

Attachment 1: LCDC Order Approving Alternative Plan Performance Measures

**BEFORE THE
LAND CONSERVATION AND DEVELOPMENT COMMISSION
OF THE STATE OF OREGON**

**IN THE MATTER OF THE)
APPROVAL OF AN ALTERNATIVE)
STANDARD TO ACCOMPLISH)
REDUCED RELIANCE ON THE)
AUTOMOBILE FOR THE EUGENE-)
SPRINGFIELD METROPOLITAN AREA)
AS PROVIDED IN OAR 660-012-0035(5))** **COMMISSION ORDER
ORDER 01-LCDC-024**

This matter came before the Land Conservation and Development Commission (Commission) on May 4, 2001, as a request for Commission approval of an alternative standard to accomplish reduced reliance on the automobile pursuant to OAR Chapter 660, Division 012, Section 0035(5). The Commission, having fully considered the Eugene-Springfield Metropolitan area’s request, comments of interested parties and the report of the Director of the Department of Land Conservation and Development (Department), now enters its:

FINDINGS OF FACT AND CONCLUSIONS OF LAW

1. On March 14, 2001, the Lane Council of Governments, acting as the metropolitan planning organization for the Eugene-Springfield Metropolitan area, submitted a proposed alternative standard for reduced reliance on the automobile for review by the Commission (Exhibit A).
2. The Department provided notice to interested parties on March 21, 2001 (Exhibit B).
3. Letters of comment were submitted to the department by Mr. Rob Handy, Ms. Sue Wolling, the Friends of Eugene, and the Oregon Modeling Steering Committee. (Exhibit C).
4. On April 17, 2001, the Director provided a report and recommendation to the Commission regarding the Eugene-Springfield Metropolitan area’s request. (Exhibit D).

5. On May 4, 2001, the Commission held a public hearing on the subject request and the Department's report and recommendation. The Commission received oral testimony from Mr. Tom Schwetz, Ms. Jan Childs, Mr. Greg Mott, Ms. Pat Hocken, Mr. Rob Handy, Mr. Rob Zako, Mr. Kevin Mathews, Mr. Thomas Boyatt and Mr. Allen Johnson. Copies of the tape of the Commission's hearing and written materials presented to the Commission as part of this testimony and hearing are included as Exhibit E.
6. Based on its review, the Commission approved the alternative standard proposed by the Eugene-Springfield metropolitan area with the following conditions, that are to be complied with by incorporation of the approved standard into TransPlan when it is adopted locally:
 1. Assure that the methodology for calculating non-auto mode split is adjusted to account for improved counting of non-auto trips to assure that results in achieving this standard are not the result of improved counting of non-auto trips.
 2. Develop a definition of qualifying dwelling units and employment in nodes that includes only those dwelling units and employment that are clearly consistent with implementing the nodal development strategy.
 3. Revise the "interim benchmarks" for dwellings and employment in nodes to be clearly consistent with achieving the 20-year performance standard.
7. Based on its review, the Commission also adopted the following recommendations to provide guidance to Eugene-Springfield Metropolitan area local governments as they prepare and implement the regional transportation system plan, TransPlan:
 1. LCOG should amend TransPlan to include a schedule for implementation of the nodal development strategy. This schedule should incorporate the items listed below and the requirements for an "integrated land use and transportation plan" over the next three years.
 2. Eugene and Springfield need to specify specific areas for nodal development within one year. TransPlan identifies approximately 50 areas as having potential for nodal development. Eugene and Springfield need to move quickly to pick which of the 50 areas to designate as nodes and set general boundaries to guide subsequent detailed planning.
 3. Eugene and Springfield need to adopt Metro Plan designations and zoning amendments for the specified nodes within two years after TransPlan adoption. Currently, most of the identified nodes are planned and zoned to allow continued auto-oriented development. This means inappropriate and poorly designed uses

that could easily frustrate nodal development can be located in nodes. To be successful, nodes generally require a mix of mutually supportive pedestrian and transit-friendly uses and a good network of streets. If interim development includes inappropriate uses or is poorly laid out, the result could be to make a much larger area and perhaps a whole node unsuitable for nodal development.

4. Eugene, Springfield and Lane County need to review plan amendments and zone changes *outside* nodes to assure that they are consistent with the nodal development strategy. The success of nodal development strategy depends on attracting most of the higher density employment and residential development in nodes. Certain uses, such as neighborhood shopping centers are critical to the success of nodal development. Plan amendments to allow such uses outside of nodes undermine the nodal development strategy and hurt prospects for development in nodes.

OVERALL CONCLUSION

Based on the foregoing findings, the substantial evidence in the record, and the Director's report, as amended, the Commission concludes that the proposed alternative standard for the Eugene-Springfield metropolitan area complies with OAR 660-012-0035(5) and approves and authorizes its use.

THEREFORE, IT IS ORDERED THAT:

The alternative standard proposed by Eugene-Springfield metropolitan area is approved as provided for in OAR 660-012-0035(5).

DATED THIS 8TH DAY OF MAY 2001.

FOR THE COMMISSION:

Richard P. Benner, Director
Department of Land
Conservation and Development

NOTE: You are entitled to judicial review of this order. Judicial review may be obtained by filing a petition for review within 60 days from the service of this final order. Judicial review is pursuant to the provision of ORS 183.482.

** Copies of all exhibits are available for review at the Department's office in Salem.