

ORDINANCE NO. _____

AN ORDINANCE CONCERNING THE EWEB DOWNTOWN RIVERFRONT PROPERTY

THE CITY OF EUGENE DOES ORDAIN AS FOLLOWS:

Section 1. As a result of this citizen initiated plan amendment process, the Eugene-Springfield Metropolitan Area General Plan (Metro Plan) Land Use Diagram is amended to remove the current Metro Plan designations from the properties identified on Exhibit 1 “EWEB Downtown Riverfront Metro Plan Amendment” attached to this Ordinance, and to replace those designations as reflected on Exhibit 1.

Section 2. The EWEB Downtown Riverfront Specific Area Plan, a copy of which is attached to this Ordinance as Exhibit 2, is adopted as a refinement of the Eugene-Springfield Metropolitan Area General Plan. However, only those portions of the EWEB Downtown Riverfront Specific Area Plan that are specifically referenced in EC 9.3155(4), 9.3155(16), 9.3185(2)(b), 9.3185(2)(i), 9.3190(2)(d) and EC 9.8030(16)(a) are adopted as land use regulations, to be applied only as indicated in those sections of the Eugene Code. All other portions of the EWEB Downtown Riverfront Specific Area Plan are adopted only to serve as findings in support of this Ordinance.

Section 3. The “Policies” and “Projects” sections on page 29 in the “Downtown Riverfront” section of Eugene Downtown Plan are amended as follows:

Policies

1. Incorporate the Willamette River as an integral element to downtown planning and development.

~~[2. Collaborate with EWEB to encourage relocation of their utility facilities.]~~

~~[3. A master plan for the EWEB riverfront property must be approved by the City before an redevelopment, land use application rezoning, Metro Plan or refinement plan diagram amendments are approved for uses not associated with EWEB functions. The master plan shall be evaluated based on the master plan's consistency with principles A through D below:~~

- ~~A. Create a “people place” that is active, vibrant, accessible and multi-use.~~
- ~~B. Provide appropriate setbacks, deeper where environmental or habitat issues are more critical, shallower in other areas.~~
- ~~C. Incorporate appropriate building and site design techniques that address environmental concerns.~~
- ~~D. Incorporate an educational aspect, so that the riverfront improvements teach us about our river, our history, and our city.~~

~~The master plan shall be considered using the City’s Type II application procedures, unless the applicant elects to have the master plan reviewed concurrently with a Type III, Type IV or Type V application.]~~

[4.]2. Facilitate dense development in the courthouse area and other sites between the core of downtown and the river.

Projects

Examples of possible projects that address the implementation strategies:

~~[● Partner with EWEB to develop a master plan for the EWEB site.]~~

- Assess and provide mitigation for stormwater issues related to the potential development of riverfront properties.
- Introduce pedestrian-related improvements along all paths leading to the river.
- Develop an adaptive use concept for EWEB’s Steam Plant.
- Daylight the Millrace to connect downtown to the river and capitalize on this historic waterway.

Section 4. The Riverfront Park Study is amended by deleting subsection E in the “Policies” section on pages 11 and 12 and re-lettering subsection F to subsection E.

~~[E. EWEB~~

~~The following policies are intended to provide direction for future action pertaining to the EWEB main facility and steam plant.~~

~~1. Property under EWEB ownership within the Riverfront Park Study Area shall remain designated for the utility’s main headquarters.~~

~~In 1983, EWEB embarked on a project to develop a Headquarters Master Plan that investigates alternative for consolidating its 428 employees and major operations at the existing riverfront site. This policy recognizes that the draft EWEB Master Plan, once adopted, will be the bases for future decisions relating to the develop of EWEB’s land and operations facilities. It also recognizes that EWEB is an important employer and service provider in the Riverfront Study Area and is especially important because of its proximity to downtown Eugene. The recently~~

adopted Downtown Plan similarly recognized EWEB's continued presence in the study area and anticipates continuing improvements in river access in concert with the implementation of the EWEB Master Plan.]

~~[2. The City of Eugene shall work with EWEB and the University of Oregon to investigate actions which could be taken to implement improvements in the efficiency of the steam plants operated by both organizations in the Riverfront Study area.~~

~~This policy commits the City of Eugene to work with both the University of Oregon and EWEB to attempt to identify ways to increase efficiencies in steam plant operations of both organizations. Increasing steam facility efficiencies has potential impact on future users, e.g., those in the Riverfront Park Area as well as existing steam customers, and consequently is an important community-wide economic diversification issue.]~~

~~[3. Property owned by the University of Oregon, and currently leased by EWEB for its pole yard, shall be included in the property available for redevelopment for new facilities in the Riverfront Park.~~

~~This policy recognizes that the current pole storage is an interim use, and that the University may implement redevelopment plans in its role as property owner.]~~

F.E. AGRIPAC

Section 5. The Eugene Zoning Map is amended to remove the current zones from properties identified on Exhibit 3 attached to this Ordinance and to replace those zones as reflected on Exhibit 3.

Section 6. The Eugene Overlay Zone Map is amended to remove the /TD Transit Oriented Development Overlay Zone from properties identified on Exhibit 3 attached to this Ordinance as reflected on Exhibit 3. All other currently applicable overlay zones shall remain in place, as reflected on Exhibit 3.

Section 7. Section 9.0500 of the Eugene Code, 1971, is amended by adding the following definitions in alphabetical order to provide as follows:

9.0500 **Definitions.** As used in this land use code, unless the context requires otherwise, the following words and phrases mean:

Urban Plaza. The land between a building and property line or street paved with a hard surface for use by pedestrians containing a minimum of two pedestrian amenities such as seating areas, covered playground area, kiosk area, water feature, interpretive display, public art, or other similar focal feature or amenity.

Visible Light Transmittance (VLT). *The amount of visible light that passes through the glazing material of a window, expressed as a percentage.*

Section 8. Section 9.1030 of the Eugene Code, 1971, is amended by adding the following entry in alphabetical order to the Table 9.1030 Special Area Zone listing:

9.1030 **Establishment and List of Zones.** The zones listed in Table 9.1030 Zones are established as follows:

Table 9.1030 Zones		
Broad Zone Category	Zone	
Special	S-DR	Downtown Riverfront Special Area Zone

Section 9. The Caption, Sections 9.3130, 9.3135, 9.3140, 9.3145, 9.3146, 9.3147, 9.3148, 9.3150, 9.3155, 9.3160, 9.3165, 9.3170, 9.3175, 9.3180, 9.3181, 9.3182, 9.3185, and 9.3190, and the figures embedded within those Sections are added to the Eugene Code, 1971, as set forth in Exhibit 4 “S-DR Downtown Riverfront Special Area Zone” attached to this Ordinance.

Section 10. EC “Map EC 9.4510 Transit Oriented Development Overlay Zone” is amended to remove the subject site from the boundaries of the /TD overlay zone as shown on Exhibit 5 attached to this Ordinance.

Section 11. EC “Map 9.6410(4)(a) Downtown and West University Automobile Parking Exempt Areas” is amended to remove the subject site from the boundaries of the Downtown Automobile Parking Exempt Areas as shown on Exhibit 6 attached to this Ordinance.

Section 12. Subsection (1) of Section 9.6670 of the Eugene Code, 1971, is amended to provide:

9.6670 **Central Commercial Sign Standards.** The central commercial sign standards are hereby created and applied to all property within the central commercial zones as set forth below. Signs are restricted in recognition of the high density usage of these areas, where pedestrian traffic is heavy and vehicular traffic is commonly limited.

(1) Corresponding Zones. The provisions of this section apply to all property not regulated by the highway commercial sign standards which is zoned C-3, **to property within the S-DR Downtown Riverfront Special Area Zone**, to property within the S-F 5th Street Special Zone, and to those portions of the

S-RP Riverfront Park Special Zone which are not within 200 feet of the Franklin Boulevard center line.

Section 13. Subsection (1) of Section 9.7025 of the Eugene Code, 1971, is amended to provide:

9.7025 Performance Agreements.

- (1) **Applicability.** The city shall require execution of a performance agreement by the applicant for all of the following types of applications:
- (a) Conditional use permit and any modifications.
 - (b) **Design review.**
 - (~~b~~c) Historic property alteration and any modifications.
 - (~~c~~d) Planned unit development, final plan and any modifications.
 - (~~d~~e) Site review and any modifications.
 - (~~e~~f) Subdivisions final plat and any modifications.
 - (~~f~~g) Standards review and any modifications.

Section 14. Section 9.7030 of the Eugene Code, 1971, is amended to provide:

9.7030 Recordation of Certain City Decisions. After a decision becomes final at the local level, the city shall record at Lane County Deeds and Records a notice of a decision concerning property that is the subject of the following types of applications:

- (1) Conditional use permit and any modifications.
- (2) **Design Review.**
- (~~2~~3) Historic landmark, designation.
- (~~3~~4) Historic property, alteration.
- (~~4~~5) Planned unit development, final plan and any modifications.
- (~~5~~6) Property line adjustment.
- (~~6~~7) Site review and any modifications.
- (~~7~~8) Variances.
- (~~8~~9) Willamette Greenway permit and any modifications.
- (~~9~~10) Zone change.
- (~~10~~11) Vacations.

Section 15. Subsection (4) of Section 9.7340 of the Eugene Code, 1971, is amended to provide:

9.7340 Expiration.

- (4) Unless the [~~hearings official designates~~] **decision specifies** otherwise, a Willamette Greenway permit approval shall expire 18 months after the effective date of approval unless actual construction or alteration has begun under a required permit, or in the case of a permit not involving construction or alteration, actual commencement of the authorized activity has begun. However, the applicant may submit a modification application at any time before the 18-month period has expired, requesting an extension of the approval period. The applicant may request more than one extension. Under

no circumstances, however, can the total combined extension periods exceed 36 months from the original expiration date. ***Within S-DR, upon approval of a Willamette Greenway Permit concurrently with Type V code amendments and other plan amendments, plan adoption, or zone change; the Willamette Greenway permit shall remain in effect so long as the S-DR zone remains in effect.***

Section 16. Table 9.8010 List of Adopted Plans in Section 9.8010 of the Eugene Code, 1971, is amended to provide:

Table 9.8010 List of Adopted Plans	
Bethel-Danebo Refinement Plan (Phase II)	River Road-Santa Clara Urban Facilities Plan
Bethel-Danebo Refinement Plan	Riverfront Park Study
Comprehensive Stormwater Management Plan	South Hills Study
<i>Downtown Riverfront Specific Area Plan</i>	South Willamette Subarea Study
Eugene Commercial Lands Study	TransPlan (Metro Area Transportation Plan)
Eugene Downtown Plan	Walnut Station Specific Area Plan
Eugene-Springfield Metropolitan Area General Plan (Metro Plan)	West University Refinement Plan
Fairmount/U of O Special Area Study	Westside Neighborhood Plan
Jefferson/Far West Refinement Plan	Whiteaker Plan
Laurel Hill Neighborhood Plan	Willakenzie Area Plan
19 th and Agate Special Area Study	Willow Creek Special Area Study
Resolution No. 3862 Adopting the West 11 th Commercial Land Use Policy and Refining the Eugene-Springfield Metropolitan Area General Plan (Adopted June 13, 1984)	Resolution No. 3885 Establishing Areas for the Application of C-4 Commercial-Industrial District Zoning, and Amending Resolution No. 3862 (Adopted on November 13, 1984)

Section 17. EC “Map 9.8010 Adopted Plans” and its legend are amended to include the Downtown Riverfront Specific Area Plan as shown on Exhibit 7 attached to this Ordinance.

Section 18. Subsection (16)(a) of Section 9.8030 of the Eugene Code, 1971, is amended to provide:

9.8030 **Adjustment Review - Approval Criteria.** The planning director shall approve, conditionally approve, or deny an adjustment review application. Approval or conditional approval shall be based on compliance with the following applicable criteria.

(16) Downtown Plan Area. Where this land use code provides that a development standard applicable within the Downtown Plan Area as shown on Map 9.2161(6) Downtown Plan Map may be adjusted, approval of the request shall be given if the applicant demonstrates consistency with all of the following:

- (a) The requested adjustment will allow the project to achieve an equivalent or higher quality design than would result from strict adherence to the standards through:
 1. A building orientation, massing, articulation and façade that

2. contribute positively to the surrounding urban environment; and An overall site and building design that creates a safe and attractive pedestrian environment. Design elements for this purpose may include special architectural design features, high quality materials, outdoor seating, pedestrian-scaled lighting, prominent entries facing the street, multiple openings or windows, and a significant use of clear, untinted glass.
3. ***Within the S-DR zone, alternatives proposed pursuant to EC 9.3150(3), EC 9.3180(3), EC 9.3181(3), and EC 9.3182(3) shall demonstrate compliance with “urban design” plan policies in the Downtown Riverfront Specific Area Plan; alternatives proposed pursuant to EC 9.3160(7) and EC 9.3165(1) shall demonstrate compliance with “infrastructure” plan policies in the Downtown Riverfront Specific Area Plan; and, uses proposed pursuant to EC 9.3147(7) and alternatives proposed pursuant to EC 9.3185(4) shall demonstrate compliance with “open space” plan policies in the Downtown Riverfront Specific Area Plan.***

Section 19. Section 9.8111 of the Eugene Code, 1971, is amended to provide:

- 9.8111** **Design Review - Applicability.** [~~EC 9.3980 allows an applicant within the S-WS Walnut Station Special Area Zone to seek approval through the Design Review process.~~] ***Applicants within the S-WS Walnut Station Special Area Zone or S-DR Downtown Riverfront Special Area Zone may seek approval through the Design Review process per EC 9.3980 or EC 9.3190.*** These applications for review shall be considered under a Type II process, or concurrently with a related Type III application process. No development permit shall be issued by the city prior to completion of the design review.

Section 20. Subsection (1) of Section 9.8215 of the Eugene Code, 1971, is amended to provide:

- 9.8215** **Partition, Tentative Plan Approval Criteria- General.** The planning director shall approve, approve with conditions, or deny a partition, with findings and conclusions. Approval, or approval with conditions, shall be based on compliance with the following criteria:
- (1) The proposed partition complies with all of the following, ***unless specifically exempt from compliance through a code provision applicable to a special area zone or overlay zone:***
 - (a) Lot standards of EC 9.2000 through 9.3915 regarding applicable parcel dimensions and density requirements. Within the /WR Water Resources Conservation Overlay Zone or the /WQ Water Quality Overlay Zone, no new lot may be created if more than 33% of the lot, as created, would be occupied by either:
 1. The combined area of the /WR conservation setback and any portion of the Goal 5 Water Resource Site that extends landward

- beyond the conservation setback; or
 - 2. The /WQ Management Area.
 - (b) EC 9.6800 through EC 9.6875 Standards for Streets, Alleys, and Other Public Ways.
 - (c) EC 9.6500 through EC 9.6505 Public Improvement Standards.
 - (d) EC 9.6706 Development in Flood Plains through EC 9.6709 Special Flood Hazard Areas - Standards.
 - (e) EC 9.6710 Geological and Geotechnical Analysis.
 - (f) EC 9.6735 Public Access Required.
 - (g) EC 9.6750 Special Setback Standards.
 - (h) EC 9.6775 Underground Utilities.
 - (i) EC 9.6780 Vision Clearance Area.
 - (j) EC 9.6791 through 9.6797 regarding stormwater destination, pollution reduction, flow control for headwaters area, oil control, source control, easements, and operation and maintenance.
 - (k) All other applicable development standards for features explicitly included in the application.
 - (l) The applicable adopted plan policies beginning at EC 9.9500.
- An approved adjustment to a standard pursuant to the provisions beginning at EC 9.8015 of this land use code constitutes compliance with the standard.

Section 21. The introductory paragraph of Section 9.8240 of the Eugene Code, 1971, is amended to provide:

9.8240 Partition, Final Plat Approval Criteria. The planning director shall approve or deny the partition's final plat. Approval shall be based on compliance with the following criteria, ***unless specifically exempt from compliance through a code provision applicable to a special area zone or overlay zone:***

Section 22. Subsection (1) of Section 9.8515 of the Eugene Code, 1971, is amended to provide:

9.8515 Subdivision, Tentative Plan Approval Criteria - General. The planning director shall approve, approve with conditions, or deny a proposed subdivision. Approval, or approval with conditions shall be based on compliance with the following criteria:

(1) The proposed subdivision complies with the following, ***unless specifically exempt from compliance through a code provision applicable to a special area zone or overlay zone:***

- (a) EC 9.2000 through 9.3915 regarding lot dimensions and density requirements for the subject zone. Within the /WR Water Resources Conservation Overlay Zone or /WQ Water Quality Overlay Zone, no new lot may be created if more than 33% of the lot, as created, would be occupied by either:
 - 1. The combined area of the /WR conservation setback and any portion of the Goal 5 Water Resource Site that extends landward beyond the conservation setback; or
 - 2. The /WQ Management Area;

- (b) EC 9.6800 through EC 9.6875 Standards for Streets, Alleys, and Other Public Ways; and
- (c) EC 9.6500 through EC 9.6505 Public Improvement Standards.

Section 23. Subsection (3) of Section 9.8520 of the Eugene Code, 1971, is amended to provide:

9.8520 **Subdivision, Tentative Plan Approval Criteria- Needed Housing.** The planning director shall approve, conditionally approve, or deny the subdivision application. Unless the applicant elects to use the general criteria contained in EC 9.8515 Subdivision, Tentative Plan Approval Criteria- General, where the applicant proposes needed housing, as defined by the State statutes, the planning director shall approve or approve with conditions a subdivision based on compliance with the following criteria:

- (3) The proposed subdivision complies with all of the following, ***unless specifically exempt from compliance through a code provision applicable to a special area zone or overlay zone:***
 - (a) EC 9.2000 through 9.3915 regarding lot dimensions and density requirements for the subject zone. Within the /WR Water Resources Conservation Overlay Zone or /WQ Water Quality Overlay Zone, no new lot may be created if more than 33% of the lot, as created, would be occupied by either:
 - 1. The combined area of the /WR conservation setback and any portion of the Goal 5 Water Resource Site that extends landward beyond the conservation setback; or
 - 2. The /WQ Management Area.
 - (b) EC 9.6800 through EC 9.6875 Standards for Streets, Alleys, and Other Public Ways.
 - (c) EC 9.6500 through EC 9.6505 Public Improvement Standards.
 - (d) EC 9.6706 Development in Flood Plains through EC 9.6709 Special Flood Hazard Areas - Standards.
 - (e) EC 9.6710(6) Geological and Geotechnical Analysis.
 - (f) EC 9.6730 Pedestrian Circulation On-Site.
 - (g) EC 9.6735 Public Access Required.
 - (h) EC 9.6750 Special Setback Standards.
 - (i) EC 9.6775 Underground Utilities.
 - (j) EC 9.6780 Vision Clearance Area.
 - (k) EC 9.6791 through 9.6797 regarding stormwater destination, pollution reduction, flow control for headwaters area, oil control, source control, easements, and operation and maintenance.

An approved adjustment to a standard pursuant to the provisions beginning at EC 9.8015 of this land use code constitutes compliance with the standard.

Section 24. The introductory paragraph of Section 9.8565 of the Eugene Code, 1971, is amended to provide:

9.8565 **Subdivision, Final Plat Approval Criteria.** The planning director shall approve or deny the subdivision final plat. Approval shall be based on compliance with the

following criteria, ***unless specifically exempt from compliance through a code provision applicable to a special area zone or overlay zone:***

Section 25. The introductory paragraph of Section 9.8670 of the Eugene Code, 1971, is amended to provide:

9.8670 **Applicability.** Traffic Impact Analysis Review is required when one of the following conditions exist ***unless the development is within an area subject to a prior approved Traffic Impact Analysis and is consistent with the impacts analyzed:***

Section 26. Section 9.8810 of the Eugene Code, 1971, is amended to provide:

9.8810 **General Requirements.**

(1) Willamette Greenway permit applications shall be considered in accordance with the Type III application procedures contained in EC 9.7000 through EC 9.7885 Application Procedures ***unless considered concurrently with a Type IV or Type V application.***

~~[(2) Willamette Greenway permit applications may be reviewed concurrently with conditional use permit applications, planned unit development applications, or site review applications.]~~

(32) No development permit shall be ~~[accepted]~~ ***issued*** by the city when a Willamette Greenway permit is required for the proposed development until ~~[the hearings official or planning commission approves]~~ the Willamette Greenway permit ***has been approved.*** Development permits shall be consistent with the terms and conditions of that Willamette Greenway permit.

Section 27. Subsection (4) of Section 9.8865 of the Eugene Code, 1971, is amended by adding a new subparagraph (i) and re-lettering the subsequent subparagraphs to provide:

9.8865 **Zone Change Approval Criteria.** Approval of a zone change application, including the designation of an overlay zone, shall not be approved unless it meets all of the following criteria:

(4) The proposed zone change is consistent with the applicable siting requirements set out for the specific zone in:

(i) **EC 9.3140 S-DR Downtown Riverfront Special Area Zone Siting Requirements.**

(ij) **EC 9.3205 S-DW Downtown Westside Special Area Zone Siting Requirements.**

(jk) **EC 9.3305 S-E Elmira Road Special Area Zone Siting Requirements.**

(kl) **EC 9.3605 S-JW Jefferson Westside Special Area Zone Siting Requirements.**

(lm) **EC 9.3705 S-RP Riverfront Park Special Area Zone Siting Requirements.**

(mn) **EC 9.3805 S-RN Royal Node Special Area Zone Siting Requirements.**

(no) **EC 9.3905 S-W Whiteaker Special Area Zone Siting Requirements.**

- (~~op~~) EC 9.3955 S-WS Walnut Station Special Area Zone Siting Requirements.
- (~~pq~~) EC 9.4205 /EC East Campus Overlay Zone Siting Requirements.
- (~~qr~~) EC 9.4715 /WP Waterside Protection Overlay Zone Siting Requirements.
- (~~rs~~) EC 9.4776 /WQ Water Quality Overlay Zone Siting Requirements (only for the purposes of adding the overlay zone. See EC 9.4786.).
- (~~st~~) EC 9.4915 /WR Water Resources Conservation Overlay Zone Siting Requirements (only for the purposes of adding the overlay zone. See EC 9.4960.).
- (~~tu~~) EC 9.4815 /WB Wetland Buffer Overlay Zone Siting Requirements.
- (~~uv~~) An uncodified ordinance establishing a site specific S-H Historic Special Area Zone, a copy of which is maintained at the city's planning and development department.

Section 28. Section 9.9540 of the Eugene Code, 1971, is deleted:

~~**[9.9540 — Eugene Downtown Plan Policies.** A master plan for the EWEB riverfront property must be approved by the city before any redevelopment, land use application, rezoning, Metro Plan or refinement plan diagram amendments are approved for uses not associated with EWEB functions. The master plan shall be evaluated based on the master plan's consistency with principles (1) through (4) below:~~

- ~~(1) Create a "people place" that is active, vibrant, accessible and multi-use.~~
- ~~(2) Provide appropriate setbacks, deeper where environmental or habitat issues are more critical, shallower in other areas.~~
- ~~(3) Incorporate appropriate building and site design techniques that address environmental concerns.~~
- ~~(4) Incorporate an educational aspect, so that the riverfront improvements teach us about our river, our history and our city.~~

~~The master plan shall be considered using the City's Type II application procedures, unless the applicant elects to have the master plan reviewed concurrently with a Type III, Type IV or Type V application. (Policy 3)]~~

Section 29. The City Council hereby approves a Willamette Greenway Permit pursuant to EC 9.8800 – 9.8825, as those sections are amended by this Ordinance, for the portion of the Willamette River Greenway that is included within the boundaries of the S-DR Riverfront Special Area Zone to permit development consistent with the applicable S-DR Downtown Riverfront Special Area Zone code provisions adopted by this Ordinance. The Willamette Greenway Permit approved by this Ordinance shall remain in effect for any lot within the Willamette Greenway boundaries in the S-DR zone for as long as that lot continues to be in the S-DR zone. In support of this approval, the City Council accepts as its own findings those

findings provided by the Applicant in Section 5.6 of Exhibit 8 attached hereto. A Willamette River Greenway setback boundary is hereby established in accordance with the applicable approval criteria at Section 9.8815(5)(a) of the Eugene Code, as shown on Exhibit 9 attached to this Ordinance.

Section 30. The “Prior Developed Areas” as shown on Exhibit 9 attached to this Ordinance are hereby acknowledged as being excluded from the /WR Water Resources conservation area, in accordance with Section 9.4920(5) of the Eugene Code.

Section 31. The EWEB Downtown Riverfront Specific Area Plan, a copy of which is attached to this Ordinance as Exhibit 2, and the Applicant’s December 5, 2012 Final Submittal documents, portions of which are attached to this Ordinance as Exhibit 8, are approved as support and findings for this Ordinance.

Section 32. 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 affect the validity of the remaining portions hereof.

Section 33. The City Recorder, at the request of, or with the consent of the City Attorney, is authorized to administratively correct any reference errors contained herein, or in other provisions of the Eugene Code, 1971, to the provisions added, amended or repealed herein.

Passed by the City Council this
____ day of _____, 2013

Approved by the Mayor this
____ day of _____, 2013

City Recorder

Mayor