

DEC 09 1987

BOOK 134 PAGE 300

County Clerk
For Lane County, Oregon
BY *Stephanie Kinsley*
DEPUTY

IN THE BOARD OF COUNTY COMMISSIONERS OF LANE COUNTY, OREGON

ORDINANCE NO. PA 948

) IN THE MATTER OF ADOPTING
) AN AMENDMENT TO THE
) EUGENE-SPRINGFIELD
) METROPOLITAN AREA
) GENERAL PLAN

WHEREAS, the Board of Commissioners for Lane County adopted the Eugene-Springfield Metropolitan Area General Plan on August 27, 1980. The Eugene-Springfield Metropolitan Area General Plan was subsequently amended by Ordinance No. 9-80 on October 15, 1980, amended again on February 3, 1982 by Ordinance No. 856, amended again on February 29, 1984 by Ordinance PA 885, amended again on November 20, 1984 by Ordinance PA 893, amended again on April 24, 1985 by Ordinances PA 895 and PA 896, amended again on June 26, 1985 by Ordinance PA 901, amended again on August 13, 1985 by Ordinance PA 904, amended again on June 18, 1986 by Ordinance PA 907, and amended again on May 20, 1987 by Ordinance No. 931; and

WHEREAS, on June 18, 1986, Ordinance PA 907 amended Chapter IV of the Eugene-Springfield Metropolitan Area General Plan to provide for a citizen initiated Plan amendment process; and

WHEREAS, on May 20, 1987, Lane County adopted Ordinance No. 4-87, which amended Lane Code Chapter 12 to provide for a Plan amendment process consistent with Chapter IV of the Eugene-Springfield Metropolitan Area General Plan; and

WHEREAS, on June 1, 1987, Harry Ruth initiated an amendment to the Eugene-Springfield Metropolitan Area General Plan Diagram with the City of Eugene Planning Department (File No. MA 87-4) to redesignate tax lots 1111 and 1201, assessor's map 17-04-35-0 0 to Commercial from Light-Medium Industrial; and

WHEREAS, on August 18, 1987, the Lane County Planning Commission held a public hearing to review the proposed amendment to the Eugene-Springfield Metropolitan Area General Plan Diagram by Harry Ruth; and

WHEREAS, on September 1, 1987, the Lane County Planning Commission recommended that the proposed amendment to the Eugene-Springfield Metropolitan Area General Plan Diagram by Harry Ruth be denied;

WHEREAS, on September 2, 1987 the Springfield Planning Commission unanimously recommended that the proposed amendment to the Eugene-Springfield Metropolitan Area General Plan Diagram by Harry Ruth be approved; and

WHEREAS, on December 2, 1987, the Board of County Commissioners of Lane County held a public hearing to review the proposed amendment to the Eugene-Springfield Metropolitan Area General Plan Diagram by Harry Ruth; **NOW**

THEREFORE, BE IT RESOLVED, the Board of County Commissioners of Lane County Ordains as follows:

1. The proposed amendment to the Eugene-Springfield Metropolitan Area General Plan Diagram by Harry Ruth, as shown by Exhibit "A," attached to and incorporated by reference to this Ordinance, is approved.
2. 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 effect the validity of the remaining provisions hereof.

While not part of this Ordinance, the Board of Commissioners of Lane County adopt the Findings of Fact and Conclusions of Law, as set forth in the attached Exhibit "B," in support of this action.

DATED this 2 day of December, 1987.

Bill Rogers

BILL ROGERS, CHAIRPERSON
LANE COUNTY BOARD OF COMMISSIONERS

APPROVED AS TO FORM

Date 11-10-87 Lane County

Stephen J. Tucker
OFFICE OF LEGAL COUNSEL

EXHIBIT A

Harry Ruth (MA 87-4)

Tax Lots 1111 and 1201--Assessor's Map
17-04-35-0 0

Located on the northeast corner of West
11th Avenue and Bailey Hill Road

Requests a change in the Eugene-
Springfield Metropolitan Area General Plan
Diagram from Light-Medium Industrial
designation to Commercial designation.
Request was submitted during the Metro
Plan semiannual amendment process

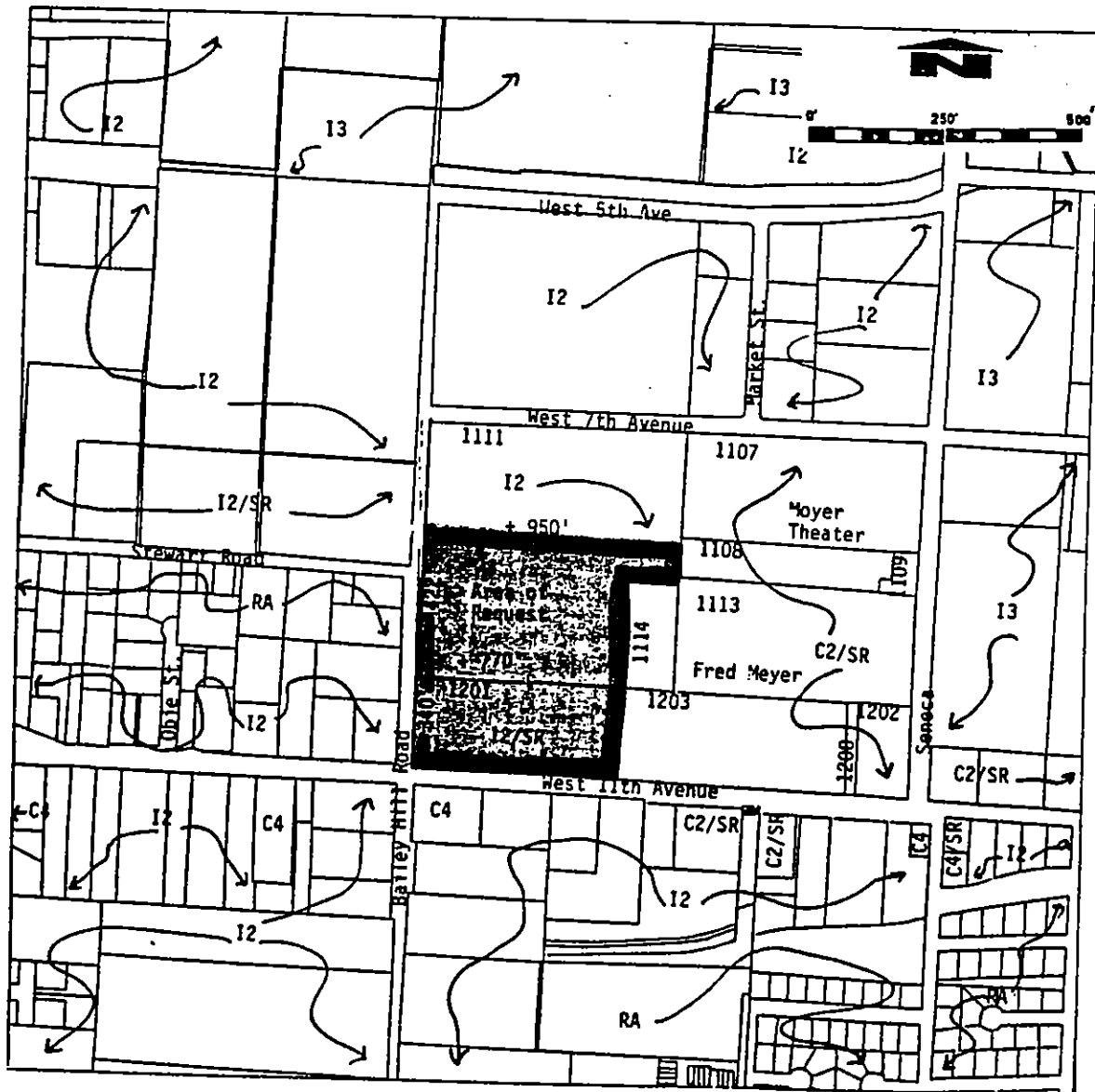


EXHIBIT "B"
HARRY RUTH PLAN AMENDMENT FINDINGS

1. The Plan amendment is consistent with applicable Statewide Planning Goals.

The Statewide Planning Goals which are most applicable to this request are #1, Citizen Involvement; #2, Land Use Planning; and #12, Transportation. Findings have been prepared by the applicant showing that the request conforms to these and other goals. The applicant's findings are accurate and are hereby made a part of these findings by reference.

Approval of this request may have a significant impact beyond the immediate area by potentially encouraging additional commercial development to the west along West 11th. If this were to occur, Statewide Planning Goal 2 would define the amendment as a major plan change.

2. The Plan amendment is consistent with the fundamental principles and applicable policies of the Metro Plan.

The amendment is consistent with Metro Plan fundamental principles and policies. The request is particularly compatible with policy 6 of the Economic element, and policies 2, 4, 5 and 6 of the Environmental Design element. Policy 6 of the Economic element states:

"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 projections of demand."

This policy is intended to increase supplies of commercial and light industrial lands, and insure that these lands are suitable and available for their designated uses. The Alternative Industrial Growth Areas Study indicates that there is sufficient industrial land to meet current demand in the metro area, with the possible exception of large-lot heavy industrial property (Conclusions 2, 3 and 9, pages 1-2 and 1-3). Recent studies, such as the Mid-Period Review Report, Metro Plan Monitoring Report and the Alternative Industrial Growth Areas Study confirm the scarcity of commercial land relative to the metro area industrial land supply. Other portions of these findings provide additional detail concerning the site's increased suitability for commercial uses, based upon the need for fewer site alterations, and based upon changes in circumstances which have changed nearby traffic patterns and increased the metro area's need for additional commercial land. Redesignation of this property to commercial would satisfy the suitability intent of this policy.

Policies 2, 4, 5 and 6 of the Environmental Design element state:

- (2) "Natural vegetation, natural water features, and drainageways shall be protected and retained to the maximum extent practicable, considering the economic, social, environmental, and energy consequences in the design and construction of urban developments and landscaping shall be utilized to enhance those natural features."
- (4) "Public and private facilities shall be designed and located in a manner that preserves and enhances desirable features of local and neighborhood areas and promotes their sense of identity."

- (5) "Carefully develop sites that provide visual diversity to the urban area and optimize their visual and personal accessibility to residents."
- (6) "Local jurisdictions shall carefully evaluate their development regulations to ensure that they adequately account for environmental design considerations, such as but not limited to site planning and landscaping of developments."

A portion of the subject property is located on Stewart Road Knoll, which rises about 50 feet above the surrounding level land. Commercial development of the subject property would require less modification of the site's existing features than would industrial land uses, as industrial site preparation would most likely involve more extensive earth moving. Commercial zoning with provisions for site review would facilitate maintenance of the site's natural features more effectively than the present industrial designation. Therefore, approval of the amendment promotes the intent of Environmental Design policies 2, 4, 5 and 6.

3. The Plan amendment is found to address one or more of the following:
- (a) An error in the publication of the Plan; or
 - (b) Circumstances have changed in a substantial manner that was not anticipated in the Plan; or
 - (c) Incorporation into the Plan, following acknowledgement, of newly-inventoried material which relates to a Statewide Planning Goal; or
 - (d) A change in public policy.

The request addresses item 3(b).

- (b) There have been two changes in circumstance since Plan adoption which justify the amendment: a demonstrated lack of commercially designated land and a more-than-adequate supply of industrial land; and the future construction of two major road improvements in the vicinity.

As stated earlier in these findings, studies completed since Metro Plan adoption indicate a relative shortage of commercial land in the metro area compared to the industrial land supply. This is a substantial change of circumstances which was not anticipated in the Metro Plan, as the original land allocations were assumed to be adequate to meet expected demand. As cited in the Metropolitan Area General Plan Technical Supplement (Page 16), it was assumed that 780 additional acres of commercial land was needed to meet anticipated commercial demand for a metro area population of 293,700. Almost one-quarter (23%) of these acres were allocated to neighborhood commercial uses and commercial developments associated with special light industrial sites. Since there has been little neighborhood commercial and special light industrial development taking place since Plan adoption in 1982, this has acted to concentrate commercial land demand on the remaining commercially designated acreage. Approval of this request would address the proven need for additional commercial land in the metro area, while making a relatively insignificant subtraction from the adequate industrial land base.

Two major road improvements are planned for the vicinity of the amendment: construction of the West Eugene Parkway, and enlarging Bailey Hill Road to 5 lanes. The applicant states that this potential for

increased traffic increases the site's value as commercial property and decreases its desirability for industrial purposes. Construction of these major roadways will act to shift traffic patterns away from West 11th and onto the West Eugene Parkway. West 11th will no longer be the primary route for industrial users. Properties which are closest to the West Eugene Parkway will have increased value for industrial purposes, whereas property along West 11th will have their commercial viability increased due to the shift of through traffic onto the Parkway. These major highway improvements serve as a substantial change of circumstances which increases the subject property's suitability for commercial purposes.

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