



Oregon

Theodore R. Kulongoski, Governor

Department of Land Conservation and Development

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NOTICE OF ADOPTED AMENDMENT

April 12, 2007



TO: Subscribers to Notice of Adopted Plan
or Land Use Regulation Amendments

FROM: Mara Ulloa, Plan Amendment Program Specialist

SUBJECT: City of Springfield Plan Amendment
DLCD File Number 002-07

The Department of Land Conservation and Development (DLCD) received the attached notice of adoption. A copy of the adopted plan amendment is available for review at the DLCD office in Salem and the local government office.

Appeal Procedures*

DLCD ACKNOWLEDGMENT or DEADLINE TO APPEAL: April 26, 2007

This amendment was submitted to DLCD for review 45 days prior to adoption. Pursuant to ORS 197.830 (2)(b) only persons who participated in the local government proceedings leading to adoption of the amendment are eligible to appeal this decision to the Land Use Board of Appeals (LUBA).

If you wish to appeal, you must file a notice of intent to appeal with the Land Use Board of Appeals (LUBA) no later than 21 days from the date the decision was mailed to you by the local government. If you have questions, check with the local government to determine the appeal deadline. Copies of the notice of intent to appeal must be served upon the local government and others who received written notice of the final decision from the local government. The notice of intent to appeal must be served and filed in the form and manner prescribed by LUBA, (OAR Chapter 661, Division 10). Please call LUBA at 503-373-1265, if you have questions about appeal procedures.

***NOTE: THE APPEAL DEADLINE IS BASED UPON THE DATE THE DECISION WAS MAILED BY LOCAL GOVERNMENT. A DECISION MAY HAVE BEEN MAILED TO YOU ON A DIFFERENT DATE THAN IT WAS MAILED TO DLCD. AS A RESULT YOUR APPEAL DEADLINE MAY BE EARLIER THAN THE ABOVE DATE SPECIFIED.**

Cc: Gloria Gardiner, DLCD Urban Planning Specialist
Marguerite Nabeta, DLCD Regional Representative
Greg Mott, City of Springfield

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DLCD NOTICE OF ADOPTION DEPT OF

This form must be mailed to DLCD within 5 working days after the final decision per ORS 197.610, OAR Chapter 660 - Division 18 APR 06 2007

(See reverse side for submittal requirements)

LAND CONSERVATION AND DEVELOPMENT

Jurisdiction: City of Springfield Local File No.: LRP 2007-00002 (If no number, use none)

Date of Adoption: April 2, 2007 (Must be filled in) Date Mailed: April 5, 2007 (Date mailed or sent to DLCD)

Date the Notice of Proposed Amendment was mailed to DLCD: 1/23/07

- Comprehensive Plan Text Amendment
Comprehensive Plan Map Amendment
XX Land Use Regulation Amendment
Zoning Map Amendment
New Land Use Regulation
Other: (Please Specify Type of Action)

Summarize the adopted amendment. Do not use technical terms. Do not write "See Attached."

Amendments to Article 9 VACATIONS adopting new criteria for considering retention in public ownership for alternative use.

Describe how the adopted amendment differs from the proposed amendment. If it is the same, write "Same." If you did not give notice for the proposed amendment, write "N/A."

Materially the same; added "vehicles" to consideration of "reasonably direct routes; added consideration of "a greater public benefit" to vacate rather than retain right-of-way for transportation purposes.

Plan Map Changed from: to

Zone Map Changed from: to

Location: Acres Involved:

Specify Density: Previous: New:

Applicable Statewide Planning Goals: 1, 2, 11, 12

Was an Exception Adopted? Yes: No: XX

DLCD File No.: 002-07 (15820)

Did the Department of Land Conservation and Development receive a notice of Proposed Amendment FORTY FIVE (45) days prior to the first evidentiary hearing. Yes: XX No:

If no, do the Statewide Planning Goals apply. Yes: No:

If no, did The Emergency Circumstances Require immediate adoption. Yes: No:

Affected State or Federal Agencies, Local Governments or Special Districts: ODOT, LTD, SUB

Local Contact: Greg Mott Area Code + Phone Number: (541)726-3774

Address: 225 Fifth Street

City: Springfield Zip Code+4: 97477

ADOPTION SUBMITTAL REQUIREMENTS

This form must be mailed to DLCD within 5 working days after the final decision
per ORS 197.610, OAR Chapter 660 - Division 18.

1. Send this Form and TWO (2) Copies of the Adopted Amendment to:

**ATTENTION: PLAN AMENDMENT SPECIALIST
DEPARTMENT OF LAND CONSERVATION AND DEVELOPMENT
635 CAPITOL STREET NE, SUITE 150
SALEM, OREGON 97301-2540**

2. Submit **TWO (2) copies** the adopted material, if copies are bounded please submit **TWO (2) complete copies** of documents and maps.

3. Please Note: Adopted materials must be sent to DLCD not later than **FIVE (5) working days** following the date of the final decision on the amendment.

4. Submittal of of this Notice of Adoption must include the text of the amendment plus adopted findings and supplementary information.

5. The deadline to appeal will be extended if you submit this notice of adoption within five working days of the final decision. Appeals to LUBA may be filed within **TWENTY-ONE (21) days** of the date, the "Notice of Adoption" is sent to DLCD.

6. In addition to sending the "Notice of Adoption" to DLCD, you must notify persons who participated in the local hearing and requested notice of the final decision.

7. **Need More Copies?** You can copy this form on to 8-1/2x11 green paper only ; or call the DLCD Office at (503) 373-0050; or Fax your request to:(503) 378-5518; or Email your request to Larry.French@state.or.us - ATTENTION: PLAN AMENDMENT SPECIALIST.

ORDINANCE NO. 6191 (GENERAL)

AN ORDINANCE AMENDING THE SPRINGFIELD DEVELOPMENT CODE ARTICLE 9 VACATIONS ESTABLISHING NEW CRITERIA TO APPLY TO COUNCIL INITIATED VACATIONS OF PUBLIC RIGHT-OF-WAY WHERE THE RIGHT-OF-WAY WILL BE RETAINED IN PUBLIC OWNERSHIP BUT USED FOR AN ALTERNATIVE PUBLIC PURPOSE. (Jo. No. LRP 2007-00002).

The City Council of the City of Springfield finds that:

- A. The Springfield Development Code (SDC) was adopted by the Springfield City Council on May 5, 1986, and amendments thereto were subsequently adopted by Ordinance.
- B. Article 9, Section 9.060 of the Springfield Development Code contains criteria of approval for vacation of public utility easements, public rights-of-way, other City property, or Partition or Subdivision Plats, but does not include criteria to consider Council initiated vacation of public right-of-way where that right-of-way will be retained in public ownership but used for an alternative public purpose.
- C. The SDC implements policies, goals and objectives of the Metro Plan and as such must comply with these policies, goals and objectives.
- E. On March 13, 2007, the Springfield Planning Commission held a public hearing on this SDC amendment request (Jo. No. LRP 2007-00002). The Springfield Planning Commission voted 5 in favor, 2 opposed, to recommend approval of these amendments to the City Council.
- F. Findings in support of adoption of this amendment to the SDC are set forth in the Staff Report and the Recommendation to the Council (Jo. No. LRP 2007-00002) incorporated herein by reference.
- G. Based on the above record and findings, the City Council concludes that the SDC amendments are consistent with the criteria of approval as set forth in the Staff Report and Recommendation to the Council by the Springfield Planning Commission (Jo. No. LRP 2007-00002), incorporated herein by reference.

Now therefore, based on the above findings,

THE CITY OF SPRINGFIELD CITY COUNCIL DOES ORDAIN AS FOLLOWS:

Section 1: Article 9 VACATIONS; Section 9.060 is hereby amended to read as follows:

- (3) Notwithstanding the provisions of Section 9.060(2) where the land affected by the proposed Vacation of public right-of-way, other public land as specified in ORS 271.080, or public easement will remain in public ownership and will continue to be used for a public purpose, the request shall be reviewed under the Type IV procedure. The City Council may approve the Vacation application if it is found to be consistent with the following criteria:**
- (a) The Vacation was initiated by the City Council pursuant to ORS 271.130(1);**

(b) Notice has been given pursuant to ORS 271.110(1);

(c) Approval of the vacation would be consistent with provision of safe, convenient and reasonably direct routes for cyclists, pedestrians and vehicles as provided in OAR 660-012-0045(3);

(d) Whether a greater public benefit would be obtained from the vacation than from retaining the right of way in its present status; and

(e) Whether provisions have been made to ensure that the vacated property will remain in public ownership.

Section 2: Although not part of this Ordinance, the Springfield City Council adopts Findings as set forth in Exhibit "A" attached, in support of this action.

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 to the remaining portions hereof.

ADOPTED by the Common Council of the City of Springfield by a vote of 4 for and 2 against this 2nd day of April, 2007.

APPROVED by the Mayor of the City of Springfield this 3rd day of April, 2007.

ATTEST:



Mayor

REVIEWED & APPROVED
AS TO FORM
Joseph J. Leahy
DATE: 3/26/07
OFFICE OF CITY ATTORNEY

Amy Sowa

City Recorder

BEFORE THE PLANNING COMMISSION
OF THE
CITY OF SPRINGFIELD

REQUEST FOR AMENDMENT OF THE]
SPRINGFIELD DEVELOPMENT CODE]
REGARDING CRITERIA OF APPROVAL]
FOR RIGHT-OW-WAY VACATIONS]

Jo. No. LRP 2007-00002
RECOMMENDATION
TO THE CITY COUNCIL

NATURE OF THE APPLICATION

The Springfield City Council initiated amendments to Article 9 VACATIONS of the Springfield Development Code to establish new criteria to apply to Council initiated vacations of public right-of-way where the right-of-way will be retained in public ownership but used for an alternative public purpose.

- 1. On January 22, 2007, the following Development Code amendment was initiated:

City of Springfield – Jo. No. LRP 2007-00002

- 2. The application was initiated and submitted in accordance with Articles 3 and 8 of the Springfield Development Code. Timely and sufficient notice of the public hearing, pursuant to Section 14.030 of the Springfield Development Code, has been provided.

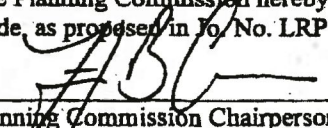
- 3. On March 13, 2007, the Planning Commission conducted a public hearing to accept testimony on the above described proposed amendments to the Springfield Development Code. At the conclusion of the hearing, the Planning Commission adopted a recommendation of approval and directed this recommendation be forwarded to the Springfield City Council. The Development Services Department staff notes and recommendation together with the testimony and submittals of the persons testifying at this hearing have been considered and are part of the record of this proceeding.

CONCLUSION

On the basis of this record, the requested amendment application, Jo. No. LRP 2007-00002 is consistent with the criteria of Section 8.030 of the Springfield Development Code. This general finding is supported by the specific findings of fact and conclusions in the attached staff report.

RECOMMENDATION

The Planning Commission hereby recommends the City Council amend the Springfield Development Code, as proposed in Jo. No. LRP 2007-00002, City of Springfield, applicant.



Planning Commission Chairperson

ATTEST:

AYES: 5
NAYS: 2
ABSTAIN: 0
ABSENT: 0

MEMORANDUM**City of Springfield**

To: Springfield Planning Commission
From: Gregory Mott, Planning Manager
Date: March 14, 2007
Subject: Proposed Springfield Development Code Amendment to allow vacation of public right-of-way, retention in City ownership and alternative public use of the right-of-way.

Issue

On January 22, 2007, the Springfield City Council initiated amendment of Article 9 VACATIONS of the Springfield Development Code. The purpose of the amendment is to create specific criteria for Council-initiated public right-of-way vacation when the City will retain ownership and the former right-of-way will be used for an alternative public purpose. The existing vacation criteria is not responsive to these circumstances so new criteria are proposed.

Background

The January 22, 2007 Agenda Item Summary initiating this SDC amendment cited a need to create these provisions because the existing vacation standards did not contemplate, and therefore could not recognize "reasons other than policies contained in the Metro Plan, TransPlan, or other planning documents" as a justification for right-of-way vacation. Most past vacation proceedings were based on private party initiatives with the objective of property acquisition for private purpose. In all of these circumstances the Council's review was based on community need to preserve the right-of-way for public transportation use vs. the property owner/applicant's private interests. The approval criteria did not allow any public purpose consideration other than those purposes identified in TransPlan and, with respect to the issues raised by past applicants, "public purpose" was never part of the equation.

The proposed amendments now allow the Council to weigh whether or not the public interests can still be served even if the right-of-way is no longer used for transportation activities. The new criteria are:

- (a) The Vacation was initiated by the City Council pursuant to ORS 271.130(1);
- (b) Notice has been given pursuant to ORS 271.130(1);
- (c) Approval of the vacation would be consistent with provision of safe, convenient and reasonably direct routes for cyclists and pedestrians as provided in OAR 660-012-0045(3); and,
- (d) Whether provisions have been made to ensure that the vacated property will remain in public ownership.

These criteria still maintain a public stewardship responsibility and do require affirmative findings regarding the potential effects on cyclists and pedestrians, but they also provide the Council with a broader field of consideration if the City retains ownership to provide another public purpose for the right-of-way.

The situation of not having criteria responsive to a given circumstance is not new. The Council has adopted new criteria in the past specifically to accommodate uses that were not contemplated in earlier versions of the Development Code, or to provide the City with stronger discretionary authority when considering use approvals in unique circumstances. In 1991 new discretionary use criteria were adopted to site public and private elementary and middle schools; in 1997 new discretionary use criteria were adopted to site wireless telecommunications facilities; and in 2000

new discretionary use criteria were adopted to allow approval of innovative design standards in place of adopted design standards for multi-unit developments. In each of these instances the then discretionary use criteria of Article 10 was unresponsive to the review and consideration of these particular uses.

Conclusion

The Planning Commission is requested to consider the proposed amendments after conducting a public hearing and forwarding a recommendation to the City Council for consideration with other testimony entered into the record of this matter. The Planning Commission action can include support, qualified support, opposition, or no recommendation.

- Attachments:
1. Proposed new text for Article 9 VACATIONS, Subsection 9.060(3) (a-d) Criteria of Approval
 2. Findings in Support of proposed new Vacation criteria of approval (Subsection 9.060(3) (a-d))

**FINDINGS - JOURNAL NUMBER LRP 2007-00002
SPRINGFIELD DEVELOPMENT CODE AMENDMENTS**

Criteria of approval for amendments to the Springfield Development Code (SDC)

Amendments to the Springfield Development Code must comply with the following criteria of approval:

- (1) The Metro Plan;
- (2) Applicable State statutes; and
- (3) Applicable Statewide Planning Goals and Administrative Rules.

The proposed amendments establish a new class of right-of-way vacation and the criteria of approval for such a vacation. The proposed amendments will allow existing public right-of-way to be vacated and used for a different public purpose if:

- (a) *The Vacation was initiated by the City Council pursuant to ORS 271.130(1);*
- (b) *Notice has been given pursuant to ORS 271.130(1);*
- (c) *Approval of the vacation would be consistent with provision of safe, convenient and reasonably direct routes for cyclists and pedestrians as provided in OAR 660-012-0045(3); and,*
- (d) *Whether provisions have been made to ensure that the vacated property will remain in public ownership.*

Criteria (1) Conformance with the Metro Plan

Although the Metro Plan provides the guiding policy for all land use activities in the metro area, the variety of implementation issues and potential solutions confronted by the City on a daily basis can easily exceed the level of detail or direction addressed in what is a deliberately "long-range general plan (public policy document) of metropolitan Lane County and the cities of Eugene and Springfield." Numerous actions/decisions are "under the radar" of the general purpose of the plan and so consideration of these lesser measures may result in a fairly short list of policies that may be reasonably applicable to the proposed action.

The proposed amendments are intended to allow the Council the opportunity to consider alternative public use of public right-of-way through the vacation process. Neither the Metro Plan nor TransPlan include any discussion regarding vacation of public right-of-way; the obvious purpose and intent of both documents is to guide the implementation of a safe, efficient multi-modal transportation system. While it may have occurred to metro-area officials and responsible state agencies that the vacation of right-of-way is a legislatively delegated responsibility of cities throughout the state and therefore should be expected, the effect of these actions on the ability to implement transportation policies apparently was not considered significant, hence no mention of vacation actions.

In the absence of policies that specifically address the proposal, the Metro Plan, at page I-4 suggests the following: "The respective jurisdictions recognize that that there are apparent conflicts and inconsistencies between and among some goals, objectives, and policies. When making decision based on the Plan, not all of the goals, objectives, and policies can be met to the same degree in every instance. Use of the Plan requires a 'balancing' of its various components on a case-by-case basis, as well as a selection of those goals, objectives, and policies most

pertinent to the issue at hand." Notwithstanding the dearth of policies addressing vacations per se, the logical default for this subject must lie with the various transportation policies connected to use of public right-of-way; what public policies are served by the presence of the right-of-way, and how those policies might be affected if the right-of-way is converted to an alternate public purpose. Enumerating each potential benefit which might be reflected in the purpose of individual policies in the Metro Plan or TransPlan is not necessary to establish the authority to consider vacation actions, but rather to apply to the assessment of the *review standards* to be utilized for such vacation actions. The proposal includes four criteria; two concern compliance with state statute regarding process; one requires continued public ownership; and one requires compliance with provisions of the state transportation planning rule. It is this latter criterion that connects this type of vacation proposal to transportation policies in the Metro Plan and TransPlan.

The following Metro Plan policies are observed through the proposed criterion (c) depending on the circumstances that may exist at or nearby the proposed vacation:

The Transportation Element at pages III-F-5, III-F-7, III-F-8, III-F-10, III-F-11

- F.4 Require improvements that encourage transit, bicycles and pedestrians in new commercial, public, mixed use, and multi-unit residential development. (See also TransPlan Land Use Policy #4, Chapter 2, page 10)
- F.13 Protect and manage existing and future transportation infrastructure. (See also TransPlan TSI System-Wide Policy #1, Chapter 2, page 10)
- 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. (See also TransPlan TSI Roadway Policy #1, Chapter 2, page 10)
- F.17 Manage the roadway system to preserve safety and operational efficiency by adopting regulations to manage access to roadways and applying these regulations to decisions related to approving new or modified access to the roadway system. (See also TransPlan TSI Roadway Policy #4, Chapter 2, page 11)
- F.22 Construct and improve the region's bikeway system and provide bicycle system support facilities for both new development and redevelopment/expansion. (See also TransPlan TSI Bicycle Policy #1, Chapter 2, page 11)
- F.24 Require bikeways to connect new development with nearby neighborhood activity centers and major destinations. (See also TransPlan TSI Bicycle Policy #2, Chapter 2, page 11)
- F.26 Provide for a pedestrian environment that is well integrated with adjacent land uses and is designed to enhance the safety, comfort, and convenience of walking. (See also TransPlan TSI Pedestrian Policy #1, Chapter 2, page 12)

- F.27 Provide for a continuous pedestrian network with reasonably direct travel routes between destination points. (See TransPlan TSI Pedestrian Policy #2, Chapter 2, page 12)

Criteria (2) Conformance with Applicable State Statutes

ORS 271 establishes the jurisdiction of cities to vacate public right-of-way, including setting forth the process and procedures for such action. The proposed criteria of approval implement specific provisions of ORS 271.

ORS 227 establishes the jurisdiction of cities to adopt and enforce planning, zoning and development regulations. Section 227.215 states: "A city may plan and otherwise encourage and regulate the development of land. A city may adopt an ordinance requiring that whatever land development is undertaken in the city comply with the requirements of the ordinance and be undertaken only in compliance with the terms of a development permit."

These amendments apply to Article 9 VACATIONS of the Springfield Development Code. The Development Code is the principal document used by the City of Springfield to implement comprehensive planning policies.

Criteria (3) Conformance with applicable State-wide Planning Goals and Administrative Rules

The City's comprehensive plan and development code are acknowledged by the State of Oregon to be in compliance with all applicable statewide planning goals and administrative rules. This proposed amendment is consistent with a number of plan policies cited in previous pages and with ORS, and so, by extension, conforms to applicable statewide planning goals and administrative rules. However, the following findings are included in this record.

Goal 1: Citizen Involvement

The proposed amendments are the subject of legislative public hearings advertised in the Register-Guard on March 2, 2007. The City Council initiated these amendments on January 22, 2007 during a regular meeting. The Planning Commission conducted a public hearing on March 13, 2007. The City Council held a publicized work session and public hearing on March 19, 2007. Interested parties were invited to participate at these hearings.

Goal 2: Land Use Planning

This goal states: "All land-use plans and implementation ordinances shall be adopted by the governing body after public hearing and shall be reviewed and, as needed, revised on a periodic cycle to take into account changing public policies and circumstances, in accord with a schedule set forth in the plan.

"Implementation Measures -- are the means used to carry out the plan. These are of two general types: (1) management implementation measures such as ordinances, regulations or project

plans, and (2) site or area specific implementation measures such as permits and grants for construction, construction of public facilities or provision of services.”

These amendments provide the Council an opportunity to consider whether or not public right-of-way should be vacated but retained by the City for alternative public use. The vacation criteria invoke an analysis and findings of consistency with existing policies in the Metro Plan and provisions of OAR 660-12-0045(3).

Goal 3: Agricultural Lands

This goal does not apply within adopted, acknowledged urban growth boundaries. The City of Springfield does not have any agricultural zoning districts. These amendments do not apply outside the urban growth boundary.

Goal 4: Forest Lands

This goal does not apply within adopted, acknowledged urban growth boundaries. The City of Springfield does not have any forest zoning districts. These amendments do not apply outside the urban growth boundary.

Goal 5: Open Spaces, Scenic and Historic Areas, and Natural Resources

These amendments do not repeal, replace or void existing Metro Plan policy or Development Code regulations with respect to any identified natural resources. No changes to supporting ordinances or policy documents adopted to comply with Goal 5 are affected by these amendments. In the unlikely event that a Goal 5 resource was discovered to exist within the public right-of-way, preventing loss of the resource through the vacation process could occur.

Goal 6: Air, Water and Land Resources Quality

This goal requires compliance with applicable state or federal environmental quality statutes, rules and standards, and that “discharges not exceed the carrying capacity of such resources, considering long range needs; degrade such resources; or threaten the availability of such resources.” These amendments have no affect on the City’s ability to maintain conformance with state or federal air or water quality standards. These amendments will extinguish the use of right-of-way for transportation activities but preserve public ownership for alternatives activities. Regardless of the depth or breadth of these alternative activities, the City’s responsibility to comply with all local, state and federal laws that might apply to or be impacted by the proposed alternative activities is not diminished by this proposal.

Goal 7: Areas Subject to Natural Disasters and Hazards

All sites within Springfield subject to these hazards (floodplain, erosion, landslides, earthquakes, weak foundation soils) are inventoried through a variety of sources. These amendments do not remove or exempt compliance with applicable Code standards that may apply to the area proposed for possible right-of-way vacation.

Goal 8: Recreational Needs

Willamalane Park and Recreation district provides for the recreational needs of Springfield through its own park planning. Park needs and facilities are based on existing and projected populations. These amendments have no influence on population projections because they do not change permitted density within residential plan designations. These amendments do not influence the ability of the park district to acquire land for parks.

Goal 9: Economic Development

This goal is intended to preserve and enhance economic development activities, including preservation of sites for industrial and commercial use. These amendments have no affect on these objectives.

Goal 10: Housing

This goal states: "to provide for the housing needs of citizens of the state." These amendments are not associated with this goal and have no affect on the provision of housing.

Goal 11: Public Facilities and Services

This goal states: "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." Urban facilities and services include the appropriate types and levels of police protection; sanitary facilities; storm drainage facilities; planning, zoning and subdivision control; health services; recreation facilities and services; energy and communication services; and community governmental services. These amendments have no affect on the provision of these services.

Goal 12: Transportation

This goal states: "To provide and encourage a safe, convenient and economic transportation system." These amendments allow the City Council to vacate right-of-way, retain it, and use it for an alternative purpose. One of the tests this action must satisfy is compliance with the following criterion: "Approval of the vacation would be consistent with provision of safe, convenient and reasonably direct routes for cyclists and pedestrians as provided in OAR 660-12-0045(3)." Compliance with this administrative rule provision will result in consistency with the applicable provisions of this Goal.

Goal 13: Energy Conservation

This goal states: "To conserve energy." To the extent that one form of energy conservation is a function of the City's standards for "reasonably direct routes for cyclists and pedestrians" this proposal includes a requirement that the action of vacation will not result in the loss of reasonably direct routes for cyclists and pedestrians. These amendments are consistent with this Goal

Goal 14: Urbanization

This goal states: "To provide for an orderly and efficient transition from rural to urban use." These amendments have no affect on the timing or ability of the City to convert rural uses to urban uses; this conversion occurs through annexation.

Goal 15: Willamette River Greenway

This goal states: "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." These amendments do not pre-empt the City's obligation to comply with the existing requirements for development approval within the Willamette River Greenway. The Greenway provisions allow development of permitted uses in the underlying zone, provided that all other Greenway requirements are satisfied. The City's adopted, acknowledged Greenway ordinance will not be changed by these amendments.

Goal 16: Estuarine Resources; Goal 17: Coastal Shorelands; Goal 18: Beaches and Dunes, and Goal 19: Ocean Resources

These goals do not apply within the adopted, acknowledged Eugene-Springfield Metropolitan Area General Plan.

Chapter 660 of Oregon Administrative Rules establishes interpretation of a number of statewide planning goals. These rules are generally designed to provide clarity or specific instruction regarding the implementation of the goals. OAR 660-012 provides guidance and standards for a City's transportation planning and infrastructure efforts. Because the vacation of public right-of-way could potentially influence these efforts, the proposal contains a criterion of approval that is taken directly from the Rule and applies to this process each time it is undertaken. Specifically, OAR 660-012-0045(3) requires consistency with a number of transportation standards designed to implement Goal 12 and OAR 660-012. If affirmative findings cannot be made, the vacation cannot be approved.