

**ADMINISTRATIVE ORDER NO. 58-23-26**  
**of the**  
**Traffic Engineer of Public Works Maintenance's Traffic Operations Team**  
**of the City of Eugene**

**CLOSURE OF GREENSPACE / UNIMPROVED PORTIONS OF  
HIGHWAY 99 NORTH RIGHT-OF-WAY SOUTH OF ROOSEVELT  
BOULEVARD**

**The Traffic Engineer of Public Works Maintenance's Traffic Operations Team of the City of Eugene finds that:**

**A.** Under the provisions of Chapter IV, Section 16 of the Eugene Charter of 2002, the City Manager is designated as the administrative head of the City and is specifically authorized to enforce all ordinances of the City. In addition, EC 5.040 authorizes the City Manager or the Manager's designee to close or regulate access to and from any street. EC 5.055 sets forth the criteria the City Manager or the City Manager's designee should consider when taking administrative action authorized by EC 5.040.

**B.** On August 5, 2020, the City Manager issued Administrative Order No. 58-20-17 granting the Executive Director of the Public Works Department the authority to exercise all of the duties and responsibilities specifically defined as those of the City Manager in Sections 5.040, 5.045 and 5.050 of the Eugene Code, 1971. That Order also granted the Executive Director of the Public Works Department the authority to further delegate those duties and responsibilities to such person or persons qualified to perform the delegated duties.

**C.** On August 6, 2020, the Executive Director of the Public Works Department issued Administrative Order No. 58-20-18 granting the City Engineer the authority to perform the duties and responsibilities specifically defined as those of the City Manager in Sections 5.040, 5.045 and 5.050 of the Eugene Code, 1971. That Order also granted the City Engineer the authority to further delegate those duties and responsibilities to such person or persons qualified to perform the delegated duties.

**D.** On August 11, 2020, the City Engineer issued Administrative Order No. 58-20-19 granting the Traffic Engineer of Public Works Maintenance's Traffic Operations Team the authority to perform the duties and responsibilities specifically defined as those of the City Manager in Sections 5.040, 5.045 and 5.050 of the Eugene Code, 1971.

**E.** For purposes of public health, safety, and welfare, it is necessary to close and prohibit public access to a portion of the Highway 99 North right-of-way, specifically to the unimproved area or "greenspace" that is adjacent to the functional roadway for Highway 99 North. The closure is needed to protect bridge infrastructure and reduce other impacts and risks from illicit camping including human waste, needles, trash, and cooking and camping fires.

**F.** In making the decision, I have considered all the applicable criteria set forth in EC 5.055. The following findings support my decision to close the greenspace area shown in Exhibit A to the public:

*(a) Traffic engineering principles and traffic investigations.*

The area to be closed by this Order is the greenspace as shown in Exhibit A. It is classified as right-of-way for Highway 99 North but public access to this area is not needed and is actually counter to traffic engineering principles.

*(b) Standards, limitations, and rules promulgated by the Oregon Transportation Commission or the Oregon Public Utility Commission or their successors.*

There are not recognized traffic control standards at this location.

*(c) Other recognized traffic control standards.*

Not applicable.

*(d) The city's adopted transportation-related plans and policies.*

The City's adopted transportation-related plans and policies do not require that this area remain open.

*(e) Existing state and local laws regulating use of public ways.*

State and City laws regulating use of public ways do not require that this area remain open to the public.

*(f) The efficient use of the public way by the public.*

The indefinite closure of the greenspaces in the right-of-way along HWY99N (as shown in Exhibit A) is needed to protect public infrastructure (bridge supports, vegetated and rock slopes, iron and chain link fences).

*(g) The use of abutting property.*

The abutting land use is industrial, commercial and railroad. No such uses require that this area remain open.

*(h) The intensity of use of the street by vehicles and pedestrians.*

In addition to vehicular use of the portion of the right-of-way to remain open, the multi-use path facility on the western segment of Highway 99 North will remain open. This order will not impact, and may improve, accessibility of use by vehicles and pedestrians.

*(i) The physical condition and characteristics of the street and abutting property.*

- i. The greenspace located along Highway 99 south of Roosevelt Boulevard is located within City right-of-way and is bisected by Union Pacific railroad property. This greenspace within the right-of-way is shown outlined in red on the attached map (Exhibit A). The Site is a vegetated structural fill slope for Highway 99.
- ii. The abutting properties on the western side of the streets segment include one- and two-story commercial buildings with a mixture of gravel and asphalt surface parking lots as well as an undeveloped segment of land, commercial recycling centers. The eastern side of the street segment include one- and two-story commercial buildings with a mixture of gravel and asphalt surface parking lots as well as an undeveloped segment of land, commercial recycling centers.

*(j) Emergencies.*

- i. Emergency service vehicles are accommodated through bi-directional travel on Highway 99 North.
- ii. Highway 99 North is designated as an emergency ice or snow removal route. Highway 99 is a Major Arterial with the speed limit set at Speed 40. This stretch of Highway 99 has approximately 35,000 vehicles daily for both directions.

*(k) The public health, safety and welfare.*

Since April 21, 2022, the area subject to this Order has been closed six times in 90-day intervals with several extensions to address significant amounts of human waste, needles, excessive trash, cooking and camping fires, and damage to the roadway slope from excavations to create sleeping platforms. While the closures have reduced the volume of these hazards and the frequency of damage to infrastructure, public use of the area has persisted and the City has needed to perform regular cleanup activities in the area to address concerns about public health, safety and welfare.

*(l) Special events of community interest including parades and public gatherings.*

There are no special events of community interest that occur on the portion of Highway 99 North as shown in Exhibit A.

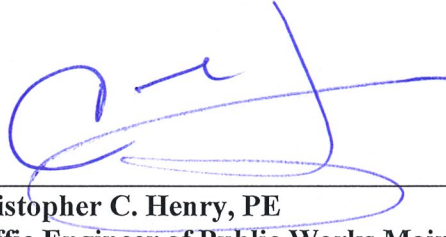
*(m) Construction within or adjacent to the street.*

No construction is currently taking place on the portion of Highway 99 North shown in Exhibit A.

(n) There is no designated parking for this area.

**On the basis of these findings, I order that:** The greenspace within the public right-of-way for Highway 99 North that is shown on Exhibit A to this Order is hereby closed, except to law enforcement or other City authorized personnel.

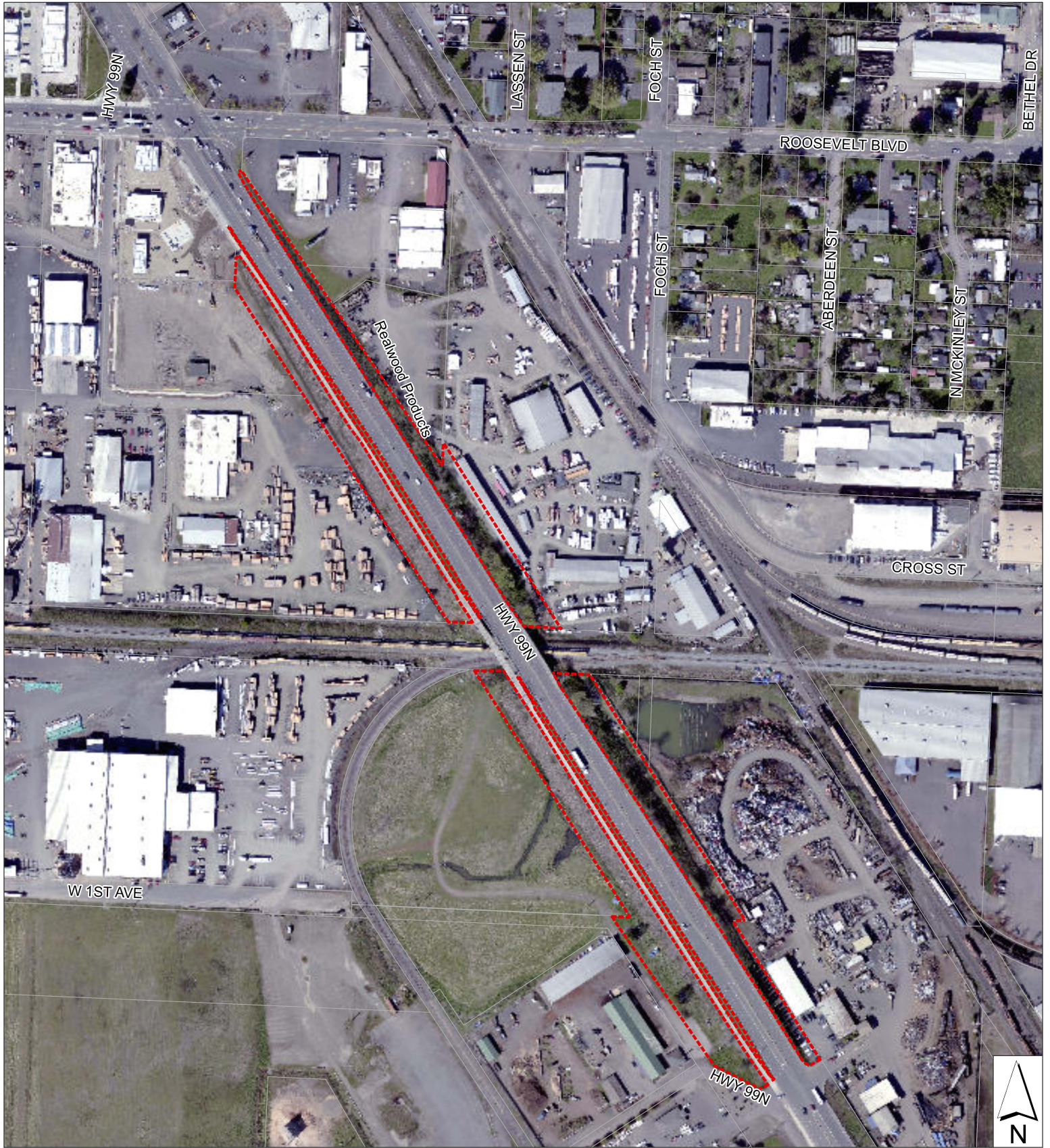
Dated and effective this 22<sup>ND</sup> day of May, 2024.



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**Christopher C. Henry, PE**  
Traffic Engineer of Public Works Maintenance's  
Traffic Operations Team

# Property along Highway 99 near Roosevelt Boulevard



### Legend

□ Taxlots

▭ Area Closed



Caution:  
This map is based on imprecise  
source data, subject to change,  
and for general reference only.

