

**ADMINISTRATIVE ORDER NO. 58-24-30**  
**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 ADJACENT TO THE  
INTERSECTIONS OF HIGHWAY 99 NORTH WITH W 5<sup>TH</sup> AVENUE, W  
6<sup>TH</sup> AVENUE/ W 7<sup>TH</sup> AVENUE AND HIGHWAY 99 NORTH WITH W 7<sup>TH</sup>  
PLACE WEST OF GARFIELD STREET.**

**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 public access to a portion of the Highway 99 North right-of-way, specifically the greenspace that is adjacent to the functional roadway for Highway 99 North at W 5<sup>th</sup> and W 6<sup>th</sup>/W 7<sup>th</sup> avenues and at W 7<sup>th</sup> Place west of Garfield Street. The closure is needed to protect

stormwater facilities and green infrastructure, and to 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 at W 5<sup>th</sup> and W 6<sup>th</sup>/W 7<sup>th</sup> avenues and at W 7<sup>th</sup> Place west of Garfield Street but public access to the greenspace area is not needed and such access is 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 Highway 99 North at W 5<sup>th</sup> and W 6<sup>th</sup>/W 7<sup>th</sup> avenues and at W 7<sup>th</sup> Place west of Garfield Street (as shown in Exhibit A) is needed to protect public infrastructure (vegetated stormwater facilities and street trees).

*(g) The use of abutting property.*

The abutting land use is industrial and commercial and Lane Transit District (LTD) bus stop. The LTD bus stop is not part of the greenspace closure and is intended to 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, 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. Highway 99 is classified as a Major Arterial street with separated one-way travel lanes (three travel lanes southbound and two travel lanes northbound). The speed limit near the intersection with W 5<sup>th</sup> Avenue is 40 miles per hour and near W 7<sup>th</sup> Place is 30 miles per hour. Sidewalks are only present on the east portion of W 7<sup>th</sup> Avenue near the greenspace, south of W 7<sup>th</sup> Place, and west of Garfield Street. There are no bike lanes.
- ii. The greenspace located along Highway 99 North at W 5<sup>th</sup> and W 6<sup>th</sup>/W 7<sup>th</sup> avenues and at W 7<sup>th</sup> Place west of Garfield Street is located within City right-of-way. This greenspace within the right-of-way is shown outlined in red on the attached map (Exhibit A). The site is a vegetated stormwater facility, contains street trees, and is located along high speed, busy major arterials/highway streets (some without curbs).
- iii. The abutting properties on the sides of the streets include one- and two-story commercial buildings with asphalt surface parking lots.

*(j) Emergencies.*

- i. Emergency service vehicles are accommodated through one-way travel on separated portions of Highway 99 North at W 5<sup>th</sup> and W 6<sup>th</sup>/W 7<sup>th</sup> avenues and at W 7<sup>th</sup> Place west of Garfield Street.
- ii. Highway 99 North at W 5<sup>th</sup> and W 6<sup>th</sup>/W 7<sup>th</sup> avenues and at W 7<sup>th</sup> Place west of Garfield Street is designated as an emergency ice or snow removal route. Highway 99 and W 6<sup>th</sup> Avenue at W 5<sup>th</sup> Avenue are Major Arterial streets with the speed limit set at Speed 40; W 7<sup>th</sup> Avenue at W 7<sup>th</sup> Place are Major Arterial streets with the speed limit set at Speed 30. This segment of Highway 99 has approximately 22,000 vehicles daily for both directions; W 5<sup>th</sup> and W 6<sup>th</sup>/W 7<sup>th</sup> avenues and W 7<sup>th</sup> Place have approximately 18,000 vehicles daily for both directions.

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

Since April 2021, the area subject to this Order has been closed eight 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 vegetation. 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 greenspace as shown in Exhibit A.

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

No construction is currently taking place on the portion of greenspace shown in Exhibit A.

*(n) Parking*

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 at W 5<sup>th</sup> and W 6<sup>th</sup>/ W 7<sup>th</sup> avenues and at W 7<sup>th</sup> Place west of Garfield Street 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 30<sup>th</sup> day of August, 2024.



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





# Hwy 99 @ W. 5th Ave & W. 7th Ave Greenspaces

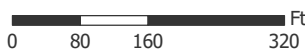
## EXHIBIT A



**Legend**

- Streets
- Taxlots
- Water Bodies

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



6/28/2024

