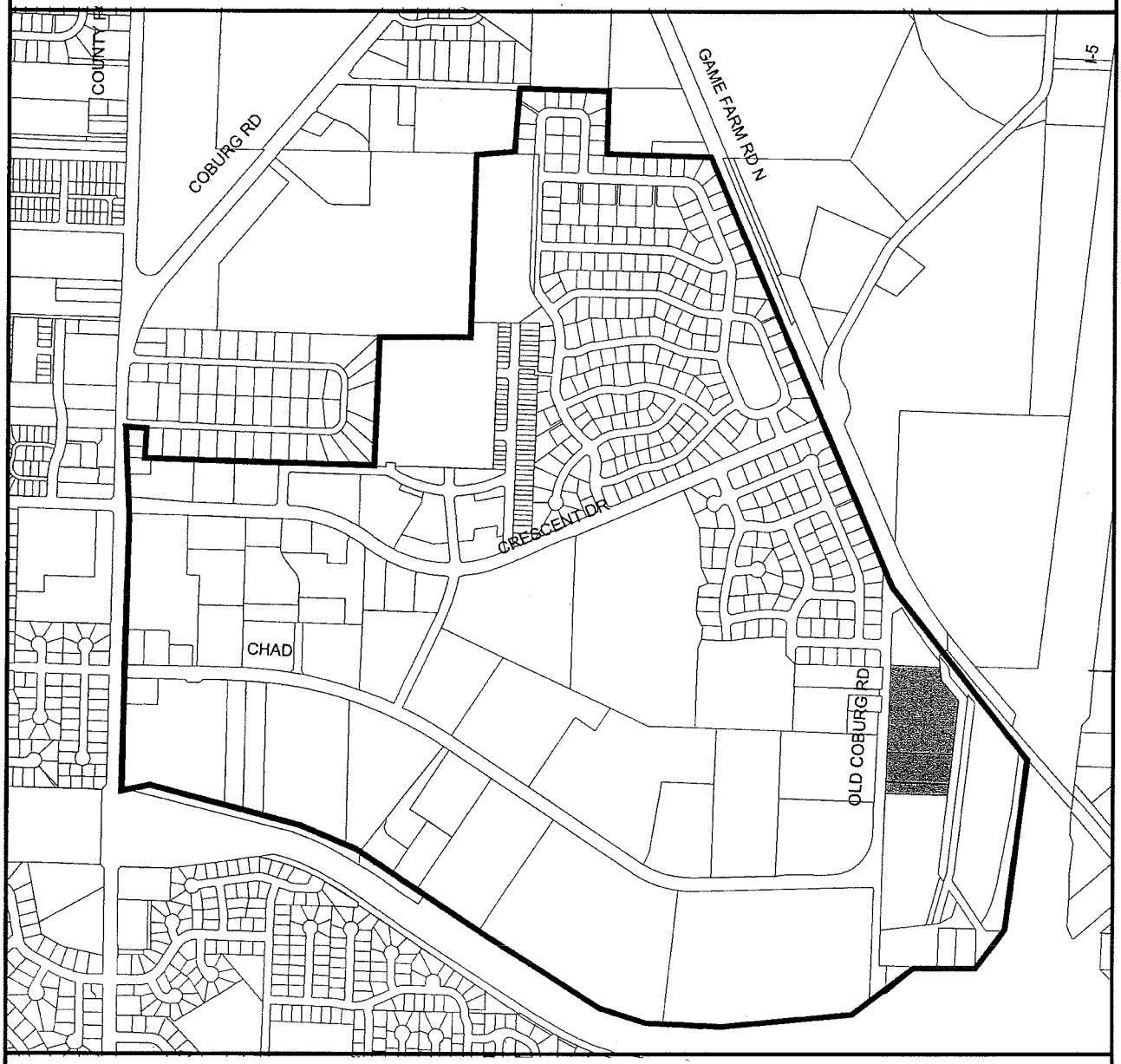
Existing Plan Designation: Special Light Industrial
Proposed Plan Designation: Medium Density Residential

- Subject Site
- Eugene City Limits
- Urban Growth Boundary

N

Ordinance No. 20382
EXHIBIT B

Huntington Crossing - Willakenzie Area Plan
Amendments to Coburg-Crescent Subarea (MA 06-3)



Coburg-Crescent Subarea (see Page 62 of Willakenzie Area Plan)

Proposed Amendments

Change from Campus Industrial to Medium Density Residential

Information based on Regional Geographic Information System data. Source data may be imprecise and subject to change.

N

1/16/07

Ordinance No. 20382
EXHIBIT C

Exhibit D

Staff Findings
Huntington Crossing
(MA 06-3)

Metro Plan Diagram Amendment (MA 06-3)

The proposed amendment would change the current Metro Plan land use designation from Campus Industrial to Medium Density residential. While there is no corresponding development proposal under review, the applicant indicates that the intent is to develop a mixed use development to include residential units and approximately 4,000 square feet of commercial space. A mixed use proposal would require approval through the planned unit development process within a medium residential zone. As no formal development proposal is under review, staff's analysis and findings are based solely on the request to re-designate the property as Medium Density Residential.

Eugene Code Section 9.7730(3) requires that the following criteria (in bold and *italics*) be applied to a Metro Plan diagram amendment:

(a) The amendment must be consistent with the relevant Statewide Planning Goals adopted by the Land Conservation and Development Commission; and

Goal 1 Citizen Involvement: *To develop a citizen involvement program that insures the opportunity for citizens to be involved in all phases of the planning process.*

The City has State-acknowledged provisions for citizen involvement that ensure the opportunity for citizens to be involved in all phases of the planning process and set out requirements for such involvement. The action does not amend the citizen involvement program. The process for reviewing these amendments complies with Goal 1 since it complies with, and surpasses the requirements of, the State-acknowledged citizen involvement provisions.

The City of Eugene land use code implements Statewide Planning Goal 1 by requiring that notice of the proposed amendments be given and public hearings be held prior to adoption. Consideration of the amendments begins with a City of Eugene Planning Commission/Lane County Planning Commission public hearing on October 24, 2006. On September 15, 2006, the City mailed notice of the proposed plan amendments to the Department of Land Conservation and Development, as required by the Eugene Code and in accordance with State statutes. On August 30, 2006, referrals concerning the pending applications were sent to the Oregon Department of Transportation (ODOT), City of Springfield, and Lane County. The Cal Young Neighborhood Association and City departments were also mailed a copy of the application on September 22, 2006 consistent with the Eugene Code. On September 22, 2006 notice of the Planning Commission public hearing was mailed to the applicant, owners and occupants of property within 300 feet of the subject property. On October 4, 2006, notice of the joint Planning Commissions public hearing was published in the *Register-Guard*, in accordance with the Eugene Code. On September 22, 2006, notice was also

posted in accordance with EC 9.7415(5). An additional public hearing before the Eugene City Council and Lane County Board of Commissioners will be scheduled following Planning Commission action. Notice to interested and affected parties will be provided for that hearing.

The process for adopting these amendments complies with Goal 1 since it complies with, and surpasses the requirements of the State's citizen involvement provisions.

Goal 2 - Land Use Planning: *To establish a land use planning process and policy framework as a basis for all decisions and actions related to use of land and to assure an adequate factual base for such decisions and actions.*

The Eugene-Springfield Metropolitan Area General Plan (Metro Plan) is the policy tool that provides a basis for decision-making in this area. The Metro Plan was acknowledged by the State in 1982 to be in compliance with statewide planning goals. These findings and record show that there is an adequate factual base for decisions to be made concerning the proposed amendments. Goal 2 requires that plans be coordinated with the plans of affected governmental units and that opportunities be provided for review and comment by affected governmental units. To comply with the Goal 2 coordination requirement, the City coordinated the review of these amendments with all affected governmental units. Specifically, notice was mailed to the State Department of Land Conservation and Development, Oregon Department of Transportation, Lane County, and the City of Springfield. There are no Goal 2 exceptions required for these amendments. Therefore, the amendments are consistent with Statewide Planning Goal 2.

Goal 3 - Agricultural Land: *To preserve and maintain agricultural lands.*

Goal 3 is not applicable to these amendments as the subject property and actions do not affect any agricultural plan designation or use. Goal 3 excludes lands inside an acknowledged urban growth boundary from the definition of agricultural lands. Since the subject property is entirely within the acknowledged urban growth boundary, Goal 3 is not relevant and the amendments do not affect the area's compliance with Statewide Planning Goal 3.

Goal 4 - Forest Land: *To conserve forest lands.*

Goal 4 is not applicable to these amendments as the subject property and actions do not affect any forest plan designation or use. Goal 4 does not apply within urban growth boundaries and, therefore, does not apply to the subject property, which is within Eugene's UGB (OAR 660-006-0020). Therefore, Goal 4 is not relevant and the amendments do not affect the area's compliance with Statewide Planning Goal 4.

Goal 5 - Open Spaces, Scenic and Historic Areas, and Natural Resources: *To conserve open space and protect natural and scenic resources.*

The following administrative rule (OAR 660-023-0250) is applicable to this post-acknowledgement plan amendment (PAPA) request:

(3) Local governments are not required to apply Goal 5 in consideration of a PAPA unless the

PAPA affects a Goal 5 resource. For purposes of this section, a PAPA would affect a Goal 5 resource only if:

(a) The PAPA creates or amends a resource list or a portion of an acknowledged plan or land use regulation adopted in order to protect a significant Goal 5 resource or to address specific requirements of Goal 5;

(b) The PAPA allows new uses that could be conflicting uses with a particular significant Goal 5 resource site on an acknowledged resource list; or

(c) The PAPA amends an acknowledged UGB and factual information is submitted demonstrating that a resource site, or the impact areas of such a site, is included in the amended UGB area.

The subject property does not include a Goal 5 resource site. The proposed amendments do not create or amend a list of Goal 5 resources, do not amend a plan or code provision adopted in order to protect a significant Goal 5 resource or to address specific requirements of Goal 5, and do not amend the acknowledged Urban Growth Boundary.

Therefore, Statewide Planning Goal 5 does not apply to these amendments.

Goal 6 - Air, Water and Land Resources Quality: *To maintain and improve the quality of the air, water, and land resources of the state.*

Goal 6 addresses waste and process discharges from development, and is aimed at protecting air, water and land from impacts from those discharges. Nothing in the proposal or the character of the site or potential uses indicates a future development that would compromise air, water and land resources. The proposal does not amend the metropolitan area's air, water quality or land resource policies. The record shows that the City can reasonably expect that future development of the site will comply with environmental laws. Therefore, the amendments are consistent with Statewide Planning Goal 6.

Goal 7 - Areas Subject to Natural Disasters and Hazards: *To protect life and property from natural disasters and hazards.*

Goal 7 requires that local government planning programs include provisions to protect people and property from natural hazards such as floods, land slides, earthquakes and related hazards, tsunamis and wildfires. The subject property is not located within known areas of natural disasters or hazards. The subject property is outside the flood zone and is not subject to hazards normally associated with steep slopes, wildfires, or tsunamis. Other hazards, such as earthquakes and severe winter storms can be mitigated at the time of development based on accepted building codes and building techniques. Therefore, these amendments are consistent with Statewide Planning Goal 7.

Goal 8 - Recreational Needs: *To satisfy the recreational needs of the citizens of the state and visitors and, where appropriate, to provide for the siting of necessary recreational facilities including destination resorts.*

Goal 8 ensures the provision of recreational facilities to Oregon citizens and is primarily concerned with the provision of those facilities in non-urban areas of the state. There are no public of private

recreational facilities on or adjacent to the subject property. Therefore the proposed amendments will not impact the provision of public recreational facilities, nor will they affect access to existing or future public recreational facilities. As such, the amendments are consistent with Statewide Planning Goal 8.

Goal 9 - Economic Development: *To provide adequate opportunities throughout the state for a variety of economic activities vital to the health, welfare, and prosperity of Oregon's citizens.*

Goal 9 requires that the city '[p]rovide for at least an adequate supply of sites of suitable sizes, types, location, and service levels for a variety of industrial and commercial uses consistent with plan policies[.]" OAR 660 Division 9 is LCDC's Goal 9 administrative rule. Among other things, the rule requires that cities complete an "Economic Opportunities Analysis." OAR 660-009-0015. Based on the Economic Opportunities Analysis, cities are to prepare Industrial and Commercial Development Policies. OAR 660-009-0020. Finally OAR 660-009-0025 requires that cities designate industrial and commercial lands sufficient to meet short and long term needs. OAR 660-009-0010(2) provides that the detailed planning requirements imposed by OAR 660 Division 9 apply "at the time of each periodic review of the plan (ORS 197.712(3))." In addition, OAR 660-009-0010(4) provides that, when a city changes its plan designations of lands in excess of two acres to or from commercial or industrial use, pursuant to a post acknowledgment plan amendment, it must address all applicable planning requirements and (a) Demonstrate that the proposed amendment is consistent with the parts of its acknowledged comprehensive plan which address the requirements of OAR 660-Division 9; or (b) Amend its comprehensive plan to explain the proposed amendment pursuant to OAR 660 Division 9; or (c) adopt a combination of (a) and (b) consistent with the requirements of Division 9.

The applicant proposed a change in plan designation of land in excess of two acres from the Campus-Industrial plan designation. The amendments will decrease the supply of available industrial land by approximately 6.89 acres for the purpose of facilitating a transit-oriented medium-density residential development. The proposed change is consistent with the parts of the Metro Plan that address the requirements of OAR 660 Division 9 (option (a), above). The City's Industrial Lands Inventory is acknowledged for compliance with the requirements of Goal 9 and its Administrative Rule. Currently, the City of Eugene has a surplus of industrial land. Additionally, as shown in the Metropolitan Industrial Lands Inventory Report (1993) and the Metropolitan Industrial Lands Policy Report, the subject property was not included in the inventory of the Metropolitan Plan Industrial Lands Study (See Industrial Lands Special Study Map, Sites in Subregion #5), so the re-designation from Campus Industrial of this specific parcel of will not affect the formally acknowledged inventory of industrial land. The proposed amendments are consistent with Statewide Planning Goal 9.

Goal 10 - Housing: *To provide for the housing needs of the citizens of the state.*

Goal 10 requires that communities plan for and maintain an inventory of buildable residential land for needed housing units. The request to re-designate 6.89 acres from Campus Industrial to Medium Density Residential increases the supply and availability of residential lands. The property affected by the proposed amendments was not included in supply of land available for residential development as inventoried in the acknowledged 1999 Residential Lands Study, so the re-

designation will result in an increase in buildable residential lands. Therefore, the amendments are consistent with Statewide Planning Goal 10.

Goal 11 - Public Facilities and Services: *To plan and develop a timely, orderly and efficient arrangement of public facilities and services to serve as a framework for urban and rural development.*

The area affected by the amendments is located outside the city limits but inside Eugene's Urban Growth Boundary. The existing level of public facilities and service is adequate to serve the needs of existing and future development, as public facilities are available or can be extended to the subject property. Public Works staff have indicated that a change in designation from Campus Industrial to Medium Density Residential will reduce the demand on public facilities and services and on the capacity needed to serve the subject properties. In addition, while the parcel is currently outside City limits, annexation is a requirement of any proposed development. City of Eugene Public Works staff have provided referral comments that indicate public facilities and services are available for the purpose of annexation. The provision of these amendments does not affect the planning or development of future public facilities or services. Therefore, the amendments are consistent with Statewide Planning Goal 11.

Goal 12 - Transportation: *To provide and encourage a safe, convenient and economic transportation system.*

Goal 12 is implemented through the Transportation Planning Rule (TPR), as defined in Oregon Administrative Rule OAR 660-012-0060. The Eugene-Springfield Metropolitan Area Transportation Plan (TransPlan) provides the regional policy framework through which the TPR is implemented at the local level. The TPR states that when land use changes, including amendments to acknowledged comprehensive plans, significantly affect an existing or planned transportation facility the local government shall put in place measures to assure that the allowed land uses are consistent with the identified function, capacity and performance standards (level of service and/or volume to capacity ratio) of the facility.

Under the TPR, an amendment to a comprehensive plan significantly affects an existing or planned transportation facility if it would:

(a) Change the functional classification of an existing or planned transportation facility;
(b) Change standards implementing a functional classification system; or
(c) As measured at the end of the planning period identified in the adopted transportation system plan and considering both existing transportation facilities and planned transportation facilities as required by the TPR:

A. Allow land uses or levels of development that would result in types or levels of travel or access that are inconsistent with the functional classification of an existing or planned transportation facility;
B. Reduce the performance of an existing or planned transportation facility below the minimum acceptable performance standard identified in the TSP or comprehensive plan; or

C. Worsen the performance of an existing or planned transportation facility that is otherwise projected to perform below the minimum acceptable performance standard identified in the TSP or comprehensive plan.

The proposed diagram amendment does not change the functional classification or a transportation facility or change the standards implementing a functional classification system. Therefore, it is does not have a significant effect under (a) or (b). Further, it does not have a significant effect under (c).

To address the TPR, the applicant submitted a Transportation Impact Analysis (TIA). The City of Eugene and the Oregon Department of Transportation (ODOT) collaborated on a scope of work for the TIA for the proposed plan amendment. Roadways near the development site include Old Coburg Road, classified as a major collector, North Game Farm Road, classified as a minor arterial, Chad Drive, classified as a Major Collector, and Crescent Drive, classified as a minor arterial. These classifications address the planned transportation needs of the surrounding area. The proposed re-designation is not inconsistent with the functional classification of the existing and planned transportation facilities.

The TIA evaluates the current performance of existing facilities and the performance of these facilities as a result of the amendments to re-designate 6.89 acres from Campus Industrial to Medium Density Residential. The TIA provides that the existing designation projects that 256 trips during the afternoon peak hour and 2,389 trips during average daily weekday traffic will be generated by the development site, based on a most reasonable development scenario. Staff have reviewed the analysis and findings in the TIA and concur with the applicant's conclusions regarding a most reasonable development scenario. "Trip" is defined as a single directional vehicle trip that has one origin and one destination. "Peak hour" is defined as the four highest contiguous 15-minute traffic volume periods.

The TIA further provides that under the proposed land use designation change, and subsequent zone change to R-2 Medium Density Residential, 93 trips during the afternoon peak hour and 974 trips during average daily weekday traffic will be generated by the development. The applicant has provided these findings based on the maximum number of units of 20 units per gross acre, as provided in the Metro Plan. The TIA also provides findings based on the "master site plan", which is not part of this application, but the applicant indicates this proposal will follow upon successful re-designation of the property. Under the proposed master plan, it is projected that 117 trips during the afternoon peak hour and 1,086 trips during the average daily weekday traffic will be generated by the development. These figures indicate that the re-designation of the subject property from Campus Industrial to Medium Density Residential will result in a reduction in the traffic generated by the subject property. City of Eugene and Oregon Department of Transportation (ODOT) have concurred that the proposed re-designation will not significantly affect the existing or planned transportation facility. As such, the amendments are consistent with Statewide planning Goal 12.

Old Coburg Road, adjacent to the western boundary of the development site, is currently under Lane County jurisdiction. Referral comments from Lane County Public Works staff indicate that Old Coburg Road is rural in nature and not currently suited for urban development, and that the Transportation Impact Analysis does not address Lane County Chapter 15 requirements. The

improvement of Old Coburg is currently a capital improvement project (CIP) called the Chad Drive extension project. This project is slated for construction in the spring/summer of 2008. In the event that the applicant chooses to proceed with development prior to the CIP, the development proposal would trigger City code requirements to review Old Coburg Road for capacity. As also noted by Lane County staff, in the event that Old Coburg Road remains in Lane County jurisdiction at the time a development proposal is submitted for the subject property, Lane County staff would have another opportunity to review a TIA.

This amendment will actually reduce existing potential impacts to the existing and planned transportation facilities. Therefore the proposed change will not result in a significant affect. The proposed amendments are consistent with Statewide Planning Goal 12.

Goal 13 - Energy Conservation: *To conserve energy.*

Goal 13 requires that land and uses developed on the land shall be managed and controlled so as to manage all forms of energy, based on sound economic principles. Changing the designation from Campus Industrial to Medium Density Residential does not specifically impact energy conservation or preclude sound energy conservation measures. The proposed amendments are consistent with Statewide Planning Goal 13.

Goal 14 - Urbanization: *To provide for an orderly and efficient transition from rural to urban land use.*

The amendments do not effect the transition from rural to urban land use, as the subject property is already within the Urban Growth Boundary. Therefore, Statewide Planning Goal 14 does not apply.

Goal 15 - Willamette River Greenway: *To protect, conserve, enhance and maintain the natural, scenic, historical, agricultural, economic and recreational qualities of lands along the Willamette River as the Willamette River Greenway.*

The subject property is not within the boundaries of the Willamette River Greenway. Therefore, Statewide Planning Goal 15 does not apply.

Goal 16 through 19 - Estuarine Resources, Coastal Shorelands, Beaches and Dunes, and Ocean Resources:

There are no coastal, ocean, estuarine, or beach and dune resources related to the property effected by these amendments. Therefore, these goals are not relevant and the amendments will not affect compliance with Statewide Planning Goals 16 through 19.

(b) Adoption of the amendment must not make the Metro Plan internally inconsistent.

The Metro Plan diagram amendment to re-designate 6.89 acres of land from Campus Industrial to Medium Density Residential will not create an internal conflict with the remainder of the Metro Plan. No text or other diagram changes are necessary to ensure internal consistency with the proposed diagram amendments; adoption of this amendment will not make the Metro Plan

internally consistent.

The applicant provided findings regarding how the Metro Plan diagram amendment is consistent with the policy direction contained in the Metro Plan. Those policies found to be applicable to this request are addressed below. Although the applicant addressed additional Metro Plan policies, they do not provide further, relevant guidance or mandatory approval criteria with respect to the proposal. However, to the extent that they may be applicable, the applicant's findings are incorporated herein by reference as further evidence that the amendment does not make the Metro Plan internally inconsistent.

The Metro Plan diagram included in the applicant's written materials is outdated, and not applicable. The Metro Plan diagram in the applicant's written materials shows the northern portion of the subject property as designated for Low Density Residential use. However, the applicable Metro Plan diagram (Ordinance No. 20319) does show the entire subject property designated as Campus Industrial. The portions of the applicant's written statement addressing the Low Density Residential designation, and the Metro Plan diagram in the applicant's materials, are not incorporated into these findings

The following polices are applicable to this request:

Residential Land Use and Housing Element:

> *Generally locate higher density residential development near employment or commercial services, in proximity to major transportation systems or within transportation-efficient nodes. (Policy A.11)*
>
> *Provide opportunities for a full range of choice in housing type, density, size, cost, and location. (Policy A.17)*

As noted by the applicant, the area proposed for designation as medium density residential is adjacent to the Chad Drive employment area to the southwest, and within .9 miles of the Springfield RiverBend medical employment area and the Gateway commercial center, which are in proximity to major transportation systems, including the existing street system and LTD services. Re-designation of the subject property to medium density residential provides additional opportunities for additional housing types, density, size, cost and location. The applicant's proposal is not inconsistent with the applicable policies.

Economic Element

> *Provide existing industrial activities sufficient adjacent land for future expansion. (Policy B.5)*
>
> *Increase the amount of undeveloped land zoned for light industrial and commercial uses correlating the effective supply in terms or suitability and availability with the projects of demand (Policy B.6)*

The policies above are brought into question with the request to remove the Campus Industrial Designation. According to the applicant's written materials, adjacent property owners with industrial uses were consulted regarding the availability of this parcel for purchase, and there was no desire of the surrounding property owners to acquire the property. In addition, there is currently vacant industrial land in the area, so the re-designation would not preclude existing industrial activities from expansion. The applicant also consulted a number of real estate agents and Metro Partnership staff who indicated that the size and orientation of the site posed significant limitations for industrial development. The suitability of the subject property for industrial activities and the consolidation potential is limited based on the relatively narrow, long lot configuration and the 6.89 acres size of the parcel. The areas for campus industrial uses were typically envisioned as large campus style developments. The Land Use Designations section of the Metro Plan describes a 50-acre minimum lot size for parcels over 50 acres, to protect undeveloped sites from piecemeal development until a site development plan can be approved by the responsible city. As suitability of this parcel for location or expansion of industrial uses is constrained, the proposed amendments are not inconsistent with the applicable Economic Element policies.

Transportation Element Policy

> *Require that new development pay for its capacity impact on the transportation system. (Finance Policy F.36)*

This finance policy provides direction to the City of Eugene to expand system development charge (SDC) methodologies to address the impact of new development on state, county and transit facilities. Currently, SDC methodologies charge new development only for the City's portion of the arterial-collector system. The intent of this policy, as described in Transplan, is for the City to consider additional system development charges to mitigate onsite or adjacent impacts. To the extent that this policy is applicable to the proposal, development resulting from the proposed amendment would be subject to SDCs.

COUNCIL ORDINANCE NUMBER 20395

COUNCIL BILL NUMBER 4956

AN ORDINANCE AMENDING THE WILLAKENZIE AREA PLAN INSET MAP D AND TEXT; AMENDING SECTION 9.9700 OF THE EUGENE CODE, 1971; AMENDING THE EUGENE ZONING MAP; AND ADOPTING A SEVERABILITY CLAUSE. (SUMMER OAKS/CRESCENT CENTER).

ADOPTED: October 22, 2007

PASSED: 5:3

REJECTED:

OPPOSED: Bettman, Taylor, Zelenka

ABSENT:

EFFECTIVE: November 24, 2007

ORDINANCE NO. 20395

AN ORDINANCE AMENDING THE WILLAKENZIE AREA PLAN INSET MAP D AND TEXT; AMENDING SECTION 9.9700 OF THE EUGENE CODE, 1971; AMENDING THE EUGENE ZONING MAP; AND ADOPTING A SEVERABILITY CLAUSE. (SUMMER OAKS/CRESCENT CENTER).

The City Council of the City of Eugene finds that:

A. The applicant, Western Steel Inc. and MVMM Edwards Investment LLC, submitted applications to the City of Eugene for amendments to the Willakenzie Area Plan Inset Map D and Text, Section 9.9700 of the Eugene Code, 1971, and the Eugene Zoning Map for property located east of Coburg Road, south of Crescent Avenue and east of Suzanne Way (Tax Lot 5100 of Assessor's Map 17-03-16-23 and Tax Lot 1200 of Assessor's Map 17-03-16-32).

B. The City of Eugene Planning Commission held a public hearing on the amendments contained in this Ordinance on August 14, 2007. Following the close of the public hearing the record was left open until August 29, 2007 to allow for new evidence and testimony, and applicant rebuttal testimony.

C. After reviewing the record and the additional information provided by staff and the applicant prior to the close of the record, the Planning Commission found that with the imposition of two conditions, which are a part of the revised Policy 2 of the Coburg/Crescent Subarea Policies of the Willakenzie Area Plan, there was sufficient information in the record to show compliance with applicable approval criteria for a refinement plan amendment, a code amendment, and zone change under provisions of the Eugene Code, 1971, and forwarded its recommendation to the Eugene City Council to approve the applications.

D. The City Council has considered the Findings and Recommendation of the Planning Commission, the testimony before the Planning Commission and City Council, and based thereon, and the legislative findings attached as Exhibit A hereto, approves the applications as hereinafter set forth.

NOW, THEREFORE,

THE CITY OF EUGENE DOES ORDAIN AS FOLLOWS:

Section 1. Inset Map D of the Coburg/Crescent Subarea Section of the Willakenzie Area Plan is amended to redesignate the property identified as Tax Lot 5100 of Assessor's Map 17-03-16-23 and Tax Lot 1200 of Assessor's Map 17-03-16-32 located east of Coburg Road, south of Crescent Avenue and east of Suzanne Way, from a designation of Neighborhood Commercial/Nodal Development to a designation of Community Commercial/Nodal Development, as shown on the attached Exhibit B,

which is incorporated herein.

Section 2. The Eugene Zoning Map is amended to rezone Tax Lot 5100 of Assessor's Map 17-03-16-23 and Tax Lot 1200 of Assessor's Map 17-03-16-32 from their existing C-1/SR/ND Neighborhood Commercial with Site Review overlay zone and Nodal Development overlay zone to C-2/SR/ND Community Commercial with Site Review overlay zone and Nodal Development overlay zone, as shown on the attached Exhibit C, which is incorporated herein.

Section 3. Policy 2 of the Coburg/Crescent Subarea Policies and Proposed Actions is amended as follows:

2. The City shall recognize the area south of Crescent Avenue north of and west of Shadow View Drive, as depicted on Inset Map D as "Summer Oaks – Crescent Center" as appropriate for the expansion of Neighborhood and Community Commercial development. The Neighborhood Commercial portion of Summer Oaks – Crescent Center shall not exceed 7 acres in size. Uses in the neighborhood commercial area are intended to serve the day-to-day shopping and service needs of residents and employees of the surrounding area. The Community Commercial portion of Summer Oaks – Crescent Center shall be zoned C-2/SR/ND Community Commercial with site review and nodal development overlays. Through the PUD approval process, the City may allow the uses and development intensities on the Community Commercial portion of Summer Oaks – Crescent Center to vary from the previously approved uses, provided that the developer demonstrates, based on the Institute of Transportation Engineers' Trip Generation Manual, that the p.m. peak hour trips generated by the proposed uses will be less than or equal to 213.

   If requested and otherwise approved as part of a PUD application, the City may reduce the minimum floor area ratio (FAR) within the C-2 zoned portion of Summer Oaks – Crescent Center to .70.

Section 4. Subsection (10)(a) of Section 9.9700 of the Eugene Code, 1971, is amended to provide:

9.9700 Willakenzie Area Plan Policies.

(10) Land Use Element – North Region, Coburg/Crescent Subarea.

(a) The City shall recognize the area south of Crescent Avenue north of and west of Shadow View Drive, as depicted on Inset Map D as "Summer Oaks – Crescent Center" as appropriate for the expansion of Neighborhood and Community Commercial development. The Neighborhood Commercial portion of Summer Oaks – Crescent Center shall not exceed 7 acres in size. Uses in the neighborhood commercial area are intended to serve the day-to-day shopping and service needs of residents and employees of the surrounding area. The Community Commercial portion of Summer Oaks – Crescent

Center shall be zoned C-2/SR/ND Community Commercial with site review and nodal development overlays. Through the PUD approval process, the City may allow the uses and development intensities on the Community Commercial portion of Summer Oaks – Crescent Center to vary from the previously approved uses, provided that the developer demonstrates, based on the Institute of Transportation Engineers' Trip Generation Manual, that the p.m. peak hour trips generated by the proposed uses will be less than or equal to 213.

If requested and otherwise approved as part of a PUD application, the City may reduce the minimum floor area ratio (FAR) within the C-2 zoned portion of Summer Oaks – Crescent Center to .70. (Policy 2)

Section 5. The findings set forth in the attached Exhibit A are adopted as findings in support of this Ordinance.

Section 6. If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held invalid or unconstitutional by a court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions hereof.

Passed by the City Council this

22nd day of October, 2007

City Recorder

Approved by the Mayor this

25 day of October, 2007

Mayor

Exhibit A

Findings

September 17, 2007

Summer Oaks Crescent Center (RA 06-4, Z 06-24, CA 07-1)
Refinement Plan Map and Text Amendments, Zone Change, Land Use Code Amendment

Refinement Plan Amendment Approval Criteria

The Eugene Code requires that a refinement plan amendment be consistent with **Eugene Code (EC) Sections 9.8424(1)** and **EC 9.8424(2).** The proposal is found to be consistent with approval criteria at EC 9.8424(2) and EC 9.8424(1). Findings relative to the amendment criteria (with criteria in ***bold italics***) are presented below.

Consistency with EC 9.8424(1)

EC 9.8424(1) requires that the refinement plan amendment be consistent with all of the following:
(a) Statewide planning goals;
(b) Applicable provisions of the Metro Plan
(c) Remaining portions of the refinement plan.

The proposal is not found to be consistent with refinement plan amendment criteria in EC 9.8424(1). Staff findings relative to the amendment criteria (with criteria in ***bold italics***) are presented below.

A. Consistency with Statewide Planning Goals

Goal 1 Citizen Involvement: *To develop a citizen involvement program that insures the opportunity for citizens to be involved in all phases of the planning process.*

In its land use code, the City has State-acknowledged provisions for citizen involvement that ensure the opportunity for citizens to be involved in all phases of the planning process and that set out requirements for such involvement. The proposed action does not amend these citizen involvement provisions. The process for reviewing the proposed amendment complies with Goal 1 since it complies with, and surpasses the requirements of, the State-acknowledged citizen involvement provisions.

The City of Eugene land use code implements Statewide Planning Goal 1 by requiring that notice of proposed amendments be given and public hearings be held prior to adoption. Consideration of the amendments begins with a City of Eugene Planning Commission public hearing on August 14, 2007. On December 12, 2006, the City mailed notice of the proposed plan amendments and zone change to the Department of Land Conservation and Development, as required by the Eugene Code and in accordance with State statutes. Referral comments were requested on June 8, 2007. Referrals were sent to the Oregon Department of Transportation (ODOT), City of Springfield, Lane County, the Cal Young Neighborhood Association and to City departments, consistent with the Eugene Code. On June

29, 2007, notice of the Planning Commission public hearing was mailed to the applicant, and owners and occupants of property in the area, the Cal Young Neighborhood Association, and other interested parties who requested notice, in accordance with the Eugene Code. On June 29, 2007, notice was also posted in accordance with EC 9.7415(5). On July 11, 2007, notice of the Planning Commission public hearing was published in the *Register-Guard*, in accordance with the Eugene Code. In addition to public meetings and mailed notices, printed materials related to these proceedings were made available to the public at Planning and Development Department offices. An additional public hearing before the Eugene City Council will be scheduled following Planning Commission action. Notice to interested and affected parties will be provided for that hearing. The process for adopting this amendment is consistent with Goal 1 since it complies with, and surpasses the requirements of the State's citizen involvement provisions.

Goal 2 - Land Use Planning: *To establish a land use planning process and policy framework as a basis for all decisions and actions related to use of land and to assure an adequate factual base for such decisions and actions.*

The Eugene-Springfield Metropolitan Area General Plan (Metro Plan) is the policy tool that provides a basis for decision-making in this area. The Metro Plan was acknowledged by the State in 1982 to be in compliance with statewide planning goals. These findings and the record show that there is an adequate factual base for decisions to be made concerning the proposed amendments. Goal 2 requires that plans be coordinated with the plans of affected governmental units and that opportunities be provided for review and comment by affected governmental units. To comply with the Goal 2 coordination requirement, the City coordinated the review of the proposed amendments with all affected governmental units. Specifically, notice was mailed to the State Department of Land Conservation and Development, Oregon Department of Transportation (ODOT), Lane County, and the City of Springfield. There are no Goal 2 exceptions required for this amendment. Therefore, the amendment is consistent with Statewide Planning Goal 2.

Goal 3 - Agricultural Land: *To preserve and maintain agricultural lands.*

Goal 3 is not applicable to this amendment as the subject property and actions do not affect any agricultural plan designation or use. Goal 3 excludes lands inside an acknowledged urban growth boundary from the definition of agricultural lands. Since the subject property is entirely within its acknowledged urban growth boundary, Goal 3 is not relevant and the amendment does not affect the area's compliance with Statewide Planning Goal 3.

Goal 4 - Forest Land: *To conserve forest lands.*

Goal 4 is not applicable to this amendment as the subject property and actions do not affect any forest plan designation or use. Goal 4 does not apply within urban growth boundaries; therefore it does not apply to the subject property, which is within Eugene's UGB (OAR 660-006-0020). Therefore, Goal 4 is not relevant and the amendment does not affect the area's compliance with Statewide Planning Goal 4.

Goal 5 - Open Spaces, Scenic and Historic Areas, and Natural Resources: *To conserve open space and protect natural and scenic resources.*

OAR 660-023-0250 does not require local governments to apply Goal 5 in consideration of a post acknowledgement plan amendment (PAPA) unless the PAPA affects a Goal 5 resource. The subject property does not include any Goal 5 resource site. The proposed amendment does not create or

amend a list of Goal 5 resources, does not amend a plan or code provision adopted in order to protect a significant Goal 5 resource or to address specific requirements of Goal 5, and does not amend the acknowledged Urban Growth Boundary. Therefore, the proposed amendment is consistent with Statewide Planning Goal 5.

Goal 6 - Air, Water and Land Resources Quality: *To maintain and improve the quality of the air, water, and land resources of the state.*

Goal 6 addresses waste and process discharges from development, and is aimed at protecting air, water and land from impacts from those discharges. Nothing in the proposal or the character of the site or potential uses indicates a future development that would compromise air, water and land resources. The proposal does not amend the metropolitan area's air, water quality or land resource policies. Therefore, the amendment is consistent with Statewide Planning Goal 6.

Goal 7 - Areas Subject to Natural Disasters and Hazards: *To protect life and property from natural disasters and hazards.*

Goal 7 requires that local government planning programs include provisions to protect people and property from natural hazards such as floods, land slides, earthquakes and related hazards, tsunamis and wildfires. The subject property is relatively flat in the midst of an urban area, and is not located within known areas of natural disasters or hazards. The subject property is outside the FEMA flood zone and is not subject to hazards normally associated with steep slopes, wildfires, or tsunamis. Other hazards, such as earthquakes and severe winter storms can be mitigated at the time of development based on accepted building codes and building techniques. Therefore, this amendment is consistent with Statewide Planning Goal 7.

Goal 8 - Recreational Needs: *To satisfy the recreational needs of the citizens of the state and visitors and, where appropriate, to provide for the siting of necessary recreational facilities including destination resorts.*

Goal 8 ensures the provision of recreational facilities to Oregon citizens and is primarily concerned with the provision of those facilities in non-urban areas of the state. There are no public or private recreational facilities on or adjacent to the subject site. Therefore, the proposed amendment will not impact the provision of recreational facilities, nor will it affect access to existing or future recreational facilities. Therefore, the amendment is consistent with Statewide Planning Goal 8.

Goal 9 - Economic Development: *To provide adequate opportunities throughout the state for a variety of economic activities vital to the health, welfare, and prosperity of Oregon's citizens.*

The proposed amendment would change the property's plan designation from one that supports limited commercial use (Neighborhood Commercial) to another that supports a wider range of commercial uses (Community Commercial). Both designations would also allow a range of commercial uses. However, a C-2 zoning would allow for a wider range of uses. A zone change from one type of commercial zoning to another will not affect the supply of commercial land. The proposed reduction in Floor Area Ratio may further local goals for economic development by accommodating a wider range of commercial development in a wider variety of design, layout and intensity. As discussed in Section EC 9.8865(2) below, the proposed amendment is also consistent with several policies in the Eugene Commercial Lands Study (1992).

The Metropolitan Industrial Lands Special Study (1991) addresses the industrial land supply. Lands considered available for industrial uses are typically those which have an Industrial plan designation. The subject site does not have an Industrial designation, and has been zoned Commercial since 1992. Therefore, the proposed plan amendment would have no effect on the supply of available industrial land as predicted by the Industrial Lands Special Study. Based on this, the proposed amendment is consistent with Statewide Planning Goal 9.

Goal 10 - Housing: *To provide for the housing needs of the citizens of the state.*

Goal 10 requires that communities plan for and maintain an inventory of buildable residential land for needed housing units. The property affected by the proposed amendments was designated in the 1992 Willakenzie Area Plan as commercial, and was not included in the supply of land available for residential development, as documented in the adopted 1999 Residential Lands and Housing Study (Ordinance No. 20159, 1999). Therefore, changing the land use designation from residential uses will not affect the adopted residential lands inventory. A refinement plan amendment and subsequent zone change to C-2/Community Commercial could provide opportunities to add to the housing supply, by accommodating high density residential development. Based on fact that the amendment would have no effect on the adopted residential land supply, the proposed amendment is consistent with Statewide Planning Goal 10.

Goal 11 - Public Facilities and Services: *To plan and develop a timely, orderly and efficient arrangement of public facilities and services to serve as a framework for urban and rural development.*

The subject parcels are located within a partially developed commercial area. Adequate access to the City's stormwater system, public wastewater lines, water and power are available to the site. The existing level of public facilities and service is adequate to serve the needs of existing and future development. The provision of this amendment does not affect the planning or development of future public facilities or services. Therefore, the amendment is consistent with Statewide Planning Goal 11.

Goal 12 - Transportation: *To provide and encourage a safe, convenient and economic transportation system.*

Several streets border the site affected by the proposed amendments. Those streets are Crescent Avenue to the north; Chad Drive to the south; and Suzanne Way, connecting Crescent and Chad, and Coburg Road to the west. Crescent Avenue is classified as a Minor Arterial, and Chad Drive as a Major Collector on the City of Eugene Street Classification Map, adopted in 1999. Suzanne Way is a private street. All streets are fully improved.

Goal 12 is implemented through the Transportation Planning Rule (TPR), as defined in Oregon Administrative Rule OAR 660-012-0000, *et seq*. The Eugene-Springfield Metropolitan Area Transportation Plan (TransPlan) provides the regional policy framework through which the TPR is implemented at the local level. The TPR states that when land use changes, including amendments to acknowledged comprehensive plans, significantly affect an existing or planned transportation facility, the local government must put in place measures to assure that the allowed land uses are consistent with the function, capacity and performance standards of those transportation facilities.

Pursuant to OAR 660-012-0060(1), the TPR requires a determination of which transportation facilities will experience a significant effect as a result of the proposed plan amendment, and defines what constitutes a significant effect. A plan amendment is considered to significantly affect a transportation facility if, for example, the amendment will reduce the performance of the transportation facility below

the minimum acceptable performance standard (often described in terms of Level of Service standards or volume/capacity ratios). If a local government determines that an amendment would significantly affect a transportation facility, the local government must put in place measures to assure that the allowed land uses are consistent with the identified "function, capacity and performance standards" of the facility (OAR 660-012-0060(1)). An example of such a measure is conditioning approval on the construction of a minor street improvement.

The applicant's March 8, 2007, Traffic Impact Analysis (TIA) provided the traffic levels that would be generated by the uses in the approved PUD for Summer Oaks-Crescent Center and the traffic levels that the applicant anticipated would be generated by the land uses that the applicant would like to establish on the site. (Original TIA is dated January 4, 2001, revised February 21, 2001.) Regarding traffic generation estimations based on the approved PUD, the applicant's TIA provided traffic data for a 4-story, 80,000 s.f. office building and a 6,000 s.f. restaurant on the portion of the PUD site that is the subject of this application.[1]

In response to staff's request for additional information, on August 9, 2007, the applicant submitted a supplemental TIA. The August 9 TIA provided a comparison of "worst case" scenarios under the existing C-1 designation and the proposed C-2 designation, and included data on existing levels of service (LOS) for nearby streets, and how those levels may be affected by traffic generated by allowable uses if the amendments and zone change were approved. All of the traffic impact data in the applicant's supplemental TIA relates to traffic conditions 2008. Based on the analyses in the TIA, the number of PM peak hour trips in 2008 if the site is developed under the current PUD approval (which could occur without the proposed amendments and zone change) ranges from 234 to 322. The number of PM peak hour trips anticipated in a worst case scenario under the existing C-1 zone and plan designation is 714. The traffic generated by the proposed C-2 designation is anticipated to be 1,196 PM peak hour trips. Pursuant to Table 6 of the applicant's supplemental TIA, in 2008 the proposed amendment would significantly effect a transportation facility (Crescent Avenue at Coburg Road). The applicant provides that "the proposed amendments will have a significant effect on the transportation system at the beginning of the planning period and thus at the end of the planning period."

To mitigate the proposed amendment's significant affect on the transportation facility the applicant proposes that the land use density and designation be required to limit the total number of PM peak hour trips, as measured by the ITE Trip Generation Manual, so as not to exceed the number of PM peak hour trips expected under the reasonable worst case under the existing C-1 zoning. Specifically, the applicant proposes a trip cap of 1588 daily trips and 213 PM peak hour trips on future uses of the site to mitigate the effect of the proposed amendment on the impacted transportation facilities.[2] The proposed trip cap reduces the number of trips to an amount less than is currently allowed under the existing C-1 zone. Accordingly, it is reasonable to conclude that the net effect of the proposed plan amendment and zone change with the trip cap will result in an overall reduction in the total number of trips on the surrounding transportation facilities; thus, with the trip cap, the allowed land uses would be

[1] The PUD for Summer Oaks-Crescent Center approval is currently in effect and governs development on this site. All new uses proposed for the site will be required to comply with the existing PUD; any significant change will require a new PUD. The proposed zone change to C-2 would accommodate the property owners' plans for a new extended stay hotel of approx. 100,000 s.f. (139 units), and a catering business of approx. 15,000 s.f., with 10,000 s.f. of office and 5,000 s.f. of specialty retail.

[2] The applicant's new desired uses for the site (hotel and catering business, etc.) are expected to generate up to 300 fewer daily vehicle trips than the approved PUD, and up to 27 fewer during the PM peak hour, with an expected 213 PM peak hour trips. While these uses were the basis for the applicant's proposed trip cap, the trip cap would apply to any future uses on the site.

consistent with the identified function, capacity and performance standards of the impacted transportation facilities.

The proposed reduction in Floor Area Ratio, as the applicant proposes, does not change the trip generation estimates or compliance with TPR, as the estimates are based on a rate-per unit that is multiplied by the size/scale of the proposed use, using scenarios with equal Floor Area Ratio.

Goal 13 - Energy Conservation: *To conserve energy.*

The proposed plan amendment does not specifically impact energy conservation. Therefore, the proposal is consistent with Statewide Planning Goal 13.

Goal 14 - Urbanization: *To provide for an orderly and efficient transition from rural to urban land use.*

The amendment does not affect the transition from rural to urban land use, as the subject property is already within the City limits. Therefore, Statewide Planning Goal 14 does not apply.

Goal 15 - Willamette River Greenway: *To protect, conserve, enhance and maintain the natural, scenic, historical, agricultural, economic and recreational qualities of lands along the Willamette River as the Willamette River Greenway.*

The subject property is not within the boundaries of the Willamette River Greenway. Therefore, Statewide Planning Goal 15 does not apply.

Goals 16 through 19 - Estuarine Resources, Coastal Shorelands, Beaches and Dunes, and Ocean Resources:

There are no coastal, ocean, estuarine, or beach and dune resources related to the property affected by these amendments. Therefore, these goals are not relevant and the amendment will not affect compliance with Statewide Planning Goals 16 through 19.

B. Consistency with applicable provisions of the Metro Plan

(1) Nodal Development Designation

"Nodal development is a mixed-use pedestrian-friendly land use pattern that seeks to increase concentrations of population and employment in well-defined areas with good transit service, a mix of diverse and compatible land uses, and public and private improvements designed to be pedestrian and transit oriented."

The Metro Plan Diagram shows the subject site within a nodal development area. The above Plan description of nodal development areas is implemented through the /ND Nodal Development overlay zone in the Eugene Land Use Code, which the applicant also proposed to maintain. The Willakenzie Area Plan land use diagram established a nodal development overlay zone for the Crescent Avenue Nodal Development Area (including the subject site and Crescent Village to the north). The applicant proposes to maintain the area's /ND overlay zone. The proposal to change the refinement plan designation and zoning of the property is consistent with the Metro Plan's description of nodal development areas.

In fact, the proposed zone change to C-2 would make it possible for the applicant to seek approval for a greater range of uses on the site. With an amendment to the existing PUD and within the confines of the proposed trip cap, the C-2 zoning could allow the applicant to develop uses that provide more concentrated employment centers, such as large office buildings, and uses that provide a wider range of commercial services, such as a large retail establishment, uses allowed in a C-2 zone, but not in C-1. Both the C-1 and C-2 zones allow a mix of uses, such as higher density residential development mixed with neighborhood commercial uses on the ground floor. However, the C-2 zone could accommodate higher density residential development, given the height limit in C-1 of 35 feet. This flexibility in the range and mix of uses can potentially further the goals of nodal development. The proposed reduction in FAR is a moderate reduction from a high FAR. The allowance of a lower FAR for these two parcels is not inconsistent with nodal development as described in the Metro Plan.

The proposal is consistent with this Metro Plan provision. The findings related to consistency of the proposal with the Willakenzie Refinement Plan in Section EC 9.8424(1)(c), and consistency with the nodal development area designation in Section EC 9.8424(2)(c), below, apply to consistency with the Metro Plan, and are also incorporated herein by reference.

(2) Commercial Designation

The Metro Plan Diagram designates the subject site as Commercial, without the cross-hatching that would indicate a "major retail center." The size and location of the site are not appropriate for a major retail center. The Community Commercial designation is intended for more intensive commercial activities, but less intensive than major retail centers. If the requested zone change were approved, approximately 4 acres within Summer Oaks – Crescent Center would be Community Commercial, and approximately 6 acres Neighborhood Commercial.

Neighborhood Commercial areas are not shown on the Metro Plan land use diagram, but are typically indicated in local refinement plans or special area plans. Neighborhood Commercial areas are intended to be "oriented to the day-to-day needs of the neighborhood served..." and characterized by convenience goods and personal services. Neighborhood Commercial sites "...shall be no more than five acres, including existing commercial development. The exact size shall depend on the numbers of establishments associated with the center of the population to be served" (Metro Plan II-G-4). The subject property is in a C-1 zoned area that is over 10 acres in size. Approval of the requested zone change would retain approximately 3 acres of neighborhood commercial areas along the south side of Crescent Avenue, and approximately 3 acres zoned Neighborhood Commercial west of the site, bringing remaining C-1-zoned areas closer to the Metro Plan's 5-acre size threshold. The proposal is consistent with the Metro Plan provisions.

C. Consistency with remaining portions of the refinement plan

The Willakenzie Area Plan (WAP) is the applicable refinement plan for this proposal. Approval of the request would amend WAP policies to add language specific to the site, and would amend the designation of the site on Inset Map D of the Coburg/Crescent Subarea of the WAP from Neighborhood Commercial to Community Commercial.

Willakenzie Area Plan Land Use Policies:

2.2 ***Apply the /SR Site Review suffix to all parcels zoned or designated for C-1 Neighborhood Commercial or C-2 General Commercial development in the Willakenzie planning area, using the Willakenzie Commercial Siting and Development Guidelines as the review criteria. These guidelines will be used to evaluate commercial development and redevelopment proposals until such time as the City adopts citywide commercial development standards or guidelines.***

The site currently has the /SR overlay, which the applicant proposes to retain. The Site Review process involves a land use application with public notice and opportunity for appeal, that includes consideration of adopted refinement plan policies in the decision. In addition, new citywide commercial standards have been adopted that also address neighborhood compatibility and other design goals. The proposed amendments and zone change are consistent with Policy 2.2.

5. ***Site review procedures or special development standards shall be considered for properties which abut or face one another, when the uses permitted on those properties are potentially incompatible.***

The change from C-1 to a C-2 zoning increases the potential for higher intensity commercial uses that may not be compatible with the adjacent neighborhood commercial areas. While the /ND overlay prohibits auto-oriented uses, it does not prevent other, potentially incompatible C-2-type uses. Approval processes such as Site Review or Planned Unit Development procedures can address most design and compatibility issues, such as building locations, bulk and height, pedestrian circulation, and screening. The PUD process further allows the flexibility to adjust development standards (subject to compliance with applicable refinement plan policies and a public hearing process) to better address particular site issues, such as compatibility or, in the case of the applicant's proposal, a reduced Floor Area Ratio.

Like many other parcels within the Crescent Avenue Nodal Development area, the site currently has the Site Review overlay zone. It does not currently have the Planned Unit Development overlay zone. However, the approved PUD currently in effect for Summer Oaks-Crescent Center was originally initiated by the property owner and, now that a PUD has been approved, any significant change to that approval will require a new PUD. The applicant proposes new policy language that would allow variation from the approved PUD, provided that traffic volumes are limited to a specified number, and that the proposed uses and impacts are reviewed through a PUD process. The PUD process is an appropriate process for reviewing traffic and other impacts in a comprehensive manner. Along with the Site Review Process, the Planned Unit Development review process will help ensure that the that future C-2-type development will be compatible with surrounding development. With these provisions, the requested amendments and zone change are consistent with this policy.

7. ***Mixed-use developments that combine living, working, and shopping opportunities shall be encouraged in the study area.***

Mixed use developments can be accommodated in both C-1 and C-2 zones currently available throughout the sub-area and the Crescent Avenue Nodal Development area, such as within Crescent Village to the north, the C-1-zoned area along Coburg near Kinney Loop, and along Crescent Avenue (2.72 acres). This policy applies to the broader Coburg-Crescent subarea, and does not specify that mixed uses should be located or encouraged within Summer Oaks-Crescent Village. Nonetheless, a C-2/Community Commercial designation of approximately 4 acres at Summer Oaks-Crescent Center can support mixed use development by allowing a

wide range of uses such as commercial, office and high density residential. A Floor Area Ratio of .70 rather than 1.0 does not preclude mixed-use development (see also discussion under EC 9.8424(2)(b), below). Based on this, the requested amendments and zone change are consistent with Policy 7.

Willakenzie Area Plan General Commercial and Industrial Policies:

3. ***Encourage the consolidation of parking lots, development of joint access, and use of access controls on commercial and industrial development.***

   The existing, approved Summer Oaks-Crescent Center planned development/site review agreement includes the establishment of joint access to parking areas. The proposed change to C-2 zoning and Floor Area Ratio reduction will not preclude the consolidation of parking lots and shared access. The Site Review or PUD approval process will require that any future development proposals address efficient, functional layout of parking areas and pedestrian and bicycle circulation. The proposed amendment is consistent with this policy.

Willakenzie Area Plan Coburg/Crescent Subarea Policies:

2. ***The City shall recognize the area south of Crescent Avenue and west of Shadow View Drive, as depicted on the Willakenzie Land Use Diagram (and as refined by Inset Map D) as appropriate for the expansion of Neighborhood Commercial development. The Neighborhood Commercial site shall not exceed 10 acres in size. Uses in this commercial area are intended to serve the day-to-day shopping and service needs of residents and employees of the surrounding area. (Policy 2, page 64.)***

   This policy is specific to the subject site, and is the policy proposed to be changed. The proposed language (see page 19, below) would provide the policy basis for rezoning a portion of Summer Oaks-Crescent Center from C-1 to C-2, and for reducing the Floor Area Ratio from 1.0 to .70. The existing policy is included here for reference only. The amendment criteria do not require consistency with the policy being changed, but with remaining policies. While the adopted refinement plan map specifically identified the subject site as appropriate for Neighborhood Commercial and not appropriate, at the time, for Community Commercial, it should be noted that this policy does not specifically prohibit a reduction in the size of the Neighborhood Commercial area. (Please see other sections below for further discussion of the proposed amendment.)

7. ***The City shall encourage the development of commercial uses which provide direct services to employees and residents of the surrounding areas. Examples include restaurants, financial institutions, day-care centers, health clubs, grocery stores, delicatessens, drug stores, and recreational facilities...***

   The current C-1/Neighborhood Commercial designation for the site was intended to encourage uses that are *"oriented to the day-to-day needs of the neighborhood served..." and characterized by convenience goods and personal services"* (Purpose of neighborhood commercial, Metro Plan II-G-4). Providing uses that serve the neighborhood also helps reduce reliance on the automobile, a goal of nodal development. Retaining the current zoning can encourage uses that provide direct services to employees and residents of the surrounding area, rather than drawing on a larger base needed by some C-2/community commercial uses. In addition, the C-1 zone contains size limits (5,000 s.f.) for retail uses that promote small

businesses. Such small businesses, such as a shoe repair shop, delicatessen, or hair salon, are likely to be locally-owned, to support, and be supported by neighboring residences and employment centers. Certain large, C-2-type uses may not provide direct services to the area, and can even supplant smaller businesses. In addition, certain C-2 uses by virtue of their intensity and scale are potentially incompatible with surrounding neighborhood commercial uses. For example, the height limit in C-1 is 35 feet, as compared to 120 feet in C-2.

The owners' planned extended stay hotel and catering business are not allowed in the C-1 zone. Both are too large for the current C-1 size limit of 5,000 s.f., and the "small business incentives" in C-1 that allows up to 10,000 s.f. if the Floor Area Ratio is at least .65. A hotel is excluded from the list of allowed uses in C-1, presumably because it typically draws from a more regional base, and rarely provides direct services to the neighborhood. However, an extended stay hotel may be a better "fit" than other types of lodging in a neighborhood commercial/nodal development area. These types of hotels generally see an average stay of 1 to 2 weeks, and typically do not provide on-site services. As a result, extended stay hotel "residents" are more likely to use and support neighboring services, such as gyms, grocery stores (to supply kitchenettes), and specialty retail shops. In addition, as the applicant points out, an extended stay hotel can serve the residents of the area by providing lodging for visiting family within walking distance of high density residential areas. The planned catering business is on the scale of a wholesale distributor (the category used in the submitted Traffic Impact Analysis), will have very few employees, and very little direct exchange with the local neighborhood. It should be noted that the current PUD approval already allows a 6,000 s.f. restaurant on Lot 4 and an 80,000 s.f. office building on Lot 5. Notwithstanding the owners' development plans, it must be assumed that, if the plan amendment and zone change are approved, other more or less compatible C-2 uses may occur on the site.

A C-2/Community Commercial designation can provide for a wider range of uses, a wider range of services, more dense employment and residential centers, and higher development densities than can be achieved through C-1 zoning. Most of the uses allowed in C-2 can provide the "direct services" anticipated by this policy. In addition, most uses allowed in the C-2 zone are not inherently incompatible with Neighborhood Commercial, a concern that arises usually because of their design or scale. Special development standards, such as required in Site Review or a PUD process, can address most issues of scale, form, character and relationship to surrounding uses. The Site Review process is already required for this site, as noted in the discussion under EC 9.8424(1)(c), Policy 5, above. Further, in order to implement the requested reduction in Floor Area Ratio, a PUD process will also be required by the proposed policy language.

While the owners' planned uses may not further the above policy, these and other C-2 uses are not necessarily inconsistent with it. Policy 7 is "aspirational," in the sense that it uses the term "encourage" as opposed to mandating compliance with clear and objective standards. Another reason that C-2/Community Commercial designation does not conflict with Policy 7 is that this policy does not specify that neighborhood commercial uses must be located within Summer Oaks-Crescent Center. The policy applies to the Coburg-Crescent subarea, which includes almost all of the nodal development area. As is typical for a nodal development area, the Crescent Avenue Nodal Development Area provides a mix of C-1 and C-2 zoning. Within the node, uses that provide neighborhood commercial services are provided elsewhere, in the Neighborhood Commercial area along Coburg near Kinney Loop, and the remaining Neighborhood Commercial area within Summer Oaks-Crescent Center (2.72 acres along Crescent, plus approximately 3 acres already developed with office uses). In addition

to these areas, Crescent Village to the north of the site is being developed as a mixed use center intended for neighborhood commercial uses, community commercial uses (a grocery store), and high density residential development. Although there is not an area specifically zoned C-1/Neighborhood Commercial in Crescent Village, neighborhood commercial-type uses are included in the development plans. For these reasons, a Neighborhood Commercial designation may no longer be necessary or desirable at the subject site.

There is a potential that the site could be developed with some C-2/Community Commercial uses that are much more intense than what was ever anticipated for the area in the Coburg-Crescent Sub-Area policies. However, there are several limiting factors that reduce the likelihood of that. First is the relatively small size of the development site (3.11 acres and 1.02 acres, for approx. 4 acres total). Parcel size and the /ND overlay zone would prohibit "big box" retail and many higher-impact C-2 uses retail. The proposal adds trip cap language that limits the intensity of any future uses. Also, the Site Review overlay zone (and additional Planned Unit Development review) and new commercial development standards (at EC 9.2170) would require that development on the site be designed to be compatible with surrounding uses, and address such design issues as scale, bulk, and circulation patterns.

The application includes proposed policy language that would allow C-2 uses with a "trip cap." The proposed trip cap helps limit intensity of possible uses that might be incompatible (see also discussion under Section EC 9.8424(1)(a) above, Statewide Goal 12 findings). However, relatively minor changes to the proposed policy are recommended. First, the proposed language is too broad, in that it requires the City to allow development (of any use, scale, character, etc.) so long as it does not exceed a certain trip cap. Traffic impacts/development intensities are not the only PUD approval criteria. Where possible, refinement plan language should avoid mandating approval of specific details that are the subject of separate, discretionary land use permits and additional public review processes, so the terms "the City shall approve..." should be revised to "the City may approve..." Also, any significant change to the approved PUD will require a new PUD, so the relationship of future C-2 uses to the previously approved 80,000 & 6,000 s.f. uses would no longer be relevant as a refinement plan policy. The reference may be removed without affecting the validity of a trip cap. Recommended, revised policy language would help clarify the intent and applicability of the proposed limits on future uses (see page 19).

Rezoning the site to C-2/Community Commercial does not preclude various C-1 uses or uses that provide for the day-to-day needs of residents and employees. A C-2 zone would provide more flexibility in uses, allowing a range of housing and commercial uses that can provide direct services. However, certain C-2 uses might be incompatible with the intent of the Policy 7. The proposed amendments, including revised policy language (as revised below on page 19) that accommodates a range of C-2 uses while limiting intensity and impacts through a "trip cap," would be consistent with this policy. The proposed FAR reduction does not conflict with Policy 7.

Consistency with EC 9.8424(2)

The refinement plan amendment addresses one or more of the following:
(a) An error in the publication of the refinement plan.
(b) New inventory material which relates to a statewide planning goal.

(c) New or amended community policies.
(d) New or amended provisions in a federal law or regulation, state statute, state regulation, statewide planning goal, or state agency land use plan.
(e) A change in circumstances in a substantial manner that was not anticipated at the time the refinement plan was adopted.

As discussed below, the plan amendment is consistent with approval criterion EC 9.8424(2), specifically, both subsections (c) and (e) above.

(c) New or amended community policies.

1. **Adoption of Nodal Development Overlay Zone.**
The site was designated C-1/Neighborhood Commercial in the 1992 Willakenzie Area Plan (WAP). Subsequent to the C-1 commercial zoning of the site, the Nodal Development overlay zone was also adopted for the Crescent Avenue Nodal Development Area (including the subject site and Crescent Village to the north). The WAP land use diagram implements this nodal development area. The purpose of the nodal development area, as stated in adopted Metro Plan provisions and the Eugene Land Use Code is as follows:

***"Nodal development is a mixed-use pedestrian-friendly land use pattern that seeks to increase concentrations of population and employment in well-defined areas with good transit service, a mix of diverse and compatible land uses, and public and private improvements designed to be pedestrian- and transit-oriented"*(Metro Plan II-G-8).**

"The /ND Nodal Development overlay zone is intended to direct and encourage development that is supportive of nodal development and to protect identified d nodal development areas from incompatible development prior to adoption of nodal development plans and implementing land use regulations..."(EC 9.4250).

Several Metro Plan policies direct local jurisdictions to designate nodal development areas. The key Metro Plan policy related to nodal development, applicable to the current request is:

F.3 Provide for transit-supportive land use patterns and development, including higher intensity, transit-oriented development along major transit corridors and near transit stations; medium- and high-density residential development within 1/4 mile of transit stations, major transit corridors, employment centers, and downtown areas; and development and redevelopment in designated areas that are or could be well served by existing or planned transit.

<u>Comparison of C-1/Neighborhood Commercial to C-2/Community Commercial</u>
One of the primary purposes of the Nodal Development (ND) overlay zone was to prevent incompatible development, such as "big box" retail and auto-oriented uses, until more specific area plans could be adopted. One of the standards specified in the ND overlay zone states: " No new building designed to be occupied by retail uses may exceed 50,000 square feet of building area...." (EC 9.4280(2)(b). While the proposed change to C-2/Community Commercial might allow intensive C-2-type uses, the "big box" otherwise allowed in a C-2 zone would not be allowed at this site, due to the size limit in the ND overlay. In addition, proposed policy language includes a trip cap that would preclude big box retail and similar uses. While the ND overlay zone specifically restricts only auto-oriented uses, it does not itself prohibit hotels, catering services or similar community commercial uses.

The proposed change to Community Commercial would allow a greater range of uses than Neighborhood Commercial, uses that might concentrate more residential uses, employment and services in the area. For example, high density residential development with neighborhood commercial uses on the ground floor is an appropriate mixed use in nodal development areas. However, the 35-foot height limit in C-1 may make it more difficult to achieve the multiple story development required to achieve the most efficient use of land in an urban area. The flexibility of a Community Commercial designation to accommodate a wider range of uses and development intensities than Neighborhood Commercial potentially provides more flexibility to respond to market changes and to surrounding growth, which can further the goals of nodal development.

Floor Area Ratio (FAR) Reduction

The ND overlay zone established the FAR of 1.0 for the area after the approval of the original PUD. An FAR of 1.0 is required whether the zone is C-1 or C-2. This new FAR requirement does not apply to the approved PUD, but would be triggered by a new PUD. The owners' planned extended stay hotel would have an FAR of .89; however, other uses would have a lower FAR. The applicant proposes a minimum site FAR of .70. The applicant maintains that an FAR of 1.0 is not feasible for a hotel or many other commercial uses. According to the applicant, alternative designs for the site were explored in an attempt to meet 1.0 FAR; however, even adding another story to the hotel did not meet 1.0 FAR, due to requirements for parking and circulation. As a comparison, the uses approved in the PUD prior to adoption of the ND overlay zone have an approximate FAR of .69. Notwithstanding the owners' immediate development plans, the .70 FAR, if approved, would apply to other C-2-type development on the site.

Generally, the higher the FAR, the more compact urban development can be achieved. A relatively high FAR generally furthers the goals of the ND overlay zone, and mixed-use, compact urban development. A moderately high FAR of .70 as proposed, does not necessarily prevent efficient development patterns. Moreover, the 5,000 s.f. size limit and 35-foot height limit in C-1 may hinder efforts to reach 1.0 FAR. Coupled with a C-2/Community Commercial designation, which allows taller and larger buildings than C-1/Neighborhood Commercial, a FAR of .7 may accommodate more dense urban development on the site than a 1.0 FAR with C-1 zoning.

The proposed amendments and FAR reduction would not be inconsistent with the purpose of the Crescent Avenue Nodal Development area established in the Willakenzie Area Plan. Based on the discussion above, the request meets this approval criterion.

2. **New policies have been adopted for the Nodal Development Area.**

In 2003, the City Council amended WAP policies for the Crescent Avenue Nodal Development Area that were intended to facilitate development of Crescent Village (north of the subject parcels) into a mixed use center. Adopted policies establish zoning that allows commercial, office, mixed use commercial and high density residential uses for this 40-acre site. Neighborhood commercial-type uses are allowed within the various zoning designations on the site, along with relatively large, intensive commercial uses, such as a 100,000 s.f. office building and a 50,000 s.f. grocery store. As part of the plan amendment process, the property owner requested, and obtained, a provision for reducing the Floor Area Ratio (FAR) from 1.0 to .40 in commercial areas in Crescent Village. However, adopted refinement plan policy language for Crescent Center allows variation from approved PUD uses and the FAR reduction only with a "trip cap," and only through the PUD approval process. The current request is similar to, and consistent with this precedent.

Since the adoption of these new policies, the City has approved a PUD for Crescent Village. This will result in a significant increase in the amount of neighborhood commercial-type uses (now under construction) in the nodal development area. The proposal to change approximately 4 acres in Summer Oaks-Crescent Center to C-2/Community Commercial is not likely to prevent the development of uses that serve the direct needs of area employees and residents, as most of that role is now being fulfilled by Crescent Village. As a FAR of .4 was approved for all commercial-zoned areas within Crescent Village, presumably to facilitate mixed use development, a FAR of .7 for approximately 4 acres within the node would be consistent with this precedent.

(e) A change in circumstances in a substantial manner that was not anticipated at the time the refinement plan was adopted.

The WAP established the C-1/Neighborhood Commercial designation for the site. Since then, the Metro Plan and Willakenzie Area Plan have been amended to apply the Nodal Development Overlay to this site and others, and other nodal development areas are now being developed.

The ND overlay zone does not prescribe the mix of uses or zones, and has minimal development standards. As a result, implementation of nodal development has been primarily through special area plans that prescribe uses and standards. Special area plans have been developed for 2 nodes (now zoned "Special Area Zone"), Chase Village and Royal Node. As a comparison to the current request, both Chase Node and Royal Node allow community commercial-type uses. Neither allow hotels, even in commercial zones. Bed & Breakfast establishments are allowed, subject to size limits. A catering service is allowed in both nodes. However, in both nodes, the size of commercial uses is limited: up to 20,000 s.f. for retail uses in Chase Node and 30,000 for any individual business in Royal Node (compared to approx. 15,000 s.f. and 100,000 s.f. proposed in current request, and 80,000 s.f. already approved for the site). Clearly, large, high-intensity commercial uses were not seen as appropriate uses in these other nodes. However, the character, location and surrounding uses of the Crescent Avenue Nodal Development Area, may warrant a different mix of uses. For example, remaining undeveloped areas within the Crescent Avenue area may be more suitable for providing intensive employment areas, being located within a 1/2 mile of the freeway on/off ramps, and surrounded by a large area of campus industrial uses.

During the development of the Chase Node plan, FAR minimums were considered and, ultimately, not adopted. At the time, it was believed that a 1.0 FAR was not possible for the types of uses anticipated for Chase Node, such as a grocery store and high density residential development, particularly given the parking requirements; and the standard was not easy to regulate where development was to be phased in over time. Alternatively, there are standards that establish minimum residential densities, and building heights of at least 2 floors in certain areas. Maximum building heights are 50 feet in commercial areas, or 120 feet in mixed use areas. The Royal Node special area plan sets building height limits of 50 feet in commercial and mixed use areas, and established a minimum FAR of .50 for stand-alone commercial uses. An FAR of .4 or .5 is not unreasonable outside of the downtown. In the C-1 zone's "small business incentive," the individual business size limit may be increased to 10,000 s.f., provided it meets an FAR of .65.

As another comparison, Crescent Village to the north of the site is being developed as a mixed use center intended for neighborhood commercial uses, community commercial uses (a grocery store), and high density residential development. Much of this is now constructed or under construction. Crescent Village policy language adopted in the WAP allowed a significant reduction in FAR to .40. Testimony during that refinement plan amendment indicated that it was difficult to achieve FAR 1.0 without cost-prohibitive structured/underground parking, due to code requirements for parking, landscaping, setbacks, etc. Although this argument was based on assumptions for a mix of GO, C-2 and R4 uses for a much larger site, some reduction in FAR may be appropriate for similar reasons for the Summer Oaks-Crescent Center site.

The proposed amendments, zone change and FAR reduction are generally consistent with the types of zoning and FAR levels seen in other mixed uses/nodal development areas.

Zone Change Approval Criteria

The proposal is to rezone the subject property from the existing zoning of C-1/SR/ND, Neighborhood Commercial zone with Site Review and Nodal Development overlay to C-2/SR/ND, Community Commercial zone with Site Review and Nodal Development overlay. The proposal is found to be consistent with the zone change approval criteria. Findings relative to the amendment criteria (with criteria in ***bold italics***) are presented below.

Compliance with EC 9.8865

EC 9.8865 requires that the zone change meet the following criteria:

(1) The proposed change is consistent with applicable provisions of the Metro Plan. The written text of the Metro Plan shall take precedence over the Metro Plan diagram where apparent conflicts or inconsistencies exist.

(2) The proposed zone change is consistent with applicable adopted refinement plans. In the event of inconsistencies between these plans and the Metro Plan, the Metro Plan controls.

(3) The uses and density that will be allowed by the proposed zoning in the location of the proposed change can be served through the orderly extension of key urban facilities and services.

(4) The proposed zone change is consistent with the applicable siting requirements set out for the specific zone in: (a) EC 9.2150 Commercial Zone Siting Requirements.

(5) In cases where the NR zone is applied based on EC 9.2510(3), the property owner shall enter into a contractual arrangement with the city to ensure the area is maintained as a natural resource area for a minimum of 50 years.

(1) Consistency with applicable provisions of the Metro Plan

Approval of the zone change is dependent upon approval of the refinement plan diagram and map amendment (discussed above). The findings related to consistency with the Metro Plan under EC 9.8424(1)(b) above, are incorporated herein by reference.

(2) Consistency with applicable adopted refinement plans

Willakenzie Area Plan:
Approval of the zone change is dependent upon approval of the refinement plan diagram and map amendment (discussed above). The findings related to consistency with the Willakenzie Area Plan (refinement plan) under EC 9.8424(1) above, are incorporated herein by reference.

Other applicable refinement plans:

The 1992 Eugene Commercial Lands Study (ECLS) contains policies related to commercial and neighborhood commercial zoning. It contains one policy specifically related to the Willakenzie area. These policies are discussed below.

11.0 Promote neighborhood-oriented commercial facilities and community commercial areas rather than additional major retail centers.

The proposed amendment to allow a wider range of commercial uses would encourage commercial development in an existing commercial area rather than in outlying major retail centers. Further, its relatively small size (approx. 4 acres) is typically too small to support a regional retail center. The proposal is consistent with Policy 11 of ECLS.

16.0 Take steps to address the underlying goal in the Metro Plan to have viable neighborhood commercial uses that meet the needs of nearby residents and reduce the use of the automobile.

This policy has been implemented citywide in a number of ways, particularly through the creation of nodal development areas. Within the Crescent Avenue Nodal Development area, a significant amount of commercial, office and residential development is now in place, which serves the residents of the area. A zone change to C-2 for approximately 4 acres within the node is not likely to affect the viability of providing for such uses throughout the node. The proposal is consistent with Policy 16 of the ECLS.

18.0 Identify appropriate areas within the Willakenzie subarea to accommodate office development and address neighborhood commercial needs. In identifying commercial sites, evaluate impacts on traffic patterns and surrounding land uses.

18.1: Consider the following new C-1 Neighborhood Commercial sites:

a. About 3 acres in size, at the southwest corner of Willagillespie and Clinton;

b. About 5 acres in size, along the south side of Willakenzie, west of the Sheldon Plaza Center. Also consider expansion of General Office zoning west of Sheldon Plaza, north of Cal Young Road;

c. About 10 acres in size, south of the future extension of Crescent, and west of the future Shadow View Drive;

d. Expansion of the existing neighborhood commercial site near the northerly intersection of Coburg Road and County Farm Loop to include a total of about 13 acres; and

e. About 5 acres in size, on the north side of Ayers Road, west of Gilham Road.

This policy was implement through the adoption of C-1 zoning for Summer Oaks -Crescent Center. While implementation Strategy 18.1 suggests consideration of a Neighborhood Commercial area size of 10 acres, the adopted policy does not require that these specific acreages be zoned for Neighborhood Commercial. Approval of the request would leave an area of Neighborhood Commercial zoning along Crescent Ave of approximately 3 acres. In addition, office development and neighborhood commercial developments are provided in other areas within the nodal development area. The proposal is not inconsistent with Policy 18 of the ECLS.

23.0 Foster the development of attractive and functional commercial areas that not only increase property values, but enhance Eugene's reputation as a pleasant, productive and attractive community in which to live or do business. Recognize that innovative building designs and neighborhood-enhancing streetscapes....are key factors in the success of such developments.

A C-2 zoning for the subject parcels is as likely as a C-1 zoning to contribute to attractive and functional commercial areas. The application of an overlay zone that requires design review, such as Site Review Overlay or PUD overlay, and adopted commercial development standards will help ensure that future proposed development is attractive, functional and compatible with the neighborhood. The proposal is consistent with Policy 16 of the ECLS.

(3) The uses and density that will be allowed by the proposed zoning in the location of the proposed change can be served through the orderly extension of key urban facilities and services.

The following key urban facilities and services, as defined in the Metro Plan, are currently available to the subject property, or can be extended in an orderly and efficient manner to serve future development: wastewater service, stormwater service, transportation, solid waste management, water service, fire and emergency medical services, police protection, city-wide parks and recreation programs, electric service, land use controls, communication facilities, and public schools on a district-wide basis. Details related to how/when/where those facilities and services are provided remain to be resolved in the context of any future development proposal. In regards to transportation, the findings under EC 9.8424(1), under Statewide Planning Goal 12, above, are incorporated herein by reference.

(4) The proposed zone change is consistent with the applicable siting requirements set out for the specific zone in: (a) EC 9.2150 Commercial Zone Siting Requirements.

The commercial zone siting requirements at EC 9.2150 only affect properties proposed for C-1 or C-4 zoning. There are no siting requirements in the Eugene Code for overlay zones. The proposed zone change is consistent with this criterion.

(5) In cases where the NR zone is applied based on EC 9.2510(3), the property owner shall enter into a contractual arrangement with the city to ensure the area is maintained as a natural resource area for a minimum of 50 years.

The above criterion is not applicable, as the proposed zone change does not include application of the NR zone.

Code Amendment Approval Criteria

The proposal is to amend the Eugene Land Use Code 9.9700 to incorporate new policy language resulting from the Willakenzie Area Plan amendment (described above), which would support a Community Commercial designation and Floor Area Ratio of .70 for the site. Incorporating policy language into this section of the Eugene Land Use Code allows the application of those policies to Site Review applications, subdivisions and partitions.

Consistency with EC 9.8065

The code amendment approval criteria are set forth in Eugene Code Section 9.8065. Eugene Code Section EC 9.8065(1) requires that the code amendment be consistent with applicable statewide planning goals as adopted by the Land Conservation and Development Commission. Eugene Code Section EC 9.8065(2) requires that the refinement plan amendment be consistent with applicable provisions of the Metro Plan and applicable adopted refinement plans.

The proposal is found to be consistent with code amendment approval criteria. Findings relative to the amendment criteria (with criteria in ***bold italics***) are presented below.

(1) Consistency with applicable Statewide Planning Goals

The findings related to consistency with applicable Statewide Planning Goals under EC 9.8424(1)(a) above, are incorporated herein by reference.

(2) Consistency with applicable provisions of the Metro Plan and applicable adopted refinement plans.

The findings related to consistency with applicable provisions of the Metro Plan under EC 9.8424(1)(b) above, and applicable adopted refinement plans under 9.8424(1)(c) above, are incorporated herein by reference.

REVISED WILLAKENZIE AREA PLAN POLICY LANGUAGE

(**Bold** = applicant's proposed changes; ***italics*** = additional City-recommended changes):

2.0 The City shall recognize the area south of Crescent Avenue, north of and west of Shadow View Drive, as depicted on [~~the Willakenzie Land Use Diagram (and as refined by~~] Inset Map D[~~)~~] **as "Summer Oaks - Crescent Center"** as appropriate for the expansion of Neighborhood **and Community** Commercial development. The Neighborhood Commercial **portion of Summer Oaks – Crescent Center** [~~site~~] shall not exceed [~~10~~] **7** acres in size. Uses in [~~this~~] **the neighborhood** commercial area are intended to serve the day-to-day shopping and service needs of residents and employees of the surrounding area. **The Community Commercial portion of Summer Oaks - Crescent Center shall be zoned C-2/SR/ND Community Commercial with site review and nodal development zoning overlays. *Through the PUD approval process, the City may allow the uses and development intensities on the Community Commercial portion of Summer Oaks - Crescent Center to vary from the previously approved uses, provided that* the developer demonstrates, based on the Institute of Transportation Engineers' Trip Generation Manual, that the p.m. peak hour trips generated by the proposed uses will be less than or equal to 213.**

Deleted: As part of a PUD approval, the City shall allow development on the C-2 zoned portion of Summer Oaks – Crescent Center to vary from the approved 80,000 square foot office building and 6,000 square foot restaurant if

If requested *and otherwise approved* as part of a PUD application, the City *may* reduce the minimum floor area ratio (FAR) within the C-2 zoned portion of Summer Oaks – Crescent Center to .70.

Deleted: shall

Exhibit B

INSET MAP D

- High Density Residential
- Commercial
- Campus Industrial
- Crescent Village Boundary
  Crescent Avenue Nodal Development Area not shown.
- Subject Site

Exhibit C

Summer Oaks-Crescent Center-Hotel (RA 06-4, Z 06-24, CA 07-1)

Assessor's Map: 17-03-16-23
Tax Lot: 5100
Assessor's Map: 17-03-16-32
Tax Lot: 1200

Proposed change from:
C-1 Neighborhood Commercial to
C-2 Community Commercial

Subject Site

Zoning

- C-1 Neighborhood Commercial
- C-2 Community Commercial
- GO General Office
- I-1 Campus Industrial
- R-1 Low Density Residential
- R-2 Medium Density Residential
- R-4 High Density Residential

N

COUNCIL ORDINANCE NUMBER 20415

COUNCIL BILL NUMBER 4982

AN ORDINANCE AMENDING THE WILLAKENZIE AREA PLAN TEXT IN THE WILLAMETTE GREENWAY SECTION; ADOPTING AN EXCEPTION TO STATEWIDE PLANNING GOAL 15 WILLAMETTE RIVER GREENWAY; AND ADOPTING A SEVERABILITY CLAUSE.

ADOPTED: JULY 28, 2008

PASSED: 5/2

REJECTED:

OPPOSED: Bettman, Taylor

ABSENT: Solomon

EFFECTIVE: August 31, 2008

ORDINANCE NO. 20415

AN ORDINANCE AMENDING THE WILLAKENZIE AREA PLAN TEXT IN THE WILLAMETTE GREENWAY SECTION; ADOPTING AN EXCEPTION TO STATEWIDE PLANNING GOAL 15 WILLAMETTE RIVER GREENWAY; AND ADOPTING A SEVERABILITY CLAUSE.

The City Council of the City of Eugene finds that:

A. On February 1, 2008 the Oregon Department of Transportation (ODOT) submitted an application to the City of Eugene for a Metro Plan text amendment, an Exception to Goal 15 Willamette River Greenway for the I-5 Willamette Bridge Project. An application was submitted at the same time for a text amendment to the Willakenzie Area Plan to allow for placement of fill within 35 feet from the top of bank of the Willamette River. Pursuant to provisions of the Eugene Code, 1971, the applications were processed concurrently.

B. A joint public hearing of the Planning Commissions of the City of Eugene, City of Springfield and Lane County was held on April 29, 2008 and a joint public meeting of the three Planning Commissions was held on June 3, 2008. Following the June 3, 2008 meeting the Eugene Planning Commission recommended approval of the Willakenzie Area Plan amendment and the taking of an exception to Statewide Planning Goal 15 Willamette River Greenway, to the Eugene City Council.

C. The Eugene City Council conducted a joint public hearing on this amendment on June 24, 2008 with the Springfield City Council and Lane County Board of Commissioners, and is now ready to take action based upon the above recommendation and evidence and testimony already in the record as well as the evidence and testimony presented at the joint elected officials public hearing.

D. Substantial evidence exists within the record demonstrating that the proposal meets the requirements of consistency with the approval criteria of EC 9.8424, and of applicable state and local law as described in Exhibit A and Exhibit B, attached hereto and which are adopted in support of this Ordinance.

NOW, THEREFORE,

THE CITY OF EUGENE DOES ORDAIN AS FOLLOWS:

Section 1. Paragraph 1. of the Willamette Greenway section of the Neighborhood Design Element of the Willakenzie Area Plan as currently set forth on page 155 of the Plan, is hereby amended to read and provide as follows:

1. Provision that all new structures, expansion of existing structures, drives, parking areas, or storage areas shall not be permitted within the first 35 feet back from the top of the

riverbank, unless the location of the floodway boundary requires a greater separation. There are four exceptions to this standard:

A. Structures designed solely for recreational use (e.g., a deck or steps leading to the river) and driveways for boat landings and water-related or water-dependent uses are permitted within the 35-foot setback.

B. Public improvements, including pedestrian and bicycle trials, public plazas, and similar amenities, but excluding roads and parking areas, are exempt from the setback requirements specified above.

C. Structures existing as of the date of adoption of this plan shall be allowed to rebuild at the same distance from the river that they were before destruction by fire, flood, or other disaster.

D. Replacement or expansion of the I-5 Willamette River Bridge and its approaches.

Section 2. The findings of fact and conclusions of law supporting a "reasons" exception to Statewide Planning Goal 15 and demonstrating compliance with OAR 660-004-0015, 660-004-0020 and 660-004-0022(6) for placement of fill within 35 feet from the top of bank of the Willamette River attached as Exhibit A and incorporated herein by this reference are adopted in support of this Ordinance.

Section 3. The findings set forth in attached Exhibit A and Exhibit B are adopted in support of this Ordinance.

Section 4. If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held invalid or unconstitutional by a court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions thereof.

Section 5. Except as amended herein, all other provisions of the Willakenzie Area Plan remain in full force and effect.

Passed by the City Council this

28th day of July, 2008.

Deputy **City Recorder**

Approved by the Mayor this

31 day of July, 2008

Mayor

Exhibit A

Findings

I-5 Willamette Bridge Project (Eugene files MA 07-3, RA 08-1; Springfield file LRP2007-00010; Lane County file PA08-5230)

Metro Plan Text Amendment & Goal Exception (MA 07-3, LRP2007-00010, PA08-5230)

The proposed amendment includes an exception to Statewide Planning Goal 15 and a Metro Plan text amendment to allow fill within the Willamette River greenway for the I-5 Willamette Bridge Project. The project includes replacement of the Interstate 5 bridges over the Willamette River and Canoe Canal (Patterson Slough), including construction and later removal of one or more temporary bridges, demolition of the original and detour Willamette River and Canoe Canal bridges, construction of replacement bridges, reconstruction of the roadway approaches to the bridges, rehabilitation of project area, and completion of any required mitigation.

Eugene, Springfield and Lane County each adopted identical Metro Plan amendment criteria into their respective implementing ordinances and codes. Eugene Code 9.7730(3), Springfield Development Code Section Chapter 5, Section 5.14-100 through 5.14-155, and Lane Code 12.225(2)(a & b), set forth the corresponding Metro Plan amendment criteria. Since Eugene is the lead jurisdiction on this application, those criteria are addressed below under the Eugene Code as follows:

Eugene Code (EC) Section 9.7730(3) requires that the following criteria (in bold and *italics*) be applied to a Metro Plan text amendment:

(a) The amendment must be consistent with the relevant Statewide Planning Goals adopted by the Land Conservation and Development Commission; and

Goal 1 Citizen Involvement: *To develop a citizen involvement program that insures the opportunity for citizens to be involved in all phases of the planning process.*

The City has acknowledged provisions for citizen involvement that ensure the opportunity for citizens to be involved in all phases of the planning process and set out requirements for such involvement. The action does not amend the citizen involvement program. The process for reviewing these amendments complies with Goal 1 since it complies with, and surpasses the requirements of, the citizen involvement provisions.

The City of Eugene land use code implements Statewide Planning Goal 1 by requiring that notice of the proposed amendments be given and public hearings be held prior to adoption. As a Type I, site specific Metro Plan amendment, consideration of the amendments begins with a joint City of

Eugene, City of Springfield and Lane County Planning Commission public hearing on April 29, 2008.

Subsequent to deeming the applications complete, on February 27, 2008, the City mailed notice of the proposed plan amendments to the Department of Land Conservation and Development, as required by the Eugene Code and in accordance with State statutes. Referrals concerning the pending applications were sent to the Oregon Department of Transportation (ODOT), City of Springfield, Lane County, the affected Neighborhood Associations (Laurel Hill Valley Citizens and the Harlow Neighborhood Association), and to City departments. On March 14, 2008, notice of the joint Planning Commission public hearing was mailed to the applicant, and owners and occupants of property within 300 feet of the subject property, the affected neighborhood groups in all three jurisdictions and other interested parties such as the Whilamut Natural Area of Alton Baker Park. On March 26, 2008, notice was also posted in accordance with EC 9.7415(5) and 9.7735(1). On March 14, 2008, notice of the joint Planning Commission public hearing was also published in the *Register-Guard*, in accordance with the Eugene Code. An additional joint public hearing before the elected officials of the City of Eugene, City of Springfield and Lane County will be scheduled following Planning Commission action. Notice to interested and affected parties will also be provided for that hearing.

In response to the public notice, letters of written testimony have been received, including comments from two of the affected Eugene neighborhood groups; the Laurel Hill Valley Citizens (LHVC) and the Harlow Neighborhood Association (HNA). Responses to these comments are provided under the appropriate criteria below where applicable.

Additionally, the federal environmental process applicable to this project provides additional opportunities for public involvement including public meetings, open houses, newsletters, public comment period on the Environmental Assessment, and establishment of a Community Advisory Group. These efforts will continue public involvement outside of the land use application process, consistent with this Goal.

The processes used by Eugene, Springfield and Lane County including mailed, posted and published notice (as well as posting on the City of Eugene web page) for reviewing these amendments complies with Statewide Planning Goal 1, since it complies with and surpasses the requirements of the State's citizen involvement provisions.

Goal 2 - Land Use Planning: *To establish a land use planning process and policy framework as a basis for all decisions and actions related to use of land and to assure an adequate factual base for such decisions and actions.*

Part I - Planning
Part I of Goal 2 requires that actions related to land use be consistent with acknowledged comprehensive plans of cities and counties. The Eugene-Springfield Metropolitan Area General Plan (Metro Plan) is the policy tool that provides a basis for decision-making in this area. The Metro Plan was acknowledged by the State in 1982 to be in compliance with statewide planning goals. These findings and record show that there is an adequate factual base for decisions to be made concerning the proposed amendments. Goal 2 requires that plans be coordinated with the

plans of affected governmental units and that opportunities be provided for review and comment by affected governmental units. To comply with the Goal 2 coordination requirement, the City coordinated the review of these amendments with all affected governmental units. Specifically, notice was mailed to the State Department of Land Conservation and Development, Oregon Department of Transportation (ODOT), Lane County, and the City of Springfield. Lane County and the City of Springfield are participating in this amendment.

Part II - Exceptions

Part II of Goal 2 provides the conditions and standards for which a local jurisdiction can adopt an exception to a statewide goal. Relevant to this request is Statewide Planning Goal 15, Willamette River Greenway which does not allow non water-dependent, non water-related uses, such as the proposed transportation facility, within the greenway setback without receiving an exception. Because a goal 15 exception is required by D.11 of the Metro Plan, it is unnecessary to determine if Goal 15 itself would require such an exception. The need for a goal exception is specifically triggered by Policy D.11 of the Metro Plan, Willamette River Greenway, River Corridors, and Waterways Element, which states:

> *D.11 The taking of an exception shall be required if a non-water-dependent transportation facility requires placing of fill within the Willamette River Greenway setback.*
>
> *An exception to Statewide Planning Goal 15 Willamette River Greenway was approved for Oregon Department of Transportation (ODOT) I-5 right of way crossing the Willamette River and within the Willamette River Greenway Setback Line, for purpose of constructing a temporary detour bridge, implementing the conditions imposed on the Discretionary Use Approval (Springfield Journal SHR 2003-00115) and removing the temporary detour bridge after completion of the permanent replacement bridge. This exception satisfies the criteria of Oregon Administrative Rule (OAR) 660-004-0022(5) Willamette Greenway; the exception requirements of OAR 660-004-0020 Goal 2, Part II(c) for a 'reasons' exception; and pursuant to OAR 660-004-0015, is hereby adopted as an amendment to the Metro Plan text, Policy #D.11, Chapter III, Section D.*

The taking of an exception is consistent with Policy D.11 as the proposal includes the placement of fill within the Willamette River Greenway setback for a non-water-dependent transportation facility, and is consistent with the Goal 15 exception previously taken for the temporary bridge, as described under Policy D.11 above. To acknowledge the I-5 Willamette Bridge Project, Metro Plan Policy D.11 is proposed to be amended as follows in **bold**:

> **An exception to Statewide Planning Goal 15 Willamette River Greenway was approved for Oregon Department of Transportation (ODOT) for purposes of removing and replacing the decommissioned I-5 bridge, the temporary detour bridge and the Canoe Canal bridge with two new parallel bridges (one southbound and one northbound) within the I-5 right-of-way crossing the Willamette River and Canoe Canal and within the Willamette River Greenway Setback Line. The exception authorizes construction and later removal of one or more temporary work bridges; demolition of the decommissioned I-5 Willamette River Bridge, Canoe Canal Bridge, and detour**

bridges; construction of the two replacement bridges; reconstruction of the roadway approaches to the bridges (I-5 and ramps); rehabilitation of the project area; and completion of any required mitigation of project impacts. In association with these tasks, the exception further authorizes within the Willamette River Greenway Setback Line the addition and removal of fill within ODOT right-of-way and the removal of fill within a temporary slope easement east of I-5. This exception satisfies the criteria of Oregon Administrative Rule (OAR) 660-004-0022(6), Willamette Greenway, and the exception requirements of OAR 660-004-0020 Goal 2 Part II(c) for a "reasons" exception, and pursuant to OAR 660-004-0015, is hereby adopted as an amendment to the Metro Plan text, Policy D.11, Chapter 111, Section D.

In compliance with Metro Plan Policy D.11, the following provides analysis for a Goal 15 exception.

The Land Conservation and Development Commission (LCDC) administrative rule governing goal exceptions, OAR 660-004-0022(6), states that within urban areas, the proposed siting of uses that are neither water-dependent nor water-related within the Willamette River greenway setback area requires exceptions. The rule states the following:

> *(6) Willamette Greenway: Within an urban area designated on the approved Willamette Greenway Boundary maps, the siting of uses which are neither water-dependent nor water-related within the setback line required by Section C.3.k of the Goal may be approved where reasons demonstrate the following:*
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> > *(a) The use will not have a significant adverse effect on the greenway values of the site under construction or on adjacent land or water areas;*
> >
> > *(b) The use will not significantly reduce the sites available for water-dependent or water-related uses within the jurisdiction;*
> >
> > *(c) The use will provide a significant public benefit; and*
> >
> > *(d) The use is consistent with the Legislative findings and policy in ORS 390.314 and the Willamette Greenway Plan approved by LCDC under ORS 390.322.*

The requirements for Goal exceptions are outlined in OAR 660, Division 4 and are as follows:

OAR 660-004-0018 Planning and Zoning for Exception Areas

> *(4) "Reasons" Exceptions:*
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> > *(a) When a local government takes an exception under the "Reasons" section of ORS 197.732(1)(c) and OAR 660-004-0020 through 660-004-0022, plan and zone designations must limit the uses, density, public facilities and services, and activities to only those that are justified in the exception;*

(b) When a local government changes the types or intensities of uses or public facilities and services within an area approved as a "Reasons" exception, a new "Reasons" exception is required;

The taking of goal exceptions requires and results in amendments to the Metro Plan (ORS 197.732(8) defines an "exception" as a comprehensive plan provision, including an amendment to an acknowledged comprehensive plan). The exception provides for the continuation of the existing use of I-5 by motor vehicles for interstate mobility and commerce purposes. The new I-5 Willamette River bridges are needed to accommodate that use.

The new bridges will be replacement bridges to the decommissioned I-5 bridge and Canoe Canal bridge, which are part of the I-5 interstate highway facility whose existence is identified in the Transplan. As such, the new bridges will not be providing a use that does not already exist.

OAR 660-004-0022 Reasons Necessary to Justify an Exception Under Goal 2, Part II(c)

An exception under Goal 2, Part II(c) can be taken for any use not allowed by the applicable goal(s). The types of reasons that may or may not be used to justify certain types of uses not allowed on resource lands are set forth in the following sections of this rule: ...

(6) Willamette Greenway: Within an urban area designated on the approved Willamette Greenway Boundary maps, the siting of uses which are neither water-dependent nor water-related within the setback line required by Section C.3.k of the Goal may be approved where reasons demonstrate the following:

(a) The use will not have a significant adverse effect on the greenway values of the site under consideration or on adjacent land or water areas; ...

The new bridges would be located in the same location as the decommissioned and detour bridges, although they would require minor shifts of alignment and reconnection of portions of the Franklin Boulevard northbound and southbound on and off ramps as dictated by bridge design. The Whilamut Natural Area of Alton Baker Park lies west of the I-5 right-of-way in Eugene and the Eastgate Woodlands portion of the Whilamut Natural Area lies east of the I-5 right-of-way in Springfield. Since the project area includes portions of both parks where they are adjacent to I-5 and north of the Willamette River, unless otherwise differentiated, this area will be referred to as the Whilamut Natural Area and Eastgate Woodlands for the remainder of these findings. The area adjacent to ODOT's right-of-way is used as open space. This area contributes to the protection of natural, scenic, and recreational greenway values, including fish and wildlife habitat, water quality, protection from flooding, and public recreation.

Because the replacement bridges and associated fill will be located within existing ODOT right-of-way, which is outside of the Whilamut Natural Area and Eastgate Woodlands, there will be no reduction in the amount of permanent open space available at the parks. Because the bridges replace an existing, structurally defective bridge and existing I-5 facility, there will be no change in use of this area. Existing park and river users are accustomed to experiencing interstate travel at this location. The bicycle-pedestrian path linking Eugene and Springfield will continue to traverse

ODOT's right-of-way below the new bridges. Public access to the river will not be affected in any significant long-term manner and protection to riparian areas and fish and wildlife habitat will be maintained to the greatest possible extent. Additionally, specific development details will be reviewed for minimizing impacts through compliance with applicable approval criteria, related standards and any necessary conditions of approval, as further reviewed under local permitting processes such as the Willamette Greenway and Water Resources Conservation Overlay Zone.

The applicant acknowledges that the project will create some short term impacts to Willamette Greenway values during construction. Staging for bridge construction is likely to occupy up to five acres of park open space for up to four years. The bicycle/pedestrian path crossing ODOT's right-of-way will be closed for periods of up to a few days at a time; however, another path under the Canoe Canal Bridge, located approximately 600 feet to the north of this path, would remain open during any closures to accommodate bicycle and pedestrian traffic.

The new replacement bridges will span the Willamette River and Canoe Canal. Piers will be placed in the Willamette River to support the bridge structures. The new bridges will each have one pier near the center of the river and one on or near the south bank, but no piers will be located in the Canoe Canal. By comparison, the decommissioned bridge has five piers in the water, and the detour bridge has six, so the new bridges will provide a substantial net reduction in piers compared to the existing number. At a conceptual level, any reduction in the number of piers will have a positive rather than adverse effect on recreational use of the river, consistent with this standard. Additionally, the applicant proposes to implement a plan to prevent construction debris from dropping into the Willamette River. At a conceptual level, with the reduction in the number of piers, the new bridges spanning the Canoe Canal, and the construction measures proposed, the replacement bridges will not have an adverse affect but will have a positive affect on recreational use of the river, consistent with this standard.

Regarding environmental resources, at the conclusion of bridge construction, fill placed for the detour bridge and for temporary work bridges will be removed and those areas will be restored. Bridge construction and demolition, including construction and removal of associated temporary work platforms, will impact riparian vegetation within the greenway (see Figure 6, Approximate Vegetation Disturbance Areas). However, ODOT's temporary easement for use of Eastgate Woodlands requires ODOT to restore the property within 5 years of completion of the permanent replacement bridges. The applicant also proposes several construction, site preparation, post development, and coordination measures to minimize impacts to natural resources discussed under Metro Plan Policy E.2, which is incorporated herein by reference. Additionally, preliminary data indicates that there will be a *net decrease* of 31,000 cubic yards of fill in the Willamette River (30,000 cubic yards of fill added and 61,000 cubic yards of fill removed; application, page 5). With the exception of a few of the temporary storage areas, the replacement bridges are proposed within existing ODOT right-of-way which reduces impacts to non-transportation utilized areas. Based on these measures, affects on environmental resources will be minimized and mitigated. Furthermore, additional review of detailed site plans during the federal, state and local processes will require mitigation as appropriate, subject to applicable standards.

Regarding scenic values of the Willamette River greenway, the reduction in the total number of piers and in the number of piers within the Willamette River will improve views of the river and, as

such, contribute to a positive visual impact. Also, because a key consideration of the project is providing an aesthetically pleasing solution that recognizes the scenic beauty of the project area, ODOT has considered a range of bridge types and pier options, taking carefully into consideration community input obtained through a public process. At this phase, ODOT has developed two conceptual schematics illustrating the new I-5 bridges, but ODOT has not developed detailed engineering design plans. Ultimately, selection of the bridge type for each segment will be dependent primarily on aesthetic considerations and budget. The applicant has indicated the public input on the design will also be provided through other public outreach efforts.

While construction activities will temporarily impact greenway values, with the reduction in piers and fill, the location of the bridges in the existing right-of-way, and the mitigation measures proposed by the applicant, the new I-5 Willamette River bridges will have no significant adverse effect on the greenway values of ODOT's right-of-way (if any) or the adjacent park lands and water areas, consistent with this standard. Additionally, specific construction and operational details regarding mitigation of riparian impacts will be appropriately addressed during local permitting processes, subject to applicable approval criteria and related standards.

> *(b) The use will not significantly reduce the sites available for water-dependent or water-related uses within the jurisdiction; ...*

The two new replacement bridges will not reduce any sites available for water-dependent or water-related uses in Eugene or Springfield because the bridges will be constructed entirely within the same existing ODOT I-5 right-of-way where the decommissioned I-5 bridge and temporary detour bridge are located. The new bridges will have one pier each near the center of the river and one pier on or near the south bank (the Canoe Canal on the north side would be spanned completely and these bridges will be perched on fill associated with the roadway). In contrast, the decommissioned bridge has five piers in the water, and the detour bridge has six. At a conceptual level, a net reduction in piers in the water will be beneficial for water-dependent uses. Therefore, in the context of a plan amendment, this standard is met.

> *(c) The use will provide a significant public benefit; and ...*

I-5 is the primary north-south highway corridor serving California, Oregon, and Washington. The facility provides for the significant movement of people, freight, and other services, and serves as the backbone for international, interstate, and intrastate commerce. The applicant notes that on average, approximately 49,000 vehicles cross the Willamette River through the Eugene/Springfield area on I-5 each day, with numbers reaching greater than 63,000. Approximately 16 to 18 percent of daily trips are made by tractor trailer rigs hauling freight. By the year 2030, I-5 is expected to accommodate approximately 73,000 daily vehicle trips. The connectivity and mobility that I-5 provides to both the local community and to intrastate and interstate travelers constitutes a significant public benefit. This facility is recognized in the 1999 Oregon Highway Plan and in TransPlan. Therefore this standard is met.

> *(d) The use is consistent with the Legislative findings and policy in ORS 390.314 and the Willamette Greenway Plan approved by LCDC under ORS 390.322.*

The legislative findings and policy in ORS 390.3 14 are:

> *ORS 390.3 14. Legislative findings and policy*
>
> *(I) The Legislative Assembly finds that, to protect and preserve the natural, scenic, and recreational qualities of lands along the Willamette River, to preserve and restore historical sites, structures, facilities, and objects on lands along the Willamette River for public education and enjoyment and to further the state policy established under ORS 390.010, it is in the public interest to develop and maintain a natural, scenic, historical, and recreational greenway upon lands along the Willamette River to be known as the Willamette River Greenway.*

As previously stated, the I-5 Willamette River bridge predates the adoption of Goal 15. As an element of I-5, the bridge is provided for in TransPlan, which has been acknowledged to be in compliance with all statewide planning goals. Construction of the replacement bridges and removal of the decommissioned Canoe Canal and detour bridges will temporarily affect greenway values during construction. However, as discussed under Goal 6 (air, water quality, land), Goal 8 (recreation) and Metro Plan Policy E.2 (environment), and the remainder of these findings, the applicant proposes several measures to reduce or mitigate environmental and recreational impacts, and the reduction of piers and fill will have a positive affect on scenic resources along the Willamette River Greenway, consistent with this standard. Additionally, specific construction and operational details will be appropriately addressed during local permitting processes, subject to applicable approval criteria and related standards.

> *(2) In providing for the development and maintenance of the Willamette River Greenway, the Legislative Assembly:*
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> *(a) Recognizing the need for coordinated planning for such greenway, finds it necessary to provide for development and implementation of a plan for such greenway through the cooperative efforts of the state and units of local government.*

The State of Oregon and units of local government, including Lane County and the cities of Springfield and Eugene, have cooperated in the implementation of greenway planning as required by legislative intent. The I-5 Willamette River Bridge Replacement Project, subject to this application, is and will be permitted through this established local and statewide greenway planning process.

> *(b) Recognizing the need of the people of this state for existing residential, commercial, and agricultural use of lands along the Willamette River, finds it necessary to permit the continuation of existing uses of lands that are included within such greenway; but, for the benefit of the people of this state, also to limit the intensification and change in the use of such lands so that such uses shall remain, to the greatest possible degree, compatible with the preservation of the natural, scenic, historical and recreational qualities of such lands.*

As previously stated, I-5 and the I-5 Willamette River bridge predate Goal 15. Like the original

bridge, the replacement bridges and their approaches will be located within ODOT's established I-5 right-of-way, thus avoiding significant adverse effects on the greenway and greenway values, consistent with this policy. Furthermore, as discussed under Goal 6 (air, water quality), Goal 8 Recreation and Metro Plan Policy E.2 (environment), and the remainder of these findings, the applicant proposes several measures to reduce or mitigate environmental and recreational impacts, and the reduction of piers and fill will have a positive affect on scenic resources along the Willamette River Greenway, consistent with this standard.

> *(c) Recognizing that the use of lands for farm use is compatible with the purposes of the Willamette River Greenway, finds that the use of lands for farm use should continue within the greenway without restriction.*

The I-5 Willamette River replacement bridges will be located entirely within the urbanized area of Springfield and Eugene, and not upon or near farm land within the greenway boundary. For this reason, the project will in no way impede the continuation of farm uses within the greenway, consistent with this policy.

> *(d) Recognizing the need for central coordination of such greenway for the best interests of all the people of this state, finds it necessary to place the responsibility for the coordination of the development and maintenance of such greenway in the State Parks and Recreation Department.*

Constructing the I-5 replacement bridges in no way limits or changes Oregon State Parks' responsibilities for the coordination of the development and maintenance of the greenway.

> *(e) Recognizing the lack of need for the acquisition of fee title to all lands along the Willamette River for exclusive public use for recreational purposes in such greenway, finds it necessary to limit the area within such greenway that may be acquired for state parks and recreational areas and for public recreational use within the boundaries of units of local government along the Willamette River.*

The replacement bridges and approaches will be located within existing public right-of-way that has been used for interstate highway purposes since before the enactment of the Willamette River greenway statutes and Goal 15. The land is in the public domain and will remain in the public domain after completion of construction of the new replacement bridges and demolition and removal of the decommissioned bridge, Canoe Canal bridge, and detour bridge. Therefore, the proposed project will not increase or decrease the amount of land available for acquisition for state parks and recreational areas or for public recreational use within the boundaries of units of local government along the Willamette River. Temporary staging areas outside of public rights-of-way will be rehabilitated to their previous state.

Therefore, an exception to Goal 15 is warranted for the reasons stated above, specifically OAR 660-0040-0022 (6)(c) and consistency with the remaining reasons, for the placement of fill within the greenway setback for the I-5 Willamette Bridge Replacement project. Goal exception requirements are as follows:

OAR 660-004-0020 Goal 2, Part II(c), Exception Requirements

> *(1) If a jurisdiction determines there are reasons consistent with OAR 660-004-0022 to use resource lands for uses not allowed by the applicable Goal or to allow public facilities or services not allowed by the applicable Goal, the justification shall be set forth in the comprehensive plan as an exception.*

The reasons consistent with OAR 660-004-0022(6) are set forth above to allow the construction of the I-5 Willamette River and Canoe Canal replacement bridges and the removal of the decommissioned bridge, existing Canoe Canal bridge, and temporary detour bridge, including the placement of fill needed for the new bridges or for temporary work bridges required to construct the new bridges or remove the decommissioned or detour bridges. The justifications are set forth in the comprehensive plan as an exception consistent with this rule.

> *(2) The four factors in Goal 2 Part II(c) required to be addressed when taking an exception to a Goal are:*
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> > *(a) "Reasons justify why the state policy embodied in the applicable goals should not apply": The exception shall set forth the facts and assumptions used as the basis for determining that a state policy embodied in a goal should not apply to specific properties or situations, including the amount of land for the use being planned and why the use requires a location on resource land;*

The reasons justifying why the replacement bridges should be permitted within the greenway setback area, and why associated fill should be permitted, are those addressed above in the analysis demonstrating compliance with the criteria in OAR 660-004-0022(6). An exception to the Statewide Planning Goal 15 is necessary to allow additional fill to be placed in the greenway per Metro Plan Policy D.11. Here, approximately 30,000 cubic yards of fill will be placed within ODOT's existing I-5 right-of-way, while approximately 61,000 cubic yards of fill will be removed, resulting in a *net decrease* of 31,000 cubic yards of fill in the Willamette River.

Except for a few acres of park land needed temporarily for staging construction, all development will occur within ODOT's existing I-5 right-of-way, which is not resource land. The bridges require a location over the Willamette River greenway because I-5 already exists both north and south of the Willamette River and the highway cannot practicably be relocated to avoid crossing the river.

> > *(b) "Areas which do not require a new exception cannot reasonably accommodate the use":*
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> > > *(A) The exception shall indicate on a map or otherwise describe the location of possible alternative areas considered for the use, which do not require a new exception. The area for which the exception is taken shall be identified;*
> >
> > > *(B) To show why the particular site is justified, it is necessary to discuss why other areas which do not require a new exception cannot reasonably accommodate the proposed use. Economic factors can be considered along*

with other relevant factors in determining that the use cannot reasonably be accommodated in other areas. Under the alternative factor the following questions shall be addressed:

(i) Can the proposed use be reasonably accommodated on nonresource land that would not require an exception, including increasing the density of uses on nonresource land? If not, why not?

(ii) Can the proposed use be reasonably accommodated on resource land that is already irrevocably committed to nonresource uses, not allowed by the applicable Goal, including resource land in existing rural centers, or by increasing the density of uses on committed lands? If not, why not?

(iii) Can the proposed use be reasonably accommodated inside an urban growth boundary? If not, why not?

(iv) Can the proposed use be reasonably accommodated without the provision of a proposed public facility or service? If not, why not?

(C) This alternative areas standard can be met by a broad review of similar types of areas rather than a review of specific alternative sites. Initially, a local government adopting an exception need assess only whether those similar types of areas in the vicinity could not reasonably accommodate the proposed use. Site specific comparisons are not required of a local government taking an exception, unless another party to the local proceeding can describe why there are specific sites that can more reasonably accommodate the proposed use. A detailed evaluation of specific alternative sites is thus not required unless such sites are specifically described with facts to support the assertion that the sites are more reasonable by another party during the local exceptions proceeding.

The applicant states that I-5 replacement bridges are needed because the decommissioned bridge is structurally unsafe and the detour bridge was not constructed to accommodate anticipated traffic volumes over the long term, nor does it meet current seismic standards. The replacement bridges and their approaches will be located entirely within ODOT's existing I-5 right-of-way. Because the Willamette River is quite wide in the vicinity of I-5, piers will again be needed within the setback area to support the proposed replacement bridges; however, fewer piers will be used compared to existing conditions. In addition, fill is required to support the approaches to the new bridges, including the new bridges over the Canoe Canal.

Given the non-water dependent and non-water-related nature of the use, and given that fill would be required for pier support and bridge approaches regardless of where in the vicinity the bridges are located, there are no alternative sites crossing the Willamette River that would not also require a new exception. It is noted that the proposed use will be located inside an urban growth boundary on land that is neither agricultural nor forest land. By remaining within the existing ODOT right-of-way, the project avoids significant impacts to park lands. Because transportation improvements,

including bridges, are considered public facilities, the use cannot be reasonably accommodated without the provision of the proposed public facility. Analysis regarding possible alternative sites is discussed further under subsection (c) directly below, which is incorporated herein by reference.

> *(c) The long-term environmental, economic, social and energy consequences resulting from the use at the proposed site with measures designed to reduce adverse impacts are not significantly more adverse than would typically result from the same proposal being located in other areas requiring a Goal exception. The exception shall describe the characteristics of each alternative areas considered by the jurisdiction for which an exception might be taken, the typical advantages and disadvantages of using the area for a use not allowed by the Goal, and the typical positive and negative consequences resulting from the use at the proposed site with measures designed to reduce adverse impacts. A detailed evaluation of specific alternative sites is not required unless such sites are specifically described with facts to support the assertion that the sites have significantly fewer adverse impacts during the local exceptions proceeding. The exception shall include the reasons why the consequences of the use at the chosen site are not significantly more adverse than would typically result from the same proposal being located in areas requiring a goal exception other than the proposed site. Such reasons shall include but are not limited to, the facts used to determine which resource land is least productive; the ability to sustain resource uses near the proposed use; and the long-term economic impact on the general area caused by irreversible removal of the land from the resource base. Other possible impacts include the effects of-the proposed use on the water table, on the costs of improving roads and on the costs to special service districts;*

No other sites requiring exceptions are being considered for this use. This is because the use is not a new use, but rather the replacement of an existing, structurally deficient bridge within an existing right-of-way. Locating the replacement bridges within the existing right-of-way is both necessary and practicable because that right-of-way lines up with the existing I-5 approaches to the north and south. Relocating the bridge replacement project outside the existing I-5 right-of-way would require ODOT to relocate the approaches at considerable additional cost and impact to not only the greenway, but also to protected park and recreational resources, including the Whilamut Natural Area and Eastgate Woodlands. Further, relocating the bridge could require the closure of one or more existing interchanges or ramps, result in demolition of residences and businesses, and result in a hazardous geometry due to the presence of immovable geologic features. Alternative bridge alignment locations to the north or south of the existing footprint and right-of-way were dismissed from further analysis due to the following impacts:

- Right-of-way would need to be acquired from Alton Baker Park, which is prohibited under Section 4(f) of the federal Department of Transportation Act of 1966 unless there are no other prudent and feasible alternatives.
- Right-of-way would need to be acquired from homes and/or businesses on the south side of the river that would not be required if the highway remains on its current alignment.
- A shifted highway would be closer to existing homes, resulting in higher noise and visual impacts.
- Major high-tension power transmission lines are located on both sides of the bridge and one

would need to be relocated if the alignment was shifted.

Given the replacement nature of this project, the fact that crossing the Willamette River at some location is unavoidable, and ODOT's inability to realign I-5 on adjoining lands based on federal restrictions protecting park lands, there are no feasible and prudent alternatives to re-using the existing I-5 right-of-way. Accordingly, in terms of economic, social, environmental, and energy consequences, there are no areas warranting comparison. I-5 is an important highway in the State of Oregon and freight corridor on the west coast. The connectivity and mobility it provides statewide, interstate, and regional travelers provides tremendous benefits both economically and socially. The ability to rebuild within the existing ODOT I-5 right-of-way minimizes energy consumption and environmental impacts, as the current right-of-way use for interstate travel purposes is maintained. As such, consistent with this standard, the right-of-way is the least productive land in the immediate area in terms of sustaining resource uses. It's continued use for this purpose also means that no other resource or recreational lands need be removed from the resource base therefore this standard is met.

> *(d) The proposed uses are compatible with other adjacent uses or will be so rendered through measures designed to reduce adverse impacts. The exception shall describe how the proposed use will be rendered compatible with adjacent land uses. The exception shall demonstrate that the proposed use is situated in such a manner as to be compatible with surrounding natural resources and resource management or production practices. Compatible is not intended as an absolute term meaning no interference or adverse impacts of any type with adjacent uses.*

Uses adjacent to the affected portion of I-5 include park land and the Willamette River, and residential and industrial uses. The temporary staging areas are adjacent to park land and the Willamette River, ODOT and Lane County property, and between I-5 and I-5 ramps. With the exception of the temporary staging areas, the replacement bridges and associated improvements are being proposed within approximately the same location as both the original and temporary bridges and will be located within existing rights-of-way and right-of-way easements. Considering that this area has been utilized as the I-5 bridge location since prior to the establishment of Goal 15, replacement of the facility in the same location is more compatible than relocating the facility and converting non-transportation areas to this use. The proposal also includes a reduction in the number of piers from the existing 11 piers to 8, a net reduction in fill, and sound walls. At a conceptual level, these elements will reduce adverse impacts to environmental, recreational and scenic resources and will increase compatibility of the project with adjacent recreational, residential and industrial uses of the area. Regarding the temporary staging locations, the impacts will be temporary and the applicant has proposed several measures to reduce adverse impacts of the construction activities including: a plan to prevent debris from falling into the Willamette River, maintaining a continuous bicycle/pedestrian path, limiting work hours, and restoring the temporary staging areas upon project completion. Additional measures proposed by the applicant to reduce environmental, recreational and scenic impacts, are further discussed under Metro Plan Policy E.2, Goal 8 below, and OAR 660-004-0022(6)(a) above, which are incorporated herein by reference. These measures will further reduce adverse impacts to the adjacent park land and Willamette River, residential, and industrial uses consistent with this standard.

In addition, compatibility with greenway and Goal 5 resource values associated with the Willamette River, riparian areas both north and south of the river, the Whilamut Natural Area and Eastgate Woodlands will be further ensured through compliance with acknowledged Eugene and Springfield permitting requirements adopted to implement Goals 15 and 5; Willamette River Greenway and greenway setback review, and the Water Resources Conservation Overlay Zone, subject to applicable standards and conditions. As noted earlier, the bridges are an existing use within the ODOT right-of-way. This proposal replaces the original bridge with two new bridges: one for northbound traffic, the other for southbound traffic, and replaces the Canoe Canal bridge. It also removes the detour bridge. Given that a bridge has been accommodating highway traffic in this area for decades, most new impacts will be associated with bridge construction or demolition. By remaining within the existing ODOT right-of-way, and employing Best Management Practices and other impact avoidance or mitigation techniques identified or required during the local permitting processes, impacts to surrounding natural resource lands can be minimized to protect natural resource qualities in and the use and enjoyment of the Willamette River, the Willamette River greenway, and the Whilamut Natural Area and Eastgate Woodlands.

Based on the above findings, an exception to Goal 15 is warranted and meets the requirements of OAR 660-0040-0020 for the placement of fill within the greenway setback for the I-5 Willamette Bridge Replacement project.

Therefore, the amendments and goal exception are consistent with Statewide Planning Goal 2.

Goal 3 - Agricultural Land: *To preserve and maintain agricultural lands.*

Goal 3 is not applicable to these amendments as the subject property and actions do not affect any agricultural plan designation or use. Goal 3 excludes lands inside an acknowledged urban growth boundary from the definition of agricultural lands. Since the subject property is entirely within the acknowledged urban growth boundary, Goal 3 is not relevant and the amendments do not affect the area's compliance with Statewide Planning Goal 3.

Goal 4 - Forest Land: *To conserve forest lands.*

Goal 4 is not applicable to these amendments as the subject property and actions do not affect any forest plan designation or use. Goal 4 does not apply within urban growth boundaries and, therefore, does not apply to the subject property, which is within the Eugene-Springfield urban growth boundary (OAR 660-006-0020). Therefore, Goal 4 is not relevant and the amendments do not affect the area's compliance with Statewide Planning Goal 4.

Goal 5 - Open Spaces, Scenic and Historic Areas, and Natural Resources: *To conserve open space and protect natural and scenic resources.*

The following administrative rule (OAR 660-023-0250) is applicable to this post-acknowledgement plan amendment (PAPA) request:

(3) Local governments are not required to apply Goal 5 in consideration of a PAPA unless the PAPA affects a Goal 5 resource. For purposes of this section, a PAPA would affect a Goal 5

resource only if:

(a) The PAPA creates or amends a resource list or a portion of an acknowledged plan or land use regulation adopted in order to protect a significant Goal 5 resource or to address specific requirements of Goal 5;

(b) The PAPA allows new uses that could be conflicting uses with a particular significant Goal 5 resource site on an acknowledged resource list; or

(c) The PAPA amends an acknowledged UGB and factual information is submitted demonstrating that a resource site, or the impact areas of such a site, is included in the amended UGB area.

The subject project area includes Goal 5 resource sites; the Willamette River, a riparian resource between I-5 and E. 18th Avenue, and riparian resources in Alton Baker Park (the Canoe Canal). Subsections (a) and (c) above are not applicable to this request as the proposed amendments do not create or amend a list of Goal 5 resources, do not amend a plan or code provision adopted in order to protect a significant Goal 5 resource or to address specific requirements of Goal 5, and do not amend the acknowledged Urban Growth Boundary. Regarding subsection (b), the I-5 Willamette Bridge Project is replacement of an existing use in approximately the same location, even considering the additional widening of the roadway. Therefore, (b) is not applicable because the project includes replacement of an existing use, not a new use.

Based on the findings above, Statewide Planning Goal 5 is either not applicable or is met through compliance with the acknowledged local permitting process.

<u>Goal 6 - Air, Water and Land Resources Quality</u>: *To maintain and improve the quality of the air, water, and land resources of the state.*

Goal 6 addresses waste and process discharges from development, and is aimed at protecting air, water and land from impacts from those discharges. The proposal does not amend the metropolitan area's air, water quality or land resource policies. The applicant's findings show that the City can reasonably expect that future development of the site will comply with applicable environmental laws as follows:

Additionally, regarding air quality, the replacement bridges themselves should have no adverse impact on air quality because they merely replace an existing facility that has been decommissioned as being structurally unsafe. Regardless of the potential future addition of 6 lanes, the new bridges do not necessarily result in more people driving on I-5. Instead, existing traffic volumes will be shifted from the detour bridge to the new bridges. If the decommissioned I-5 bridge is not replaced, those vehicles would be forced each day onto city streets and county roads not designed for such trips. The ensuing degradation to the air quality along these alternative routes caused by unmanageable congestion would be in direct contradiction to the purpose of Goal 6. Even the potential increase in the number of lanes does not necessarily increase the number of people driving on I-5, but rather increases continuous traffic movement. Regarding air quality, this goal is met by the proposed plan amendments.

Regarding water quality, construction of the replacement bridges and the removal of the decommissioned and detour bridges will impact water quality by affecting soils and vegetation

within the Willamette River and along the greenway setback. Water quality may also be affected where impervious surfaces are added along the bridge approaches. Where areas are paved, water cannot penetrate the soils so it rushes over the surface. This can increase erosion and the movement of fine sediments and increase pollutant loads in watercourses. While construction of the replacement bridges will result in some new impervious surfaces, overall the project will result in a net decrease in impervious surface because ODOT will remove the approach roadway for the detour bridge.

The applicant also proposes that water quality impacts will be mitigated through the use of effective land-based stormwater treatment systems that include measures to preserve and restore mature vegetation and maximize infiltration. The use of construction techniques that include temporary and permanent Best Management Practices for erosion and sediment control and spill control and prevention also can achieve compliance with clean water standards. Oregon Highway Plan 5A.1 directs ODOT to implement Best Management Practices. Based on these findings, water quality will be maintained and mitigated, consistent with this goal. In addition, through the local permitting process, Eugene and Springfield can impose appropriate conditions to ensure that Best Management Practices are employed and that water quality is maintained, subject to applicable approval criteria and related standards. By doing so, Goal 6 is satisfied.[2]

Regarding noise, a project noise technical report was prepared as part of the Environmental Assessment (as required by NEPA) to analyze potential noise impacts resulting from the project. Per the ODOT Noise Manual (June 1996) analysis procedures, noise mitigation measures were evaluated to reduce noise levels to nearby residences as a result of the project. Noise walls were determined to meet the ODOT effectiveness and cost-effectiveness criteria in two locations and are recommended as mitigation (see supplemental information, Figures 7-9). The final wall locations will be determined after public input is completed as part of the NEPA process. Additionally, as stated on page 13 of the written statement, the applicant proposes the following general measures:

- Continue public involvement through design and construction
- limit work hours
- limit noise

Therefore, in the context of a plan amendment, the proposed amendments are consistent with Statewide Planning Goal 6. Additionally, specific construction and operational details will be appropriately addressed during local permitting processes, subject to applicable approval criteria and related standards.

<u>Goal 7 - Areas Subject to Natural Disasters and Hazards:</u> *To protect life and property from natural disasters and hazards.*

Goal 7 requires that local government planning programs include provisions to protect people and

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[2] Currently, there is no stormwater treatment for the decommissioned and detour bridges. Providing water quality treatment for the new bridges, which would be required through the applicant's proposed Best Management Practices, would have a beneficial effect on water quality. The water quality report for the project noted that the amount of runoff from the bridges would be so minor relative to the volume of flow in the Willamette River that the effect would be negligible.

property from natural hazards such as floods, land slides, earthquakes and related hazards, tsunamis and wildfires. It is not subject to hazards normally associated with wildfires, or tsunamis.

Consistent with this goal, the City of Eugene has adopted provisions regulating development in floodplains and floodways, and building codes regulations that address slopes and seismic concerns.

To the extent that this is relevant to the proposed plan amendment, the existing detour bridge does not meet current seismic standards. Consistent with this goal, the proposed bridge replacement project will provide bridges that meet current seismic, safety and design standards.

Additionally, regarding slopes, portions of the project area are identified on the map for Relative Slope Instability Hazards. The portions of the project site in the Whilamut Natural Area and Eastgate Woodlands, and the area southeast of I-5 and the Willamette River are identified as moderate hazard areas. However, both of these areas are proposed for only temporary staging locations. The applicant has completed 10 borings on either side of the river as part of a geotechnical investigation related to the temporary detour bridge (three north of the river, seven south of the river). A geological report (which was not submitted for this application) indicates that geological resources in the project area consist of fill material, alluvium, and bedrock. The processes affecting these materials are man-made, such as excavation and grading, and natural. Since there is an existing bridge, impacts to geological resources would consist of relatively minor changes in topography, minor settlement of near-surface materials, possible increase in erosion, minor changes to the river flow regime and related sediment and related sediment transport, and potential changes in slope stability (from vegetation removal). These impacts would occur as a result of excavation, placement of structure and fills, and clearing and grading. Impacts related to construction would be temporary, localized changes to river flow regime; stability of partially constructed slopes; erosion; and resultant sedimentation. The highest risk to landslide would be slope failure into the Willamette River; however, considering the low height of the riverbank, such a failure would be limited to a small area relative to the width of the river. The applicant states that geotechnical investigations will also be completed during design to determine the best method to seat foundations and piers and to reduce effects related to hazards. Additionally, slopes will be constructed in a manner that reduces potential for erosion or small landslides.

Therefore, the project would have no permanent effects on geological resources. In the context of a plan amendment, landslide and earthquake hazards are addressed consistent with this goal. Furthermore, specific construction details will be further reviewed during the local permitting processes, subject to applicable standards, such as, based on the earthquake hazard, geotechnical investigations should be completed prior to construction to determine the best method to seat foundations, piers, and bents to reduce effects related to earthquakes (e.g., lateral spread, liquefaction). In addition, slopes should be constructed in a manner that reduces the potential for erosion or small landslides.

Regarding flooding, portions of the project area are located within the floodway and floodplain of the Willamette River. As previously stated, both Eugene and Springfield have adopted ordinances regulating construction within floodways and floodplains. Furthermore, in response to Metro Plan policies C.30 and C.31 below, which is incorporated herein by reference, because the I-5 Willamette Bridge project is located within a FEMA designated regulatory floodway and

floodplain, the design of the replacement bridges must satisfy the regulations set forth in the National Flood Insurance Program (NFIP). The NFIP requires that any modifications that cause a rise in the Base Flood Elevations (BFEs, which corresponds to water surface elevations associated with the 100-year flood event) must be approved by FEMA.

Two pier location scenarios are currently under consideration (Proposed Option A and Proposed Option B, see written statement page 9). Based on preliminary modeling, Option A would result in an increase of 0.02 feet over existing conditions for the 100-year flood event. For the Environmental Assessment, 'the hydraulic conditions of the I-5 Willamette Bridge Project were analyzed using the U.S. Army Corp of Engineers' HEC-RAS model. Natural, existing and proposed conditions (with pier locations Options A and B) were modeled. Conservative assumptions regarding pier size were used for this modeling. Refined design of the concepts and further hydraulic analysis will allow confirmation that the proposed project will result in no rise of the base flood elevation.

Option B would result in a decrease of 0.54 feet for the 100-year flood event, which is consistent with the no-rise standard and consistent with this goal. While Option A shows an increase of 0.02, which does not meet the no-rise requirement, this is not a detailed analysis and modeling will be run again when the design is refined for the permitting process in order to meet the no-rise requirement. A FEMA "no-rise" certification will be obtained from the City of Eugene for any construction or structures within floodways/special flood hazard areas that are outside of rights-of-way, within Eugene. In addition, the applicant states that the no-rise condition is also a requirement of ODOT for any bridge replacement project.

Other hazards, such as earthquakes and severe winter storms can be mitigated at the time of development based on accepted building codes and building techniques. As previously stated, specific construction and operational details will be appropriately addressed during local permitting processes, subject to applicable approval criteria and related standards.

Therefore, in the context of a plan amendment, the preliminary no-rise data, the landslide information, and findings above, the proposed plan amendments are consistent with Statewide Planning Goal 7.

<u>Goal 8 - Recreational Needs:</u> *To satisfy the recreational needs of the citizens of the state and visitors and, where appropriate, to provide for the siting of necessary recreational facilities including destination resorts.*

Goal 8 ensures the provision of recreational facilities to Oregon citizens and is primarily concerned with the provision of those facilities in non-urban areas of the state. East Alton Baker Park is located to the east and west of I-5 right-of-way, which includes recreation, bicycle and pedestrian paths and the canoe canal (utilized by kayakers). The portion of the park that is west of I-5 in Eugene is now called the Whilamut Natural Area and the portion of the park east of I-5 in Springfield is called the Eastgate Woodlands of the Whilamut Natural Area (abbreviated here as Eastgate Woodlands) and these areas will be referred to as such for the remainder of these findings unless otherwise indicated. The demolition and construction of the bridges will take place within the I-5 right-of-way, which is not part of the park; therefore the replacement bridges will not remove or increase recreational opportunities at the park. However, removal of the detour bridge will include

removal of fill material from and rehabilitation of a portion of Eastgate Woodlands. The temporary easement obtained by ODOT to do this work requires rehabilitation of the area within 5 years of completion of the permanent bridges. This easement will ensure that recreational use of this area will return to pre-project conditions.

Additionally, during construction the park will be temporarily affected. Through the other local permitting processes (Willamette Greenway permit, Water Resources Conservation Overlay review, Willamette Greenway setback, etcetera) construction impacts will be required to be minimized through conditions of approval that would preserve bicycle, pedestrian and boater safety, and to maintain consistency with operational provisions in the East Alton Baker Park Plan (which includes the Whilamut Natural Area and Eastgate Woodlands). Public access to the Willamette River will continue to be provided through ODOT's right-of-way under the bridges therefore public access to the river will not be affected (written statement page 49, Metro Plan Policy D.9). Although the bicycle/pedestrian pathways may be impacted during construction, the application will provide a continuous route across ODOT right-of-way for the bicycle/pedestrian pathways that will be maintained on both the north and the south sides of the river during construction (written statement, page 61, Willakenzie Area Plan, Neighborhood Design Element- Willamette Greenway, Use Management Standard 2). Additionally, specific construction and operational details regarding public access and recreational impacts will be appropriately addressed during local permitting processes, subject to applicable approval criteria and related standards.

Comments were received stating that (to summarize) the bridge provides a crossing of Franklin Boulevard and the railroad and that this provides an opportunity for those crossing to be made available to pedestrians and bicyclists. Additionally, the comments note that since the replacement is not accommodating such a crossing, the applicant has insufficient analysis regarding the provision of adequate access to Alton Baker Park. As discussed in more detail under the Metro Plan Transportation Element, Policy F.14 below which is incorporated herein by reference, the applicant proposes a continuous route across ODOT right-of-way for the bicycle/pedestrian pathways to be maintained on both the north and the south sides of the river during construction. This mitigates for the temporary impacts to the existing bicycle/pedestrian pathways and ensures that connections between existing paths and to near-by Knickerbocker Bridge are maintained. In the context of the proposed plan amendments, this adequately addresses access for bicyclists and pedestrians as these are the existing bicycle and pedestrian facilities affected by the proposed amendments.

Based on the findings above, in the context of a plan amendment, the proposal will not impact the provision of public recreational facilities, nor will they affect access to existing or future public recreational facilities. The amendments are therefore consistent with Statewide Planning Goal 8.

Goal 9 - Economic Development: *To provide adequate opportunities throughout the state for a variety of economic activities vital to the health, welfare, and prosperity of Oregon's citizens.*

The Administrative Rule for Statewide Planning Goal 9 (OAR 660 Division 9) requires that the City "[p]rovide for at least an adequate supply of sites of suitable sizes, types, location, and service levels for a variety of industrial and commercial uses consistent with plan policies[.]" Among other things, the rule requires that cities complete an "Economic Opportunities Analysis." OAR 660-009-0015. Based on the Economic Opportunities Analysis, cities are to prepare Industrial and

Commercial Development Policies. OAR 660-009-0020. Finally OAR 660-009-0025 requires that cities designate industrial and commercial lands sufficient to meet short and long term needs. OAR 660-009-0010(2) provides that the detailed planning requirements imposed by OAR 660 Division 9 apply "at the time of each periodic review of the plan (ORS 197.712(3))." In addition, OAR 660-009-0010(4) provides that, when a city changes its plan designations of lands in excess of two acres to or from commercial or industrial use, pursuant to a post acknowledgment plan amendment, it must address all applicable planning requirements and (a) demonstrate that the proposed amendment is consistent with the parts of its acknowledged comprehensive plan which address the requirements of OAR 660 Division 9; or (b) amend its comprehensive plan to explain the proposed amendment pursuant to OAR 660 Division 9; or (c) adopt a combination of (a) and (b) consistent with the requirements of Division 9.

In the context of OAR 660-009-0010(4), the Eugene Commercial Lands Study (ECLS) is acknowledged for compliance with the requirements of Goal 9 and its Administrative Rule. The ECLS constitutes the City's obligation under OAR 660 Division 9. However, since the I-5 Willamette Bridge Project is occurring in approximately the same location of the existing bridges, within existing right-of-way, existing right-of-way easements, or temporary staging areas (within existing right-of-way or park property), OAR 660-009-0010(4) does not apply because the proposed amendment will not remove any land from the commercial land supply. Therefore, the amendments are consistent with Statewide Planning Goal 9.

Goal 10 - Housing: *To provide for the housing needs of the citizens of the state.*

Goal 10 requires that communities plan for and maintain an inventory of buildable residential land for needed housing units. The Administrative Rule for Statewide Planning Goal 10 (OAR 660 Division 8) states that "the mix and density of needed housing is determined in the housing needs projection. Sufficient buildable land shall be designated on the comprehensive plan map to satisfy housing needs by type and density range as determined in the housing needs projection. The local buildable lands inventory must document the amount of buildable land in each residential plan designation." The comprehensive plan map for the City is the Metro Plan land use diagram. The 1999 Eugene-Springfield Metropolitan Area Residential Lands and Housing Study (RLS) is acknowledged for compliance with the requirements of Goal 10 and its Administrative Rule.

As previously stated, the proposed plan amendment will accommodate a bridge replacement project that will occur in approximately the same location as the existing bridges, within existing right-of-way, existing right-of-way easements, or temporary staging areas (that are within right-of-way or park property). Therefore, the inventory of residential land will not be impacted and thus Statewide Planning Goal 10 is not applicable.

Goal 11 - Public Facilities and Services: *To plan and develop a timely, orderly and efficient arrangement of public facilities and services to serve as a framework for urban and rural development.*

The area affected by the amendments, the bridge right-of-way, is located entirely within the City limits of both the City of Eugene and the City of Springfield. The proposed amendments would allow demolition and replacement of the temporary I-5 bridge and reconstruction of the roadway

approaches to the bridges, which are all public facilities that are acknowledged in the Oregon Highway Plan and the local regional transportation plan (TransPlan) as necessary public facilities and services. Replacement of the temporary bridge with permanent bridges that meets current seismic standards ensures that this public facility continues to safely serve the area. The provision of these amendments does not significantly affect the planning or development of future public facilities or services. Therefore, the amendments are consistent with Statewide Planning Goal 11.

Goal 12 - Transportation: *To provide and encourage a safe, convenient and economic transportation system.*

Goal 12 is implemented through the Transportation Planning Rule (TPR), as defined in Oregon Administrative Rule OAR 660-012-0000, et seq. The Eugene-Springfield Metropolitan Area Transportation Plan (TransPlan) provides the regional policy framework through which the TPR is implemented at the local level. The TPR (OAR 660-012-0060) states that when land use changes, including amendments to acknowledged comprehensive plans, significantly affect an existing or planned transportation facility the local government shall put in place measures to assure that the allowed land uses are consistent with the identified function, capacity and performance standards (level of service, volume to capacity ratio, etc.) of the facility. TransPlan, which implements Goal 12, identifies I-5 (including the I-5 bridge) as an existing transportation facility.

Determination of Significant Effect
The TPR requires a determination of which existing and planned transportation facilities will experience a significant effect as a result of the proposed plan amendment, and defines what constitutes a significant effect.

OAR 660-012-0060(1) Plan and Land Use Regulation Amendments

As stated in the following findings, the plan amendments propose no significant effect on any planned or existing facilities under OAR 660-012-0060(1)(a), (b) or (c). OAR 660-012-0060(1) Plan and Land Use Regulation Amendments states the following:

> *(1) Where an amendment to a functional plan, an acknowledged comprehensive plan, or a land use regulation would significantly affect an existing or planned transportation facility, the local government shall put in place measures as provided in section (2) of this rule to assure that allowed land uses are consistent with the identified function, capacity, and performance standards (e.g. level of service, volume to capacity ratio, etc.) of the facility. A plan or land use regulation amendment significantly affects a transportation facility if it would:*
>
> *(a) Change the functional classification of an existing or planned transportation facility (exclusive of correction of map errors in an adopted plan);*
>
> *(b) Change standards implementing a functional classification system; or*

The proposed amendment will not change the functional classification of an existing or planned transportation facility or change the standards implementing a functional classification system.

(c) As measured at the end of the planning period identified in the adopted transportation system plan:

(A) Allow land uses or levels of development that would result in types or levels of travel or access that are inconsistent with the functional classification of an existing or planned transportation facility;

(B) Reduce the performance of an existing or planned transportation facility below the minimum acceptable performance standard identified in the TSP or comprehensive plan; or

(C) Worsen the performance of an existing or planned transportation facility that is otherwise projected to perform below the minimum acceptable performance standard identified in the TSP or comprehensive plan.

The proposed amendment will allow for the construction of bridges to replace existing bridge facilities that have been decommissioned as being structurally unsafe. The replacement bridges will be constructed in approximately the same location as the decommissioned bridge. Since 2004 (when the primary bridges were decommissioned as unsafe), a (temporary) detour bridge has provided I-5 traffic access over the Willamette River. Once the proposed bridges are constructed, existing traffic volumes currently using the detour bridge will be shifted from the detour bridge to the new bridges. Construction of the proposed bridges will simply reroute traffic from the current detour bridge to the (permanent) replacement bridges allowed by the proposed amendment.

While the replacement bridges will be designed and constructed to accommodate six lanes of travel, because I-5 is only four lanes, the bridges will be striped for four lanes. Until I-5 is widened to six lanes, the bridges will remain striped for four lanes. Designing and constructing the bridges to allow for six lanes of travel is intended to accommodate future traffic needs traveling along I-5; the additional I-5 traffic will be generated by future development throughout the State of Oregon and, because I-5 is a major interstate, throughout the United States. The construction of the replacement bridges, whether striped for four lane or six lanes, does not generate any additional vehicular trips, it simply provides passage over the Willamette River. When the bridges are eventually striped for six lanes (to be made consistent with I-5), the additional bridge capacity will increase the performance and function of I-5, not worsen it.

Accordingly, the proposed amendment will not allow land uses or levels of development that will result in types or levels of travel or access that are inconsistent with the functional classification of an existing or planned transportation facility under OAR 660-012-0060(1)(c)(A).

Further, the proposed amendments will not reduce the performance of an existing or planned transportation facility below the minimum acceptable performance standard identified in the TSP or comprehensive plan under (1)(c)(B), or worsen the performance of an existing or planned transportation facility that is otherwise projected to perform below the minimum acceptable performance standard identified in the TSP or comprehensive plan under (1)(c)(C).

For the reasons discussed above, the proposed amendment will not significantly affect an existing or planned transportation facility.

OAR 660-012-0015 Preparation and Coordination of Transportation System Plans

OAR 660-012-0015(1) directs ODOT to prepare and adopt a state transportation system plan that identifies a system of transportation facilities and services adequate to meet identified state transportation needs. The Oregon Transportation Commission has done that through adoption of the Oregon Transportation Plan (OTP) and modal plans, including the Oregon Highway Plan. The OTP includes policies to increase the efficient movement of people and goods for commerce and production of goods and services that is coordinated with regional and local plans. It emphasizes managing the existing transportation system effectively and improving that system before adding new facilities.

The OTP also promotes a safe, efficient, and reliable freight system to support economic vitality. The OHP identifies I-5 as an interstate highway within the state's roadway network. That highway necessarily includes a bridge over the Willamette River in Eugene/Springfield. OAR 660-012-0015(2) and (3) require that regional and local TSPs be consistent with the state TSP. Transplan currently recognizes the importance of I-5 to the region. Because the replacement bridges are necessary to maintaining I-5, by approving the proposed plan amendments, all plans will remain consistent and the requirements of Goal 12 will be satisfied.

Based on the above findings, the proposal is consistent with Statewide Planning Goal 12.

<u>Goal 13 - Energy Conservation:</u> *To conserve energy.*

Statewide Planning Goal 13 calls for land uses to be managed and controlled "so as to maximize the conservation of all forms of energy, based upon sound economic principles." Goal 13 is directed at the development of local energy policies and implementing provisions and does not state requirements with respect to other types of land use decisions. It is not clear that the goal has any bearing on a site-specific decision such as the one at issue. There is no implementing rule that clarifies the requirements of Goal 13. To the extent that Goal 13 could be applied to the proposed plan amendments, the proposal is consistent with Goal 13; the I-5 Willamette Bridge project is located in the same location as the existing and previous bridges and will continue to make efficient use of energy with safe, direct and efficient access though the area.

Comments were received that, in summary, the applicant fails to consider the conservation of energy by any means other than that of maximizing the efficiency of car and truck traffic. Specifically, failure to consider any provision for incorporating bicycle traffic into the crossing does not maximize the conservation of all forms of energy, particularly petroleum energy. However, given that Goal 13 is directed at developing local energy conservation policies, it is determined that Goal 13 is not a means to require a specific project to add a bicycle and pedestrian component.

Based on the findings above, the proposal is consistent with Statewide Planning Goal 13.

<u>Goal 14 - Urbanization:</u> *To provide for an orderly and efficient transition from rural to urban land*

use.

The amendments do not affect the transition from rural to urban land use, as the project area is centrally located to the Metro Plan and is entirely within the Eugene-Springfield UGB. Therefore, Statewide Planning Goal 14 does not apply.

Goal 15 - Willamette River Greenway: *To protect, conserve, enhance and maintain the natural, scenic, historical, agricultural, economic and recreational qualities of lands along the Willamette River as the Willamette River Greenway.*

Portions of the project area are within the boundaries of the Willamette River Greenway. As found under Goal 2 above, which is incorporated herein by reference, a goal 15 exception is required by Policy D.11 of the Metro Plan and the applicant meets the requirements for an exception to Goal 15. Based on these findings, the proposal complies with Statewide Planning Goal 15 as excepted.

Goal 16 through 19 - Estuarine Resources, Coastal Shorelands, Beaches and Dunes, and Ocean Resources:

There are no coastal, ocean, estuarine, or beach and dune resources related to the property affected by these amendments. Therefore, these goals are not relevant and the amendments will not affect compliance with Statewide Planning Goals 16 through 19.

(b) Adoption of the amendment must not make the Metro Plan internally inconsistent.

The applicant proposes to amend the Metro Plan text of Policy D.11 to allow the placement of fill within the Willamette River greenway for the construction of the I-5 Willamette Bridge Project. As found below, this text amendment will not create an internal conflict with the remainder of the Metro Plan. The applicant provided detailed findings intending to show how the Metro Plan text amendment is consistent with the policy direction contained in the Metro Plan. To the extent that they may be applicable, the applicant's findings are also incorporated herein by reference.

The following Metro Plan polices are applicable to this request:

B. Economic Element

B.18 Encourage the development of transportation facilities which would improve access to industrial and commercial areas and improve freight movement capabilities by implementing the policies and projects in the Eugene-Springfield Metropolitan Area Transportation Plan (TransPlan) and the Eugene Airport Master Plan.

While the expressed language of this policy may not be mandatory, the applicant's findings are provided as further support for the proposed amendments. Replacing the decommissioned I-5 Willamette River bridge with two new bridges, and associated improvements, will maintain the access, mobility, and freight movement capabilities that the decommissioned bridge and temporary detour bridge have provided. By ensuring mobility is maintained along the interstate highway system through Eugene and Springfield, the replacement bridges will help provide convenient

access to industrial and commercial areas on connecting roads consistent with this policy.

C. Environmental Resources Element

C.8 Local governments shall develop plans and programs which carefully manage development on hillsides and in water bodies, and restrict development in wetlands in order to prevent erosion and protect the scenic quality, surface water and groundwater quality, forest values, vegetation, and wildlife values of those areas.

C.9 Each city shall complete a separate study to meet its requirements under the Goal 5 Rule for wetlands, riparian corridors, and wildlife habitat within the UGB. Lane County and the respective city jointly will adopt the inventory and protection measures for the area outside the city limits and inside the UGB.

C.10 Local governments shall encourage further study (by specialists) of endangered and threatened plant and wildlife species in the metropolitan area.

C.11 Local governments shall protect endangered and threatened plant and wildlife species, as recognized on a legally adopted statewide list, after notice and opportunity for public input.

These policies are directed to the local governments of Eugene, Springfield and Lane County and not necessarily the applicant. However, they are applicable to the extent that the cities of Eugene and Springfield and Lane County have adopted regulations to protect these resources, and that the applicant will be required to apply for applicable permits pursuant to those local requirements (Eugene's Willamette Greenway permit and Water Resources Conservation Overlay Zone, and Springfield's 75-riparian setback review).

C.23 Design and construction of new noise-sensitive development in the vicinity of existing and future streets and highways with potential to exceed general highway noise levels shall include consideration of mitigating measures, such as acoustical building modifications, noise barriers, and acoustical site planning. The application of these mitigating measures must be balanced with other design considerations and housing costs.

Comments were also received regarding the noise abatement walls and limiting noise from the project. Since the project is not a "new noise-sensitive development in the vicinity of existing and futures streets and highways..." but is rather the reverse, a highway in the vicinity of existing residential development, this policy is not applicable. Furthermore, the highway is replacing an existing highway in approximately the same location. In the event that this policy is found applicable, the applicant's findings are incorporated to demonstrate consistency. As previously discussed under Goal 6 above, a project noise technical report was prepared as part of the Environmental Assessment (as required by NEPA) to analyze potential noise impacts resulting from the project. Per the ODOT Noise Manual (June 1996) analysis procedures, noise mitigation measures were evaluated to reduce noise levels to nearby residences as a result of the project. Noise walls were determined to meet the ODOT effectiveness and cost-effectiveness criteria in two locations and are recommended as mitigation (see supplemental information, Figures 7-9). The final

wall locations will be determined after public input is completed as part of the NEPA process. Additionally, as stated on page 13 of the written statement, the applicant proposes the following general measures:

- Continue public involvement through design and construction
- limit work hours
- limit noise

Based on these findings, this policy is satisfied.

C.26 Local Governments shall continue to monitor, to plan for, and to enforce applicable air and water quality standards and shall cooperate in meeting applicable federal, state and local air and water quality standards.

As previously stated under Goal 6, which is incorporated herein by reference, it is not anticipated that the replacement bridges will have a permanent adverse impact on air quality as the bridges are replacing an existing bridge. The applicant is proposing several measures including site preparation, site construction, coordination and post development measures discussed under Metro Plan Policy E.2, which is incorporated herein by reference, to reduce and mitigate impacts to water quality, consistent with this policy. In addition, water quality impacts will be further reviewed for compliance with local standards under the local permitting process for Willamette Greenway permit, Water Resources Conservation Overlay Zone and the 75-foot riparian setback and under the NEPA Environmental Assessment, subject to applicable requirements.

C.30 Except as otherwise allowed according to Federal Emergency Management Agency (FEMA) regulations, development shall be prohibited in floodways if it could result in an increased flood level. The floodway is the channel of a river or other water course and III-C-16 the adjacent land area that must be reserved to discharge a one-percent-chance flood in any given year.

C.31 When development is allowed to occur in the floodway or floodway fringe, local regulations shall control such development in order to minimize the potential danger to life and property. Within the UGB, development should result in in-filling of partially developed land. Outside the UGB, areas affected by the floodway and floodway fringe shall be protected for their agricultural and sand and gravel resource values, their open space and recreational potential, and their value to water resources.

C.32 Local governments shall require site-specific soil surveys and geologic studies where potential problems exist. When problems are identified, local governments shall require special design considerations and construction measures be taken to offset the soil and geologic constraints present, to protect life and property, public investments, and environmentally-sensitive areas.

Regarding Policy C.30 and C.31, as discussed under Statewide Planning Goal 7, Natural Hazards, which is incorporated herein by reference, the I-5 Willamette Bridge Project is partially located within a FEMA designated regulatory floodway and floodplain. Therefore, the design of the replacement bridge must satisfy the regulations set forth in the National Flood Insurance Program

(NFIP). The NFIP requires that any modifications that cause a rise in the Base Flood Elevations (BFEs, which corresponds to water surface elevations associated with the 100-year flood event) must be approved by FEMA. The no-rise condition is also a requirement of ODOT for any bridge replacement project.

Consistent with C.31, both Eugene and Springfield have adopted ordinances regulating construction within floodplains and floodways; City of Eugene FEMA "no-rise" certification for any construction or structures within floodways/special flood hazard areas; and City of Springfield Type I permit to allow any construction in the floodplains or floodways within Springfield. Comments from the Eugene Floodplain Manager note that a FEMA no-rise certificate would only be required through the City of Eugene for construction (fill) or structures within the floodway or floodplain that are outside of the right-of-way. The proposal includes temporary staging areas outside of the ODOT right-of-way; portions of the Whilamut Natural Area and Eastgate Woodlands, and ODOT and Lane County property both located southeast of I-5 and the Willamette River. For these areas, prior to any fill or other development within the regulatory floodway, ODOT will be required to obtain a "no-rise" certification stating that the development will not impact the pre-project (before the temporary bridge) base flood elevation elevations, floodway elevations and floodway data widths. This certification must be signed by a professional engineer and supported by technical data consistent with current FEMA standards.

Based on the preliminary modeling, the proposed pier location options would result in the following; Option A would result in an increase of 0.02 feet over existing conditions for the 100-year flood event and, Option B would result in a decrease of 0.54 feet for the 100- year flood event. Option B, including a decrease in base flood elevation, is consistent with the no-rise and Policies C.30 and C.31. Option A's preliminary analysis shows an increase of 0.02 base flood elevation, which does not meet the no-rise requirement. However, a detailed no-rise analysis has not been submitted and the modeling will be run again to meet the no-rise requirement when the design is refined for the permitting process. Furthermore, ODOT requires its bridges to meet the no-rise requirement. Therefore, in the context of a plan amendment, these policies are met. Specific construction and operational details will be appropriately addressed during local and state permitting processes, subject to applicable approval criteria and related standards.

Regarding Policy C.32, as noted under Goal 7, portions of the project area proposed for temporary staging areas are identified as moderate hazard risk areas on the map identifying Relative Slope Instability Hazards in Eugene. However, while this information may guide the City in adopting code revisions, it does not apply directly to land use applications as it is not adopted as refinement plan or as codified land use criteria. Additionally, based on the earthquake hazard, geotechnical investigations can be completed prior to construction to determine the best method to seat foundations, piers, and bents to reduce effects related to earthquakes (e.g., lateral spread, liquefaction). In addition, slopes can be constructed in a manner that reduces the potential for erosion or small landslides.

Based on the findings above, in the context of a plan amendment, the proposed plan amendments are consistent with these policies.

D. Willamette River Greenway, River Corridors, and Waterways Element

D.9 Local and state governments shall continue to provide adequate public access to the Willamette River Greenway.

The applicant proposes that the public access connecting to the Willamette River Greenway will continue to be provided through ODOT's right-of-way under the I-5 bridges, therefore public access to the Willamette River Greenway will not be permanently affected. As noted under Goal 8 Recreational Need above, which is incorporated herein by reference, a continuous route across ODOT right-of-way for the bicycle/pedestrian pathways will be maintained on both the north and the south sides of the river during construction (written statement, page 61, Willakenzie Area Plan, Neighborhood Design Element- Willamette Greenway, Use Management Standard 2). Therefore, in the context of a plan amendment, this policy is met. Additionally, these specific construction and operational details will be appropriately addressed during local permitting processes, subject to applicable approval criteria and related standards.

D.11 The taking of an exception shall be required if a non-water-dependent transportation facility requires placing of fill within the Willamette River Greenway setback.

An exception to Statewide Planning Goal 15 Willamette River Greenway was approved for Oregon Department of Transportation (ODOT) I-5 right of way crossing the Willamette River and within the Willamette River Greenway Setback Line, for purpose of constructing a temporary detour bridge, implementing the conditions imposed on the Discretionary Use Approval (Springfield Journal SHR 2003-00115) and removing the temporary detour bridge after completion of the permanent replacement bridge. This exception satisfies the criteria of Oregon Administrative Rule (OAR) 660-004-0022(5) Willamette Greenway; the exception requirements of OAR 660-004-0020 Goal 2, Part II(c) for a 'reasons' exception; and pursuant to OAR 660-004-0015, is hereby adopted as an amendment to the Metro Plan text, Policy #D.11, Chapter III, Section D.

As discussed under Goal 2 above, in accordance with Policy D.11, the applicant is requesting an exception to Goal 15 for reasons outlined under OAR 660-004-0022. An exception is warranted per the standards set forth in OAR 660-004-0020. Therefore, the above Metro Plan text for Policy D.11 must be amended to acknowledge this Goal 15 exception. Accordingly, the following text amendment is proposed, with old text ~~struck out~~ and new text in **bold**:

~~An exception to Statewide Planning Goal 15 Willamette River Greenway was approved for Oregon Department of Transportation (ODOT) I-5 right of way crossing the Willamette River and within the Willamette River Greenway Setback Line, for purpose of constructing a temporary detour bridge, implementing the conditions imposed on the Discretionary Use Approval (Springfield Journal SHR 2003-00115) and removing the temporary detour bridge after completion of the permanent replacement bridge. This exception satisfies the criteria of Oregon Administrative Rule (OAR) 660-004-0022(5) Willamette Greenway; the exception requirements of OAR 660-004-0020 Goal 2, Part II(c) for a 'reasons' exception; and pursuant to OAR 660-004-0015, is hereby adopted as an amendment to the Metro Plan text, Policy #D.11, Chapter III, Section D.~~

An exception to Statewide Planning Goal 15 Willamette River Greenway was approved for Oregon Department of Transportation (ODOT) for purposes of removing and replacing the decommissioned I-5 bridge, the temporary detour bridge and the Canoe Canal bridge with two new parallel bridges (one southbound and one northbound) within the I-5 right-of-way crossing the Willamette River and Canoe Canal and within the Willamette River Greenway Setback Line. The exception authorizes construction and later removal of one or more temporary work bridges; demolition of the decommissioned I-5 Willamette River Bridge, Canoe Canal Bridge, and detour bridges; construction of the two replacement bridges; reconstruction of the roadway approaches to the bridges (I-5 and ramps); rehabilitation of the project area; and completion of any required mitigation of project impacts. In association with these tasks, the exception further authorizes within the Willamette River Greenway Setback Line the addition and removal of fill within ODOT right-of-way and the removal of fill within a temporary slope easement east of I-5. This exception satisfies the criteria of Oregon Administrative Rule (OAR) 660-004-0022(6), Willamette Greenway, and the exception requirements of OAR 660-004-0020 Goal 2 Part II(c) for a "reasons" exception, and pursuant to OAR 660-004-0015, is hereby adopted as an amendment to the Metro Plan text, Policy D.11, Chapter 111, Section D.

The proposed text amendment replaces the stand-alone paragraph under Policy D.11 regarding the temporary bridge. The applicant's proposed Metro Plan text amendment to Policy D.11 is adequate and with this text amendment and Goal 15 exception granted under Goal 2 above, Policy D.11 will be satisfied.

E. Environmental Design Element

E.2 Natural vegetation, natural water features, and drainage-ways shall be protected and retained to the maximum extent practical. Landscaping shall be utilized to enhance those natural features. This policy does not preclude increasing their conveyance capacity in an environmentally responsible manner.

Bridge construction and demolition, including construction and removal of associated temporary work platforms, will impact riparian vegetation within the greenway.

Construction is proposed within existing ODOT rights-of-ways and easements, with the exception of temporary staging areas. As discussed above under Goal 8 Recreational Need, removal of the detour bridges will include removal of fill material from and rehabilitation of a portion of the Whilamut Natural Area. ODOT has obtained a temporary easement to do this work which requires rehabilitation of the area within 5 years of completion of the permanent bridges. Construction best management practices will be implemented to minimize the effects of construction activities. Disturbed areas will be restored and ODOT will work with the community throughout the design and construction process to get input and advice on ways to avoid and minimize environmental impacts.

According to the applicant, a species list provided by ORNHIC (Oregon Natural Heritage Information Center) indicates that there are no federal or state-listed Endangered Species Act (ESA)

terrestrial wildlife species known to reside within the project area. There are no known federal or state ESA –listed plant species or plant habitats have been identified within the project area. Two salmonid populations listed under the ESA are documented as occurring within the reach of the Willamette River that flows through the project area:

- Upper Willamette River spring Chinook (Oncorhynchus tshawytscha) and critical habitat – federally threatened – FT.
- Columbia River bull trout (Salvelinus confluentus) Distinct Population Segment (DPS) and critical habitat - FT.

ODOT will coordinate with Oregon Department of Fish and Wildlife through the design process to identify opportunities to minimize habitat disturbance. To avoid and minimize potential impacts to fish and wildlife species habitat during and after construction activities, all applicable OTIA III State Bridge Delivery Program EPS will be implemented to reduce the extent of direct and indirect impacts to habitat. These include:

- Minimize effects to natural stream and floodplain by keeping the work area to the smallest footprint needed.
- Prepare and implement a plan to prevent construction debris from dropping into the Willamette River and to remove materials that may drop with a minimum disturbance to aquatic habitat.
- Prepare site restoration plans for upland, wetland, and streambank areas to include native plant species and noxious weed abatement techniques, and use large wood and rock as components of streambed protection treatments.
- Flag boundaries of clearing limits and sensitive areas to be avoided during construction.
- Coordinate with Willamalane Park and Recreation District and the Eugene Parks and Open Space Division regarding sensitive areas in the Whilamut Natural Area and Eastgate Woodlands that should be avoided during construction.
- Restore and revegetate disturbed areas.

ODOT also proposes (written statement, page 13) to avoid, minimize and/or mitigate impacts of this project, consistent with this policy, by utilizing the following general measures amongst others:

- Continue public involvement through design and construction
- Plan traffic management to keep all travel modes open and safe during construction
- Limit work hours
- Restore/enhance affected areas
- Limit project noise

Public comment was received expressing support for these measures, especially limiting project noise and work hours, especially for pile driving activities.

In addition, specific design details will be reviewed and conditioned to minimize environmental impacts during federal and local permitting processes, subject to applicable approval criteria and related standards. The applicant proposes that the project will meet the OTIA III Environmental Performance Standards (EPS) in order to satisfy the requirements of the programmatic

environmental permits that apply to the statewide bridge program. These performance standards define the level of effect that a project may have upon the environment, thereby limiting or avoiding impacts to the environment through the use of proper planning, design, and construction activities. To avoid fish and wildlife species and minimize temporary impacts from construction activities, all applicable OTIA III State Bridge Delivery Program EPS will be implemented to reduce the extent of direct and indirect impacts to fish and wildlife species. Effects to water resources during construction and operation of the project will be minimized through the implementation of applicable mitigation measures in the OTIA III State Bridge Delivery Program EPS. It is noted that with regard to pier locations shown on page 9 of the application, Option B indicates a pier closer to the Mill Race, while Option A shows a pier closer to the Willamette River, however, no specific design is being reviewed at this time in the context of a plan amendment. Local permitting processes include Willamette Greenway permit and Water Resources Conservation Overlay for Eugene, and a 75-foot riparian setback review for Springfield. Natural vegetation, natural water features, and drainage-ways shall be protected and retained to the maximum extent practical, consistent with these permitting processes.

This adequately addresses protection of natural vegetation, natural water features, and drainage-ways in the context of the proposed plan amendments. Additionally, these specific construction and operational details will be appropriately addressed during local permitting processes, subject to applicable approval criteria and related standards.

E.4 Public and private facilities shall be designed and located in a manner that preserves and enhances desirable features of local and neighborhood areas and promotes their sense of identity.

The replacement bridges will be located within the same ODOT right-of-way where the decommissioned bridge is located, an area already utilized by transportation infrastructure. The proposal also includes a reduction in the total number of piers, a reduction in the number of piers in the Willamette River, and review of bridge design options (based on aesthetic and budgetary considerations) through a separate public process; all of which should contribute to a positive visual impact, consistent with this policy.

Additionally, impacted riparian areas and other lands within the greenway setback will be protected during the later permitting process through the imposition of approval conditions as necessary to comply with applicable approval criteria and related standards. Specifics of the bridge design can be considered during the plan amendment process or, for Springfield, through the Discretionary Use Approval process as provided in SDC 3.3-325 25.050 and 5.9-120. Conceptual designs are being addressed as part of the federal draft environmental process that precedes local land use decision-making. Additionally, as noted above in the discussion of Statewide Planning Goal 1, the public is involved in this process. Among other things, ODOT established a Community Advisory Group (CAG) composed of representatives of local neighborhood associations, parks departments (City of Eugene and Willamalane Park and Recreation District), the Citizen Planning Committee for the Whilamut Natural Area, chambers of commerce, and the University of Oregon that has been involved in the development of the project and will continue to be involved during selection of the bridge type, its design, and construction.

Comments were received regarding concerns with traffic during the construction period along Martin Luther King Blvd, in the Alton Baker Park/Autzen Stadium area, and North Walnut Path where there will be large construction vehicles entering and exiting for several years. As noted above, the applicant has proposed limiting work hours and project noise as well as sound walls. Conceptually, this is consistent with this policy. Furthermore, these concerns are more appropriately addressed during the local permitting processes where a construction management plan and detailed site plan will be reviewed in detail for minimizing these types of impacts.

F. Transportation Element

As previously mentioned, comments were received stating that the applicant's responses to Goals 1 and 2 of the Metro Plan, Transportation Element, do not demonstrate that these goals have been met. To summarize, Goals 1 and 2 support a transportation system that supports choices in modes of travel that will reduce reliance on the automobile and that enhances quality of life and economic opportunity by being balanced, accessible, efficient, safe, interconnected, environmentally responsible, etcetera (see Metro Plan pages III-F-1 and 2). According to the Metro Plan (page I-4), a goal is "a broad statement of philosophy that describes the hopes of the people of the community for the future of the community. A goal may never be completely attainable, but is used as a point to strive for." A goal is not something for which an application is measured against. Whereas a policy, which is a "statement adopted as part of the Metro Plan to provide a consistent course of action, moving the community toward attainment of its goal," can be used for determining consistency with the Metro Plan. As such, compliance with the goals, as measured through application of the policies, is determined as follows:

F. 10 Protect and manage existing and future transportation infrastructure.

Consistent with this policy, the I-5 Willamette Bridge Project replaces a structurally deficient bridge with two new permanent bridges built to current seismic standards using construction methods meeting environmental requirements for permanent (rather than temporary) structures, and associated improvements, to accommodate anticipated traffic volumes and weight loads. This project reflects an effort to manage and protect I-5, which is an essential part of the region's and state's existing transportation infrastructure, consistent with this policy.

Furthermore, in response to the same policy in TransPlan (TSI System-Wide Policy 1), that this policy calls for the protection and management of existing transportation facilities in a way that sustains their long-term capacity and function. I-5 is an existing transportation facility whose function is that of an interstate highway providing connections to major cities, regions of the state and other states. As an interstate highway, I-5 also serves as a major freight route. TransPlan recognizes I-5 as a single facility that includes a connection over the Willamette River. Failure to replace the decommissioned I-5 bridge and temporary detour bridge with new permanent bridges capable of sustaining I-5's long-term capacity and functions would be inconsistent with TransPlan and this policy.

F.14 Address the mobility and safety needs of motorists, transit users, bicyclists, pedestrians and the needs of emergency vehicles when planning and constructing roadway system improvements.

As described in TransPlan, the intent of this policy is to support the design and construction of systems and facilities that accommodate multiple modes. However, it also supports consideration of the needs of emergency vehicles in the design and construction of system improvements. I-5 across the Willamette River is an existing transportation facility identified in Transplan and the OHP. Because the original I-5 bridge is structurally deficient and had to be decommissioned, new permanent bridges are needed to address the safety and mobility needs of motorists and facilitate efficient movement of emergency vehicles between the north and south sections of Eugene and Springfield. The new permanent replacement bridges will be designed to meet applicable state and federal safety and mobility standards. The temporary detour bridge cannot accommodate the safety needs of motorists because it does not meet current seismic standards and the construction methods used to build it only met environmental requirements as they applied to temporary, not permanent, structures.

Comments were received stating that (to summarize) the bridge provides a crossing of Franklin Boulevard and the railroad and provides an opportunity for those crossing to be made available to pedestrians and bicyclists, and since the replacement is not accommodating such a crossing, the applicant has insufficient analysis addressing the mobility and safety needs of bicyclists and pedestrians. As previously discussed under Goal 8, Recreation which is incorporated herein by reference, the applicant proposes a continuous route across ODOT right-of-way for the bicycle/pedestrian pathways to be maintained on both the north and the south sides of the river during construction. In the context of the proposed plan amendments, this adequately addresses mobility and safety for bicyclists and pedestrians as these are the existing bicycle and pedestrian facilities affected by the proposed amendments.

Existing bicycle/pedestrian connections between the Laurel Hill Valley area and Alton Baker Park (and other areas north of the Willamette River) exist via Riverview, then westerly along the widened sidewalk on the south side of Franklin Boulevard to Walnut Street (where there is a signalized crossing of Franklin/ORE99/BusinessORE126), northeasterly to an underpass beneath the railroad, then east to the Knickerbocker Bridge which connects to the southbank path and Day Island area that have connections to the canoe canal bridge and bike path north along the west side of I-5 to Martin Luther King Jr. Boulevard. The applicant proposes to maintain a continuous bicycle/pedestrian pathway along the south (and north) side of the river through construction. Additionally, TransPlan has identified some improvements (unfunded projects) to the local system between the Walnut/Garden Avenue path connections to the Knickerbocker Bridge and path connections within Alton Baker Park. Furthermore, while the policies do not require a new pedestrian and bicycle connection in conjunction with this plan amendment, the applicant is not prohibited from incorporating a new pedestrian/bicycle element into their facility.

Additionally, the findings under Statewide Planning Goal 12 regarding transportation are incorporated herein by reference as demonstration of consistency with this policy. Based on these findings, this policy is met.

F.15 Motor vehicle level of service policy:

a. Use motor vehicle level of service standards to maintain acceptable and reliable performance on the roadway system. These standards shall be used for:

(1) Identifying capacity deficiencies on the roadway system.

(2) Evaluating the impacts on roadways of amendments to transportation plans, acknowledged comprehensive plans and land-use regulations, pursuant to the TPR (OAR 660-012-0060).

(3) Evaluating development applications for consistency with the land-use regulations of the applicable local government jurisdiction.

b. Acceptable and reliable performance is defined by the following levels of service under peak hour traffic conditions: LOS E within Eugene's Central Area Transportation Study (CATS) area, and LOS D elsewhere.

c. Performance standards from the OHP shall be applied on state facilities in the Eugene-Springfield metropolitan area.

In some cases, the level of service on a facility may be substandard. The local government jurisdiction may find that transportation system improvements to bring performance up to standard within the planning horizon may not be feasible, and safety will not be compromised, and broader community goals would be better served by allowing a substandard level of service. The limitation on the feasibility of a transportation system improvement may arise from severe constraints, including but not limited to environmental conditions, lack of public agency financial resources, or land use constraint factors. It is not the intent of TSI Roadway Policy #2: Motor Vehicle Level of Service to require deferral of development in such cases. The intent is to defer motor vehicle capacity increasing transportation system improvements until existing constraints can be overcome or develop an alternative mix of strategies (such as: land use measures, TDM, short-term safety improvements) to address the problem.

The I-5 Willamette River replacement bridges will be striped to provide two travel lanes in each direction, consistent with current striping patterns. As noted under Goal 12 above, incorporated by reference, the construction of the replacement bridges, whether striped for four lane or six lanes, does not generate any additional vehicular trips, it simply provides passage over the Willamette River and greenway. When the bridges are eventually striped for six lanes (to be made consistent with I-5), the additional bridge capacity will increase the performance and function of I-5, not worsen it. Additionally, it is noted that TransPlan projects 150 and 260 provide for the future widening of I-5 from four to six travel lanes north and south of the Willamette River.

(Because the I-5 Willamette River Bridge and roadway is already recognized in TransPlan, there is no need to amend the plan. The required exceptions are not taken to meet requirements of Statewide Planning Goal 12 or the Transportation Planning Rule (TPR), but to comply with Willamette River Greenway requirements in Goal 15 and the Metro Plan. These findings address the consistency of the needed plan amendments with applicable Metro Plan requirements and land use regulations. Other applicable land use regulations will be addressed during the local permitting processes.)

F. 16 Promote or develop a regional roadway system that meets the combined needs for travel through, within and outside the region.

Although this policy language is not mandatory, the applicant's findings are incorporated herein as further demonstration of compliance with the Transportation Element: I-5 is a state facility that

serves both statewide and regional transportation needs as defined in the TPR, i.e., needs for movement of people and goods (1) between and through regions of the state and between states (state need), and (2) between and through communities and accessibility to regional destinations within a metropolitan area (regional need). As such, it is an integral element of the Eugene-Springfield metropolitan area's regional roadway system. Indeed, it is likely the principal arterial serving the combined needs for travel through, within, and outside the region. Replacing a structurally deficient bridge with two new bridges and associated improvements promotes the maintenance and continuation of the regional roadway system serving the combined needs for travel through, within, and outside the region, consistent with this policy.

F.29 Support reasonable and reliable travel times for freight/goods movement in the Eugene-Springfield region.

Although this policy language is not mandatory, the applicant's findings are incorporated herein as further demonstration of compliance with the Transportation Element: consistent with this policy, connecting I-5 north and south of the Willamette River via new, structurally safe bridge crossings is essential to ensuring that reasonable and reliable travel times for moving freight and goods in the region are maintained. Without the connection, tens of thousands of vehicles daily would be required to seek alternative means for crossing the river, clogging capacity and causing congestion and delay throughout Eugene and Springfield. Existing roadways lack sufficient capacity to accommodate the existing 49,000 daily vehicle trips or the 73,000 daily vehicle trips anticipated on the I-5 Willamette River Bridge by 2030.

F.34 Operate and maintain transportation facilities in a way that reduces the need for more expensive future repair.

Permanent replacement for the decommissioned bridge is necessary to improve safety and ensure mobility of all users of I-5 in the Eugene/Springfield area. Replacing the unsafe decommissioned bridge and substandard detour bridge with permanent bridges and associated improvements that meets current safety and design standards and that handles increasing traffic volumes will result in the continued operation of I-5 and will eliminate the potential for a more costly, expedited future repair to ensure continued mobility, consistent with this policy.

G. Public Facilities and Services Element

G.18 The cities and Lane County shall adopt a strategy for the unincorporated area of the UGB to: reduce the negative effects of filling in floodplains and prevent the filling of natural drainage channels except as necessary to ensure public operations and maintenance of these channels in a manner that preserves and/or enhances floodwater conveyance capacity and biological function.

G.19 Maintain flood storage capacity within the floodplain, to the maximum extent practical, through measures that may include reducing impervious surface in the floodplain and adjacent areas.

As discussed under Goal 7 Natural Hazards and Metro Plan Policies C.30 and C.31, which are

incorporated herein by reference, in the context of the plan amendments the proposal is consistent with these policies. Specifically, the applicant's preliminary no-rise analysis indicates Option B would decrease the base flood elevation and Option A would increase the base flood elevation by 0.02 feet, which does not meet the no-rise requirement. However, the applicant has not submitted a detailed analysis and the modeling will be run again when the design is refined for the permitting process to meet the no-rise requirement. ODOT also requires its bridges to meet the no-rise requirement. Therefore, in the context of a plan amendment, these policies are satisfied. Additionally, the specific details of the development will be appropriately addressed during local and state requirements, subject to applicable approval criteria and related standards.

Additionally, both the cities of Springfield and Eugene have adopted ordinances to regulate the construction within floodplains and floodways outside of rights-of-way. The applicant will be required to apply for the necessary permits which can be conditioned to ensure appropriate floodplain and floodway construction and mitigation. Furthermore, ODOT's own project rules require that the proposal result in a no-rise of flood elevation.

The following findings are regarding consistency with other applicable refinement plans (TransPlan, Riverfront Park Study, Laurel Hill Plan) that are not proposed to be amended:

TransPlan

TransPlan was adopted as a refinement to the Metro Plan. The I-5 bridge and roadway is identified within TransPlan, therefore, determination of consistency with TransPlan is necessary. However, it is noted that the applicable TransPlan policies have been incorporated into the Metro Plan under the Transportation Element policies above. The applicable TransPlan policies are as follows: TSI System-Wide Policies, Policy 1; TSI Roadway Policies, Policies 1-3; and TSI Goods Movement Policies, Policy 1. Therefore, the findings for Metro Plan policies F.10, F.14, F.15, F.16, and F.29 are incorporated herein by reference to demonstrate compliance with these applicable policies of TransPlan.

As previously mentioned, comments were received stating that the applicant's response to TransPlan Goals 1 and 2 (Metro Plan, Transportation Element, Goal 1 and 2), Objective #3, and TSI Roadway Policy #1 do not demonstrate that these goals and objectives have been met. To summarize, Goals 1 and 2 support a transportation system that supports choices in modes of travel that will reduce reliance on the automobile and that enhances quality of life and economic opportunity by being balanced, accessible, efficient, safe, interconnected, environmentally responsible, etcetera (see TransPlan Chapter 2, page 3 and Metro Plan pages III-F-1 and 2). According to the TransPlan (Chapter 2, page 3), a goal is "a broad statement of philosophy that describes the hopes of the people of the community for the future of the community. A goal may never be completely attainable, but is used as a point to strive for." A goal is not something for which an application is measured against. Similarly, an objective is "an attainable target that the community attempts to reach in striving to meet a goal. An objective may also be considered as an intermediate point that will help fulfill the overall goal." Whereas a policy, which is a "statement adopted as part of TransPlan to provide a consistent course of action, moving the community toward attainment of its goal," can be used for determining consistency with the TransPlan. As such, compliance with the goals and objectives, as measured through application of the policies, is determined under the Metro Plan, Transportation Element policies above. Regarding TSI Roadway

Policy #1, see findings under Metro Plan Policy F.14.

Riverfront Park Study
Riverfront Park Study (RPS) is adopted as a refinement of the Metro Plan. Review of the RPS indicates that the study boundary includes the south bank of the Willamette River up to the I-5 bridge. Figure 5 of the applicant's February 22, 2008 submittal materials identify a broad area for the temporary construction bridge location, which includes the south bank of the Willamette where it abuts the I-5 bridge. Although the exact temporary construction bridge locations will determined through subsequent permitting processes, the RPS is applicable to the extent the area is potentially impacted as shown on Figure 5, and the applicable polices are as follows:

Transportation

5. *Required transportation projects will be phased and the phasing schedule will depend upon the level of participation of non-public funds (i.e., participation by a developer) and the level of actual development.*

The applicant indicates that it is not expected that the project will be phased.

Environment

2. *The existing Millrace which passes through a portion of the study area is an important environmental and historic city feature. Development occurring in the Riverfront Park shall maintain or improve the visual and bicycle/pedestrian access to and along the Mill Race, expanding its use for public recreation while at the same time recognizing its role as a storm runoff channel.*

3. *Development occurring in the Riverfront Park area shall be designed to preserve a significant cluster of black locust, English oak, and redleaf plum trees located just east of the current location of the bicycle path.*

4. *Development in the Riverfront Park area shall, when possible, maintain and enhance the public's physical access to the river and the riparian strip along its banks.*

The new bridges will be constructed in approximately the same location as the decommissioned and detour bridges. Though there would be a slight shift in the alignment of I-5, all improvements would remain within the existing ODOT right-of-way. The new bridges therefore will not be located within the Riverfront Park Study area. However, as previously stated, portions of the temporary work bridges may be located within a small portion of the Riverfront Park Study area. ODOT would acquire temporary easements for use of non-ODOT property during construction. The Riverfront Park Study area in which a portion of the temporary work bridges may be located is just east of the I-5 replacement bridges shown in Figure 3, south of the Willamette River, and north of Franklin Boulevard. The section of the Riverfront Park Study area that may be affected by the temporary work bridges does not include the Millrace and cluster of trees mentioned in the Riverfront Park Study Environmental Policies 2 and 3; therefore, these elements would not be affected. Public access to the river and along the Millrace will not be directly affected. See

responses to Goal 5 and Metro Plan Policy E.2.

Laurel Hill Plan
The Laurel Hill Plan (LHP) is adopted as a refinement of the Metro Plan. Review of the LHP indicates that a portion of the I-5 project is within the study boundary (see applicant's February 22, 2008 submittal materials, Figures 6 and 8). Therefore, the applicable policies are as follows:

Land Use and Future Urban Design

C. Policies

6. The Laurel Hill Plan supports the South Hill Study standards. In general, alteration of the land contours shall be minimized to retain views of natural features and retain as much of the forested atmosphere as possible. Aside from purely aesthetic considerations, these hillsides demand care in development because the topsoil is thin and the water runoff is rapid. Proposed developments shall respect the above considerations. The Valley hillside policy applies to all land with an average slope, from toe to crest, of 15 percent or greater. (A 15-percent slope is one in which the land rises 15 feet per 100 horizontal feet.)

a. If, in the opinion of the responsible City official, an adverse conservation or geological condition exists upon a parcel of land proposed for a subdivision, or before any major hillside clearing, excavation, filling or construction is contemplated, the requirements of the Uniform Building Code, Chapter 70, Excavation and Grading, and those sections of the code relative to foundation design may be invoked.

b. Considerable latitude shall be allowed the developer in the shaping, depth, and required street frontages of lots where it is necessary to preserve the terrain.

Regarding the standards of the South Hills Study which the LHP supports, the land within the southern portion of the project area (within the South Hills Study area) is below 500 feet in elevation (written statement, page 65). Project work within this area consists of roadway alignment. Therefore, since the project is below 500 feet in elevation, the project is not subject to the South Hills Study policies referred to above.

In addition, geological resources in the project area consist of fill material, alluvium, and bedrock. The processes affecting these materials are man-made, such as excavation and grading, and are naturally created. The project would have no permanent effects on geological resources. Based on the earthquake hazard, geotechnical investigations should be completed prior to construction to determine the best method to seat foundations, piers, and bents to reduce effects related to earthquakes (e.g., lateral spread, liquefaction). In addition, slopes should be constructed in a manner that reduces the potential for erosion or small landslides.

Furthermore, project improvements would occur within the existing ODOT right-of-way. The vegetation removed will be limited to the minimum area necessary for construction and staging activities. Following construction, cleared areas will be revegetated and returned to existing conditions to the extent practicable. Grading would be limited to minimum area necessary. Areas

affected by construction activities would be restored following construction.

Conclusion
Based on the findings above and the Goal 15 exception provided under Goal 2, the proposed amendments are consistent with the Statewide planning goals and the remainder of the Metro Plan.

Recommendation
Metro Plan Amendment Conclusion: Based on the available information and materials in the record, and the above preliminary findings, are found consistent with the applicable approval criteria regarding the Statewide Planning Goals and the remaining portions of the Metro Plan.

Exhibit B

Findings

I-5 Willamette Bridge Project
(Eugene file RA 08-1)

Refinement Plan Text Amendment (RA 08-1) (City of Eugene decision only)

The proposal includes a text amendment the Willakenzie Area Plan, a City of Eugene refinement plan, to allow the placement of fill within 35 feet from the top of bank of the Willamette River for the I-5 Willamette Bridge Project. The project includes replacement of the I-5 bridges over the Willamette River and Canoe Canal (Patterson Slough), including construction and later removal of one or more temporary bridges, demolition of the original and detour Willamette River and Canoe Canal bridges, construction of replacement bridges, reconstruction of the roadway approaches to the bridges, rehabilitation of project area, and completion of any required mitigation.

EC 9.8424 requires that the following criteria (in ***bold and italic***) be applied to a Refinement Plan amendment.

(1)(a) The refinement plan amendment is consistent with the Statewide planning goals.

With respect to the proposed refinement plan and Metro Plan amendments, the applicable Statewide planning goals are evaluated under EC 9.7730(3)(a) of the Metro Plan Amendment findings (see Exhibit A). As incorporated herein by reference, these amendments are found consistent with the Statewide planning goals.

(1)(b) The refinement plan amendment is consistent with the applicable provisions of the Metro Plan.

With respect to the proposed refinement plan and Metro Plan amendments, the applicable provisions of the Metro Plan are evaluated under EC 9.7730(3)(b) of the Metro Plan Amendment findings (see Exhibit A). As incorporated herein by reference, these amendments are found consistent with the Metro Plan.

(1)(c) The refinement plan amendment is consistent with the remaining portions of the refinement plan.

The Willakenzie Area Plan (WAP) encompasses an area north of the Willamette River and west of I-5, which would be affected by the I-5 Willamette Bridge Project. The WAP text amendment to allow the placement of fill within 35 feet of the top of bank of the Willamette River is determined to be consistent with remaining portions of the refinement plan as discussed below.

The applicant provided detailed findings regarding how the WAP text amendment is consistent with

the policy direction contained in the WAP. Those policies found to be applicable to this request are addressed below.

Land Use Element

Land Use Policies and Proposed Actions

1. *The City shall use the Land Use Diagram and accompanying text and policies of the Willakenzie Refinement Plan, as well as other applicable City goals, policies, and plans, to provide policy direction for public decisions affecting the plan area.*

The applicant is proposing a refinement plan text amendment which, as found below, would ensure that the proposed project is consistent with the WAP policies. Diagrams in the WAP identify I-5 as a major arterial and part of the overall transportation system in the WAP, see the transportation functional classification map on page 84 which shows I-5 over the Willamette River and Canoe Canal. As proposed, this application is consistent with this policy.

3. *Retain existing significant vegetation whenever possible to provide buffering between residential and nonresidential uses, as well as between low-density and higher density residential uses.*

The project will result in the temporary removal of some existing vegetation buffering residential areas from I-5. The vegetation removed will be limited to the minimum area necessary for construction and staging activities (see Figure 6 for approximate locations). As discussed in more detail under Metro Plan policy E.2 (see Exhibit A) which is incorporated herein by reference, following construction, cleared areas will be revegetated and returned to existing conditions to the extent practicable. Therefore, in the context of a plan amendment, this policy is satisfied. It is noted that with regard to pier locations shown on page 9 of the application, Option B indicates a pier closer to the Mill Race on the south side, while Option A shows a pier closer to the Willamette River on the north side, however, no specific design is being reviewed at this time in the context of a plan amendment. Furthermore, specific details of the development will be further addressed during local and state requirements, subject to applicable approval criteria and related standards.

4. *Recognize Coburg Road, the Ferry Street Bridge, Beltline Road, Delta Highway, I-5, and the Eugene-Springfield Highway (I-105) as designated entrance corridors to the city as identified in the adopted City of Eugene Entrance Beautification Study.*

The following are applicable policies from the Entrance Beautification Study as follows:

Entrance Beautification Study

1. Identify the most direct and attractive routes into the city, encourage their use, and maintain and improve the character and quality of the entrance experience along these routes.

2. Design and implement improvements to Eugene's entrances which recognize the diversity

and identity of the areas in which the entrances are located.

3. Cooperate with other jurisdictions to make the most efficient use of available funds in achieving beautification of Eugene's entrances.

4. When evaluating designs for entrance beautification projects, give preference to designs which reduce long-term maintenance costs.

WAP Land Use Element Policy 4 recognizes I-5 as an entrance corridor. The applicant has provided conceptual illustrations of possible bridge designs (written statement, pages 9-10) although no specific design is proposed at this time, nor is a specific design typically necessary in the context of plan amendments. Replacing the decommissioned I-5 Willamette River Bridge and associated improvements is consistent with that categorization as an entrance corridor and, for all practical purposes, necessary for I-5 to retain this designation. Additionally, as discussed under the Goal 15 exception criteria OAR 660-004-0022(6)(a) (see Exhibit A) and under Transportation Element Policy 4 below, which are incorporated herein by reference, bridge design aesthetics is the subject of other on-going public participation processes. In the context of the plan amendment, and including the additional public outreach processes on design and local permitting processes, the proposal is consistent with this study.

<u>Transportation Element</u>

1. The transportation network within the Willakenzie area shall be planned and designed to ensure: a) preservation of existing neighborhoods; b) an adequate system of arterials and collectors for the efficient movement of through traffic; and c) the preservation of the use of local streets for local traffic.

The functional classification map identifies I-5 (including bridges over the Willamette River and Canoe Canal) as a major arterial. With regard to (b) and (c) above, I-5 cannot adequately provide for the efficient movement of traffic through the Willakenzie area without replacing the unsafe, structurally deficient decommissioned bridge with a new river crossing. The amendment to Neighborhood Design Element, Use Management Standard 1 (Willamette River Greenway), addressed below, is necessary to ensure continued compliance and to maintain plan consistency with this Transportation Element Policy 1. With regard to (a) above, as previously stated, the project will occur within existing right-of-way and right-of-way easements. Some temporary staging locations are located outside of the right-of-way, however those are temporary in nature and the applicant proposes to re-store those areas upon project completion. Since no non-infrastructure areas will be permanently converted to ODOT use for this project, as proposed, this project will contribute to preservation of existing neighborhoods consistent with this policy.

4. The City shall provide for improvements to designated entrance corridors, including those in County and State jurisdictions, in conjunction with construction or reconstruction projects affecting those streets.

4.1. As part of the design process, provide for the development of corridor design plans that recognize the unique characteristics and individual identities of each of the

designated entrance corridors.

While the City is not proposing any improvements at this time, the bridge crosses the Willamette River and is a defining feature of Eugene-Springfield. The project area also includes an important and highly used park with a designated natural area (the Whilamut Natural Area) and unique cultural features. Further, the bridge is an important symbolic gateway between Eugene and Springfield as well as for the Willamette River valley. A key consideration of the project is providing an aesthetically pleasing solution that recognizes the scenic beauty of the project area and therefore, a range of bridge types and pier options were considered. Selection of the bridge type for each segment is dependent primarily on aesthetic considerations and budget. Additionally, the reduction in the total number of piers and in the number of piers within the Willamette River will improve views of the river and, as such, contribute to a significant positive visual impact.

Regarding 4.1, ODOT is developing the project to retain design flexibility related to bridge form, materials, and aesthetic treatments as well as to allow flexibility to the engineers to design an economical bridge that also meets community requirements. Selection of the bridge type for each segment is dependent primarily on aesthetic considerations and budget. The bridge design is being reviewed during a separate public process.

7. *To the greatest extent possible, the City shall encourage regional and intercity traffic to use major rather than minor arterials.*

The Transportation Element functional classification map designates I-5 as a major arterial. The proposed amendment to the Neighborhood Design Element, Willamette Greenway Use Management Standard 1 (discussed below) is consistent with this policy because it provides for the continued use of I-5 through the area to serve through and regional traffic. Because the decommissioned bridge must be replaced for safety reasons, this policy can only be satisfied by approving the requested goal exceptions and Willakenzie Area Plan amendment. Therefore the proposal is consistent with this policy.

8. *The City shall work with developers and the State of Oregon to ensure that noise attenuation is provided for existing and proposed residential developments along State highways when improvements are made to those roads.*

    8.1. *At the request of residents, the City should work with residents and the State to determine cost-effectiveness and cost distribution for sounds barriers along existing freeways in the established neighborhoods where sound barriers are not currently installed.*

    8.2. *The City should work with the State to ensure local, State, and Federal regulations pertaining to noise attenuation are met whenever a freeway is improved.*

A project noise technical report was prepared as part of the Environmental Assessment (as required by NEPA) to analyze potential noise impacts resulting from the project. Per the ODOT Noise Manual (June 1996) analysis procedures, noise mitigation measures were evaluated to reduce noise levels to nearby residences as a result of the project. Noise walls were determined to meet the

ODOT effectiveness and cost-effectiveness criteria in two locations and are recommended as mitigation (see supplemental information, Figures 7-9). The final wall locations will be determined after public input is completed as part of the NEPA process.

Additionally, as stated on page 13 of the written statement, the applicant proposes the following general measures:

- Continue public involvement through design and construction
- limit work hours
- limit noise

Comments were received from the affected neighborhood association, the Harlow Neighborhood Association, regarding the noise level in the residential area to the east of the bridge (the area of the Willakenzie Area Plan) and that the Environmental Assessment does not fully address this issue specifically about the noise level and the possibility of mitigation by the use of sound walls. As discussed above, the applicant has identified potential sound wall locations, although it is notable that according to Figures 7 and 8, no sound walls are identified in the formal Willakenzie Area Plan or in the Harlow Neighborhood Association area (the closest is proposed on the east side of I-5). The sound walls, although not technically in the WAP at this time, in addition to the measures outlined above demonstrate consistency with this policy. Therefore, in the context of a plan amendment, these policies are satisfied with the findings above. Furthermore, the specific details of the development regarding sound walls and other noise mitigation measures will be more aptly addressed during the NEPA Environmental Assessment process and in the context of a more specific site plan required as part of a subsequent permit process, rather than at the plan amendment level.

Based on the information provided, and as reviewed in detail for compliance with federal noise requirements under other federal processes, the proposal is consistent with these policies.

<u>Neighborhood Design Element</u>
Willamette Greenway

Use Management Standard

1. *Provision that all new structures, expansion of existing structures, drives, parking areas, or storage areas shall not be permitted within the first 35 feet back from the top of the riverbank, unless the location of the floodway boundary requires a greater separation. There are [three] four exceptions to this standard:*
    - *A. Structures designed solely for recreational use (i.e., a deck or steps leading to the river) and driveways for boat landings and water-related or water-dependent uses are permitted within the 35-foot setback.*
    - *B. Public improvements, including pedestrian and bicycle trails, public plazas, and similar amenities, but excluding roads and parking areas, are exempt from the setback requirements specified above.*
    - *C. Structures existing as of the date of adoption of this plan shall be allowed to rebuilt at the same distance from the river that they were before destruction by fire, flood, or other disaster.*

In the context of this use management standard, because the I-5 replacement bridges (1) are not designed solely for recreational use; (2) would be elements of an interstate highway; and (3) are not being rebuilt due to a disaster, this use management standard requires an amendment. Accordingly, the applicant proposes that the standard be amended to read as follows on page 155 of the Willamette Greenway Section in the Willakenzie Area Plan Neighborhood Design Element, with **bold** text indicating new text:

> **D. Replacement or expansion of the I-5 Willamette River Bridge and its approaches.**

The proposed text amendment would allow the portions of the I-5 Willamette Bridge Replacement project within the setback to occur. Furthermore, as found previously under Goal 2 above, an exception to Goal 15 is warranted in this case to allow the I-5 Willamette Bridge Project to place fill within in the Willamette River. As amended, the proposal is consistent with this policy.

Use Management Standard
2. Provision for public pedestrian and bicycle access along the river.

As previously discussed under Statewide Planning Goal 8 (see Exhibit A) which is incorporated herein by reference, the bicycle and pedestrian trails will, to the maximum extent practicable, be kept open, safe, and useable during project construction. Although it is possible that the existing bicycle/pedestrian pathways will be interrupted during construction, the applicant proposes that a continuous route across ODOT right-of-way for the bicycle/pedestrian pathways will be maintained on both the north side and the south side of river during construction. The project will not have a long-term effect on existing bicycle/pedestrian access along the river, consistent with this policy. Furthermore, through the other local permitting processes (Willamette Greenway permit, Water Resources Conservation Overlay review, Willamette Greenway setback, etcetera) construction impacts will be minimized through compliance with applicable approval criteria, related standards and any necessary conditions of approval to preserve bicycle, pedestrian and boater safety.

Use Management Standard
5. Activities or uses such as open storage of materials shall be discouraged within the greenway.

The applicant indicates that two staging areas for material storage and stockpiling, equipment storage, job trailers, employee parking, and other construction-related uses would be occupied during construction; one on the north side of the river and one on the south. The currently-proposed staging areas would be located on ODOT right-of-way, but would also require the temporary occupancy of three parcels not currently owned by ODOT (including portions of the Whilamut Natural Area and Eastgate Woodlands) within the greenway and adjacent to I-5. ODOT will acquire temporary easements for use of non-ODOT property during construction and proposes to revegetate all disturbed areas. Although both of these storage areas are within the greenway boundary and given the temporary nature of the storage for construction of the bridges, the proposal is consistent with this policy as it will not include long-term or permanent storage. In addition, through the other local permitting processes (Willamette Greenway permit, Water Resources Conservation Overlay review, Willamette Greenway setback, etcetera) construction impacts will be reviewed in detail and minimized through compliance with applicable approval criteria, related standards and any

necessary conditions of approval.

Use Management Standard
7. Significant fish and wildlife habitats, as identified in the adopted Natural Resources Special Study, or Metropolitan Plan Natural Assets and Constraints Working Paper shall be protected. Sites subsequently determined by the Oregon Department of Fish and Wildlife shall also be protected.

Portions of the project area are included within areas identified as natural assets and natural constraints, as identified in the following *Metropolitan Plan Natural Assets and Constraints Working Papers*: Development Prohibitions, Development Limitations, Flood Hazards, Wildlife, Scenic Areas, and Willamette River Greenway. No threatened or endangered terrestrial wildlife or plant species or habitat are known to reside within the project area. However, federally threatened salmonid populations are documented as occurring within the reach of the Willamette River that flows through the project area. Therefore, this policy is applicable. As previously discussed, there are several other policies that address impacts to these assets and constraints. Specifically, the findings regarding Goal 6 and Metro Plan Policy E.2 (see Exhibit A) are incorporated herein by reference as demonstration of how the proposed amendment is consistent with this standard.

The applicant states that ODOT will coordinate with ODFW through the design process to identify opportunities to minimize habitat disturbance. To avoid and minimize potential impacts to fish and wildlife species habitat during and after construction activities, all applicable OTIA III State Bridge Delivery Program EPS will be implemented to reduce the extent of direct and indirect impacts to habitat. These include:

- Minimize effects to natural stream and floodplain by keeping the work area to the smallest footprint needed.
- Prepare and implement a plan to prevent construction debris from dropping into the Willamette River and to remove materials that may drop with a minimum disturbance to aquatic habitat.
- Prepare site restoration plans for upland, wetland, and streambank areas to include native plant species and noxious weed abatement techniques, and use large wood and rock as components of streambed protection treatments.
- Flag boundaries of clearing limits and sensitive areas to be avoided during construction.
- Coordinate with Willamalane Park and Recreation District and the Eugene Parks and Open Space Division regarding sensitive areas in Alton Baker Park and the Whilamut Natural Area that should be avoided during construction.
- Restore and revegetate disturbed areas.

Additionally, through other permitting processes, a detailed development plan will be reviewed and impacts to assets minimized, through compliance with applicable approval criteria, related standards, and any necessary conditions of approval. As previously discussed under Metro Plan policy E.2 (see Exhibit A), significant fish and wildlife habitats can and will be protected through compliance with the permitting requirements contained in the Eugene and Springfield development codes for developments in the greenway and in areas subject to Statewide Goal 5 (i.e. Willamette Greenway permit, 75-foot riparian setback, Water Resources Conservation Overlay). The cities of

Eugene and Springfield can impose approval conditions as they deem necessary to protect fish and wildlife habitats to the extent practicable, consistent with the need to provide a new I-5 Willamette River crossing relevant to the Transportation Element policies identified above.

The applicant is also proceeding with an Environmental Assessment as required by NEPA, which will assess the proposals environmental impacts. The applicant will also need floodway/floodplain development permits from the City of Eugene and Springfield. Additionally, as previously stated, the applicant will be conducting additional public outreach efforts regarding the aesthetics of the bridge design.

Based on the findings above, the proposal complies with this standard in the context of a plan amendment. Additionally, further review during the local and other permitting processes will address the details of the proposal for the impacts to the resources *Metropolitan Plan Natural Assets and Constraints Working Paper* through compliance with applicable approval criteria, related standards, and any necessary conditions of approval.

Use Management Standard
8. The natural vegetative riparian fringe along the Willamette River, as identified on the Willakenzie Area Plan Natural Resource Area Map, shall be protected and enhanced to the maximum extent practicable.

The *Willakenzie Area Plan Natural Resource Area Map* identifies portions of the project area, including the temporary storage area proposed in the Whilamut Natural Area, as a natural resource area. The applicant states that the riparian vegetation removed will be limited to the minimum area necessary for construction and staging activities, and as required by the cities of Eugene and Springfield regulations, as previously discussed. Following construction, cleared areas will be revegetated and returned to existing conditions to the extent practicable. As discussed under Metro Plan Policy E.2 (see Exhibit A), which is incorporated herein by reference, the applicant proposes several other measures regarding site construction, site preparation and coordination with stake holders to minimize impacts to the riparian area. Therefore, in the context of a plan amendment, this standard is met.

In addition, the natural vegetation riparian fringe along the Willamette River will be further protected as the specific details of the development will be further addressed during local and state requirements, subject to applicable approval criteria and related standards.

Use Management Standard
9. Scenic qualities and viewpoints, as identified in the Metro Plan Natural Assets and Constraints Working Paper shall be preserved.

Portions of the project area are identified as scenic areas, specifically the Willamette River and portions of Alton Baker Park adjacent to I-5. The new replacement bridges will be located within ODOT's I-5 right-of-way in essentially the same location as the decommissioned bridge. Furthermore, the reduction in the number of piers and fill would have a positive effect on scenic qualities. Therefore, in the context of a plan amendment, the proposal will have no substantial negative effect on the scenic qualities of these scenic areas or on any viewpoints.

Neighborhood Design Element – Natural Resource Area Protection

1. *Significant wetland, riparian, water and upland sites in the Willakenzie area shall be protected from encroachment and degradation in order to retain their important functions related to fish and wildlife habitat, flood control, sedimentation and erosion control, water-quality control, and groundwater pollution control.*

As discussed under Metro Plan Policy E.2 (see Exhibit A), which is incorporated herein by reference, the applicant proposes several measures regarding site and vegetation restoration, site construction, site preparation and coordination with stake holders, to minimize impacts to the riparian area. Therefore, in the context of a plan amendment, this standard is met.

Furthermore, as previously discussed, affected riparian areas and fish and wildlife habitat in the Willakenzie area will be further protected, and flood control managed, as the specific details of the development will be further addressed during local and state requirements, subject to applicable approval criteria and related standards (including Willamette Greenway permit, Water Resources Conservation Overlay, 75-foot riparian setback, FEMA no-rise certification, NEPA).

Conclusion
Based on the findings above, the applicant's proposed WAP text amendment is consistent with the remaining portions of the refinement plan.

(2) The refinement plan amendment addresses one or more of the following:
- ***(a) An error in the publication of the refinement plan.***
- ***(b) New inventory material which relates to a statewide planning goal.***
- ***(c) New or amended community policies.***
- ***(d) New or amended provisions in a federal law or regulation, state statute, state regulation, statewide planning goal, or state agency land use plan.***
- ***(e) A change of circumstances in a substantial manner that was not anticipated at the time the refinement plan was adopted.***

The proposed amendments are not based on an error in the publication of the WAP, new inventory material relating to a statewide planning goal or new or amended state or federal laws, regulations, or policies; therefore EC 9.8424(2)(a), (b) and (d), above, are not applicable to this request. Regarding subsection (c), if it is found that subsection (e) is not applicable as discussed below, it is arguable that the proposed refinement plan amendment constitutes a new or amended community policy under subsection (c) based on the proposed amendment to the Metro Plan to acknowledge this project.

Regarding EC 9.8424(2)(e), the I-5 Willamette Bridge Project constitutes a change in circumstances in a substantial manner that was not anticipated at the time the refinement plan was adopted, specifically with regard to the structural problems of the original I-5 bridge and the need to bring the bridges (and thus the associated portions of the I-5 facility) up to current state and federal safety and mobility requirements.

The WAP encompasses an area north of the Willamette River and east of I-5 that would be affected by the I-5 Willamette Bridge Project. As relevant to the bridge project, the WAP sets out "use management standards" that it deems consistent with Goal 15 and that "shall apply to development within the greenway in the Willakenzie area." The use standards within the WAP are explicitly incorporated in the Eugene Code's approval criteria for Willamette greenway permits.

The following use management standard is relevant to this application. The applicant indicates that it is of particular concern to ODOT because, in its current form, it does not appear to permit the project to go forward:

"1. Provision that all new structures, expansion of existing structures, drives, parking areas, or storage areas shall not be permitted within the first 35 feet back from the top of the riverbank, unless the location of the floodway boundary requires a greater separation. There are three exceptions to this standard:

A. Structures designed solely for recreational use...

B. Public improvements, including pedestrian and bicycle trails, public plazas, and similar amenities, but excluding roads and parking areas, are exempt from the setback requirements specified above.

C. Structures existing as of the date of adoption of this plan shall be allowed to rebuilt at the same distance from the river that they were before destruction by fire, flood, or other disaster."

As previously discussed in detail under this WAP use management standard above, which is incorporated herein by reference, the I-5 Willamette River Bridge was an existing structure at the time this standard was adopted and it is likely that the structural deficiencies in the bridge were unknown and the need to replace the I-5 bridge was unanticipated.

Because the I-5 replacement bridges (A) are not designed solely for recreational use; (B) would be elements of an interstate highway; and (C) are not being rebuilt due to a fire, flood or other disaster, this use management standard requires amending. Accordingly, ODOT proposes that the standard be amended to read as follows on page 155 of the Willamette Greenway Section in the Willakenzie Area Plan Neighborhood Design Element, with **bold** indicating new text:

D. Replacement or expansion of the I-5 Willamette River Bridge and its approaches.

As found under Statewide Planning Goal 2 (see Exhibit A), which is incorporated herein by reference, an exception to Goal 15 is warranted in accordance with Metro Plan Policy D.11 for the I-5 Willamette Bridge Project in order to address the structural deficiencies of the temporary bridge. The proposed amendment to the WAP allows the Goal 15 exception warranted under Goal 2 to be implemented. Given this change in circumstance, the proposed refinement plan text amendment is warranted.

Recommendation

Refinement Plan Amendment Conclusion: Based on the available information and materials in

the record, and the above preliminary findings, the proposal is found consistent with the applicable approval criteria regarding the Statewide Planning Goals, the Metro Plan, and the remaining portions of the refinement plan.

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NOTICE OF DECISION

August 1, 2008

On July 28, 2008, the Eugene City Council adopted Ordinance No. 20414 and 20415 amending the Eugene-Springfield Metropolitan Area General Plan (Metro Plan) text including an exception to Goal 15, and amending the Willakenzie Area Plan text, for the I-5 Willamette Bridge Project City Files (MA 07-3 & RA 08-1).

Ordinance 20414 specifically amends the text of policy D.11 of the Eugene-Springfield Metropolitan Area General Plan (Metro Plan) to read and provide as follows: "An exception to Statewide Planning Goal 15 Willamette River Greenway was approved for Oregon Department of Transportation (ODOT) for purposes of removing and replacing the decommissioned I-5 bridge, the temporary detour bridge and the Canoe Canal bridge with two new parallel bridges (one southbound and one northbound) within the I-5 right-of-way crossing the Willamette River and Canoe Canal and within the Willamette River Greenway Setback Line. The exception authorizes construction and later removal of one or more temporary work bridges; demolition of the decommissioned I-5 Willamette River Bridge, Canoe Canal Bridge, and detour bridges; construction of the two replacement bridges; reconstruction of the roadway approaches to the bridges (I-5 and ramps); rehabilitation of the project area; and completion of any required mitigation of project impacts. In association with these tasks, the exception further authorizes within the Willamette River Greenway Setback Line the addition and removal of fill within ODOT right-of-way and the removal of fill within a temporary slope easement east of I-5. This exception satisfies the criteria of Oregon Administrative Rule (OAR) 660-004-0022(6), Willamette Greenway, and the exception requirements of OAR 660-004-0020 Goal 2 Part II(c) for a "reasons" exception, and pursuant to OAR 660-004-0015, is hereby adopted as an amendment to the Metro Plan text, Policy D.11, Chapter III, Section D."

Ordinance 20415 specifically amends the text of the Willakenzie Area Plan for portions of paragraph one in the Willamette Greenway section to read and provide as follows:

"1. Provision that all new structures, expansion of existing structures, drives, parking areas, or storage areas shall not be permitted within the first 35 feet back from the top of the riverbank, unless the location of the floodway boundary requires a greater separation.

There are four exceptions to this standard:

A. Structures designed solely for recreational use (e.g., a deck or steps leading to the river) and driveways for boat landings and water-related or water-dependent uses are permitted within the 35-foot setback.

B. Public improvements, including pedestrian and bicycle trials, public plazas, and similar amenities, but excluding roads and parking areas, are exempt from the setback requirements specified above.

C. Structures existing as of the date of adoption of this plan shall be allowed to rebuild at the same distance from the river that they were before destmction by fire, flood, or other disaster.

D. Replacement or expansion of the I-5 Willamette River Bridge and its approaches."

The amendments, findings and related materials can be reviewed at 1st Floor Reception, Atrium Building, 99 West 10th Avenue, between 9:00 a.m. and 5:00 p.m., Monday through Friday.

All decisions of the elected officials are final. Persons who participated either orally or in writing in the local government proceedings leading to adoption of the amendments may appeal the decision to the Land Use Board of Appeals within 21 days of the decision. Appeals to the Oregon Land Use Board of Appeals are governed by ORS 197.825 to 197.845.

For additional information, please contact:

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COUNCIL ORDINANCE NUMBER 20444

COUNCIL BILL NUMBER 5017

AN ORDINANCE AMENDING THE EUGENE-SPRINGFIELD METROPOLITAN AREA GENERAL PLAN LAND USE DIAGRAM; AMENDING THE WILLAKENZIE AREA PLAN PURSUANT TO SECTION 9.7750(4) OF THE EUGENE CODE, 1971; ADOPTING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE; RETURNING THE ANNEXED PORTION OF THE "RIVER RIDGE" SITE TO THE LOW DENSITY RESIDENTIAL DESIGNATION.

ADOPTED: November 23, 2009

SIGNED: November 24, 2009

PASSED: 5/3

REJECTED:

OPPOSED: Brown, Taylor, Zelenka

ABSENT:

EFFECTIVE: December 25, 2009

ORDINANCE NO. 20444

AN ORDINANCE AMENDING THE EUGENE-SPRINGFIELD METROPOLITAN AREA GENERAL PLAN LAND USE DIAGRAM; AMENDING THE WILLAKENZIE AREA PLAN PURSUANT TO SECTION 9.7750(4) OF THE EUGENE CODE, 1971; ADOPTING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE; RETURNING THE ANNEXED PORTION OF THE "RIVER RIDGE" SITE TO THE LOW DENSITY RESIDENTIAL DESIGNATION.

The City Council of the City of Eugene finds that:

A. On May 11, 2009, the Eugene City Council initiated amendments to the Metropolitan Area General Plan and the Willakenzie Area Plan.

B. The amendments contained in this Ordinance are based on the recommendation of the Eugene Planning Commission.

C. The City of Eugene Planning Commission and Lane County Planning Commission held a joint public hearing on the amendments contained in this Ordinance on August 4, 2009, and the Eugene Planning Commission forwarded its recommendations to the Eugene City Council for amendments to the Metropolitan Area General Plan Land Use Diagram as shown Exhibit A, and the Willakenzie Area Plan Land Use Diagram as shown on Exhibits B and C.

D. On October 7, 2009, the Eugene City Council and the Lane County Board of Commissioners held a joint public hearing to consider the amendments and on November 9, 2009, the Eugene City Council passed a motion to adopt all of the proposed amendments in a single ordinance. At its next meeting, on November 16, 2009, the Eugene City Council passed a motion to reconsider its November 9 action and directed that the amendments be divided into two separate ordinances: one relating to the land over which the City has sole jurisdiction and the other relating to the land over which the City and County have joint jurisdiction.

THE CITY OF EUGENE DOES ORDAIN AS FOLLOWS:

Section 1. Portions of the property identified as Tax Lot 306 of Assessor's Map 17-03-07-00 on the Eugene-Springfield Metropolitan Area General Plan (*Metro Plan*) Land Use Diagram and all of the property identified as Tax Lot 305 of Assessor's Map 17-03-07-00 on the Eugene-Springfield Metropolitan Area General Plan (*Metro Plan*) Land Use Diagram, located north of Ayres Road and west of North Delta Highway, are amended from a designation of Parks and Open Space (POS) to a designation of Low Density Residential (LDR) as shown on the attached Exhibit A, which is incorporated

herein.

Section 2. Consistent with the provisions of Section 9.7750(4) of the Eugene Code, 1971, the land referenced in Section 1 above is automatically and concurrently redesignated from Parks/Open Space to Low-Density Residential on both the Willakenzie Area Plan Land Use Diagram located between pages 19 and 20 of the Willakenzie Area Plan, as shown on Exhibit B, which is incorporated herein, and on the Willakenzie Area Plan Unincorporated Subarea diagram located at page 53 of the Willakenzie Area Plan, as shown on Exhibit C, which is incorporated herein.

Section 3. The findings set forth in the attached Exhibit D are adopted as findings in support of this Ordinance.

Section 4. If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held invalid or unconstitutional by a court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions hereof.

Section 5. By operation of this Section, upon the effective date of its future annexation to the City of Eugene, the portion of the property identified as Tax Lot 304 of Assessor's Map 17-03-07-00 as shown on the attached Exhibit E shall be automatically redesignated on the Metro Plan diagram and in the Willakenzie Area Plan to the Low Density Residential (LDR) designation.

Passed by the City Council this

23rd day of November, 2009

Elizabeth Forest

Acting City Recorder

Approved by the Mayor this

24th day of November, 2009

Kitty Piercy

Mayor

Exhibit A

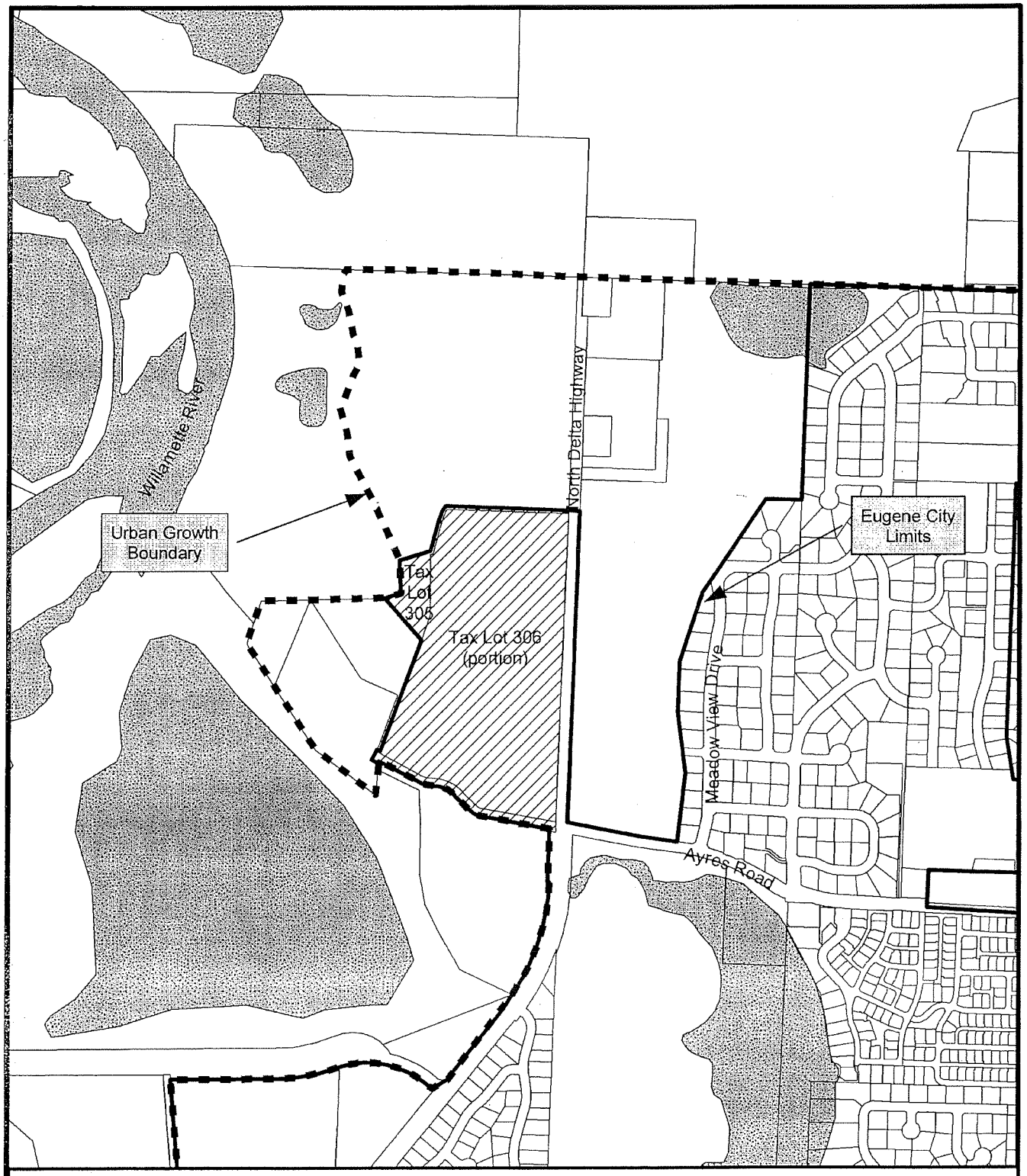
Metro Plan Diagram Amendment for River Ridge (City File MA 09-3)

- Property proposed for change from Parks and Open Space to Low Density Residential
- Eugene City Limits
- Urban Growth Boundary
- Water Bodies

0 335 670 1,340 Feet

N W E S

Exhibit B



Willakenzie Area Plan Land Use Diagram
Amendment for River Ridge (City File MA 09-3)

- Property proposed for change from Parks and Open Space to Low Density Residential
- Eugene City Limits
- Urban Growth Boundary
- Water Bodies

N W E S

0 340 680 1,360 Feet

Exhibit C

Willakenzie Area Plan Unincorporated Subarea Diagram
Amendment for River Ridge (City File MA 09-3)

- Property proposed for change from Parks and Open Space to Low Density Residential
- Eugene City Limits
- Urban Growth Boundary
- Water Bodies

N W E S

0 335 670 1,340 Feet

EXHIBIT D

Findings of Consistency

<u>Metro Plan Diagram Amendments</u> Eugene Code Section 9.7730(3) requires that the following criteria (in bold and *italics*) be applied to a Metro Plan diagram amendment:

(a) The amendment must be consistent with the relevant Statewide Planning Goals adopted by the Land Conservation and Development Commission; and

<u>Goal 1 Citizen Involvement</u>: *To develop a citizen involvement program that insures the opportunity for citizens to be involved in all phases of the planning process.*

The City has acknowledged provisions for citizen involvement that ensure the opportunity for citizens to be involved in all phases of the planning process and set out requirements for such involvement. The action does not amend the citizen involvement program. The process for reviewing these amendments complies with Goal 1 since it complies with, and surpasses the requirements of, the citizen involvement provisions.

The City of Eugene land use code implements Statewide Planning Goal 1 by requiring that notice of the proposed amendments be given and public hearings be held prior to adoption. Consideration of the amendments begins with a joint City of Eugene and Lane County Planning Commission public hearing on August 4, 2009. On June 19, 2009, the City mailed notice of the proposed plan amendments to the Department of Land Conservation and Development, as required by the Eugene Code and in accordance with State statutes. Referrals concerning the pending applications were sent to the Oregon Department of Transportation (ODOT), City of Springfield, Lane County, the Cal Young Neighborhood Association and to City departments. On July 13, 2009, notice of the Planning Commission public hearing was mailed to the property owners and occupants of property within 500 feet of the subject property, Cal Young Neighborhood Association, interested parties who requested notice, and other community organizations requesting such notice, which is in excess of the requirements of the Eugene Code. On July 15, 2009, notice of the Planning Commission public hearing was published in the *Register-Guard*, in accordance with the Eugene Code. In addition to public meetings and mailed notices, printed materials related to these proceedings were made available at Planning and Development Department offices, and provided via the City's internet site at www.eugeneplanning.org.

The process for adopting these amendments complies with Statewide Planning Goal 1 since it complies with, and surpasses the requirements of the State's citizen involvement provisions.

<u>Goal 2 - Land Use Planning:</u> *To establish a land use planning process and policy framework as a basis for all decisions and actions related to use of land and to assure an adequate factual base for such decisions and actions.*

The Eugene-Springfield Metropolitan Area General Plan (<u>Metro Plan</u>) is the policy tool that provides a basis for decision-making in this area. The <u>Metro Plan</u> was acknowledged by the State in 1982 to be in compliance with statewide planning goals. These findings and record show that there is an adequate factual base for decisions to be made concerning the proposed amendments.

Goal 2 requires that plans be coordinated with the plans of affected governmental units and that opportunities be provided for review and comment by affected governmental units. To comply with the Goal 2 coordination requirement, the City coordinated the review of these amendments with all affected governmental units. Specifically, notice was mailed to the State Department of Land Conservation and Development, Oregon Department of Transportation (ODOT), Lane County, and the City of Springfield. There are no Goal 2 exceptions required for these amendments. Therefore, the amendments are consistent with Statewide Planning Goal 2.

Goal 3 - Agricultural Land: *To preserve and maintain agricultural lands.*

Goal 3 is not applicable to these amendments as the subject property and actions do not affect any agricultural plan designation or use. Goal 3 excludes lands inside an acknowledged urban growth boundary from the definition of agricultural lands. Since the subject property is entirely within the acknowledged urban growth boundary, Goal 3 is not relevant and the amendments do not affect the area's compliance with Statewide Planning Goal 3.

Goal 4 - Forest Land: *To conserve forest lands.*

Goal 4 is not applicable to these amendments as the subject property and actions do not affect any forest plan designation or use. Goal 4 does not apply within urban growth boundaries and, therefore, does not apply to the subject property, which is within Eugene's urban growth boundary (OAR 660-006-0020). Therefore, Goal 4 is not relevant and the amendments do not affect the area's compliance with Statewide Planning Goal 4.

Goal 5 - Open Spaces, Scenic and Historic Areas, and Natural Resources: *To conserve open space and protect natural and scenic resources.*

The following administrative rule (OAR 660-023-0250) is applicable to this post-acknowledgement plan amendment (PAPA) request:

(3) Local governments are not required to apply Goal 5 in consideration of a PAPA unless the PAPA affects a Goal 5 resource. For purposes of this section, a PAPA would affect a Goal 5 resource only if:

- *(a) The PAPA creates or amends a resource list or a portion of an acknowledged plan or land use regulation adopted in order to protect a significant Goal 5 resource or to address specific requirements of Goal 5;*
- *(b) The PAPA allows new uses that could be conflicting uses with a particular significant Goal 5 resource site on an acknowledged resource list; or*
- *(c) The PAPA amends an acknowledged UGB and factual information is submitted demonstrating that a resource site, or the impact areas of such a site, is included in the amended UGB area.*

The subject property does not include a Goal 5 resource site. The proposed amendments do not create or amend a list of Goal 5 resources, do not amend a plan or code provision adopted in order to protect a significant Goal 5 resource or to address specific requirements of Goal 5, and do not amend the acknowledged Urban Growth Boundary.

Goal 6 - Air, Water and Land Resources Quality: *To maintain and improve the quality of the air, water, and land resources of the state.*

Goal 6 addresses waste and process discharges from development, and is aimed at protecting air, water and land from impacts from those discharges. Nothing in the proposal or the character of the site or potential uses indicates a future development that would compromise air, water and land resources. The proposal does not amend the metropolitan area's air, water quality or land resource policies. Based on allowed low density residential uses, the City can reasonably expect that future development of the site comply with applicable environmental laws. Therefore, the amendments are consistent with Statewide Planning Goal 6.

Goal 7 - Areas Subject to Natural Disasters and Hazards: *To protect life and property from natural disasters and hazards.*

Goal 7 requires that local government planning programs include provisions to protect people and property from natural hazards such as floods, landslides, earthquakes and related hazards, tsunamis and wildfires. The subject property is not located within known areas of natural disasters or hazards. The subject property is outside the flood zone and is not subject to hazards normally associated with steep slopes, wildfires, or tsunamis. Other hazards, such as earthquakes and severe winter storms can be mitigated at the time of development based on accepted building codes and building techniques. Therefore, these amendments are consistent with Statewide Planning Goal 7.

Goal 8 - Recreational Needs: *To satisfy the recreational needs of the citizens of the state and visitors and, where appropriate, to provide for the siting of necessary recreational facilities including destination resorts.*

Goal 8 ensures the provision of recreational facilities to Oregon citizens and is primarily concerned with the provision of those facilities in non-urban areas of the state. Unlike planning for its residential, commercial or industrial land needs under Goals 9 and 10, planning for a city's recreational needs is largely a matter of local choice. The applicable statutes, Statewide Planning Goals and administrative rules are not prescriptive as to the amount of park land that a city must have to serve its population. While the City takes into consideration the existence of private recreation facilities and open space in its parks planning process, because there is no guarantee that lands owned by private entities will remain in perpetuity as public open space and/or recreation facilities, the City does not (and is not required to) account for private facilities and open space in its supply of recreation facilities, parks and open space. The subject property is not included on any list, inventory or map identifying the City's existing parks and open space supply. As such, changing the designation of the subject property will have no impact on the City's parks and open space supply. While the proposed amendments will impact a private recreational facility, the proposed amendments will not impact the provision of public recreational facilities, nor will they affect access to existing or future public recreational facilities. Therefore, the amendments are consistent with Statewide Planning Goal 8.

Goal 9 - Economic Development: *To provide adequate opportunities throughout the state for a variety of economic activities vital to the health, welfare, and prosperity of Oregon's citizens.*

The Administrative Rule for Statewide Planning Goal 9 (OAR 660 Division 9) requires that the city '[p]rovide for at least an adequate supply of sites of suitable sizes, types, location, and service levels for a variety of industrial and commercial uses consistent with plan policies[.]" Among other things, the rule requires that cities complete an "Economic Opportunities Analysis." OAR 660-009-0015. Based on the Economic Opportunities Analysis, cities are to prepare Industrial and Commercial Development Policies. OAR 660-009-0020. Finally OAR 660-009-0025 requires that cities designate industrial and commercial lands sufficient to meet short and long term needs. OAR 660-009-0010(2) provides that the detailed planning requirements imposed by OAR 660 Division 9 apply "at the time of each periodic review of the plan (ORS 197.712(3))."

The proposed amendment will not make any changes to the existing land currently designated commercial. Thus, the amendments are consistent with Statewide Planning Goal 9.

Goal 10 - Housing: *To provide for the housing needs of the citizens of the state.*

Goal 10 requires that communities plan for and maintain an inventory of buildable residential land for needed housing units.

The proposed amendment will re-designate approximately 63 acres from Parks and Open Space to Residential, thereby increasing the City's current supply of residential lands. Since the subject property is not currently designated for residential use and is not included in the documented supply of "buildable land" that is available for residential development as inventoried in the acknowledged 1999 Residential Lands Study, the proposed amendment will increase the City's existing inventory of land that is available for residential development. Therefore, the amendments are consistent with Statewide Planning Goal 10.

Goal 11 - Public Facilities and Services: *To plan and develop a timely, orderly and efficient arrangement of public facilities and services to serve as a framework for urban and rural development.*

A portion of the area affected by the amendments is located outside the city limits but inside the Eugene-Springfield Urban Growth Boundary. The existing level of public facilities and service is adequate to serve the needs of existing and future development, as public facilities are available or can be extended to the subject property. While a portion of the subject property is located outside City limits, annexation is a requirement for any new use that would generate an additional need for urban facilities and services. Public facilities and services are available for the purpose of annexation. The provision of these amendments does not affect the planning or development of future public facilities or services. Therefore, the amendments are consistent with Statewide Planning Goal 11.

Goal 12 - Transportation: *To provide and encourage a safe, convenient and economic transportation system.*

Goal 12 is implemented through the Transportation Planning Rule (TPR), as defined in Oregon Administrative Rule OAR 660-012-0000, et seq. The Eugene-Springfield Metropolitan Area Transportation Plan (TransPlan) provides the regional policy framework through which the TPR is

implemented at the local level. The TPR (OAR 660-012-0060) states that when land use changes, including amendments to acknowledged comprehensive plans, significantly affect an existing or planned transportation facility the local government shall put in place measures to assure that the allowed land uses are consistent with the identified function, capacity and performance standards (level of service, volume to capacity ratio, etc.) of the facility.

Section 9.8670 of the Eugene Code, 1971, requires a development applicant to comply with the City's Traffic Impact Analysis (TIA) Review code provisions if the proposed development will "generate 100 or more vehicle trips during any peak hour as determined by using the most recent edition of the Institute of Transportation Engineer's Trip Generation Manual." One of the stated purposes of the City's TIA Review requirement is "to ensure that developments which will generate a significant amount of traffic, cause an increase in traffic that will contribute to traffic problems in the area, or result in levels of service of the roadway system in the vicinity of the development that do not meet adopted level of service standards provide the facilities necessary to accommodate the traffic impact of the proposed development."

The City's TIA Review follows a Type II process and is approved or conditionally approved upon the applicant's demonstration of compliance with the following criteria at EC 9.8680:

> (1) Traffic control devices and public or private improvements as necessary to achieve the purposes listed in this section will be implemented. These improvements may include, but are not limited to, street and intersection improvements, sidewalks, bike lanes, traffic control signs and signals, parking regulation, driveway location, and street lighting.
>
> (2) Public improvements shall be designed and constructed to the standards specified in EC 9.6505 Improvements - Specifications. The requirement of improvements based on a traffic impact analysis does not negate the ability of the city traffic engineer to require improvements by other means specified in this code or rules or regulations adopted thereunder.
>
> (3) An exception to any or all of the requirements listed in the "Standards for Traffic Impact Analyses" for development that generate less than 100 trips in any peak hour may be granted if the applicant demonstrates that the study is not necessary in order to demonstrate compliance with this subsection.
>
> (4) In addition to the above criteria, if the Traffic Impact Analysis Review was required based on EC 9.8670(4), the improvements shall also address the structural capacity of the street in the County's jurisdiction and address identified structural deficiencies, or reduction in the useful life of existing street structures related to the proposed development. Improvements may be needed to eliminate the identified structural deficiencies and to accommodate vehicle impacts to structures.

In accordance with the above-quoted Eugene City code provisions, prior to the any development on the subject property that will generate more than 100 peak hour trips per day, the developer will need to prepare a TIA Review that parallels the TPR analysis required by Statewide Planning Goal 12. Because of the size of the subject property (approximately 63 acres), the number of allowed

single-family dwelling units could be in excess of 300 units. Based on the ITE Trip Generation Manual, 300 residential units would generate an estimated 300 PM peak trips, far exceeding the number of PM peak trips that would trigger the City's TIA Review code provisions. No development that will generate more than 100 PM peak trips will be able to occur on the subject property without a demonstration of compliance with the City's TIA Review requirements.

Based on the following testimony from the Department of Land Conservation and Development, no TPR findings are necessary for this action:

> "1. The amendment to the Metro Plan Diagram which re-designated the 63 acres from Low Density Residential to Parks and Open Space occurred as a result of adoption of Task 17 of the 2005 Eugene-Springfield Periodic Review Work Order 001662. In adopting the Revised Metro Plan Diagram reflecting the "Housekeeping" amendments to the Metro Plan Diagram, Ordinance #20319 in April 2004, it appears that no TRP analysis was conducted. In reviewing the acknowledgement file, I could not find any documentation why a TRP 060 analysis was not required so I must assume that the "Housekeeping" amendments to the Metro Plan Diagram were determined to not meet the threshold of significance as stipulated in 660.012.060(1). The acknowledged 2002 TransPlan was the controlling TPR document at the time. So in this case returning the plan designation to Low Density Residential to reflect the property's current zoning would not meet the threshold of "significant" either.
>
> 2. TransPlan, the metro area's TSP was last updated in 2002 and subsequently acknowledged by the Department; prior to adoption and acknowledgement of the "Housekeeping" amendments to the Metro Plan Diagram. The Metro Plan Diagram in effect in 2002 was the land use plan used to model traffic impacts. Consequently, returning the 63 acres from Parks and Open Space to Low Density Residential would be consistent with the Metro Plan Diagram used in the 2002 TransPlan and no TPR 060 analysis is required since in this case returning the plan designation to Low Density Residential to reflect the property's current zoning would not meet the threshold of "significant" either."

Goal 13 - Energy Conservation: *To conserve energy.*

Statewide Planning Goal 13 calls for land uses to be managed and controlled "so as to maximize the conservation of all forms of energy, based upon sound economic principles." Goal 13 is directed at the development of local energy policies and implementing provisions and does not state requirements with respect to other types of land use decisions. It is not clear that the goal has any bearing on a site-specific decision such as the one at issue. There is no implementing rule that clarifies the requirements of Goal 13. To the extent that Goal 13 could be applied to the proposed change in designation, the designation is consistent with Goal 13. The proposed site is located so that a future development can make efficient use of energy with direct and efficient access. The proposal is consistent with Statewide Planning Goal 13.

Goal 14 - Urbanization: *To provide for an orderly and efficient transition from rural to urban land use.*

The amendments do not affect the transition from rural to urban land use, as the subject property is within the Eugene-Springfield Urban Growth Boundary limits. Therefore, Statewide Planning Goal 14 does not apply.

Goal 15 - Willamette River Greenway: *To protect, conserve, enhance and maintain the natural, scenic, historical, agricultural, economic and recreational qualities of lands along the Willamette River as the Willamette River Greenway.*

The subject property is not within the boundaries of the Willamette River Greenway. Therefore, Statewide Planning Goal 15 does not apply.

Goal 16 through 19 - Estuarine Resources, Coastal Shorelands, Beaches and Dunes, and Ocean Resources:

There are no coastal, ocean, estuarine, or beach and dune resources related to the property effected by these amendments. Therefore, these goals are not relevant and the amendments will not affect compliance with Statewide Planning Goals 16 through 19.

(b) Adoption of the amendment must not make the Metro Plan internally inconsistent.

The Metro Plan diagram amendment to re-designate approximately 63 acres of land from Parks and Open Space to Low Density Residential will not create an internal conflict with the remainder of the Metro Plan. No text or other diagram changes are necessary to ensure internal consistency with the proposed diagram amendments; adoption of this amendment will not make the Metro Plan internally consistent.

Exhibit E

Metro Plan Diagram Amendment for
River Ridge (City File MA 09-3)

Property proposed for change from Parks and Open Space to Low Density Residential

Eugene City Limits

Urban Growth Boundary

Water Bodies

N W E S

0 335 670 1,340 Feet

COUNCIL ORDINANCE NUMBER 20445

COUNCIL BILL NUMBER 5018

AN ORDINANCE AMENDING THE EUGENE-SPRINGFIELD METROPOLITAN AREA GENERAL PLAN LAND USE DIAGRAM; AMENDING THE WILLAKENZIE AREA PLAN PURSUANT TO SECTION 9.7750(4) OF THE EUGENE CODE, 1971; ADOPTING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE; RETURNING THE UNANNEXED PORTION OF THE "RIVER RIDGE" SITE TO THE LOW DENSITY RESIDENTIAL DESIGNATION

ADOPTED: November 23, 2009

SIGNED: November 24, 2009

PASSED: 5/3

REJECTED:

OPPOSED: Brown, Taylor, Zelenka

ABSENT:

EFFECTIVE: December 25, 2009

ORDINANCE NO. 20445

AN ORDINANCE AMENDING THE EUGENE-SPRINGFIELD METROPOLITAN AREA GENERAL PLAN LAND USE DIAGRAM; AMENDING THE WILLAKENZIE AREA PLAN PURSUANT TO SECTION 9.7750(4) OF THE EUGENE CODE, 1971; ADOPTING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE; RETURNING THE UNANNEXED PORTION OF THE "RIVER RIDGE" SITE TO THE LOW DENSITY RESIDENTIAL DESIGNATION.

The City Council of the City of Eugene finds that:

A. On May 11, 2009, the Eugene City Council initiated amendments to the Metropolitan Area General Plan and the Willakenzie Area Plan.

B. The amendments contained in this Ordinance are based on the recommendation of the Eugene Planning Commission.

C. The City of Eugene Planning Commission and Lane County Planning Commission held a joint public hearing on the amendments contained in this Ordinance on August 4, 2009, and the Eugene Planning Commission forwarded its recommendations to the Eugene City Council for amendments to the Metropolitan Area General Plan Land Use Diagram as shown Exhibit A, and the Willakenzie Area Plan Land Use Diagram as shown on Exhibits B and C.

D. On October 7, 2009, the Eugene City Council and the Lane County Board of Commissioners held a joint public hearing to consider the amendments and on November 9, 2009, the Eugene City Council passed a motion to adopt all of the proposed amendments in a single ordinance. At its next meeting, on November 16, 2009, the Eugene City Council passed a motion to reconsider its November 9 action and directed that the amendments be divided into two separate ordinances: one relating to the land over which the City has sole jurisdiction and the other relating to the land over which the City and County have joint jurisdiction.

THE CITY OF EUGENE DOES ORDAIN AS FOLLOWS:

Section 1. The portion of the property identified as Tax Lot 304 of Assessor's Map 17-03-07-00 on the Eugene-Springfield Metropolitan Area General Plan (*Metro Plan*) Land Use Diagram, located north of Ayres Road and west of North Delta Highway, is amended from a designation of Parks and Open Space (POS) to a designation of Low Density Residential (LDR) as shown on the attached Exhibit A, which is incorporated herein.

Section 2. Consistent with the provisions of Section 9.7750(4) of the Eugene Code, 1971, the land referenced in Section 1 above is automatically and concurrently redesignated from Parks/Open Space to Low-Density Residential on both the Willakenzie Area Plan Land Use Diagram located between pages 19 and 20 of the Willakenzie Area Plan, as shown on Exhibit B, which is incorporated herein, and on the Willakenzie Area Plan Unincorporated Subarea diagram located at page 53 of the Willakenzie Area Plan, as shown on Exhibit C, which is incorporated herein.

Section 3. The findings set forth in the attached Exhibit D are adopted as findings in support of this Ordinance.

Section 4. If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held invalid or unconstitutional by a court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions hereof.

Section 5. Notwithstanding the effective date of ordinances as provided in the Eugene Charter of 2002, this Ordinance shall become effective 30 days from the date of its passage by the City Council and approval by the Mayor, or upon the date the Lane County Board of Commissioners has adopted an ordinance containing identical provisions to those described in sections 1 and 2 of this Ordinance, whichever is later.

Passed by the City Council this

23rd day of November, 2009

Elizabeth Forest

Acting City Recorder

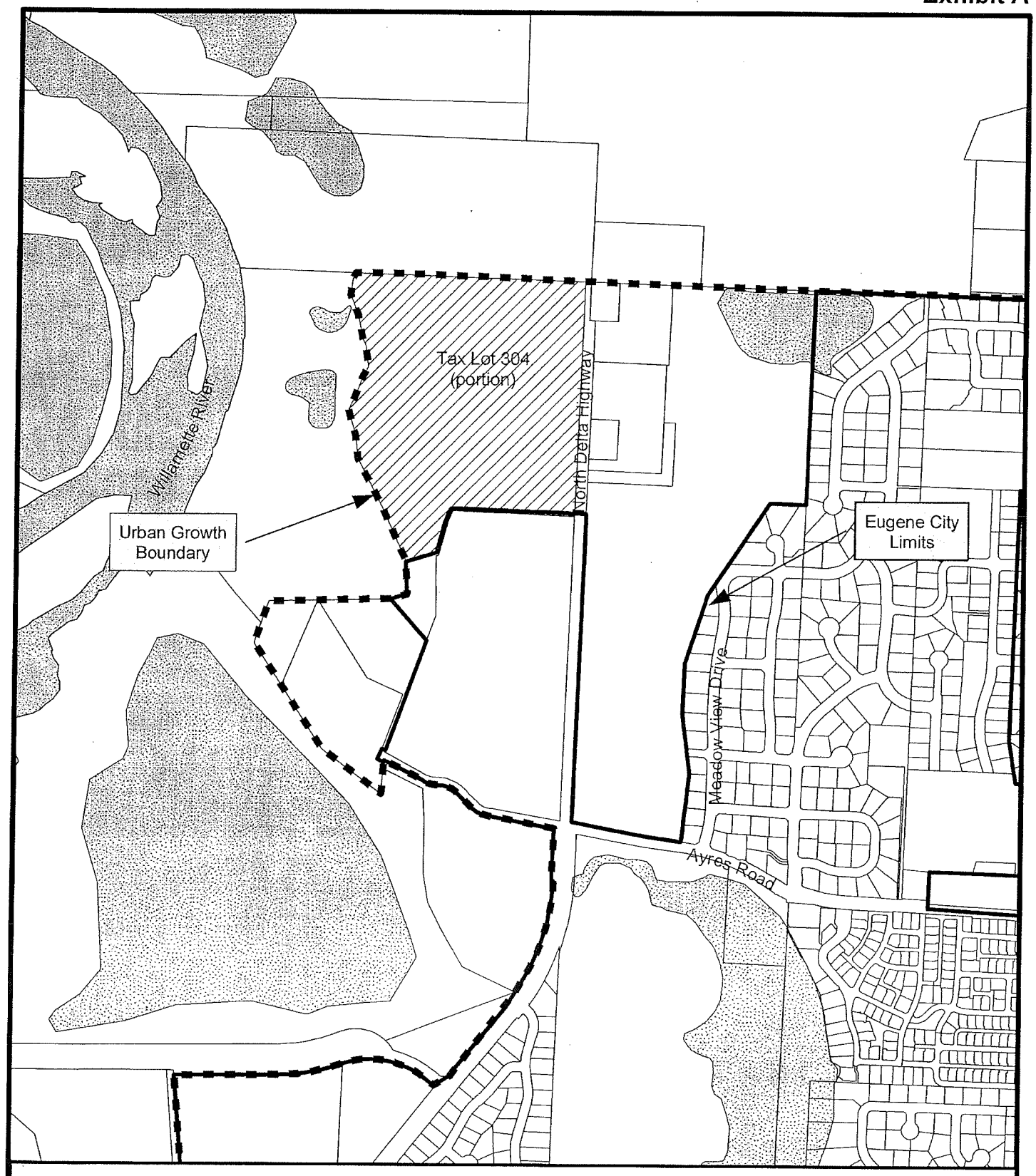
Approved by the Mayor this

24th day of November, 2009

Kitty Piercy

Mayor

Exhibit A



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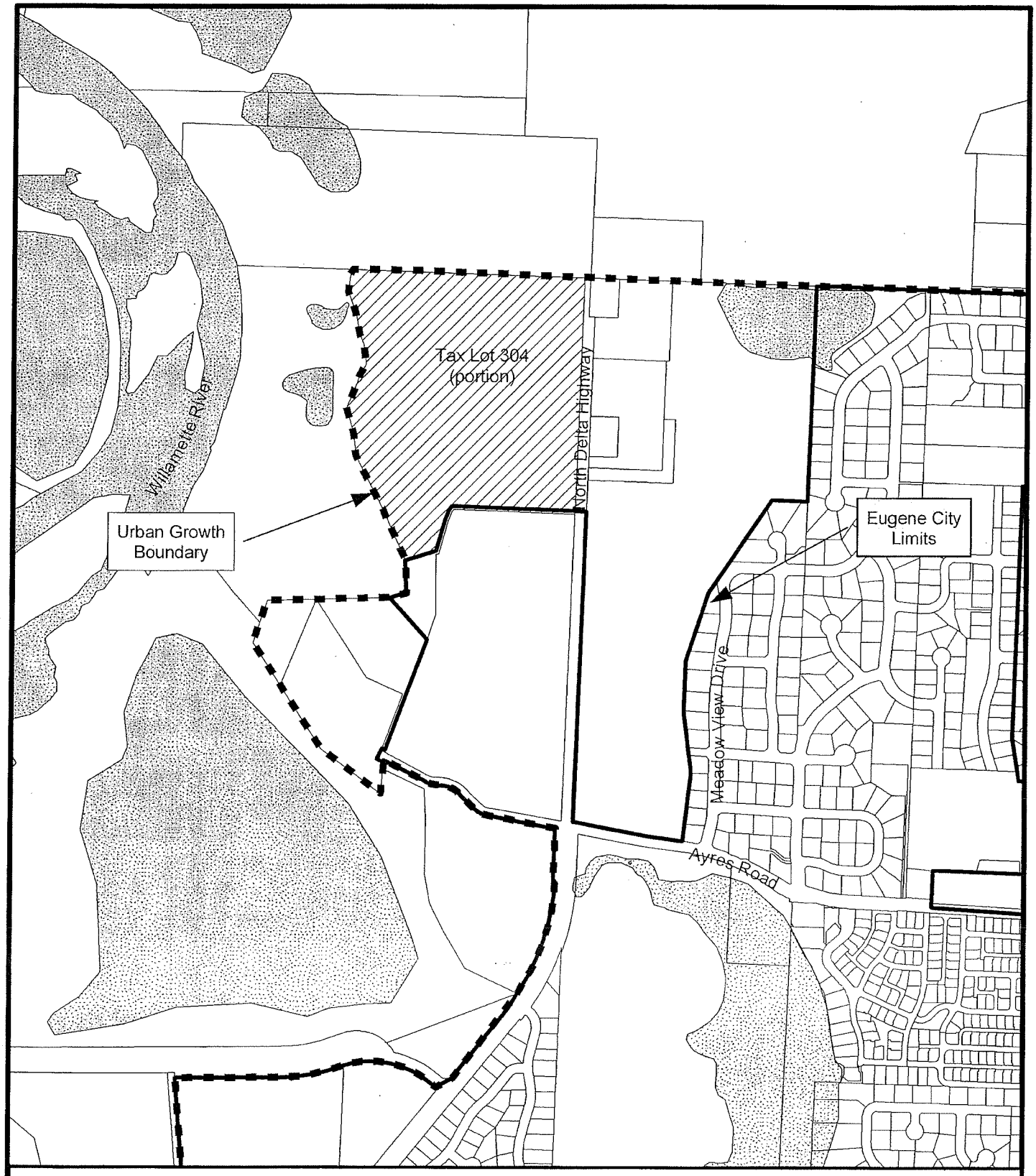
0 335 670 1,340 Feet

N W E S

Exhibit B



Willakenzie Area Plan Land Use Diagram
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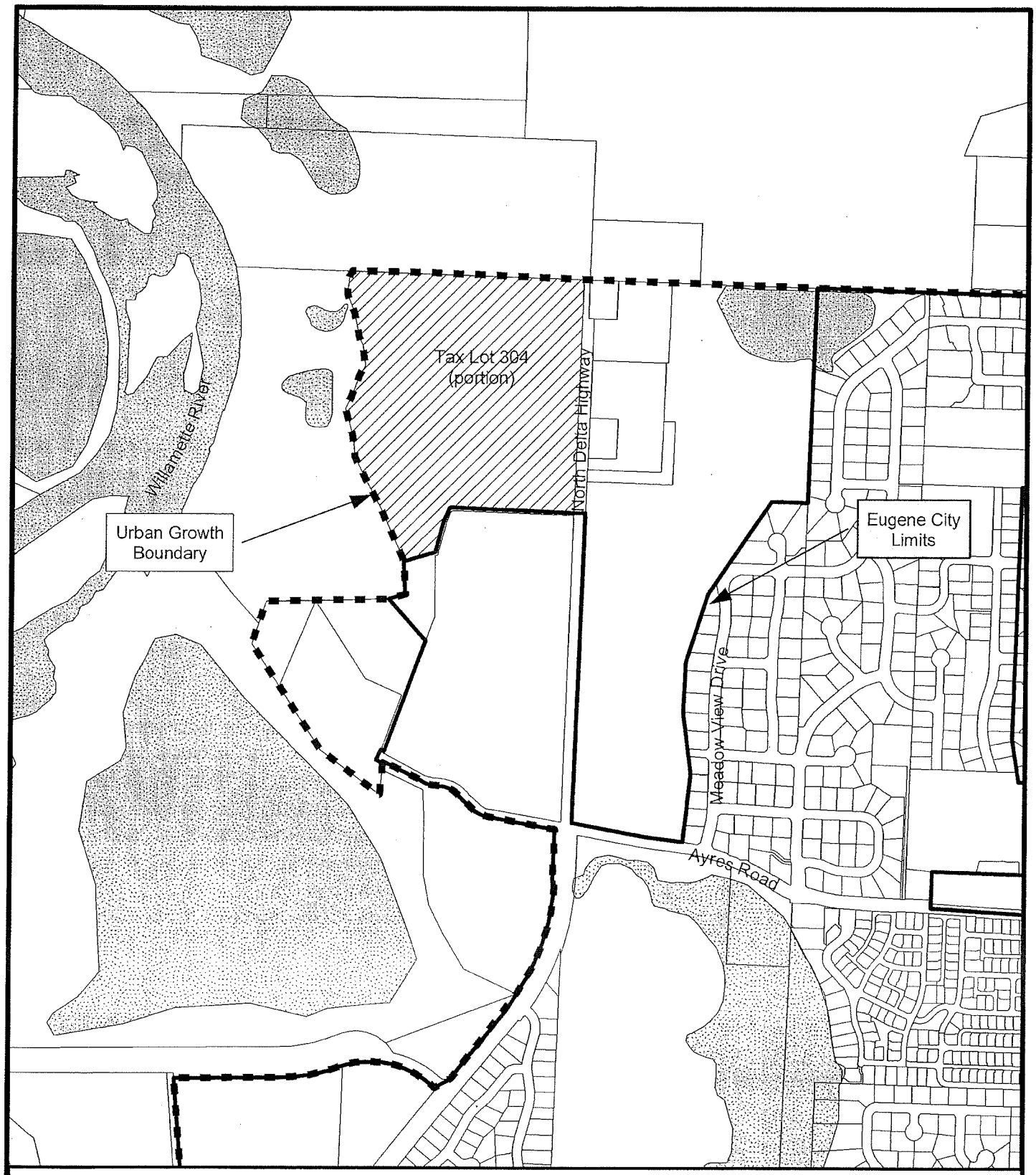
N W E S

0 345 690 1,380 Feet

Exhibit C



Willakenzie Area Plan Unincorporated Subarea Diagram
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N W E S

0 330 660 1,320 Feet

EXHIBIT D

Findings of Consistency

<u>Metro Plan Diagram Amendments</u> Eugene Code Section 9.7730(3) requires that the following criteria (in bold and *italics*) be applied to a Metro Plan diagram amendment:

(a) The amendment must be consistent with the relevant Statewide Planning Goals adopted by the Land Conservation and Development Commission; and

<u>Goal 1 Citizen Involvement</u>: *To develop a citizen involvement program that insures the opportunity for citizens to be involved in all phases of the planning process.*

The City has acknowledged provisions for citizen involvement that ensure the opportunity for citizens to be involved in all phases of the planning process and set out requirements for such involvement. The action does not amend the citizen involvement program. The process for reviewing these amendments complies with Goal 1 since it complies with, and surpasses the requirements of, the citizen involvement provisions.

The City of Eugene land use code implements Statewide Planning Goal 1 by requiring that notice of the proposed amendments be given and public hearings be held prior to adoption. Consideration of the amendments begins with a joint City of Eugene and Lane County Planning Commission public hearing on August 4, 2009. On June 19, 2009, the City mailed notice of the proposed plan amendments to the Department of Land Conservation and Development, as required by the Eugene Code and in accordance with State statutes. Referrals concerning the pending applications were sent to the Oregon Department of Transportation (ODOT), City of Springfield, Lane County, the Cal Young Neighborhood Association and to City departments. On July 13, 2009, notice of the Planning Commission public hearing was mailed to the property owners and occupants of property within 500 feet of the subject property, Cal Young Neighborhood Association, interested parties who requested notice, and other community organizations requesting such notice, which is in excess of the requirements of the Eugene Code. On July 15, 2009, notice of the Planning Commission public hearing was published in the *Register-Guard*, in accordance with the Eugene Code. In addition to public meetings and mailed notices, printed materials related to these proceedings were made available at Planning and Development Department offices, and provided via the City's internet site at www.eugeneplanning.org.

The process for adopting these amendments complies with Statewide Planning Goal 1 since it complies with, and surpasses the requirements of the State's citizen involvement provisions.

<u>Goal 2 - Land Use Planning:</u> *To establish a land use planning process and policy framework as a basis for all decisions and actions related to use of land and to assure an adequate factual base for such decisions and actions.*

The Eugene-Springfield Metropolitan Area General Plan (<u>Metro Plan</u>) is the policy tool that provides a basis for decision-making in this area. The <u>Metro Plan</u> was acknowledged by the State in 1982 to be in compliance with statewide planning goals. These findings and record show that there is an adequate factual base for decisions to be made concerning the proposed amendments.

Goal 2 requires that plans be coordinated with the plans of affected governmental units and that opportunities be provided for review and comment by affected governmental units. To comply with the Goal 2 coordination requirement, the City coordinated the review of these amendments with all affected governmental units. Specifically, notice was mailed to the State Department of Land Conservation and Development, Oregon Department of Transportation (ODOT), Lane County, and the City of Springfield. There are no Goal 2 exceptions required for these amendments. Therefore, the amendments are consistent with Statewide Planning Goal 2.

Goal 3 - Agricultural Land: *To preserve and maintain agricultural lands.*

Goal 3 is not applicable to these amendments as the subject property and actions do not affect any agricultural plan designation or use. Goal 3 excludes lands inside an acknowledged urban growth boundary from the definition of agricultural lands. Since the subject property is entirely within the acknowledged urban growth boundary, Goal 3 is not relevant and the amendments do not affect the area's compliance with Statewide Planning Goal 3.

Goal 4 - Forest Land: *To conserve forest lands.*

Goal 4 is not applicable to these amendments as the subject property and actions do not affect any forest plan designation or use. Goal 4 does not apply within urban growth boundaries and, therefore, does not apply to the subject property, which is within Eugene's urban growth boundary (OAR 660-006-0020). Therefore, Goal 4 is not relevant and the amendments do not affect the area's compliance with Statewide Planning Goal 4.

Goal 5 - Open Spaces, Scenic and Historic Areas, and Natural Resources: *To conserve open space and protect natural and scenic resources.*

The following administrative rule (OAR 660-023-0250) is applicable to this post-acknowledgement plan amendment (PAPA) request:

(3) Local governments are not required to apply Goal 5 in consideration of a PAPA unless the PAPA affects a Goal 5 resource. For purposes of this section, a PAPA would affect a Goal 5 resource only if:

- *(a) The PAPA creates or amends a resource list or a portion of an acknowledged plan or land use regulation adopted in order to protect a significant Goal 5 resource or to address specific requirements of Goal 5;*
- *(b) The PAPA allows new uses that could be conflicting uses with a particular significant Goal 5 resource site on an acknowledged resource list; or*
- *(c) The PAPA amends an acknowledged UGB and factual information is submitted demonstrating that a resource site, or the impact areas of such a site, is included in the amended UGB area.*

The subject property does not include a Goal 5 resource site. The proposed amendments do not create or amend a list of Goal 5 resources, do not amend a plan or code provision adopted in order to protect a significant Goal 5 resource or to address specific requirements of Goal 5, and do not amend the acknowledged Urban Growth Boundary.

Goal 6 - Air, Water and Land Resources Quality: *To maintain and improve the quality of the air, water, and land resources of the state.*

Goal 6 addresses waste and process discharges from development, and is aimed at protecting air, water and land from impacts from those discharges. Nothing in the proposal or the character of the site or potential uses indicates a future development that would compromise air, water and land resources. The proposal does not amend the metropolitan area's air, water quality or land resource policies. Based on allowed low density residential uses, the City can reasonably ~~expect that future~~ development of the site comply with applicable environmental laws. Therefore, the amendments are consistent with Statewide Planning Goal 6.

Goal 7 - Areas Subject to Natural Disasters and Hazards: *To protect life and property from natural disasters and hazards.*

Goal 7 requires that local government planning programs include provisions to protect people and property from natural hazards such as floods, landslides, earthquakes and related hazards, tsunamis and wildfires. The subject property is not located within known areas of natural disasters or hazards. The subject property is outside the flood zone and is not subject to hazards normally associated with steep slopes, wildfires, or tsunamis. Other hazards, such as earthquakes and severe winter storms can be mitigated at the time of development based on accepted building codes and building techniques. Therefore, these amendments are consistent with Statewide Planning Goal 7.

Goal 8 - Recreational Needs: *To satisfy the recreational needs of the citizens of the state and visitors and, where appropriate, to provide for the siting of necessary recreational facilities including destination resorts.*

Goal 8 ensures the provision of recreational facilities to Oregon citizens and is primarily concerned with the provision of those facilities in non-urban areas of the state. Unlike planning for its residential, commercial or industrial land needs under Goals 9 and 10, planning for a city's recreational needs is largely a matter of local choice. The applicable statutes, Statewide Planning Goals and administrative rules are not prescriptive as to the amount of park land that a city must have to serve its population. While the City takes into consideration the existence of private recreation facilities and open space in its parks planning process, because there is no guarantee that lands owned by private entities will remain in perpetuity as public open space and/or recreation facilities, the City does not (and is not required to) account for private facilities and open space in its supply of recreation facilities, parks and open space. The subject property is not included on any list, inventory or map identifying the City's existing parks and open space supply. As such, changing the designation of the subject property will have no impact on the City's parks and open space supply. While the proposed amendments will impact a private recreational facility, the proposed amendments will not impact the provision of public recreational facilities, nor will they affect access to existing or future public recreational facilities. Therefore, the amendments are consistent with Statewide Planning Goal 8.

Goal 9 - Economic Development: *To provide adequate opportunities throughout the state for a variety of economic activities vital to the health, welfare, and prosperity of Oregon's citizens.*

The Administrative Rule for Statewide Planning Goal 9 (OAR 660 Division 9) requires that the city '[p]rovide for at least an adequate supply of sites of suitable sizes, types, location, and service levels for a variety of industrial and commercial uses consistent with plan policies[.]" Among other things, the rule requires that cities complete an "Economic Opportunities Analysis." OAR 660-009-0015. Based on the Economic Opportunities Analysis, cities are to prepare Industrial and Commercial Development Policies. OAR 660-009-0020. Finally OAR 660-009-0025 requires that cities designate industrial and commercial lands sufficient to meet short and long term needs. OAR 660-009-0010(2) provides that the detailed planning requirements imposed by OAR 660 Division 9 apply "at the time of each periodic review of the plan (ORS 197.712(3))."

The proposed amendment will not make any changes to the existing land currently designated commercial. Thus, the amendments are consistent with Statewide Planning Goal 9.

Goal 10 - Housing: *To provide for the housing needs of the citizens of the state.*

Goal 10 requires that communities plan for and maintain an inventory of buildable residential land for needed housing units.

The proposed amendment will re-designate approximately 63 acres from Parks and Open Space to Residential, thereby increasing the City's current supply of residential lands. Since the subject property is not currently designated for residential use and is not included in the documented supply of "buildable land" that is available for residential development as inventoried in the acknowledged 1999 Residential Lands Study, the proposed amendment will increase the City's existing inventory of land that is available for residential development. Therefore, the amendments are consistent with Statewide Planning Goal 10.

Goal 11 - Public Facilities and Services: *To plan and develop a timely, orderly and efficient arrangement of public facilities and services to serve as a framework for urban and rural development.*

A portion of the area affected by the amendments is located outside the city limits but inside the Eugene-Springfield Urban Growth Boundary. The existing level of public facilities and service is adequate to serve the needs of existing and future development, as public facilities are available or can be extended to the subject property. While a portion of the subject property is located outside City limits, annexation is a requirement for any new use that would generate an additional need for urban facilities and services. Public facilities and services are available for the purpose of annexation. The provision of these amendments does not affect the planning or development of future public facilities or services. Therefore, the amendments are consistent with Statewide Planning Goal 11.

Goal 12 - Transportation: *To provide and encourage a safe, convenient and economic transportation system.*

Goal 12 is implemented through the Transportation Planning Rule (TPR), as defined in Oregon Administrative Rule OAR 660-012-0000, et seq. The Eugene-Springfield Metropolitan Area Transportation Plan (TransPlan) provides the regional policy framework through which the TPR is

implemented at the local level. The TPR (OAR 660-012-0060) states that when land use changes, including amendments to acknowledged comprehensive plans, significantly affect an existing or planned transportation facility the local government shall put in place measures to assure that the allowed land uses are consistent with the identified function, capacity and performance standards (level of service, volume to capacity ratio, etc.) of the facility.

Section 9.8670 of the Eugene Code, 1971, requires a development applicant to comply with the City's Traffic Impact Analysis (TIA) Review code provisions if the proposed development will "generate 100 or more vehicle trips during any peak hour as determined by using the most recent edition of the Institute of Transportation Engineer's Trip Generation Manual." One of the stated purposes of the City's TIA Review requirement is "to ensure that developments which will generate a significant amount of traffic, cause an increase in traffic that will contribute to traffic problems in the area, or result in levels of service of the roadway system in the vicinity of the development that do not meet adopted level of service standards provide the facilities necessary to accommodate the traffic impact of the proposed development."

The City's TIA Review follows a Type II process and is approved or conditionally approved upon the applicant's demonstration of compliance with the following criteria at EC 9.8680:

> (1) Traffic control devices and public or private improvements as necessary to achieve the purposes listed in this section will be implemented. These improvements may include, but are not limited to, street and intersection improvements, sidewalks, bike lanes, traffic control signs and signals, parking regulation, driveway location, and street lighting.
>
> (2) Public improvements shall be designed and constructed to the standards specified in EC 9.6505 Improvements - Specifications. The requirement of improvements based on a traffic impact analysis does not negate the ability of the city traffic engineer to require improvements by other means specified in this code or rules or regulations adopted thereunder.
>
> (3) An exception to any or all of the requirements listed in the "Standards for Traffic Impact Analyses" for development that generate less than 100 trips in any peak hour may be granted if the applicant demonstrates that the study is not necessary in order to demonstrate compliance with this subsection.
>
> (4) In addition to the above criteria, if the Traffic Impact Analysis Review was required based on EC 9.8670(4), the improvements shall also address the structural capacity of the street in the County's jurisdiction and address identified structural deficiencies, or reduction in the useful life of existing street structures related to the proposed development. Improvements may be needed to eliminate the identified structural deficiencies and to accommodate vehicle impacts to structures.

In accordance with the above-quoted Eugene City code provisions, prior to the any development on the subject property that will generate more than 100 peak hour trips per day, the developer will need to prepare a TIA Review that parallels the TPR analysis required by Statewide Planning Goal 12. Because of the size of the subject property (approximately 63 acres), the number of allowed

single-family dwelling units could be in excess of 300 units. Based on the ITE Trip Generation Manual, 300 residential units would generate an estimated 300 PM peak trips, far exceeding the number of PM peak trips that would trigger the City's TIA Review code provisions. No development that will generate more than 100 PM peak trips will be able to occur on the subject property without a demonstration of compliance with the City's TIA Review requirements.

Based on the following testimony from the Department of Land Conservation and Development, no TPR findings are necessary for this action:

> "1. The amendment to the Metro Plan Diagram which re-designated the 63 acres from Low Density Residential to Parks and Open Space occurred as a result of adoption of Task 17 of the 2005 Eugene-Springfield Periodic Review Work Order 001662. In adopting the Revised Metro Plan Diagram reflecting the "Housekeeping" amendments to the Metro Plan Diagram, Ordinance #20319 in April 2004, it appears that no TRP analysis was conducted. In reviewing the acknowledgement file, I could not find any documentation why a TRP 060 analysis was not required so I must assume that the "Housekeeping" amendments to the Metro Plan Diagram were determined to not meet the threshold of significance as stipulated in 660.012.060(1). The acknowledged 2002 TransPlan was the controlling TPR document at the time. So in this case returning the plan designation to Low Density Residential to reflect the property's current zoning would not meet the threshold of "significant" either.
>
> 2. TransPlan, the metro area's TSP was last updated in 2002 and subsequently acknowledged by the Department; prior to adoption and acknowledgement of the "Housekeeping" amendments to the Metro Plan Diagram. The Metro Plan Diagram in effect in 2002 was the land use plan used to model traffic impacts. Consequently, returning the 63 acres from Parks and Open Space to Low Density Residential would be consistent with the Metro Plan Diagram used in the 2002 TransPlan and no TPR 060 analysis is required since in this case returning the plan designation to Low Density Residential to reflect the property's current zoning would not meet the threshold of "significant" either."

Goal 13 - Energy Conservation: *To conserve energy.*

Statewide Planning Goal 13 calls for land uses to be managed and controlled "so as to maximize the conservation of all forms of energy, based upon sound economic principles." Goal 13 is directed at the development of local energy policies and implementing provisions and does not state requirements with respect to other types of land use decisions. It is not clear that the goal has any bearing on a site-specific decision such as the one at issue. There is no implementing rule that clarifies the requirements of Goal 13. To the extent that Goal 13 could be applied to the proposed change in designation, the designation is consistent with Goal 13. The proposed site is located so that a future development can make efficient use of energy with direct and efficient access. The proposal is consistent with Statewide Planning Goal 13.

Goal 14 - Urbanization: *To provide for an orderly and efficient transition from rural to urban land use.*

The amendments do not affect the transition from rural to urban land use, as the subject property is within the Eugene-Springfield Urban Growth Boundary limits. Therefore, Statewide Planning Goal 14 does not apply.

Goal 15 - Willamette River Greenway: *To protect, conserve, enhance and maintain the natural, scenic, historical, agricultural, economic and recreational qualities of lands along the Willamette River as the Willamette River Greenway.*

The subject property is not within the boundaries of the Willamette River Greenway. Therefore, Statewide Planning Goal 15 does not apply.

Goal 16 through 19 - Estuarine Resources, Coastal Shorelands, Beaches and Dunes, and Ocean Resources:

There are no coastal, ocean, estuarine, or beach and dune resources related to the property effected by these amendments. Therefore, these goals are not relevant and the amendments will not affect compliance with Statewide Planning Goals 16 through 19.

(b) Adoption of the amendment must not make the Metro Plan internally inconsistent.

The Metro Plan diagram amendment to re-designate approximately 63 acres of land from Parks and Open Space to Low Density Residential will not create an internal conflict with the remainder of the Metro Plan. No text or other diagram changes are necessary to ensure internal consistency with the proposed diagram amendments; adoption of this amendment will not make the Metro Plan internally consistent.