

PASSED

BEFORE THE BOARD OF COUNTY COMMISSIONERS OF LANE COUNTY, OREGON

**ORDINANCE NO. PA 1187 (IN THE MATTER OF AMENDING THE EUGENE-SPRINGFIELD
(METROPOLITAN AREA GENERAL PLAN DIAGRAM FOR
(PROPERTY WITHIN THE LOWER RIVER ROAD NODAL
(DEVELOPMENT AREA, WITH CONCURRENT AUTOMATIC
(AMENDMENT TO THE RIVER ROAD-SANTA CLARA URBAN
(FACILITIES PLAN LAND USE DIAGRAM; AND ADOPTING A
(SEVERABILITY CLAUSE.**

WHEREAS, on October 31, 2001, the Board of County Commissioners of Lane County enacted Ordinance No. PA 1132 which adopted amendments to the transportation element of the Eugene-Springfield Metropolitan Area General Plan (Metro Plan) and related changes to the Plan text, and adopted revisions to TransPlan, a refinement plan to the Metro Plan; and

WHEREAS, included in the Metro Plan text amendments was the addition of a new section entitled "Nodal Development Area (Node)," and inclusion of "ND – Nodal Development" to the text for the Legend Block on the Metro Plan Diagram; and

WHEREAS, the Metro Plan, in describing the Nodal Development Area Designation states that "[a]reas identified as nodal development areas in TransPlan are considered to have potential for this type of land use pattern" and TransPlan Map A1 identifies an area east of River Road, generally between one lot south of Stults Street to Thomason Street, including both incorporated and unincorporated property as area 5F for nodal development; and

WHEREAS, the Eugene Planning Commission recommended, and on February 20, 2002 the Eugene City Council approved revisions to the boundary of area 5F to include the property one lot south of Thomason Street and approved the Lower River Road nodal development area as one of eight priority nodal sites; and

WHEREAS, Chapter IV of the Metro Plan sets forth procedures for amendment of the Metro Plan, which for Lane County are implemented by the provisions of Lane Code 12.200; and

WHEREAS, these proceedings have been initiated by the City of Eugene pursuant to procedures for amendment and refinement of the Metro Plan, which requires approval of the Eugene City Council for Type II Metro Plan diagram amendments located within the city limits of Eugene and Lane County Board of Commissioners for Type II Metro Plan diagram amendments located between the incorporated city limits of Eugene and the Plan boundary; and

WHEREAS, on December 18, 2002, notice of a joint public hearing to be held by the Eugene and Lane County planning commissions with maps depicting the proposed amendments was mailed to the Oregon Department of Land Conservation and Development as required by ORS 197.610. No comment was received in response to the notice. Notice of the public hearing was mailed on January 3, 2003 to property owners and occupants, to persons who requested notice and to Eugene neighborhood associations. On January 15, 2003, notice was mailed to property owners within 300 feet of the area and notice was published in the Register-Guard; and

WHEREAS, on February 4, 2003, Eugene and Lane County planning commissions held a joint public hearing on the proposed amendments and completed their recommendations following the public hearing. The Lane County planning commission voted 9:0 to recommend that the Board of County Commissioners approve the amendments to the Metro Plan diagram and concurrent automatic amendment to the River Road-Santa Clara Urban Facilities Plan land use diagram to depict the unincorporated portion of the Lower River Road area as a nodal development area; and

WHEREAS, on March 23, 2003, notice of the joint Eugene City Council and Lane County Board of Commissioners public hearing was published in The Register-Guard and, on March 28, 2003, notice of the joint public hearing was mailed to property owners within the unincorporated area, to those who testified before the planning commissions or requested notice in writing and those who had requested to be placed on the interested parties list for the amendments; and

WHEREAS, on April 9, 2003, the Board of County Commissioners conducted a joint public hearing with the Eugene City Council on these amendments and is now ready to take action; 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

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


Section 1. The Metro Plan diagram is amended to add the ND-Nodal Development designation to properties identified and described on Exhibit "A" attached hereto. The underlying designations for these properties shall remain unchanged.

Section 2. Consistent with the provisions of Lane Code 12.245(4), the River Road-Santa Clara Urban Facilities Plan land use diagram located between pages 2-2 and 2-4 of the River Road-Santa Clara Urban Facilities Plan is automatically amended to apply the ND-Nodal Development designation as reflected in Exhibit "A."

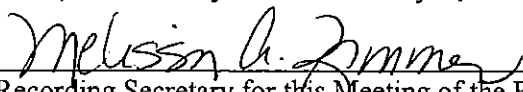
FURTHER, although not part of this Ordinance, the Board of County Commissioners adopts findings as set forth in Exhibit "B" attached, in support of this action.

If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not effect the validity to the remaining portions hereof.

ENACTED this 14th day of MAY, 2003.



Chair, Lane County Board of County Commissioner



Recording Secretary for this Meeting of the Board

APPROVED AS TO FORM

Date 3-11-2003, Lane County



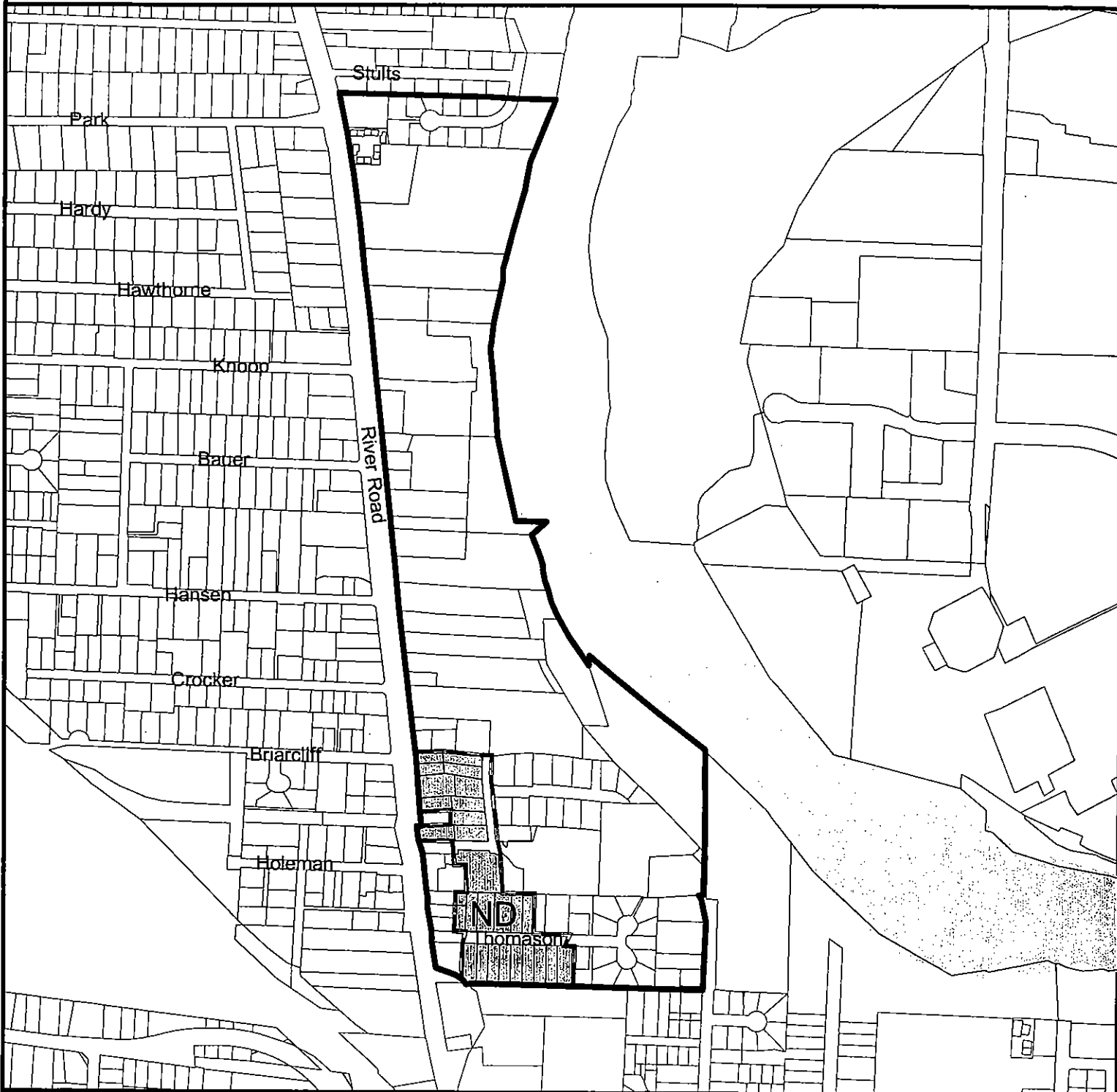
OFFICE OF LEGAL COUNSEL

Exhibit "A"
to
Ordinance No. PA 1187

Lower River Road Nodal Development Area Metro Plan Diagram and
River Road-Santa Clara Urban Facilities Plan Land Use Diagram Amendments
Unincorporated Properties Subject to Addition of ND-Nodal Development Designation

Map and Tax Lot Number	Map and Tax Lot Number
Map 17-04-25-12, Lot 1300	Map 17-04-25-13, Lot 900
Map 17-04-25-12, Lot 1400	Map 17-04-25-13, Lot 1000
Map 17-04-25-12, Lot 1500	Map 17-04-25-13, Lot 1100
Map 17-04-25-12, Lot 1600	Map 17-04-25-13, Lot 1200
Map 17-04-25-12, Lot 1800	Map 17-04-25-13, Lot 1300
Map 17-04-25-12, Lot 1900	Map 17-04-25-13, Lot 1400
Map 17-04-25-12, Lot 2000	Map 17-04-25-13, Lot 1500
Map 17-04-25-12, Lot 2100	Map 17-04-25-13, Lot 1900
Map 17-04-25-12, Lot 2200	Map 17-04-25-13, Lot 2000
Map 17-04-25-12, Lot 2400	Map 17-04-25-13, Lot 2100
Map 17-04-25-12, Lot 2500	Map 17-04-25-13, Lot 2200
Map 17-04-25-12, Lot 2800	Map 17-04-25-13, Lot 2300
	Map 17-04-25-13, Lot 2400
	Map 17-04-25-13, Lot 2500
	Map 17-04-25-13, Lot 2600
	Map 17-04-25-13, Lot 2700

Lower River Road Nodal Development Area Metro Plan Diagram and River Road-Santa Clara Urban Facilities Plan Land Use Diagram Amendments (MA 02-8)



ND Add ND Nodal Development Symbol (Unincorporated Area)

 Lower River Road Nodal Development Area*

*The nodal development area also includes the incorporated portion of the River Road right-of-way.

 Unincorporated Area



5/13/03

Exhibit "B"
to
Ordinance No. PA 1187

**Findings of Consistency of Lower River Road Nodal Development Amendments
with Metro Plan Amendment Criteria**

The Eugene City Council and Lane County Board of Commissioners will apply the following criteria from Eugene Code Section 9.7730(3) and Lane Code Section 12.225(2) to the proposed Metro Plan amendment:

- (a) The amendment must be consistent with the relevant statewide planning goals adopted by the Land Conservation and Development Commission; and
- (b) Adoption of the amendment must not make the Metro Plan internally inconsistent.

Findings of Consistency with Metro Plan Amendment Criteria:

- (a) **The amendment must be consistent with the relevant statewide planning goals adopted by the Land Conservation and Development Commission.**

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 Metro Plan has acknowledged provisions for citizen involvement which insure the opportunity for citizens to be involved in all phases of the planning process and set out requirements for such involvement. The action taken did not amend the citizen involvement program. The process for adopting these amendments complied with Goal 1 since it complied with, and surpassed the requirements of, the citizen involvement provisions.

The Metro Plan amendment application is subject to the public notification and hearing processes adopted by the City of Eugene in EC 9.7720 and 9.7735 and by Lane County in Lane Code Section 12.235, as modified by the Eugene City Council for this Council-initiated amendment under EC 9.7750(1), and in EC 9.7520.

On December 18, 2002, notice of a joint public hearing to be held by the Eugene and Lane County planning commissions with maps depicting the proposed amendments was mailed to the Oregon Department of Land Conservation and Development as required by ORS 197.610. No comment was received in response to the notice. Notice of the public hearing was mailed on January 3, 2003 to property owners and occupants, to persons who requested notice and to Eugene neighborhood associations. On January 15, 2003, notice was mailed to property owners within 300 feet of the area and notice was published in the Register-Guard. On February 4, 2003, Eugene and Lane County planning commissions held a joint public hearing on the proposed amendments and completed their recommendations following the public hearing. The Lane County planning commission voted 9:0 to recommend that the Board of County Commissioners approve the amendments to the Metro Plan diagram and concurrent automatic amendment to the River Road-Santa Clara Urban Facilities Plan land use diagram to depict the

unincorporated portion of the Lower River Road area as a nodal development area.

On March 23, 2003, notice of the joint Eugene City Council and Lane County Board of Commissioners public hearing was published in The Register-Guard and, on March 28, 2003, notice of the joint public hearing was mailed to property owners within the unincorporated area, to those who testified before the planning commissions or requested notice in writing and those who had requested to be placed on the interested parties list for the amendments.

On April 9, 2003, the elected officials held a duly noticed public hearing to consider approval, modification, or denial of the amendment. These processes afford ample opportunity for citizen involvement consistent with Goal 1. Therefore, the amendments are consistent with Statewide Planning Goal 1.

Goal 2 - Land Use Planning: *To establish a land use planning process and policy framework as a basis for all decision and actions related to use of land and to assure an adequate factual base for such decisions and actions.*

The record shows that there is a adequate factual base to support these plan amendments as Goal 2 requires. Further, the Goal 2 coordination requirement is met. Goal 2 requires that plans be coordinated with the plans of affected governmental units and that opportunities be provided for review and comment by affected governmental units. To comply with the Goal 2 coordination requirement, the City coordinated the review of these amendments with all affected governmental units. Specifically, notice was mailed to: Lane County, Springfield, City of Eugene, Lane Transit District; and the following state agencies: Department of Land Conservation and Development, Oregon Department of Fish and Wildlife, Oregon Department of Parks and Recreation, and Oregon Department of Transportation. There are no Goal 2 Exceptions required for this ordinance. Therefore, the amendments are consistent with Statewide Planning Goal 2.

Goal 3 - Agricultural Land: *To preserve and maintain agricultural lands.*

This Goal is not applicable to the proposed Plan amendment as the subject sites and actions do not affect any agricultural plan designation or use. Therefore, this Goal is not relevant and the amendment does not affect Metro Plan compliance with Statewide Planning Goal 3.

Goal 4 - Forest Land: *To conserve forest lands by maintaining the forest land base and to protect the state's forest economy by making possible economically efficient forest practices that assure the continuous growing and harvesting of forest tree species as the leading use on forest land consistent with sound management of soil, air, water, and fish and wildlife resources and to provide for recreational opportunities and agriculture.*

This Goal is not applicable to the proposed plan amendment as the subject sites and actions do not affect any forest plan designation or use. There are no forest lands related this application. Therefore, this Goal is also not relevant and the amendment does not affect Metro Plan 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.*

No inventoried Goal 5 resources have been identified for the subject sites. These amendments do not create or amend the area's list of Goal 5 resources, do not amend a code provision adopted in order to protect a significant Goal 5 resource or to address specific requirements of Goal 5, do not allow new uses that could be conflicting uses with a significant Goal 5 resource site and do not amend the acknowledged UGB. Therefore, Statewide Planning Goal 5 does not apply.

Goal 6 - Air, Water and Land Resources Quality: *To maintain and improve the quality of the air, water and land resources of the state.*

The regulations for the Nodal Development overlay zone implement the nodal development concept; an approach to integration of land use and transportation planning that seeks to increase the use of alternative modes of transportation and reduce demand for automobile-related transportation facilities. Increasing the use of alternative modes of transportation will help to improve regional and local air quality. 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.*

Although a portion of the unincorporated area within the node is within a special flood hazard area, as identified by the Federal Emergency Management Agency, future development will be subject to zoning regulations which control development within the floodplain to minimize the potential danger to life and property. The site is not subject to hazards normally associated with steep slopes, wildfires, or tsunamis. Other hazards, such as earthquakes and severe winter storms can be mitigated at the time of development based on accepted building codes and building techniques. Based on these facts, the proposed designation will not result in development in areas normally associated with natural disaster or the damage and loss of life normally associated therewith. Therefore, the amendment is consistent with Statewide Planning Goal 7.

Goal 8 - Recreational Needs: *To satisfy the recreational needs of the citizens of the state and visitors and, where appropriate, to provide for the siting of necessary recreational facilities including destination resorts.*

Goal 8 ensures provision of recreation facilities to the citizens of the state. The proposed designation will not impact provision of recreation facilities. Access to recreation opportunities, including access to Maurie Jacobs Park and Razor Park, will not be affected as a result of the proposed amendment. Therefore, the amendment is consistent with Statewide Planning Goal 8.

Goal 9 - Economic Development: *To provide adequate opportunities throughout the state for a variety of economic activities vital to the health, welfare, and prosperity of Oregon's citizens.*

Application of the ND Nodal Development designation depicts an area as a nodal development area, but does not change the underlying Metro Plan diagram designation for the property or affect the uses allowed within the underlying designation. Application of the nodal development designation will not affect the ability to provide adequate opportunities for a variety of economic activities. The unincorporated area does not include any property designated on the Metro Plan diagram for commercial or industrial use. There are two lots designated for residential use which are zoned C-1/UL, neighborhood commercial, in conformance with the Metro Plan allowance of neighborhood commercial zoning in residentially-designated areas. The application of the Nodal Development designation will have no direct impact on any existing commercial zoned land. Therefore, the amendment is consistent with Statewide Planning Goal 9.

Goal 10 - Housing: *To provide for the housing needs of citizens of the state.*

Application of the ND Nodal Development designation depicts an area as a nodal development area, but does not change the underlying Metro Plan diagram designation for the property or affect the uses allowed within the underlying designation. This area includes vacant property designated for medium density and low density residential uses that are included within the buildable lands supply and are suitable and available for residential development. Application of the ND designation will facilitate development of housing on the site while maintaining the underlying low and medium density residential designation. The proposed amendment enhances the provision of the housing needs of the community by enabling additional housing opportunities based on nodal development principles. Therefore, the amendment is consistent with Statewide Planning Goal 10.

Goal 11 - Public Facilities and Services: *To plan and develop a timely, orderly and efficient arrangement of public facilities and services to serve as a framework for urban and rural development.*

Properties located outside the city limits are provided with some public facilities (e.g., water and electric service), and will be provided with other services in an orderly fashion as annexation occurs in the future. The application of the ND designation will in no way preclude the ability of the city to plan and develop timely, orderly, and efficient public facilities and services. In fact, application of the ND designation may provide for a higher than normal level of efficiency with regard to public facilities (e.g. the location of the development node proximate to existing primary transportation arterials such as River Road). Based on these factors, the amendment is consistent with Statewide Planning Goal 11.

Goal 12 - Transportation: *To provide and encourage a safe, convenient and economic transportation system.*

Goal 12 is implemented through the Transportation Planning Rule (TPR, OAR 660-12). TransPlan Goal 12 is implemented through the Transportation Planning Rule (TPR, OAR 660-12). TransPlan provides the regional policy framework through which the TPR is enacted at the local level. The addition of the "ND Nodal Development" Metro Plan Diagram designation implements policy direction in the Eugene-Springfield Metropolitan Area Transportation Plan

(TransPlan), acknowledged for compliance with Goal 12 in 2001.

TransPlan Land Use Policies 1 and 5, which were also adopted as Metro Plan Transportation Policies F-1 and F-5, specifically relate to nodal development and are listed below with findings following each:

Land Use Policy 1: Apply the nodal development strategy in areas selected by each jurisdiction that have identified potential for this type of transportation efficient land use pattern.

TransPlan identifies the area within which the subject parcels are located as having potential for nodal development (Node 5F). In February 2002, the Eugene City Council selected node 5F, with revised boundaries as recommended by the Eugene Planning Commission and renamed "Lower River Road," as one of eight new nodes, in addition to the Royal and Chase Gardens nodal development areas, it wanted to designate and zone for nodal development in FY03. In March 2002, the Eugene City Council initiated proceedings to apply the ND Metro Plan diagram designation and /ND Nodal Development Overlay Zone to the Lower River Road nodal development area. The Metro Plan amendment facilitates the application of the nodal development strategy outlined in the policy above and the City is further encouraging nodal development in this area by applying the /ND nodal development overlay zone to incorporated property within the node.

Land Use Policy 5: Within three years of TransPlan adoption, apply the ND, Nodal Development designation to areas selected by each jurisdiction, adopt and apply measures to protect designated nodes from incompatible development and adopt a schedule for completion of nodal development plans and implementing ordinances.

The amendments specifically addresses this policy by applying the ND, Nodal Development Metro Plan diagram designation to the entire Lower River Road area and the /ND Nodal Development overlay zone to incorporated parcels with an area selected by the City of Eugene as a priority nodal development area. Under the Metro Plan, annexation is required prior to new development. The /ND Nodal Development overlay zone will be applied to the currently unincorporated portion of the Lower River Road nodal development area as that property is annexed to the City.

The City of Eugene has adopted the /ND Nodal Development overlay zone to protect designated nodes from incompatible development. The /ND Nodal Development overlay zone is applied only to property within the City. In compliance with Land Use Policy 5 and the Transportation Planning Rule, the /ND overlay zone contains a list of prohibited auto-oriented uses, does not allow a use to include a drive-through facility and limits the square footage of building area on the ground floor for new buildings designed to be occupied by retail uses. These requirements apply to all new development on vacant land, all new structures on already developed sites and expansions of 30% or more of the total existing building square footage on the development site, with the further limitation that expansion of a structure for a prohibited use or expansion/addition of a drive-through facility as part of the expansion of an existing structure are prohibited. The /ND overlay zone also contains minimum residential density requirements for land zoned for

residential use, minimum floor area ratios for land zoned commercial and industrial, and development standards which apply in addition to the requirements of the base zone. The /ND overlay zone requires a minimum residential density of 8 units per net acre in new subdivisions in R-1 and R-1.5 zones, 15 units per net acre in R-2, 25 units per net acre in R-3 and 30 units per acre in R-4. These are higher than the minimum residential densities in the base zone and slightly higher than the minimum residential densities assumed in the TransPlan modeling (LDR, 7 units/acre; MDR, 16 units/acre; HDR, 25 units/acre), thereby encouraging concentrations of population, employment and retail activity that is essential for the development of the node. The floor area ratios for commercial and industrial development are intended to achieve the employment density assumed in the TransPlan modeling (39 employees/acre).

Transportation Planning Rule (OAR 660-012-0060) contains the following requirement:

- (1) *Amendments to functional plans, acknowledged comprehensive plans, and land use regulations which significantly affect a transportation facility shall assure that allowed land uses are consistent with the identified function, capacity, and performance standards (e.g. level of service, volume to capacity ratio, etc.) of the facility. This shall be accomplished by either:*
 - (a) *Limiting allowed land uses to be consistent with the planned function, capacity, and performance standards of the transportation facility;*
 - (b) *Amending the TSP to provide transportation facilities adequate to support the proposed land uses consistent with the requirements of this division;*
 - (c) *Altering land use designations, densities, or design requirements to reduce demand for automobile travel and meet travel needs through other modes; or*
 - (d) *Amending the TSP to modify the planned function, capacity and performance standards, as needed, to accept greater motor vehicle congestion to promote mixed use, pedestrian friendly development where multimodal travel choices are provided.*

- (2) *A plan or land use regulation amendment significantly affects a transportation facility if it:*
 - (a) *Changes the functional classification of an existing or planned transportation facility;*
 - (b) *Changes standards implementing a functional classification system;*
 - (c) *Allows types or levels of land uses which would result in levels of travel or access which are inconsistent with the functional classification of a transportation facility; or*
 - (d) *Would reduce the performance standards of the facility below the minimum acceptable level identified in the TSP.*

The proposed amendment will not significantly affect any transportation facility. The application of the ND Nodal Development Metro Plan diagram designation will not result in any change to the underlying Metro Plan diagram designation. The application of the /ND Nodal Development overlay zone to incorporated property will not change the base zone. Although minimum residential density requirements for areas zoned /ND exceed the minimum density

established for the base zones, they are below the maximum density allowed in the base zones. The /ND overlay zone prohibition of several new auto-oriented uses will limit the range of uses in commercial and industrial base zones, but will still provide a wide range of allowed commercial and industrial uses.

On the TransPlan map of “Federally Designated Roadway Functional Classification, Eugene-Springfield Metro Area,” River Road is classified as a Principal Arterial and in the Eugene Arterial and Collector Street Plan, River Road is classified as a Major Arterial. The remaining streets are identified as local streets. No change in the functional classification of these streets will result from this amendment. In addition, no changes are proposed to the standards which implement the functional classification system.

In developing TransPlan, the Lane Council of Governments (LCOG) conducted modeling using 29 priority nodes, with node boundaries as shown on the map of Potential Nodal Development Areas in Appendix A of TransPlan. Since the Eugene City Council approved boundary adjustments to several nodes, and added one high-priority node that was not shown on the TransPlan map, the Oregon Department of Transportation funded an update of model data to reflect the revised nodal area boundaries as part of Eugene’s 2001-2003 Transportation and Growth Management (TGM) grant for nodal development implementation. The updated model data is based on 30 priority nodes, adding the one high-priority node in Eugene that was not shown on the TransPlan map.

Model data was provided by LCOG comparing the 2015 PM peak trips for base case land use with nodal development land use, using the TransPlan projects network. Incorporating the 10% vehicle trip reduction allowed by the Transportation Planning Rule for nodal development areas, the data shows just under 45 additional northbound PM peak trips between Northwest Expressway and Park Avenue and just under 30 additional southbound PM peak trips with the nodal development land use than with base case land use. This is not a large enough increase to reduce the level of service on this segment of River Road.

Based on the findings above and these model results, the proposed amendments to apply the ND Nodal Development Metro Plan diagram designation to the entire Lower River Road nodal development area and to apply the /ND Nodal Development overlay zone to the portion of the node within the City limits will not significantly affect a transportation facility. Based on these factors, the amendment is in compliance with OAR 660-012-0060.

Therefore, the amendment is consistent with Statewide Planning Goal 12.

Goal 13 - Energy Conservation: *To conserve energy.*

Goal 13 states, in part, that land use planning should, “to the maximum extent possible, combine increasing density gradients along high capacity transportation corridors to achieve greater energy efficiency” (see Goal 13, guideline 4). The overall intent of nodal development is to provide compact urban level development along high capacity transit corridors. The location of the subject site directly adjacent to River Road, a major arterial, accomplishes this intent. Therefore, the amendment is consistent with Statewide Planning Goal 13.

Goal 14 - Urbanization: *To provide for an orderly and efficient transition from rural to urban land use.*

For the properties within the Eugene city limits, all necessary urban services are in place. No property is being converted from rural to urban land use. The rest of the properties are located within the Eugene urban growth boundary and will be provided urban services in an orderly fashion through the annexation process. Therefore, this amendment is consistent with Statewide Planning Goal 14.

Goal 15 - Willamette River Greenway: *To protect, conserve, enhance and maintain the natural, scenic, historical, agricultural, economic and recreational qualities of lands along the Willamette River as the Willamette River Greenway.*

The nodal development area is entirely within the boundaries of the Willamette River Greenway. The application of the overlay designation will not result in intensification of uses, changes in use or developments or affect the current level of protection provided to these resources. Future development under the ND standards will be required to meet the current Metro Plan and Willamette Greenway permit requirements regarding. Therefore, this amendment is consistent with Statewide Planning Goal 15.

Goals 16 through 19 (Estuarine Resources, Coastal Shorelands, Beaches and Dunes, and Ocean Resources):

There are no coastal, ocean, estuarine, or beach and dune resources related to the property or involved in the amendment. Therefore, Statewide Planning Goals 16 through 19 do not apply.

The above findings address EC 9.7730(3)(a) and LC 12.225(2)(a) which requires consistency with all relevant statewide planning goals. The findings demonstrate that the proposed amendment to designate the subject parcels with the ND Nodal Development designation complies with all relevant statewide planning goals. The application of the ND, Nodal Development designation is part of a larger planning process that has already been shown to comply with the statewide planning goals. TransPlan identifies potential nodal development areas, includes policy directing the implementation of nodal development, and action items to achieve said implementation. The proposed Metro Plan amendment is clearly within the nodal development strategy developed in TransPlan and as acknowledged by the state. Based on the analysis presented above, the proposed Metro Plan amendment is consistent with all relevant statewide planning goals.

(b) Adoption of the amendment must not make the Metro Plan internally inconsistent.

The Plan Diagram currently designates the subject parcels for a variety of land uses. The proposed ND designation on the Metro Plan Land Use Diagram does not affect these base designations. The ND designation will essentially be an overlay to the base land use designation. As such, the diagram amendment will serve to augment the current designation by enabling the use of additional implementation tools to guide development consistent with adopted nodal development policies within the Metro Plan. The proposed amendments are also

consistent with the adopted policies of TransPlan. Findings related to compliance with applicable TransPlan policies listed under Goal 12 are hereby incorporated as further evidence that the proposed amendment will be internally consistent with the Metro Plan. Given these findings and the fact that no modification to the Metro Plan text is necessary or proposed, the proposed amendment will not make the Metro Plan internally inconsistent.

Concurrent Automatic Amendment to River Road-Santa Clara Urban Facilities Plan Land Use Diagram

Eugene Code Section 9.7750(4) and Lane Code Section 12.245(4) provides that the Metro Plan diagram amendment automatically amends the refinement plan diagram when required for consistency if no amendment to the refinement plan text is involved. No amendment to the text of the River Road-Santa Clara Urban Facilities Plan is proposed in these amendments. Adoption of these Metro Plan diagram amendments, therefore, automatically amends the River Road-Santa Clara Urban Facilities Plan land use diagram to make it consistent with the Metro Plan diagram based on findings of consistency with the Statewide Planning Goals and the Metro Plan as set forth above.