

FILED

AT _____ O'CLOCK _____ M

MAY 16 1989

IN THE BOARD OF COMMISSIONERS OF LANE COUNTY, OREGON

County Clerk
for Lane County, Oregon
Deanna Dubois
DEPUTY

ORDINANCE NO. PA 958

-) IN THE MATTER AMENDING THE
-) RIVER ROAD/SANTA CLARA URBAN
-) FACILITIES PLAN AS RECOMMENDED
-) BY THE RIVER ROAD/RAILROAD
-) BOULEVARD SUBAREA STUDY, AND
-) ADOPTING A SEVERABILITY CLAUSE.

WHEREAS, public meetings on the study were held in the River Road area on April 13, May 9, and May 23, 1988, with notice mailed to all residents and property owners located within the subarea boundaries; and

WHEREAS, on June 7, 1988, the Eugene Planning Commission held a public hearing to receive public testimony on the recommendations contained in the River Road/Railroad Boulevard Subarea Study; and

WHEREAS, on July 5, 1988, the Eugene Planning Commission took up the matter in a commission work session and adopted the recommendations for the amendments to the River Road/Santa Clara Urban Facilities Plan; and

WHEREAS, on November 15, 1988, the Lane County Planning Commission conducted a public hearing and adopted recommendations for amendments to the River Road/Santa Clara Urban Facilities Plan; and

WHEREAS, on January 25, 1989, the Lane County Board of Commissioners conducted the First Reading of this Ordinance, on February 8, 1989, conducted the Second Reading and held a public hearing to review the proposed amendments to the River Road/Santa Clara Urban Facilities Plan as recommended by the River Road/Railroad Boulevard Subarea Study; and

WHEREAS, on March 1, 1989, the Lane County Board of Commissioners conducted a Third Reading/Deliberation to review analysis of previous testimony on the proposed amendments to the River Road/Santa Clara Urban Facilities Plan. The Board supported the staff recommendation for Recommendations 1 and 10, supported the Lane County Planning Commission recommendation for Recommendation 7, and directed staff to provide a justification for infilling commercial zoning related to Recommendation #3 and set a Fourth Reading/Deliberation for May 10, 1989; and

WHEREAS, on May 10, 1989, the Lane County Board of Commissioners conducted a Fourth Reading/Deliberation to review the staff justification for infilling commercial zoning related to Recommendation #3. The Board supported the findings prepared for Option 2 of Recommendation 3 and set a Fifth Reading/Deliberation for May 24, 1989; and

WHEREAS, on May 24, 1989, conducted the Fifth Reading/Deliberation to adopt the River Road/Railroad Boulevard Subarea Study proposed amendments to the River Road/Santa Clara Urban Facilities Plan as revised by the Lane County Board of Commissioners; and

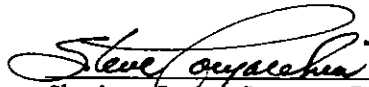
WHEREAS, based upon the above record and findings (Exhibit "D"), the Board of County Commissioners concludes that the River Road/Santa Clara Urban Facilities Plan amendments set forth below are consistent with the Statewide Goals, with the unamended portions of the Eugene-Springfield Metropolitan Area General Plan, reflect changes as indicated in the River Road/Railroad Subarea Study, and should be approved;

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

1. The River Road/Santa Clara Urban Facilities Plan Diagram is amended as shown in Exhibit "A".
2. The River Road/Santa Clara Urban Facilities Plan Text is amended as shown in Exhibit "B".
3. 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 portions hereof.

While not part of this Ordinance, findings in attached Exhibit "D" are adopted in support of this decision.

DATED this 24th day of May, 1989.



Chair, Lane County Board of Commissioners



Recording Secretary for this Meeting of the Board

APPROVED AS TO FORM

Date 5-1-89 Lane County

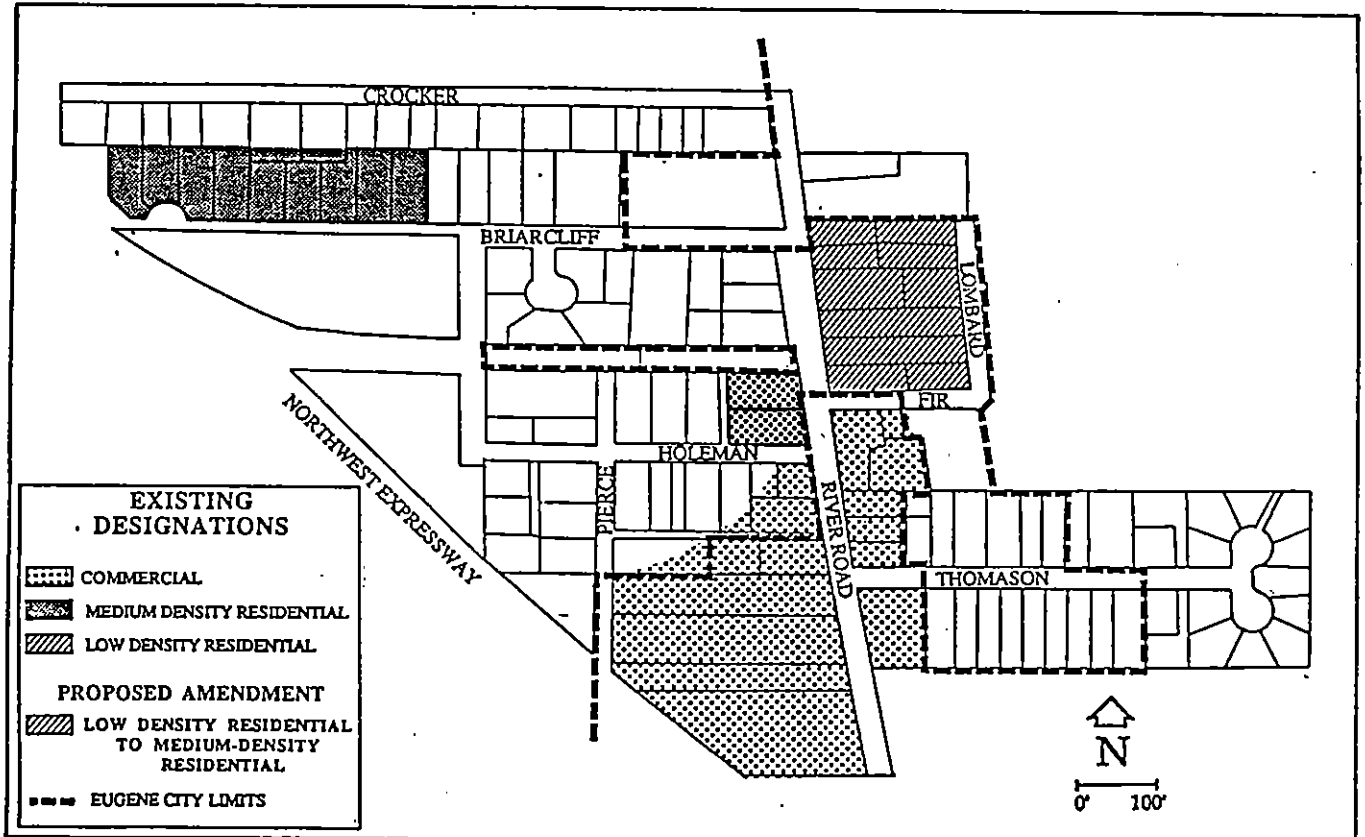


OFFICE OF LEGAL COUNSEL

Proposed Diagram Change to RR/SC Urban Facilities Plan

2.5 River Road Subareas (See Page 2-24)

A. River Road /Railroad Boulevard



EXISTING RECOMMENDATIONS

1. Designate and zone existing medium-density development.
2. Limit River Road access to existing commercial development.
3. Apply site review for redevelopment of existing commercial areas.
4. Maintain existing land use patterns until completion of Chambers Connector. The effects of the Chambers Connector and related road improvements on the immediate area should be examined upon completion of final design and right of way acquisition and any appropriate changes adopted.

PROPOSED NEW RECOMMENDATIONS

5. The area south of Fir Lane and east of River Road is appropriate for commercial and low-density residential uses.
6. Medium-density residential development along the east side of River Road north of Fir Lane is appropriate, and requires a minimum development area of 2/3 of an acre.
7. Rezone the apartments on the west end of Briarcliff Drive from industrial to medium density residential use.
8. Delay for six months rezoning of the vacant parcels south of Briarcliff and adjacent to the Northwest Expressway from industrial to low density residential use.
9. Designate the two parcels north of Holeman Avenue and west of River Road for commercial use.

Proposed Text Amendments to RR/SC Urban Facilities Plan

2.5 River Road SubareasA. River Road /Railroad Boulevard

1. On page 2-1 of the River Road/Santa Clara Urban Facilities Plan, the Land Use Element of the plan is introduced. In that introduction, insert the following language (additions shown in bold.)

The land use element contains four components: general, commercial-industrial, residential and Land Use Diagram (see following page). Findings, policies, and suggested actions are provided in each of these elements. The land use diagram is a graphic depiction of the policies and suggested actions contained in the refinement plan and through the diagram, subarea diagrams, subarea descriptions and subarea recommendations, provides a more detailed guide to future land use than that shown in the Metropolitan Plan Diagram.

2. On page 2-22 of the River Road/Santa Clara Urban Facilities Plan, the role of the Land Use Diagram is discussed. In that discussion, insert the following language (addition shown in bold):

How is the Diagram Used?

The diagram is used, along with accompanying policies and suggested actions, policies contained in the Urban Facilities Plan, descriptions and recommendations contained under each of the subareas, and applicable areawide goals and policies, to evaluate individual land use proposals. The land use diagram provides guidance for future development. Existing development would continue as previously approved or as non-conforming uses.

The Urban Facilities Plan Land Use Diagram

In order to consider and suggest future land use for the River Road-Santa Clara areas, 12 subareas were identified. The subareas (refer to Subareas Map) contain virtually all existing commercial, industrial, and medium-density residential development and undeveloped land designated for these categories in the study area. Policies and suggested actions applicable to the low-density residential areas are discussed in the main text of this chapter. The recommendations found under the descriptions for each of the subareas provide direction for future public policy and are to be used along with policies and suggested actions in the plan in setting future public policy and in guiding decision-making for the area.

ATTACHMENT C

Proposed Rezoning

2.5 River Road Subareas

A. River Road /Railroad Boulevard

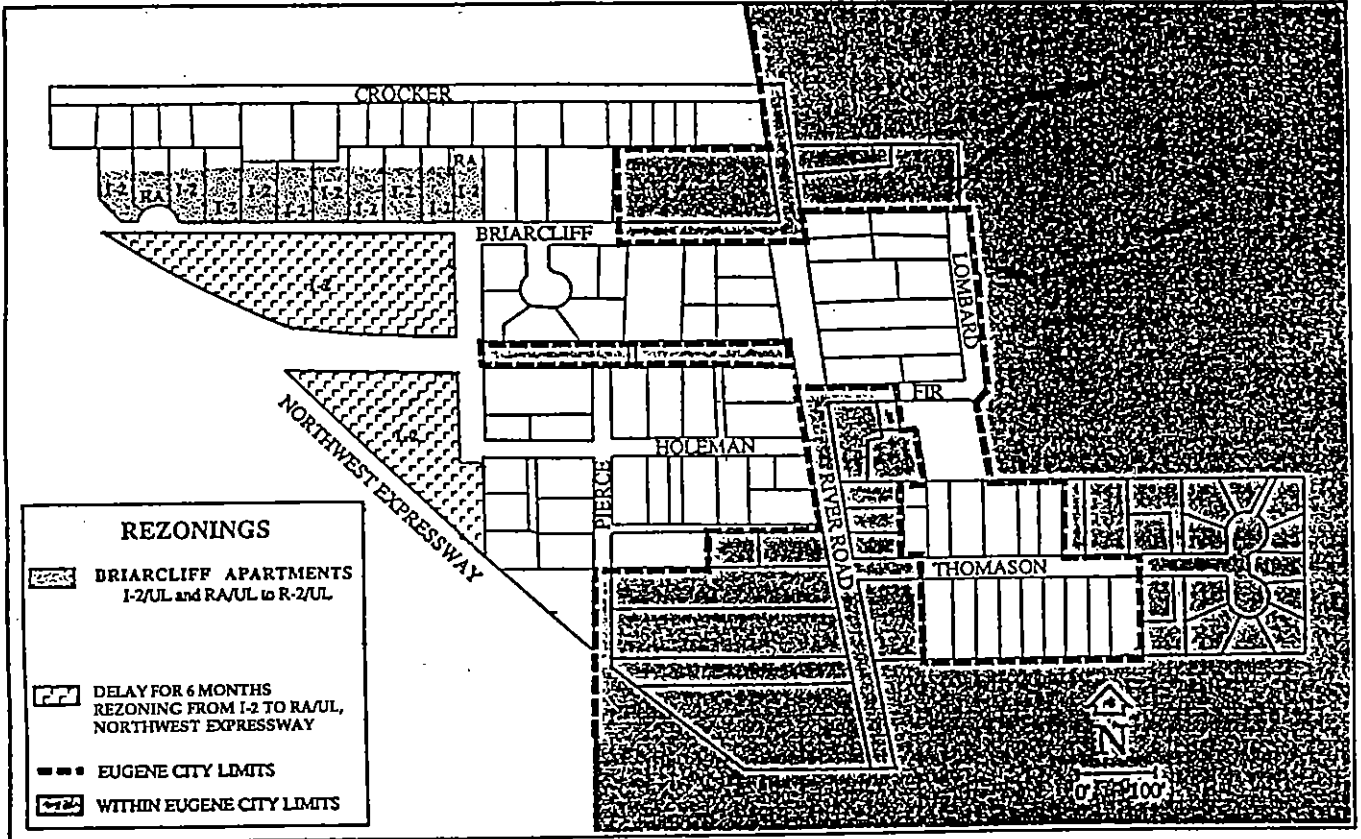


Exhibit 'D'

Findings in Support of Ordinance No. PA 958

1. The River Road/Railroad Boulevard Subarea Study by the City of Eugene was initiated in response to direction contained within the adopted River Road/Santa Clara Urban Facilities Plan, as follows:

"the effects of the Chambers Connector and related road improvements on the immediate area should be examined upon completion of final design and right-of-way acquisition, and any appropriate changes adopted." (Recommendation 4, page 2-24.)

2. The River Road/Railroad Boulevard Subarea Study provides a basis for policy and land use designation amendments for the area bordered by the Northwest Expressway to the west, Crocker Lane to the north, River Road, Lombard Lane and the Eugene City Limits to the east, and the Chambers Connector to the south. (Refer to Attachment A)
3. Public meetings on the study were held in the River Road area on April 13th, May 9th and on May 23rd, with notice mailed to all residents and property owners located within the subarea boundaries.
4. The following public bodies have taken action on the River Road/Railroad Boulevard Subarea Study:

On June 7, 1988, the Eugene Planning Commission held a public hearing and took public testimony on the recommendations contained in the River Road/Railroad Boulevard Subarea Study.

On July 5, 1988, the Eugene Planning Commission took up this matter in a commission work session, resulting in ten recommendations.

On November 15, 1988, the Lane County Planning Commission (LCPC) held a public hearing and took public testimony on the recommendations contained in the River Road/Railroad Boulevard Subarea Study. The LCPC unanimously recommends the Board of County Commissioners adopt recommendations 1-6 and 8-10, and recommends a modification to recommendation 7 as indicated.

5. RECOMMENDATION #1 - Supports medium density residential designation for that portion of the subarea north of Fir Lane and east of River Road to Lombard Lane, and require a minimum development area of 2/3 acre.

The area is currently designated for low density residential use in the RR/SC UFP. The Eugene-Springfield Metropolitan Area General Plan (Metro Plan) designates this area for medium-density residential use and is the prevailing land use policy document for any situations where the two plans do not agree on land use designation. Commissioners cited consistency with the Metro Plan, preventing the spread of strip commercial along River Road, and a transition or buffer between River Road traffic and single-family residential development as reasons to support this recommendation.

6. RECOMMENDATION #2 - For that portion of the subarea south of Fir Lane and east of River Road, add a statement to the RR/SC UFP specifying that plan policy provides direction indicating that the area is appropriate for a mix of commercial and low density residential uses. This statement would also indicate that any future rezoning requests would be evaluated based on an analysis of the impacts of the Chambers Connector and the River Road widening projects, once those two projects have been completed and the area's traffic patterns have been reestablished.

The RR/SC UFP serves as a refinement of the Metro Plan for this area, an area where the scale of the Metro Plan is too generalized to provide clear direction. Commissioners recommended postponing decisions on reducing the extent of commercial zoning in the area until the effects of changes in traffic patterns resulting from the completion of the Chambers Connector and the River Road widening project could be evaluated.

7. RECOMMENDATION #3 - Designate the two parcels north of Holeman and west of River Road (17042524, taxlots 100 & 200) for commercial use, based on the determination that this action infills existing commercial zoning to the east and south.

Commercial zoning (C-2/U) on tax lot 100 (17042524, TL 100, Blair parcel) was first established through a scribner's error in 1987 when city zoning districts were applied to the area as part of the urban transition process. The property is presently vacant since the single family residence was recently demolished due to its partial location within the widened River Road right-of-way. The owner of the adjacent property (17042524, TL 200, Tait parcel) sandwiched between the Blair parcel and the commercial zoning to the south is requesting an infilling of the commercial designation. The two people requesting a commercial designation own the parcels affected by the potential designation.

With the completion of the Chambers Connector the property owners state that the traffic impacts and existing commercial designations in the area make their property best suited for commercial purposes and unsuitable for residential development.

The River Road/Santa Clara Urban Facilities Plan (RR/SC UFP) provides for commercial uses along River Road up to Holeman, with low density residential uses designated beyond this commercial area on the west side of River Road.

Applicable policies of Section 2.3 the Commercial and Industrial Land Use section of the Land Use Element of the River Road/Santa Clara Urban Facilities Plan are policies 2, 3, 5, and 6, page 2-16 & 17. These policies specify that linear expansion of existing strip commercial areas should not be extended along River Road, and that new neighborhood commercial areas should not be located on River Road. However, existing strip commercial development may expand by infilling, redevelopment, or expansion onto contiguous property that does not front River Road. The proposed infilling of the existing commercial designation is consistent with this policy direction since it would not have to take access from River Road (approval can be conditioned on taking access off Holeman, not

River Road) and it is not classified as new neighborhood commercial use. Development standards and site plan review would be required for new commercial development.

The RR/SC UFP has established a precedent regarding access restrictions for commercial development along River Road. (Recommendation 7, page 2-35) This recommendation limits access for the commercial development to Irvington Drive.

TransPlan policy LU 1 requires limiting River Road access to existing commercial development. (recommendation 2, page 2-24). The proposal is consistent with this direction to minimize traffic impacts on River Road. Access for the proposal would be limited to Holeman Avenue.

The Metro Plan policy section F, page II-E-6 provides the standards to address for intensifying land uses along River Road in the River Road/Railroad Boulevard Subarea. The intent of this proposal is to transform existing land use designations into a more desirable commercial pattern consistent with this Plan diagram standard through infilling the commercial designation onto contiguous property, limiting access to Holeman Avenue, and requiring site plan review and development standards including self-contained off-street parking facilities.

The regional transportation plan (TransPlan) encourages land development patterns which minimize direct access onto collector and arterial roads. (policy LU 1, page 4) Consistent with this policy, access for the proposal is limited to Holeman Avenue in order to maintain the maximum degree of traffic safety.

The Metro Plan designates a relatively large concentration of commercial use around the Chambers Connector. The RR/SC UFP designates a much smaller concentration of commercial use. Because of the scale of the Metro Plan diagram the proposed expansion would be consistent with the prevailing Metro Plan designation for this area which has a relatively large concentration of commercial use around the Chambers Connector within which this commercial expansion would appear to occur.

Whenever there is a difference between the Metro Plan and the Urban Facilities Plan designations, the Metro Plan designation prevails because it is the primary regional land use plan.

This proposal is a reflection of the Metro Plan and by limiting access to Holeman Lane is consistent with the Policies of the RR/SC UFP.

8. **RECOMMENDATION #4** - A statement should be added to the River Road/Santa Clara Urban Facilities Plan indicating that the subarea recommendations found within the plan are intended to provide policy guidance and as such, are adopted in the same manner as Plan policies.

This recommendation would clear up confusion about the role of subarea recommendations within the RR/SC UFP and in future land use planning efforts within the area.

9. RECOMMENDATION #5 - The name of the River Road/Railroad Avenue subarea as contained in the River Road/Santa Clara Urban Facilities Plan should be changed to River Road/Railroad Boulevard Subarea.

This recommendation corrects the subarea name to reflect the existing street names in the area.

10. RECOMMENDATION #6 - Initiate rezoning for the Briarcliff Apartments area, changing the area's zoning from I-2 UL and RA UL to R-2 UL, in recognition of plan policy and existing land use patterns.

Commissioners noted that the RR/SC UFP designation for this area is medium density residential and that the area is already developed with the Briarcliff Apartments. This recommendation is already contained in the RR/SC UFP, but has never been implemented. Tax lots that would be affected by the rezoning would include: Map 17042521, lots 6900, 7002, 7600, 7800, 7900, and 8000; and Map 17042522, lots 4701, 4702, 4703, and 4704.

11. RECOMMENDATION #7 - Delay for six months rezoning for the two parcels south of Briarcliff and adjacent to the Northwest Expressway from I-2 to RA UL, consistent with low density residential designation in the RR/SC UFP. Instruct staff to explore ways to vacate the unused right-of-way between the two parcels to the adjacent land owner.

The underlined text is language added by the Lane County Planning Commission. The RR/SC UFP designates this area for low density residential use, though the area retains preexisting industrial zoning. The future rezoning would affect two parcels: Map 170425, lot 400, and Map 17042524, lot 6400. These parcels are under one ownership that has been bisected by county right-of-way. Commissioners noted that county transportation planning does not provide for access from these parcels onto the immediately adjacent Northwest Expressway, because of that arterial's role as a limited access thoroughfare. Previously-acquired right-of-way through the site appears not to be needed and consideration should be given to vacating the right-of-way and returning it to the property owner. If the area were to be developed industrially, the access limitations onto the Northwest Expressway would result in industrial traffic to and from the site using the local residential streets of Briarcliff and Holeman for access. This would negatively impact the residential character of development along those streets. Commissioners felt it would be inappropriate to create an island of industrial zoning within this low density residential area and recommended bringing the zoning into compliance with the area's low density plan designation. Commissioners noted that the rezoning should be delayed for six months to allow vacation of the unused right-of-way to occur.

12. RECOMMENDATION #8 - Allow existing commercial zoning in the area south of Holeman to remain.

The area south of Holeman and west of River Road is predominantly developed with single family homes and with a number of newer duplex units at the west end of Holeman. Residential development along the south side of Holeman is zoned commercially, along with vacant land and scattered commercial development to the south and east.

13. RECOMMENDATION #9 - Retain commercial zoning on the parcel south of Crocker and west of River Road, recognizing its existing commercial use.

This parcel is zoned and used commercially, but is located within an area that is designated for low density residential use in the RR/SC UFP. Pre-existing use and zoning of an individual lot is not always taken into account in the plan designations for subarea's within the RR/SC UFP. Commissioners felt no action was necessary regarding this parcel.

14. RECOMMENDATION #10 - Beginning six months after completion of the River Road widening project, staff should begin gathering data to determine the impact of this road construction project as well as the impact of the Chambers Connector on traffic patterns affecting the River Road/Railroad Boulevard Subarea.

Commissioners noted that a number of questions remain about the likely effects of future traffic patterns on appropriate land use within the River Road/Railroad Boulevard area. Commissioners received information that the Chambers Connector is projected to be opened in November of 1988, with completion of construction scheduled for July, 1989. Within three months of completion of the Chambers Connector (in October of 1989), construction will begin on the widening of this portion of River Road. That construction project is scheduled for completion in November of 1990. Commissioners felt that traffic patterns would need to be reestablished for at least six months following completion of these two projects, before any useful analysis of traffic impacts on adjacent land use patterns could be done.