



Oregon

Theodore R. Kulongoski, Governor

Department of Land Conservation and Development

635 Capitol Street, Suite 150

Salem, OR 97301-2540

(503) 373-0050

Fax (503) 378-5518

www.lcd.state.or.us

NOTICE OF ADOPTED AMENDMENT

March 30, 2007

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

FROM: Mara Ulloa, Plan Amendment Program Specialist

SUBJECT: Eugene/Springfield Metro Plan Amendment
DLCD File Number 004-06



The Department of Land Conservation and Development (DLCD) received the attached notice of adoption. Copies of the adopted plan amendment are available for review at DLCD offices in Salem, the applicable field office, and at the local government office.

Appeal Procedures*

DLCD ACKNOWLEDGMENT or DEADLINE TO APPEAL: April 13, 2007

This amendment was submitted to DLCD for review prior to adoption with less than the required 45-day notice. 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 DATE SPECIFIED ABOVE.**

Cc: Gloria Gardiner, DLCD Urban Planning Specialist
Marguerite Nabeta, DLCD Regional Representative
Matthew Crall, DLCD Transportation Planner
Lydia McKinney, Eugene Planning

<paa> ya/ph

FORM 2

DLCD NOTICE OF ADOPTION

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

DEPT OF

(See reverse side for submittal requirements)

MAR 26 2007

LAND CONSERVATION
AND DEVELOPMENT

Jurisdiction: City of Eugene

Local File No. : MA 06-3

(If no number, Use none)

Date of Adoption: March 21, 2007

(Must be filled in)

Date Mailed: March 23, 2007

(Date mailed or sent to DLCD)

Date the Notice of Proposed Amendment was mailed to DLCD: September 15, 2006

- | | |
|--|--|
| <input type="checkbox"/> Comprehensive Plan Text Amendment | <input checked="" type="checkbox"/> Comprehensive Plan Map Amendment |
| <input type="checkbox"/> Land Use Regulation Amendment | <input type="checkbox"/> Zoning Map Amendment |
| <input type="checkbox"/> New Land Use regulation | <input checked="" type="checkbox"/> Other: Automatic Refinement Plan Update
(Please Specify Type of Action) |

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

Metro Plan Amendment MA 06-3 amended the Metro Plan land use diagram from a designation of Campus Industrial to Medium Density Residential and includes an automatic update to the Willakenzie Area refinement plan pursuant to EC 9.7750(4) from Special Light Industrial to Medium Density Residential.

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."

The proposed amendment included a Refinement Plan application (RA 06-2) which has been dropped from the request as EC 9.7750(4) automatically amends the refinement plan on approval of the Metro Plan amendment.

Plan Map Changed from: Campus Industrial to: Medium Density Residential

Zone Map Changed from: N/A to: N/A

Location: 89295, 89297, 89371 Old Coburg Road Acres Involved: 6.89

Specify Density: Previous: NA New: 10-28/net acre

Applicable Statewide Planning Goals: 1, 2, 6-13

Was an Exception Adopted: Yes: No:

DLCD No: 004-06(15558)

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: No:

If no, did 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:

Local Contact: Lydia McKinney Area Code + Phone Number: (541) 682-5485

Address: 99 West 10th Avenue City: Eugene

Zip Code + 4: 97401 E-mail Address: lydia.s.mckinney@ci.eugene.or.us

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 this Notice of Adoption must include the text of the amendment plus adopted findings and supplementary information.
5. The deadline to appeal will not 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 ½ x 11 green paper only; or call the DLCD Office at (503) 373-0050; or Fax your request to: (503) 378-5518; or E-mail your request to Larry.French@state.or.us – ATTENTION: PLAN AMENDMENT SPECIALIST.

BEFORE THE BOARD OF COUNTY COMMISSIONERS OF LANE COUNTY, OREGON

ORDINANCE NO. PA 1240)IN THE MATTER OF AMENDING THE EUGENE-SPRINGFIELD)METROPOLITAN AREA GENERAL PLAN (METRO PLAN))LAND USE DIAGRAM FOR PROPERTY WITHIN THE COBURG-)CRESCENT SUBAREA OF THE WILLAKENSZIE AREA)REFINEMENT PLAN, AMENDING THE CORRESPONDING)WILLAKENZIE AREA PLAN LAND USE DIAGRAMS, AND)ADOPTING SAVINGS AND SEVERABILITY CLAUSES. (CITY)OF EUGENE, FILE NO. PA 06-6742; HUNTINGTON CROSSING)

WHEREAS, the Board of County Commissioners of Lane County, on June 2, 2004, enacted Ordinance No. PA 1197 adopting the 2004 update to the Eugene-Springfield Metropolitan Area General Plan (Metro Plan); and

WHEREAS, on August 26, 1992, the Board of County Commissioners of Lane County enacted Ordinance No. PA 1020 adopting the Willakenzie Area Plan as a refinement to the Metro Plan; and

WHEREAS, Lane Code Chapter 12 sets forth procedures for amendment of the Metro Plan and adopted Refinement Plans by Lane County; and

WHEREAS, pursuant to LC 12.225, the proposed Metro Plan amendment is a two-jurisdiction (Type II) Metro Plan amendment inside the Urban Growth Boundary but outside the City Limits of Eugene and must be approved by the Home City of Eugene and Lane County, and

WHEREAS, Popcorn, LLC, has requested a Metro Plan amendment for a 6.89 acre parcel identified as Assessor's Map 17-03-16-41, tax lots 500, 600 and 700, located on the east side of Old Coburg Road, north of Chad Drive at 89295, 89297 and 89317 Old Coburg Road, to change the current Metro Plan designation and the Willakenzie Area Refinement Plan designation on respective diagrams, from Campus Industrial to Medium Density Residential; and

WHEREAS, the Lane County Planning Commission reviewed the proposal with the Eugene Planning Commission in a joint public hearing on October 24, 2006, and following the close of the public hearing, both planning commissions deliberated and passed unanimous motions to recommend approval of the proposed amendments; and

WHEREAS, evidence exists within the record indicating that the proposal meets the requirements of Lane Code Chapter 12, and the requirements of applicable state and local law; and

WHEREAS, the Board of County Commissioners has conducted a public hearing and is now ready to take action;

NOW, THEREFORE, the Board of County Commissioners of Lane County Ordains as follows:

Section 1. The Eugene-Springfield Metropolitan Area General Plan is amended by the redesignation of three properties identified as tax lots 500, 600, and 700 of the Lane County Assessor's map 17-03-16-41 and located on the east side of Old Coburg Road, north of Chad Drive at 89295, 89297 and 89317 Old Coburg Road, from "Campus Industrial" to "Medium Density Residential", such territory depicted on the Eugene-Springfield Metro Plan Diagram and further identified on Exhibit "A", attached and incorporated herein.

ORDINANCE 1240 ---IN THE MATTER OF AMENDING THE EUGENE/SPRINGFIELD METROPOLITAN AREA GENERAL PLAN (METRO PLAN) LAND USE DIAGRAM FOR PROPERTY WITHIN THE COBURG-CRESCENT SUBAREA OF THE WILLAKENZIE AREA REFINEMENT PLAN; AMENDING THE CORRESPONDING WILLAKENZIE AREA PLAN LAND USE DIAGRAMS, AND ADOPTING SAVINGS AND SEVERABILITY CLAUSES (CITY OF EUGENE, FILE NO. PA 06-6742; HUNTINGTON CROSSING)

Section 2. Consistent with the provisions of Lane Code 12.245(4), the corresponding Willakenzie Area Plan diagrams are automatically amended to change the designations for the land identified in Section 1 above on the Willakenzie Area Plan Land Use Diagram located between pages 19 and 20 from "Special Light Industrial" to "Medium Density Residential" and on the Willakenzie Area Plan Coburg-Crescent Subarea diagram located at page 62 from "Campus Industrial" to "Medium Density Residential", as depicted and further identified on Exhibits "B" and "C", attached and incorporated herein.

FURTHER, although not a part of this Ordinance except as described above, the Board of County Commissioners adopts Findings and Conditions as set forth in Exhibit "D" attached, in support of this action.

The prior designations repealed by this Ordinance shall remain in full force and effect to authorize prosecution of persons in violation thereof prior to the effective date of this Ordinance.

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.

ENACTED this 21st day of March, 2007

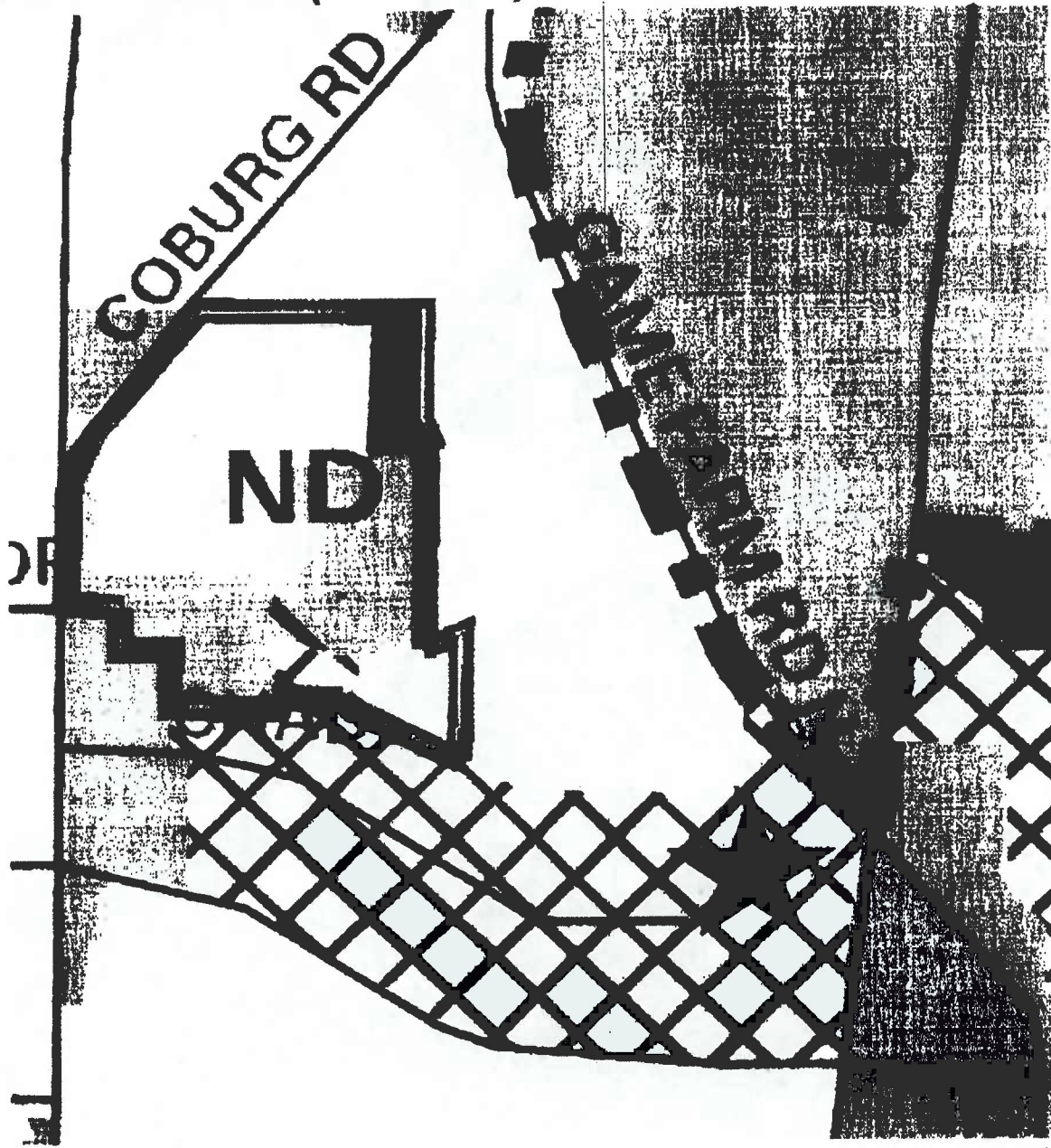
Forrest Stutz
Chair, Lane County Board of County Commissioners
Melissa A. Zieman
Recording Secretary for this meeting of the Board

APPROVED AS TO FORM
Date 1-31-2007 Lane County
Stephen Z. Ueber
OFFICE OF LEGAL COUNSEL

Exhibit A



Huntington Crossing Metro Plan Amendment (MA 06-3)

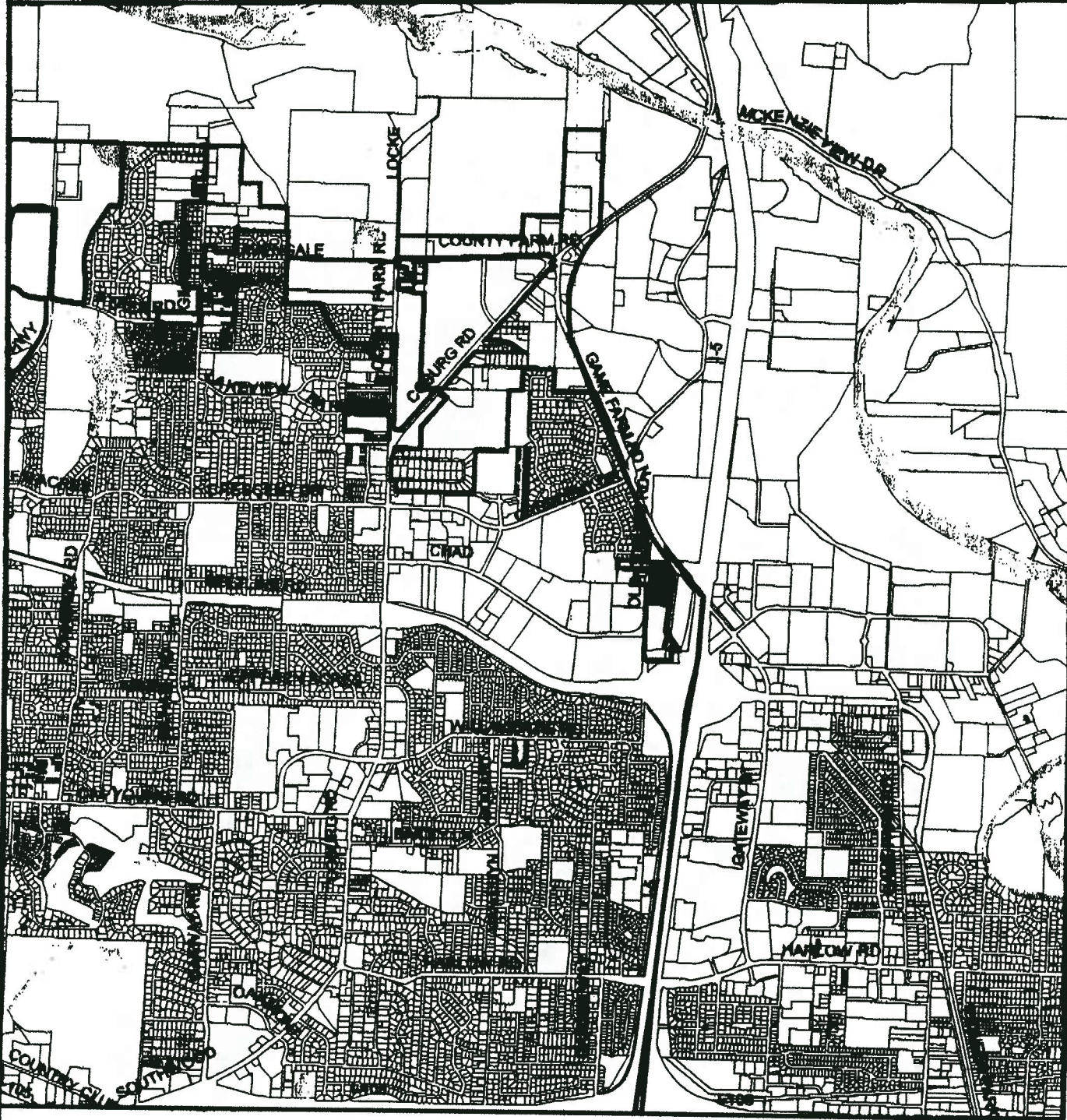


Existing Plan Designation: Campus Industrial
Proposed Plan Designation: Medium Density Residential
Subject Property: Assessor's Map 17-03-16-41
tax lots 500, 600, 700



Exhibit B

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



Exhibit C

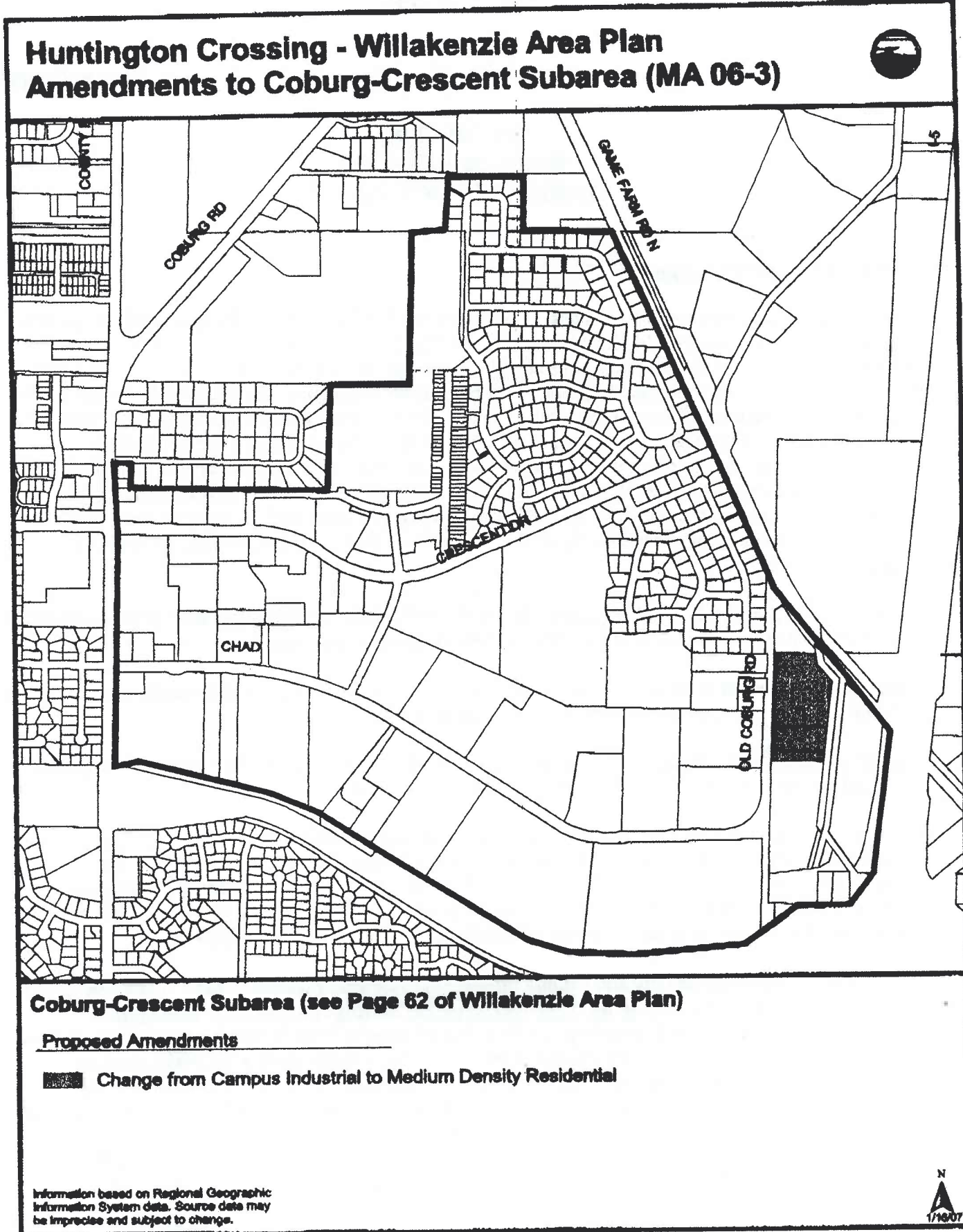


Exhibit D

**Staff Findings
Huntington Crossing
ORDINANCE NO. PA 1240**

Metro Plan Diagram Amendment

The proposed amendment would change the current Metro Plan land use designation from Campus Industrial and the current Willakenzie Refinement Plan land use designation from Special Light Industrial to Medium Density Residential on both the Metro Plan and Refinement Plan Diagrams. The Coburg-Crescent Subarea Diagram that is part of the Willakenzie Refinement Plan will also be amended 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 City of Eugene 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.

Lane Code Chapter 12 and 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 County and the City have 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 land use codes of the City and County implement 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 began 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 Lane Code and 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 LC Chapter 14 and EC 9.7415(5). Notice for the second public hearing conducted by the Eugene City Council and Lane County Board of Commissioners was mailed on February 2, 2007 and posted in the legal ad section of the Register Guard on February 4, 2007. The public hearing before the elected officials was held on February 22, 2007. 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 County and 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 or 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 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 of a transportation facility or change the standards implementing a functional classification system. Therefore, it 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

concluded 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 policies 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 of 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 20382

COUNCIL BILL NUMBER 4943

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).

ADOPTED: March 12, 2007

PASSED: 6:1

REJECTED:

OPPOSED: Bettman

ABSENT: Taylor

EFFECTIVE: 30 days from the date of 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.

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

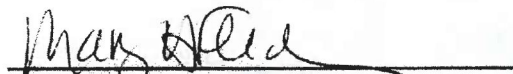
findings in support of this Ordinance.

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. 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 first.

Passed by the City Council this

12th day of March, 2007

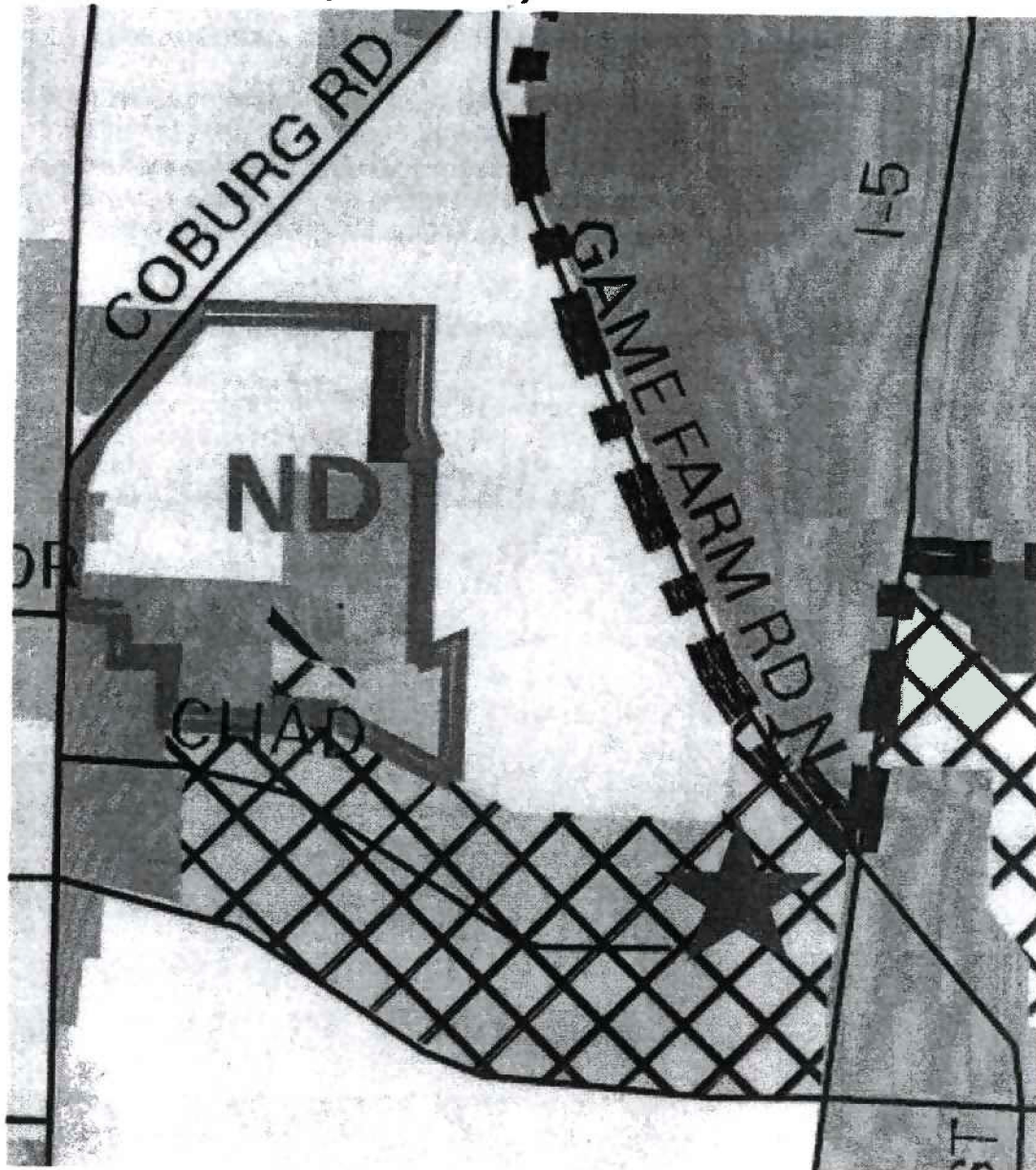

City Recorder

Approved by the Mayor this

14th day of March, 2007


Mayor

**Huntington Crossing Metro Plan
Amendment (MA 06-3)**

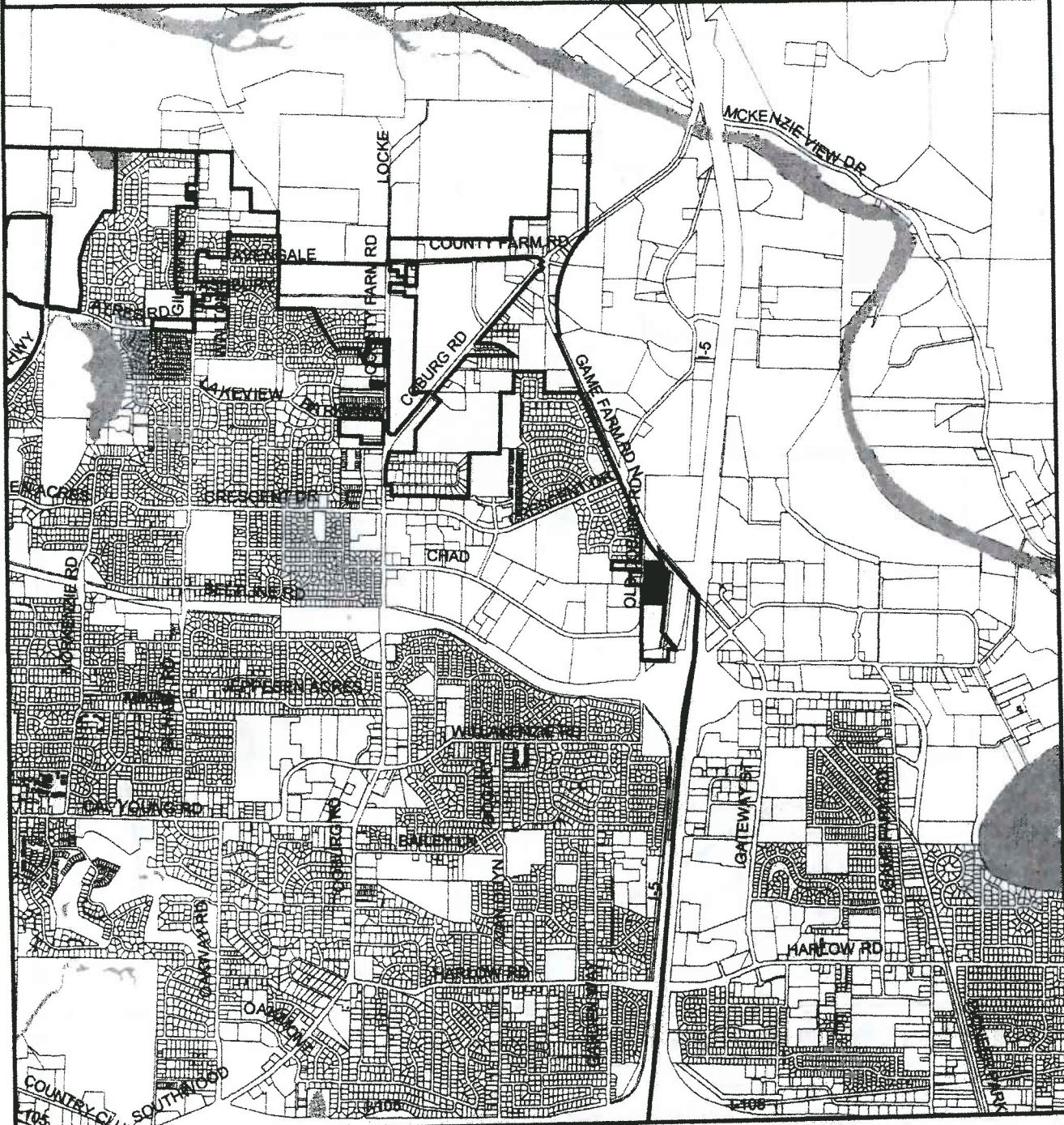


Existing Plan Designation: Campus Industrial
Proposed Plan Designation: Medium Density Residential



Ordinance No. 20382
EXHIBIT A

Huntington Crossing Refinement Plan Amendments (RA 06-2)



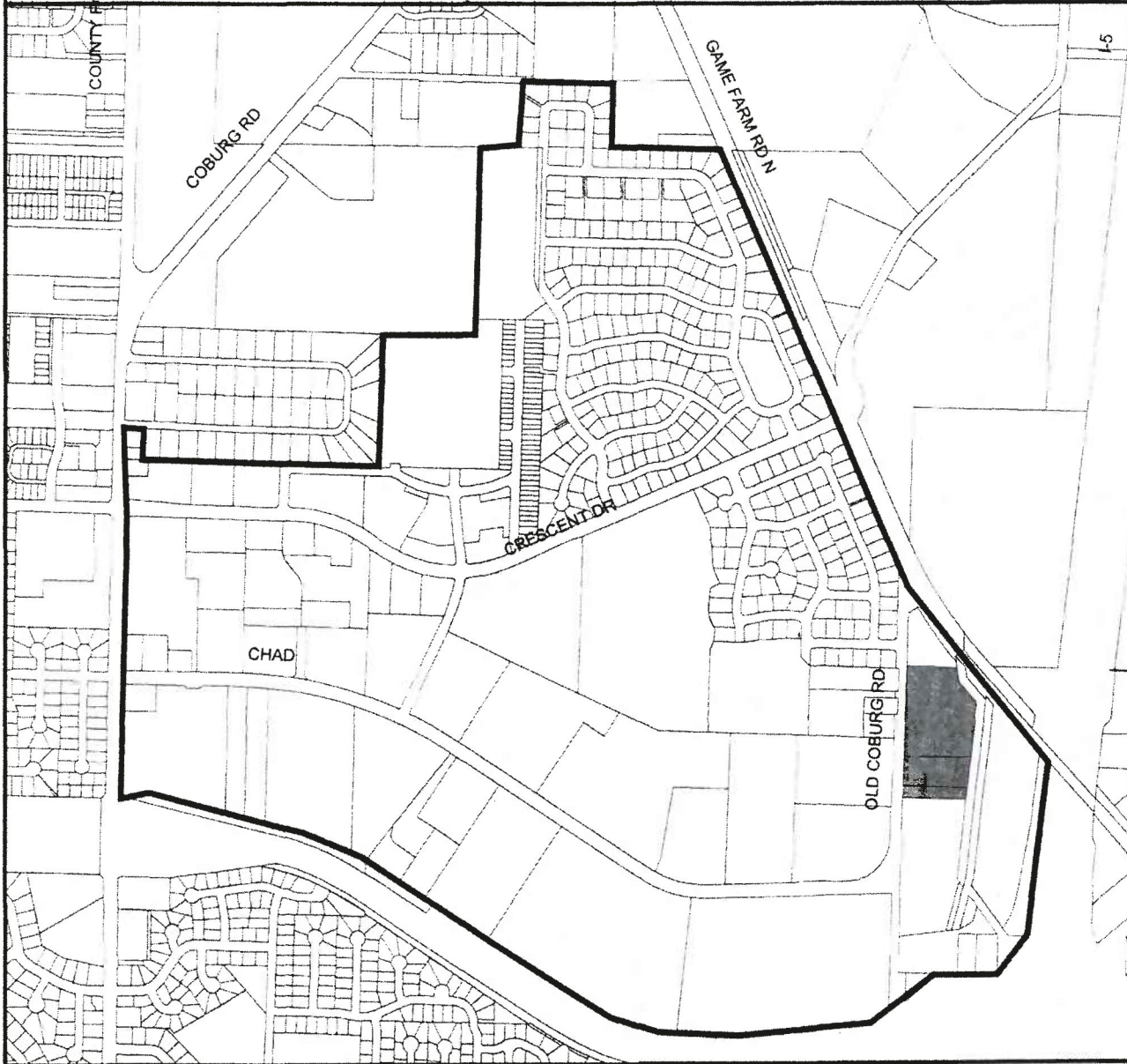
Existing Plan Designation: Special Light Industrial
Proposed Plan Designation: Medium Density Residential

- Subject Site
- Eugene City Limits
- Urban Growth Boundary



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.



**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 or 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 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 of 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.