



**Eugene City Council**

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# EUGENE CITY COUNCIL AGENDA

May 14, 2014

12:00 PM CITY COUNCIL WORK SESSION

Harris Hall

125 East 8<sup>th</sup> Avenue

Eugene, Oregon 97401

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Meeting of May 14, 2014;  
Her Honor Mayor Kitty Piercy Presiding

### Councilors

George Brown, President	Pat Farr, Vice President
Mike Clark	George Poling
Chris Pryor	Claire Syrett
Betty Taylor	Alan Zelenka

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### CITY COUNCIL WORK SESSION

Harris Hall

- 12:00 p.m.    **A.    WORK SESSION AND POSSIBLE ACTION:  
Envision Eugene Implementation: An Ordinance Concerning  
Employment and Industrial Zones**
- 12:45 p.m.    **B.    WORK SESSION AND POSSIBLE ACTION:  
Envision Eugene Implementation - An Ordinance Concerning Single-  
Family Code Amendments for Accessory Buildings, Alley Access Lots  
and Secondary Dwellings**

*\*time approximate*

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El Consejo de la Ciudad de Eugene aprecia su interés en estos asuntos de la agenda. El sitio de la reunión tiene acceso para sillas de ruedas. Hay accesorios disponibles para personas con afecciones del oído, o se les puede proveer un interprete avisando con 48 horas de anticipación. También se provee el servicio de interpretes en idioma español avisando con 48 horas de anticipación. Para reservar estos servicios llame a la recepcionista al 541-682-5010. Todas las reuniones del consejo estan gravados en vivo en Metro Television, canal 21 de Comcast y despues en la semana se pasan de nuevo.

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# EUGENE CITY COUNCIL

## AGENDA ITEM SUMMARY

### Work Session/Action on Envision Eugene Implementation: An Ordinance Concerning Employment and Industrial Zones

Meeting Date: May 14, 2014  
 Department: Planning and Development  
[www.eugene-or.gov](http://www.eugene-or.gov)

Agenda Item Number: A  
 Staff Contact: Terri Harding  
 Contact Telephone Number: 541-682-5635

#### ISSUE STATEMENT

The City Council will deliberate and take action on a package of zone changes and land use code amendments related to Employment and Industrial zones. The proposed amendments will:

- 1) Create more business and job development opportunities in the city's three areas designated Campus Industrial (Chad Drive, Willow Creek, and Greenhill Technology Park) through the E-1 Campus Employment zone;
- 2) Provide commercial-industrial zone flexibility and consistent development standards in the West Eugene Study Area through application of the E-2 Mixed-Use Employment and C-2 Community Commercial zones; and
- 3) Update the I-2 Light-Medium Industrial and I-3 Heavy Industrial zones to better meet the purpose of the zones and the goals of Envision Eugene.

#### BACKGROUND

The Envision Eugene recommendation identified a shortfall of land needed to accommodate commercial jobs over the next 20 years. At the time of the recommendation, the 20-year projection for commercial jobs was 21,450. Based on updated information, the 20-year projection has increased to 22,025 jobs. A good portion of these jobs, about 17,440 of them, can be accommodated on land inside the existing the urban growth boundary (UGB) without any action needed. The remaining 4,625 commercial jobs must either be accommodated by expanding the UGB or by taking action to use land more efficiently inside the existing UGB.

At the City Council's direction, staff has undertaken the Employment and Industrial Code Amendments and Zone Changes to promote additional commercial jobs inside the UGB. It is estimated that approximately 4,250 additional jobs could be accommodated over 20 years within the current UGB through these strategies. The remaining 375 commercial jobs can be accommodated through other efficiency measure actions.

These amendments directly implement several Envision Eugene strategies under the *economic opportunity* and *compact development and efficient transportation* pillars. A summary of the amendments is provided in Attachment A, and the proposed ordinance is provided as Attachment B.

### **City Council Process**

Following a unanimous recommendation for approval by the Eugene Planning Commission in January 2014, the City Council held a public hearing on the package of zone changes and code amendments.

At the April 21, 2014, City Council public hearing, testimony was received from nine individuals. Seven of the speakers were supportive of adopting the ordinance as soon as possible. One speaker was supportive of the ordinance but requested a change to the outdoor storage requirements in the E-1 zone. The ninth speaker did not speak directly to the ordinance. The council did not raise any questions for staff after the hearing was closed.

Regarding the request for different outdoor storage standards in the E-1 Campus Employment Zone, staff notes that the Planning Commission considered various options for allowing outdoor storage on lots abutting residential zones. The ordinance being considered allows only passenger vehicular fleet parking, and no other outdoor storage, on lots abutting residential zones. The option requested in testimony at the April 21 hearing would allow for other types of outdoor storage on the six individual properties that abut residential zones (all in the Chad Drive area). The Planning Commission thoroughly discussed this issue, and decided to add outdoor storage allowances to the majority of the E-1 zone, where the current code prohibits it. Therefore, staff recommends keeping the standards as they are written (Ordinance page 25).

The proposed ordinance and exhibits are included as Attachment B. The full record of materials is available for review in a binder located at the City Council Office and on the City's website at: <http://or-eugene.civicplus.com/index.aspx?NID=2079>.

### **RELATED CITY POLICIES**

Findings addressing the applicable approval criteria, including Statewide Planning Goals, the Metro Plan, and applicable refinement plans, are provided as an exhibit to the ordinance in Attachment B.

### **COUNCIL OPTIONS**

Following deliberations, the City Council may consider the following options:

1. Approve the ordinance
2. Approve the ordinance with specific modifications as determined by the City Council
3. Deny the ordinance

### **CITY MANAGER'S RECOMMENDATION**

Following the council's deliberations on this request, the City Manager recommends approval of the ordinance as provided in Attachment B.

### **SUGGESTED MOTION**

Move to approve the ordinance concerning Employment and Industrial zones contained in Attachment B.



**ATTACHMENTS**

- A. Summary of Employment and Industrial Code Amendments
- B. Ordinance Concerning Employment and Industrial Zones

**FOR MORE INFORMATION**

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Staff E-Mail: [terri.l.harding@ci.eugene.or.us](mailto:terri.l.harding@ci.eugene.or.us)



## EMPLOYMENT AND INDUSTRIAL ZONES: CODE AMENDMENT SUMMARY

\*SEE MAP ON PAGE 4 FOR LOCATIONS OF EACH ZONE.

### E-1 CAMPUS EMPLOYMENT ZONE

### CHAD DRIVE, GREENHILL TECHNOLOGY PARK, AND WILLOW CREEK CIRCLE

#### Summary of Changes from I-1 to E-1 Zone

##### **1. Rename to reflect purpose and intent of the zone.**

Renaming the zone from I-1 Campus Industrial to E-1 Campus Employment better reflects the intent of the revised use list. This relates to a changing economy where businesses often blur the lines between commercial and industrial, or combine several employment uses on a property.

##### **2. Add to the use list to increase employment opportunities.**

The Code amendments are intended to respond to new market realities in the Campus Employment areas by allowing a wider range of employment and support uses. For example, rather than limiting the types of office-based employment uses, the amendments will allow all office development. The proposed uses also allow a wider range of medical uses, such as doctor's offices, dentists, and clinics. In addition, some uses are proposed to be deleted to better preserve the lands for the intended employment uses; these include churches and schools, although existing permit holders are allowed to remain and expand on their existing property.

##### **3. Adjust regulations that pose unnecessary barriers to employment opportunities.**

Several Special Use Limitations have proven difficult to use for both developers and for city staff. By revising or deleting these limitations, the draft code should make the Campus Employment areas more appealing to future development, resulting in increased employment density. The changes include:

- deleting limitation 1; (which requires complicated and restrictive accounting of square footage for different uses)
- deleting references to "business park" approval (which is difficult to administer across multiple ownerships and is replaced by explicit standards), and;
- allowing more flexibility for accessory uses and support uses in the zone.

##### **4. Maintain the campus character.**

The E-1 revisions aim to maintain the campus character while allowing additional flexibility. The code retains green space percentage requirements, adds large facility development standards, and allows outdoor storage with siting and screening standards.

##### **5. Improve residential compatibility/ transitions.**

The Industrial zones currently lack some residential compatibility measures that are found in the Commercial zones, such as height limits, special height limits adjacent to residential areas, and landscape buffers. In an attempt to create consistency across zones, those standards are being proposed for inclusion in the Employment and Industrial zones. The introduction of these standards is intended to improve neighborhood livability in those residential areas adjacent to the Employment and Industrial zones.

**E-2 MIXED USE EMPLOYMENT ZONE****WEST EUGENE STUDY AREA****Summary of New E-2 Mixed Use Employment Zone (replaces C-4 Commercial Industrial)****1. Allow a mixture of commercial and industrial uses**

The C-4 Commercial-Industrial zone was intended to accommodate a range of uses found in west Eugene, recognizing the auto-oriented character of the area. The E-2 Mixed-Use Employment zone replaces C-4 and allows a mix of uses throughout the zone with an emphasis on the retail character of the transit corridor.

**2. Do no harm to existing businesses**

The West 11<sup>th</sup> Avenue corridor is a jumble of the commercial and industrial zones. The proposed zone changes will unify most of the area under the E-2 and C-2 zones. The goal of the amendments is to avoid non-conformities in E-2 by combining the currently allowed list of permitted uses in I-2 and C-4.

**3. Clarity and consistency in standards**

The height, setback, landscape requirements, and other basic development standards in the E-2 zone will build upon the C-2 zone standards to (1) provide clarity and familiarity to those working with the code and (2) create a consistent development pattern and attractive streetscape to the greatest degree possible. Transition standards are added where E-2 abuts residential zones.

**4. Pedestrian friendly and transit supportive development standards**

The proposed E-2 development standards will promote the compact development and efficient transportation options pillar of Envision Eugene. The draft standards attempt to strike a balance among the needs of pedestrians, transit users, and automobile drivers, as well as among businesses, customers, and travelers. The front setback and development standards for buildings and drive-through aisles are important pieces of creating a transit supportive and pedestrian friendly corridor.

**I-2 LIGHT-MEDIUM INDUSTRIAL ZONE****Summary of Changes to I-2 Zone****Increased allowances made for on-site sales of goods manufactured on-site.**

The I-2 zone accommodates many small-scale manufactures that need to have a retail component. The current code allows retail trade in I-2 when it is "secondary, directly related to, and limited to products manufactured, repaired, or assembled on the development site." This clause has no clear and objective standard for simple permitting, and as such, it has been difficult to implement consistently. The proposed code amendments create clear, measurable standards for accessory uses directly related to the primary use, and small-scale independent retail uses to serve employees in the zone.

**I-3 HEAVY INDUSTRIAL ZONE**

**Summary of Changes to I-3 Zone**

**Deletion of select uses that are inconsistent with the purpose and intent of the zone.**

The I-3 zone is intended to accommodate employment in the heavy industrial sector, and it is sited accordingly along major highways, railroads, and adjacent to the airport. With a limited supply of such prime industrial lands with excellent transportation access, it is important to preserve that acreage for heavy industrial uses. Limiting the use of I-3 zoned land by non-industrial uses reduces some competition for the land, thereby improving the chances that existing industrial uses can expand in place. The non-industrial uses proposed for deletion include: library, theater, parking garages not affiliated with a primary use, mortuary, photographer’s studio, and picture framing and glazing.

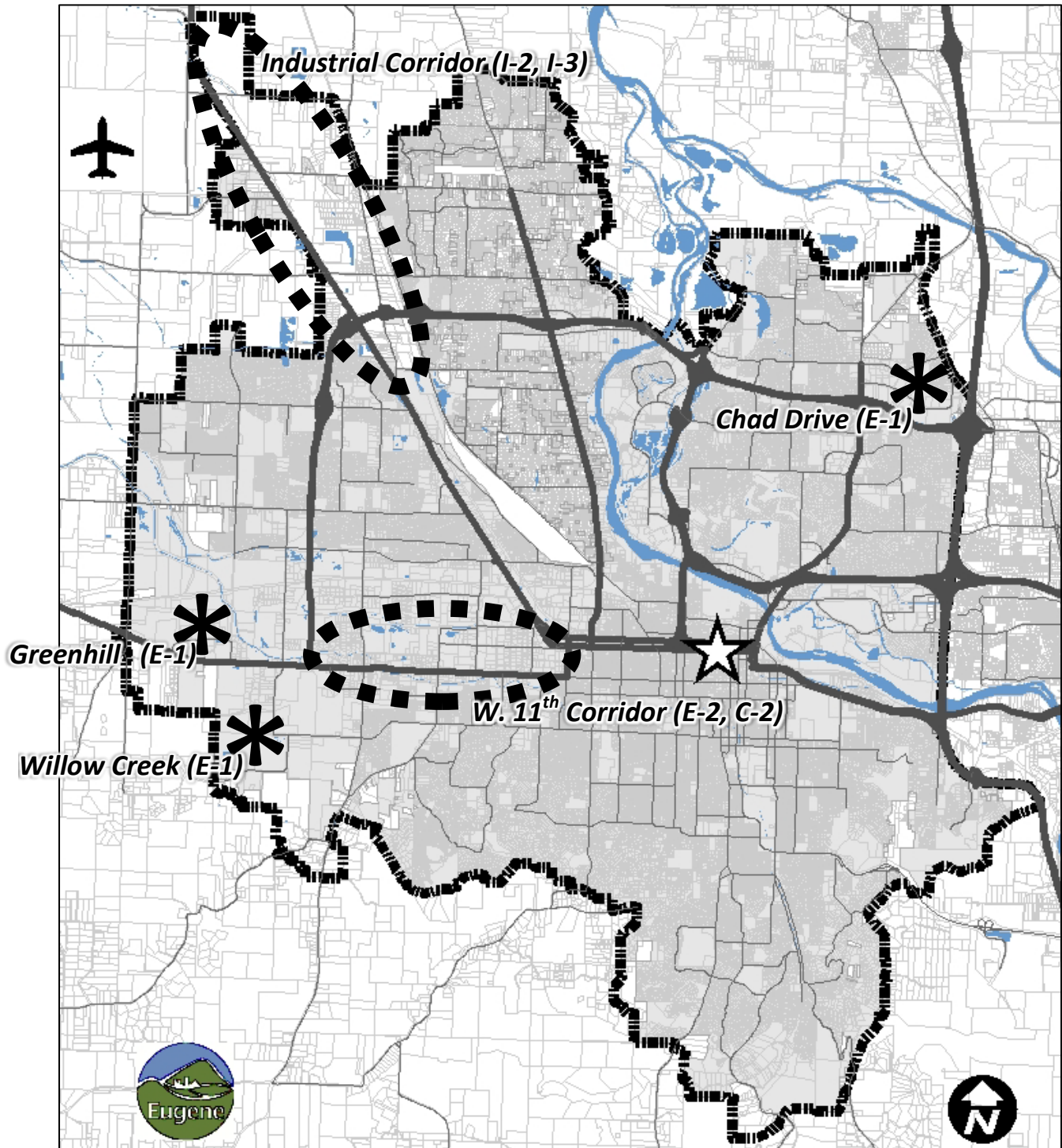
**ALL EMPLOYMENT AND INDUSTRIAL ZONES**

**Summary of Changes to All E + I Zones**

**Address security concerns by adding “eyes” to the site.**

Many sites in the employment and industrial zones have employees on-site throughout the day on multiple shifts, but may lack human activity for long periods at night, thereby raising security concerns. The draft code allows a single dwelling unit on all development sites in the employment and industrial zones, subject to development standards.

Locations affected by proposed Employment and Industrial Code Amendments



## ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE CONCERNING EMPLOYMENT AND INDUSTRIAL ZONES; AMENDING SECTIONS 2.1086, 3.005, 4.330, 6.755, 7.410, 9.0500, 9.1030, 9.1045, 9.1240, 9.2150, 9.2160, 9.2161, 9.2170, 9.2180, 9.2400, 9.2410, 9.2430, 9.2450, 9.2451, 9.2460, 9.2461, 9.2470, 9.2530, 9.2682, 9.3050, 9.3305, 9.3400, 9.3900, 9.3910, 9.3915, 9.4290, 9.4640, 9.5750, 9.5800, 9.6105, 9.6205, 9.6410, 9.6415, 9.6420, 9.6640, 9.6645, 9.6660, 9.6665, 9.6675, 9.6680, 9.6703, 9.6709, 9.6725, 9.6730, 9.6745, 9.6770, 9.6794, 9.8010, 9.8030, 9.8215, 9.8515, 9.8575, 9.8865 OF THE EUGENE CODE, 1971; ADDING SECTIONS 9.2405 AND 9.2463 TO THAT CODE; REPEALING SECTION 9.2130 OF THAT CODE; REPEALING RESOLUTION NO. 3862 AND RESOLUTION NO. 3885; AND PROVIDING FOR AN EFFECTIVE DATE.**

**THE CITY OF EUGENE DOES ORDAIN AS FOLLOWS:**

**Section 1.** The Eugene Zoning Map is amended to remove the current zones from properties identified on Exhibit A attached to this Ordinance and to replace those zones as reflected on Exhibit A. (Maps depicting the zone amendments are included as Attachments A, B, C, and D to the findings set forth in Exhibit C attached to this Ordinance.)

**Section 2.** As a result of the zone amendments described in Section 1 above, Map 9.3055 is amended as set forth in Exhibit B attached to this Ordinance.

**Section 3.** Subsection (7)(c)2. of Section 2.1086 of the Eugene Code, 1971, is amended to provide as follows:

**2.1086 Manufactured Dwelling Park Closures.**

**(7) Relocation Costs.** After the notice of park closure is given, a park owner shall compensate affected tenants for their losses and relocation costs incurred due to the park closure as follows:

- (c) The net amount to be paid by the park owner to an affected tenant under subparagraphs (a) or (b) of this section may be subject to an adjustment if:
1. There is a state subsidy payment available to an affected tenant at the time notice of park closure is given, the amount of the subsidy shall be deducted from the amount determined due the affected tenant under subparagraphs (a) and (b) of this section in arriving at the net amount due.
  2. The manufactured dwelling park for which the notice of closure is given is located in an ***employment and*** industrial or commercial zone or flood plain, the amount determined due shall be reduced by 50%.

**Section 4.** The definition of “Commercial” in the “Solid Waste, Yard Debris and Recycling” section of Section 3.005 of the Eugene Code, 1971, is amended to provide as follows:

**3.005** For the purposes of this chapter, the following words and phrases shall mean:

**Solid Waste, Yard Debris and Recycling:**

**Commercial.** Stores; offices, including manufacturing and industrial offices; restaurants; multi-family dwellings; warehouses; schools; colleges and universities; hospitals; and other **employment and** industrial, manufacturing and non-manufacturing entities; but does not include business activities conducted in residential dwellings.

**Section 5.** The definition of “Industrial zone” in Section 4.330 of the Eugene Code, 1971, is amended to provide as follows:

**4.330** **Animal Control - Definitions.** For purposes of sections 4.330 to 4.500 of this chapter, the following words and phrases mean:

**Employment and [A]industrial zone.** Property zoned as "**employment and industrial**" by Chapter 9 of this Code.

**Section 6.** Subsection (1)(l) of Section 6.755 of the Eugene Code, 1971, is amended to provide as follows:

**6.755** **Environmental Noise Disturbance – Exemptions, Variances.**

(1) **Exemptions.** The following sounds are exempted from the provisions of section 6.750 of this code:

- (l) Sounds produced by leaf blowers and street sweepers being used to clean parking lots and adjacent areas in commercial or **employment and** industrial zones.

**Section 7.** Subsection (5) of Section 7.410 of the Eugene Code, 1971, is amended to provide as follows:

**7.410** **Access Connections – Number, Width and Shared.**

(5) The width of an access connection for multi-family, commercial **and employment and** industrial developments shall be no less than 20 feet.



**Section 8.** Section 9.0500 of the Eugene Code, 1971, is amended by deleting the definition of “Business Park,” amending the definition of “Lands Committed to Urban Use,” and adding definitions for “Outdoor storage,” “Recycling-Deconstruction, Reuse, Resale,” and “Wholesale” 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:

~~**[Business Park.** A planned development with an integrated physical environment and characterized by a variety of industrial, and to a lesser extent, office and related commercial use.]~~

**Lands Committed to Urban Use** (as used in Willamette Greenway Permits beginning at EC 9.8800). Those properties that are inappropriate for non-urban uses due to economic, developmental, and/or locational factors. Economic, developmental, and locational factors include, but are not limited to: established ports, **employment and** industrial, commercial, residential, or recreational uses on or near the subject property; the effect such established uses have upon the subject property; previous public decisions regarding the subject property (as contained in ordinances and adopted plans); and other public actions that affect the subject property.

***Outdoor storage.*** *The retention, by the permitted use on-site, of raw or finished materials, containers, equipment including vehicular fleet, or other property outside a building for an extended period of time. Items stored inside a building that is not enclosed on 100 percent of the area of its sides is considered outdoor.*

***Recycling–Deconstruction, Reuse, Resale.*** *A facility that takes in common household goods or home furnishings, and then disassembles or repurposes the products for reuse or resale. Compared to traditional manufacturing uses, this use does not utilize raw materials, is not reliant upon national rail or truck shipping routes, and conducts the majority of operations indoors.*

***Wholesale.*** *Establishments engaged in receipt, storage, and distribution of goods by truck, rail, or air to retailers and other wholesale vendors, but do not involve direct sale to the public.*

**Section 9.** The “Commercial” and “Industrial” entries in Table 9.1030 of Section 9.1030 of the Eugene Code, 1971, are amended to provide as follows:

**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	
Commercial	C-1	Neighborhood Commercial Zone
	C-2	Community Commercial Zone
	C-3	Major Commercial Zone
	<del>C-4</del>	<del>Commercial/ Industrial Zone</del>
	GO	General Office Zone
Employment and Industrial	<del>I-1</del> E-1	Campus <del>Industrial</del> <b>Employment</b> Zone
	E-2	<b>Mixed Use Employment Zone</b>
	I-2	Light-Medium Industrial Zone
	I-3	Heavy Industrial Zone

**Section 10.** Section 9.1045 of the Eugene Code, 1971, is amended to provide as follows:

**9.1045** **Reclassification of Prior Zones.** The zoning classifications shown in Table 9.1045  
 Reclassification of Zones are reclassified effective [August 1, 2004] **on the date indicated in the Table.**

Table 9.1045 Reclassification of Zones	
Effective August 1, 2011:	
Old Zone Title	New Zone Title
RA Suburban Residential District	R-1 Low Density Residential Zone
R-2 Limited Multiple Family Residential District	R-2 Medium Density Residential Zone
R-3 Multiple Family Residential District	R-3 Limited High Density Residential Zone
R-4 High Rise Multiple Family Residential District	R-4 High Density Residential Zone
C-2 General Commercial District	C-2 Community Commercial Zone
I-1 Special Industrial District	I-1 Campus Industrial Zone
Downtown Westside Mixed Use District	S-DW Downtown Westside Special Area Zone
MU-E Elmira Road Mixed Use District	S-E Elmira Road Special Area Zone
Fifth Avenue Development District	S-F Fifth Avenue Special Area Zone
Historic Districts	S-H Historic Zone
H Blair Boulevard Historic Commercial Area	S-HB Blair Boulevard Historic Commercial Special Area Zone
Riverfront Park Special Development District	S-RP Riverfront Park Special Area Zone
MU-W Whiteaker Mixed Use District	S-W Whiteaker Special Area Zone
<b>Effective _____ [insert effective date of Ordinance]:</b>	
Old Zone Title	New Zone Title
<del>I-1 Campus Industrial Zone</del>	<b>E-1 Campus employment Zone</b>

**Section 11.** Section 9.1240 of the Eugene Code, 1971, is amended to provide as follows:

**9.1240** **Legal Pre-Existing Uses.** The uses listed in Table 9.1240 Legal Pre-Existing Uses shall be considered to be pre-existing uses. These uses may continue, and are not subject to the provisions of sections 9.1200 through 9.1230. Determinations as to whether a particular use qualifies as a pre-existing use shall be made by the planning commission.

R-1 Low-Density Residential R-2 Medium-Density Residential	Nursing Home	Limited to those in existence on August 1, 2001
R-1 Low-Density Residential	Theater, Live Entertainment	Limited to those in existence on April 27, 1987 and operated by a non-profit organization
R-1 Low-Density Residential	Equestrian Academy and Stable	Limited to those in existence on August 1, 2001
R-1 Low-Density Residential	Equestrian Trail	Limited to those in existence on August 1, 2001
R-1 Low-Density Residential	Golf Course	Limited to those in existence on August 1, 2001
<b><i>E-1 Campus Employment</i></b>	<b><i>Church, Synagogue, and Temple, including associated residential structures for religious personnel</i></b>	<b><i>Limited to those in existence or permitted by an approved CUP on _____ [effective date of ordinance]</i></b>

**Section 12.** Section 9.2130 of the Eugene Code, 1971, is repealed.

~~9.2130 — **Purpose of C-4 Commercial/Industrial Zone.** The C-4 Commercial/ Industrial zone is designed to implement the Metro Plan by providing areas that allow a compatible mix of commercial and industrial uses that are largely oriented to automobile traffic. The zone is intended to provide for commercial uses and complimentary processing, assembling, packaging, or repairing of previously manufactured products.]~~

**Section 13.** Section 9.2150 of the Eugene Code, 1971, is amended to provide as follows:

**9.2150 Commercial Zone Siting Requirements.** In addition to the approval criteria in EC 9.8865 Zone Change Approval Criteria, the following **C-1 Neighborhood Commercial** siting requirements apply:

~~[(1) C-1 Neighborhood Commercial.]~~

- ~~(a1)~~ New C-1 zones shall be located within convenient walking or bicycling distance of an adequate support population. For new C-1 areas between 4½ and 5 acres, an adequate support population is 4,000 people (existing or planned) within an area conveniently accessible to the site.
- ~~(b2)~~ New C-1 areas larger than 1.5 acres shall be located on a collector or arterial street.
- ~~(c3)~~ Existing neighborhood commercial areas shall not be allowed to expand to greater than 1.5 acres unless the development area site abuts a collector or arterial street.

~~[(2) C-4 Commercial/Industrial. The application of the C-4 zone is limited to development sites with all of the following:~~

- ~~(a) Strip or Street Oriented Commercial designation in the Metro Plan.~~
- ~~(b) Direct access to and from an arterial street.~~
- ~~(c) A mix of commercial and industrial establishments in the area.]~~

**Section 14.** Section 9.2160 of the Eugene Code, 1971, is amended to provide as follows:

**9.2160 Commercial Zone Land Use and Permit Requirements.** The following Table 9.2160 Commercial Zone Land Uses and Permit Requirements identifies those uses in Commercial Zones that are:

- (P) Permitted.
- (SR) Permitted, subject to an approved site review plan or an approved final planned unit development.
- (C) Subject to a conditional use permit or an approved final planned unit development.
- (S) Permitted, subject to the Special Development Standards for Certain Uses beginning at EC 9.5000.
- (#) The numbers in ( ) in the table are uses that have special use limitations described in EC 9.2161.

Examples shown in Table 9.2160 are for informational purposes, and are not exclusive. Table 9.2160 does not indicate uses subject to Standards Review. Applicability of Standards Review procedures is set out at EC 9.8465.

<b>Table 9.2160 Commercial Zone Land Uses and Permit Requirements</b>					
	<b>C-1</b>	<b>C-2</b>	<b>C-3</b>	<b>[C-4]</b>	<b>GO</b>
<b>Accessory Uses</b>					
Accessory Use. <u>An example</u> includes storage and distribution incidental to the primary use of the site. Parking areas that are accessory to a primary use on the same development site shall comply with EC 9.2161(5).	P	P	P	[P]	P
<b>Agricultural, Resource Production and Extraction</b>					
Horticultural Use. <u>Examples</u> include field crops, orchards, berries, and nursery or flower stock.	P	P		[P]	P
<b>Eating and Drinking Establishments</b>					
Bar and Tavern	C(1)	P	P	[P]	
Delicatessen	P(1)	P	P	[P]	P(2)
Restaurant	P(1)	P	P	[P]	P(2)
Specialty Food and Beverage. <u>Examples</u> include bagel, candy, coffee, donut, and ice cream stores. Products manufactured on-site shall comply with manufacturing allowances for food and beverage products.	P(1)	P	P	[P]	P(2)
<b>Education, Cultural, Religious, Social and Fraternal</b>					
Artist Gallery/Studio	P(1)	P	P		
Ballet, Dance, Martial Arts, and Gymnastic School/Academy/Studio	P(1)	P	P		C
Church, Synagogue, and Temple, including associated residential structures for religious personnel	P(1)	P	P	[C]	P
Club and Lodge of State or National Organization		P	P		P
Community and Neighborhood Center	P	P	P		C
Library		P	P		
Museum		P	P		
School, Business or Specialized Educational Training (excludes driving instruction)		P	P		
School, Driving (including use of motor vehicles)		P	P	[P]	
School, Elementary through High School		P	P		

<b>Table 9.2160 Commercial Zone Land Uses and Permit Requirements</b>					
	<b>C-1</b>	<b>C-2</b>	<b>C-3</b>	<b>[C-4]</b>	<b>GO</b>
University or College		P	P		
<b>Entertainment and Recreation</b>					
Amusement Center (Arcade, pool tables, etc.)	C	P	P		
Arena, Indoors		C	C		
Athletic Facility and Sports Club	P(1)	P	P	[P]	C
Bowling Alley		P	P	[P]	
Golf Course, Miniature Indoor		P	P	[P]	
Golf Course, Miniature Outdoor		SR		[P]	
Golf Driving Range		SR		[P]	
Park and Non-Publicly Owned Open Space Use (See EC 9.2620): Uses not specifically listed in this Table 9.2160 that are listed under the "Entertainment and Recreation" category in Table 9.2630.		S(8)	S(8)		S(8)
Theater, Live Entertainment	C	P	P	[P]	
Theater, Motion Picture		P	P	[P]	
<b>Financial Services</b>					
Automated Teller Machine (ATM)	P(1)	P	P	[P]	P
Bank, Savings and Loan Office, Credit Union	P(1)	P	P	[P]	P
<b>Government</b>					
Government Services, not specifically listed in this or any other uses and permit requirements table. <u>An example</u> could include: a fire station.	P(1)	P	P	[P]	P
<b>Information Technology Services</b>					
Computer Networking (includes services and technical support center)	P(1)	P	P	[P]	P
E-commerce (includes on-site shipping via truck)		P	P	[P]	
E-commerce (excludes on-site shipping via truck)	P(1)	P	P	[P]	P
Healthcare Informatics (includes biotechnology, bioinformatics, and medical informatics)	P(1)	P	P	[P]	P
Internet and Web Site (includes services and technical support center)	P(1)	P	P	[P]	P
Software Development (includes services and technical support center)	P(1)	P	P	[P]	P
<b>Lodging</b>					
Bed and Breakfast Facility		P	P		P
Homeless Shelter not in existence as of January 1, 1984				[G]	
Hotel, Motel, and similar business providing overnight accommodations		P	P	[P]	
Recreational Vehicle Park, may include tent sites (See EC 9.5600)		S		[S]	
<b>Manufacturing</b>					

<b>Table 9.2160 Commercial Zone Land Uses and Permit Requirements</b>					
	<b>C-1</b>	<b>C-2</b>	<b>C-3</b>	<b>[C-4]</b>	<b>GO</b>
<p>Manufacturing Allowance in C-1, manufacturing is permitted if the following standards are met:</p> <ul style="list-style-type: none"> <li>-- No external air emissions required a permit from an air quality public agency.</li> <li>-- All industrial activity completely enclosed within building.</li> <li>-- Industrial uses limited to apparel, food and beverage, handcraft industries, and other manufacturing uses with similar external impacts to other uses permitted in C-1.</li> <li>-- Each individual business is limited to 5,000 square feet of area exclusive of parking area.</li> </ul>	P				
<p>Manufacturing Allowance in C-2 and C-3, manufacturing is permitted if the following standards are met:</p> <ul style="list-style-type: none"> <li>-- No external air emissions requiring a permit from an air quality public agency.</li> <li>-- All industrial activity completely enclosed within building.</li> <li>-- Industrial uses limited to apparel, food and beverage products, electronic communication assembly, handcraft industries, and other manufacturing uses with similar external impacts to other uses permitted in C-2 and C-3.</li> <li>-- Each individual business is limited to 10,000 square feet of floor area exclusive of parking area. These types of businesses are limited in size to assure that they will not dominate the commercial area and to limit any negative external impacts on commercial and residential uses.</li> </ul>		P	P		
[Manufacturing Allowance in C-4, manufacturing use in C-4 is regulated the same as in the I-2 Light-Medium Industrial district]				[See I-2]	
Recycling, reverse vending machine	P	P	P	[P]	P
Recycling, small collection facility (See EC 9.5650)	S	S	S	[S]	S
<b>Medical, Health, and Correctional Services</b>					
Blood Bank		P	P		P
Correctional Facility, excluding Residential Treatment Center		C	C	[C]	C
Clinic or other Medical Health Treatment Facility (including mental health).	P(1)	P	P		P
Drug Treatment Clinic - Non-residential		P(3)	P(3)	[P(3)]	
Hospital		C	C		C
Laboratory, medical, dental, X-ray		P	P		P
Meal Service, Non-Profit	C	P	P		
Nursing Home		P	P		P
Plasma Center, must be at least 800 feet between Plasma Centers		P			
Residential Treatment Center		P	P		C
<b>Motor Vehicle Related Uses</b>					
Car Wash		P	C	[P]	

<b>Table 9.2160 Commercial Zone Land Uses and Permit Requirements</b>					
	<b>C-1</b>	<b>C-2</b>	<b>C-3</b>	<b>[C-4]</b>	<b>GO</b>
Motor Vehicle Sales/Rental/Service, excluding recreational vehicles and heavy trucks		P	C	[P]	
Motorcycle Sales/Rental/Service		P	C	[P]	
Parking Area not directly related to a primary use on the same development site		SR (4)	P(5)	[P]	P
Parts Store		P	P	[P]	
Recreational Vehicles and Heavy Truck, Sales/Rental/Service		C		[P]	
Repair, includes paint and body shop		P		[P]	
Service Stations, includes quick servicing		P	C	[P]	
Structured Parking, up to two levels not directly related to a primary use on the same development site		P	P	[P]	P
Structured Parking, three or more levels not directly related to a primary use on the same development site		C	P	[P]	C
Tires, Sales/Service		P	C	[P]	
Transit, Neighborhood Improvement	P	P	P	[P]	P
Transit Park and Ride, Major		P	P	[P]	P
Transit Park and Ride, Minor	C	P	P	[P]	P
Transit Station, Major	C	SR	SR	[P]	SR
Transit Station, Minor	C	P	P	[P]	P
<b>Office Uses</b>					
Administrative, General, and Professional Office	P(1)	P	P	[P]	P
Scientific and Educational Research Center	P(1)	P	P	[P]	P
<b>Personal Services</b>					
Barber, Beauty, Nail, Tanning Shop	P(1)	P	P		P(2)
Day Care Facility (Not associated with a residence.)	P	P	P	[P]	P
Dry Cleaner	P(1)	P	P	[P]	P(2)
Film, Drop-off/Pick-up	P(1)	P	P	[P]	P(2)
Locksmith Shop	P(1)	P	P	[P]	P(2)
Laundromat, Self-Service	P(1)	P	P	[P]	P(2)
Mailing and Package Service	P(1)	P	P	[P]	P(2)
Shoe Repair Shop	P(1)	P	P	[P]	P(2)
Tailor Shop	P(1)	P	P	[P]	P(2)
<b>Residential</b>					
<b>Dwellings</b>					
One-Family Dwelling	P(6)	P(6)	P(7)		
Rowhouse (One-Family on Own Lot Attached to Adjacent Residence on Separate Lot with Garage or Carport Access to the Rear of the Lot)	S(6)	S			P
Duplex (Two-Family Attached on Same Lot)	P(6)	P(6)	P(7)		P
Tri-plex (Three-Family Attached on Same Lot) (See EC 9.5500)	S(6)	S	S		S
Four-plex (Four-Family Attached on Same Lot) (See EC 9.5500)	S(6)	S	S		S
Multiple Family (3 or More Dwellings on Same Lot) (See EC 9.5500)	S(6)	S	S		S
<b>Assisted Care &amp; Day Care (Residences Providing Special Services, Treatment or Supervision)</b>					

<b>Table 9.2160 Commercial Zone Land Uses and Permit Requirements</b>					
	<b>C-1</b>	<b>C-2</b>	<b>C-3</b>	<b>[C-4]</b>	<b>GO</b>
Assisted Care (5 or fewer people living in facility and 3 or fewer outside employees on site at any one time)		P	P		P
Assisted Care (6 or more people living in facility)		P	P		C
Day Care (3 to 12 people served)	P	P	P		P
Day Care (13 or more people served)	C	P	P		P
<b>Rooms for Rent Situations</b>					
Boarding and Rooming House		P	P		C
Campus Living Organization, including Fraternities and Sororities		P	P		C
Single Room Occupancy (SRO)		P	P	[P]	
University and College Dormitories		P	P		P
<b>Trade (Retail and Wholesale)</b>					
Agricultural Machinery Rental/Sales/Service		C		[P]	
Appliance Sales/Service		P	P	[P]	
Bicycle Rental/Sales/Service	P(1)	P	P	[P]	
Boat and Watercraft Sales/Service		P	C	[P]	
Book Store	P(1)	P	P	[P]	
Building Materials and Supplies				[P]	
Computer Store	P(1)	P	P	[P]	
Convenience Store	P(1)	P	P	[P]	P(2)
Drug Store (excluding Drug Treatment Centers)	P(1)	P	P	[P]	
Electrical Appliances and Supplies	P(1)	P	P	[P]	
Equipment, Light, Rental/Sales/Service		P	P	[P]	
Equipment, Heavy, Rental/Sales/Service- includes truck and tractor sales		C		[P]	
Fabric Store		P	P	[P]	
Floor Covering Store		P	P	[P]	
Furniture and Home Furnishing Stores		P	P	[P]	
Garden Supply/Nursery	P(1)	P		[P]	
General Merchandise (includes supermarket and department store)	P(1)	P	P		P(2)
Hardware/Home Improvement Store	P(1)	P	P	[P]	
Healthcare Equipment and Supplies		P	P	[P]	
Liquor Store		P	P		
Manufactured Dwelling Sales/Service/Repair		C		[C]	
Office Equipment and Supplies		P	P	[P]	
Plumbing Supplies		P	P	[P]	
Regional Distribution Center				[P]	
Retail trade when secondary, directly related, and limited to products manufactured, repaired or assembled on the development site	P(1)	P	P	[P]	
Storage Facility, Household/Consumer Goods, enclosed		P		[P]	
Specialty Store (an example includes a gift store)	P(1)	P	P		P(2)
Toy and Hobby Store	P(1)	P	P	[P]	
Video Store	P(1)	P	P	[P]	
Wholesale Trade (excluding regional distribution center)				[P]	
<b>Utilities and Communication</b>					



<b>Table 9.2160 Commercial Zone Land Uses and Permit Requirements</b>					
	<b>C-1</b>	<b>C-2</b>	<b>C-3</b>	<b>[C-4]</b>	<b>GO</b>
Amateur Radio Antenna Structure (See EC 9.5050)	S	S	S		S
Broadcasting Studio, Commercial and Public Education		P	P	[P]	P(7)
Electrical Substation, must meet landscape standards in EC 9.6210(3) High Screen Landscape Standard (L-3) unless fully enclosed within a building or approved through a Type II procedure that shows low visual impact.	P	P	P	[P]	P
Fiber Optic Station, must meet landscape standards in EC 9.6210(3) High Screen Landscape Standard (L-3) unless fully enclosed within a building or approved through a Type II procedure that shows low visual impact.	P	P	P	[P]	P
Pump Station, well head, non-elevated reservoir, and other water or sewer facilities must meet landscape standards in EC 9.6210(3) High Screen Landscape Standard (L-3) unless fully enclosed within a building or approved through a Type II procedure that shows low visual impact.	P	P	P	[P]	P
Telecommunication Tower or Facility (See EC 9.5750)	S	S	S	[S]	S
Water Reservoir, elevated above ground level	SR	SR	SR	[SR]	SR
<b>Other Commercial Services</b>					
Building Maintenance Services		P	P	[P]	
Catering Service	P(1)	P	P	[P]	P(2)
Collection Center, Collection of Used Goods (See EC 9.5150)	S	S	S	[S]	
Home Occupation (See EC 9.5350)	S	S	S		S
Mortuary		P	P		
Photographers' Studio	P(1)	P	P	[P]	
Picture Framing and Glazing	P(1)	P	P	[P]	P
Printing, Blueprinting, and Duplicating		P	P	[P]	
Publishing Service		P	P	[P]	
Temporary Activity (See EC 9.5800)	S	S	S	[S]	S
Train Station		C	C	[P]	
Upholstery Shop		P	C	[P]	
Veterinarian Service	C	P		[P]	

**Section 15.** Subsection (3) of Section 9.2161 of the Eugene Code, 1971, is amended to provide as follows:

**9.2161 Special Use Limitations for Table 9.2160.**

- (3) **Drug Treatment Clinic - Non-Residential Allowance in C-2[,], and C-3 [and C-4].** Use is permitted on property located within a quarter of a mile of a transit route.

**Section 16.** Table 9.2170 in Section 9.2170 of the Eugene Code, 1971, and subsections

(3) and (8) are amended to provide as follows:

**9.2170 Commercial Zone Development Standards - General.**

<b>Table 9.2170 Commercial Zone General Building Height and Setback Standards</b>					
	<b>C-1</b>	<b>C-2</b>	<b>C-3</b>	<b>[C-4]</b>	<b>GO</b>
<b>Building Height (See EC 9.2170(3))</b>					
Maximum Building Height	35 feet	120 feet	150 feet	[50 feet]	50 feet
<b>Setbacks (See EC 9.2170(4))</b>					
Minimum Front Yard Setback	10 feet	0 feet	0 feet	[10 feet]	10 feet
Maximum Front Yard Setback	15 feet	15 feet	15 feet	[None]	15 feet
Minimum Interior Yard Setback	0 feet to 10 feet	0 feet to 10 feet	0 feet	[0 feet to 10 feet]	0 feet to 10 feet

**(3) Building Height.**

- (a) Exceptions to the general height restrictions for commercial structures stated in Table 9.2170 Commercial Zone General Building Height and Setback Standards are contained in:
  1. EC 9.6715 Height Limitation Areas.
  2. EC 9.6720 Height Exemptions for Roof Structures and Architectural Features.
- (b) Subject to the limitations in subsection (a) of this section, in the C-2<sub>[,]</sub> **or** C-3<sub>[, or C-4]</sub> zones, no portion of a building located within 50 feet of a residential zone shall exceed the maximum building height permitted in the abutting residential zone.
- (c) Subject to the limitations in subsection (a) of this section, the maximum permitted building height for main or accessory buildings in the GO zone shall not exceed 35 feet in height within 50 feet of an abutting AG, R-1, or R-2 zone. Otherwise, main and accessory building height maximums shall not exceed 50 feet.

**(8) Outdoor Merchandise Display.**

- (a) Except for plants and garden supply products, outdoor merchandise display is not allowed in C-1 and GO zones.
- (b) In the C-2 ~~[and C-4]~~ zone[s], outdoor display of the uses listed in subsection 1. of this subsection, is permitted when in conformance with the standards listed in subsection 2. of this subsection.
  1. Plants and garden supply products; motor vehicle sales, service, and repair; new and used boat sales; large equipment sales and rentals; service station pump islands; vending machines; manufactured home sales; children’s outdoor play equipment; and hot tubs.
  2. Outdoor merchandise display is not permitted in required setback areas. Except for plant and garden supply displays, outdoor display areas shall be set back a minimum of 7 feet from the front lot lines with required setbacks landscaped to at least the EC 9.6210(1) Basic Landscape Standard (L-1).

**Section 17.** Section 9.2180 of the Eugene Code, 1971, is amended to provide as follows:

**9.2180 Commercial Zone Lot Standards.** The following Table 9.2180 sets forth lot standards within commercial zones. The numbers enclosed within (#) indicate a special development standard of EC 9.2181.

<b>Table 9.2180 Commercial Zone Lot Standards (See EC 9.2181 Special Standards for Table 9.2180.)</b>					
	<b>C-1</b>	<b>C-2</b>	<b>C-3</b>	<b>[C-4]</b>	<b>GO</b>
<b>Area Minimum (1)</b>					
All Lots	6,000 square feet	6,000 square feet	6,000 square feet	[6,000 square feet]	6,000 square feet
<b>Frontage Minimum (1)</b>					
Interior Lot	50 feet	50 feet	50 feet	[50 feet]	50 feet
Corner Lot	50 feet	50 feet	50 feet	[50 feet]	50 feet
Curved Lot	35 feet	35 feet	35 feet	[35 feet]	35 feet
Cul-de-sac Bulb	35 feet	35 feet	35 feet	[35 feet]	35 feet
Flag Lot					
1 Lot	15 feet	15 feet	15 feet	[15 feet]	15 feet
2 to 4 Lots	25 feet	25 feet	25 feet	[25 feet]	25 feet
<b>Width Minimum (1)</b>					
Interior Lot	50 feet	50 feet	50 feet	[50 feet]	50 feet
Corner Lot	50 feet	50 feet	50 feet	[50 feet]	50 feet
Curved Lot	35 feet	35 feet	35 feet	[35 feet]	35 feet
Cul-de-sac Bulb	35 feet	35 feet	35 feet	[35 feet]	35 feet
Flag Lot	40 feet	20 feet	20 feet	[20 feet]	20 feet

**Section 18.** The heading appearing prior to Section 9.2400 of the Eugene Code, 1971, is amended to provide as follows:

### **Employment and Industrial Zones**

**Section 19.** Section 9.2400 of the Eugene Code, 1971, is amended to provide as follows:

**9.2400 Purpose of [I-1] E-1 Campus [Industrial] Employment Zone.** The purpose of the [I-1] E-1 Campus [Industrial] **Employment** zone is to implement **the Campus Industrial designation** of the Metro Plan by providing large areas for [specialized] **a variety of light industrial and office-based scientific, medical, research and development, or other professional** firms to locate in a campus-like setting. In general, this zone is designed for firms that will help achieve economic diversification objectives and that typically have a large number of employees per acre. The activities of such firms do not generate offensive external impacts and usually do not tolerate substantial noise, pollution, or vibration from surrounding uses. [The zone is designed to provide sites for large-scale offices that provide a scientific and educational research function or directly serve manufacturing uses or other industrial or commercial enterprises (and not the general public).] **The “campus” setting is characterized by enhanced landscaping, pedestrian amenities, and unique architectural design.** Provision is also made for small-

~~[and medium-]scale [industrial uses within the context of business parks that will maintain the campus-like setting. On a limited basis,] complementary **commercial** uses [are permitted, such as restaurants] that primarily serve employees in the [immediate] area **and are preferably part of a mixed-use development.**~~

**Section 20.** Section 9.2405 of the Eugene Code, 1971, is added to provide as follows:

**9.2405** **Purpose of E-2 Mixed Use Employment Zone.** *The purpose of the E-2 Mixed Use Employment zone is to implement the Light-Medium Industrial designation of Metro Plan by providing areas for a mixture of compatible employment opportunities – both industrial, office, and commercial – that benefit from multi-modal transportation access. The zone is generally sited along key transit corridors with existing commercial and industrial businesses. It is intended to provide a wide range of permitted uses, while creating a transit-supportive, pedestrian friendly corridor.*

**Section 21.** Section 9.2410 of the Eugene Code, 1971, is amended to provide as follows:

**9.2410** **Purpose of I-2 Light-Medium Industrial Zone.** The purpose of the I-2 Light-Medium Industrial zone is to implement ***the Light-Medium Industrial designation of the Metro Plan*** by providing areas to serve a wide variety of manufacturing and other industrial activities with controlled external impacts in locations designated for Light-Medium Industry in the Metro Plan. These types of industries are often involved in the secondary processing of materials into components, the assembly of components into finished products, transportation, communication and utilities, wholesaling, and warehousing. The external impact from these uses is generally less than Heavy Industrial, and transportation needs are often met by truck. Activities are generally located indoors, although there may be some outdoor storage. ~~[On a limited basis, s]~~ Supporting offices and ***small-scale*** commercial uses ***that serve employees in the immediate area*** are permitted.

**Section 22.** Section 9.2430 of the Eugene Code, 1971, is amended to provide as follows:

**9.2430** **Employment and Industrial Zone Siting Requirements.** In addition to the approval criteria in EC 9.8865 Zone Change Approval Criteria, the following siting requirements apply:

- (1)** ~~[I-1]~~ ***E-1 Campus [Industrial] Employment.*** This zone is limited to areas designated Campus Industrial in the Metro Plan.
- (2)** ***E-2 Mixed Use Employment. This zone is limited to areas designated Light-Medium Industrial in the Metro Plan and those that meet either (a) or (b) of the following minimum siting requirements:***
  - (a)** ***Property has frontage on an arterial street.***
  - (b)** ***Contiguous to parcels currently zoned E-2 or C-2 Community Commercial.***
- (23)** ***I-2 Light-Medium Industrial.*** This zone is limited to areas designated Light-Medium Industrial in the Metro Plan or those that meet all of the following minimum siting requirements:

- (a) Access to arterial streets without undue negative impact on residential streets.
  - (b) No more than 5 acres.
  - (c) Sufficient street frontage to accommodate structures, parking, and access in character with adjacent non-industrial properties.
- (34) I-3 Heavy Industrial.** This zone is limited to areas designated either Heavy Industrial or Special Heavy Industrial in the Metro Plan.

**Section 23.** Section 9.2450 of the Eugene Code, 1971, is amended to provide as follows:

**9.2450 Employment and Industrial Zone Land Use and Permit Requirements.** The following Table 9.2450 **Employment and Industrial Zone Land Use and Permit Requirements** identifies those uses in the **Employment and Industrial Zones** that are:

- (P) Permitted~~[, subject to zone verification]~~.
- (SR) Permitted, subject to an approved site review plan or an approved final planned unit development.
- (C) Subject to a conditional use permit or an approved final planned unit development.
- (S) Permitted, subject to ~~[zone verification and]~~ the Special Development Standards for Certain Uses beginning at EC 9.5000.
- (#) The numbers in ( ) in the table are uses that have special use limitations that are described in EC 9.2451.

The examples listed in Table 9.2450 are for informational purposes and are not exclusive. Table 9.2450 does not indicate uses subject to Standards Review. Applicability of Standards Review procedures is set out at EC 9.8465.

<b>Table 9.2450 Employment and Industrial Zone Land Use and Permit Requirements</b>				
	<b>[I-4] E-1</b>	<b>E-2</b>	<b>I-2</b>	<b>I-3</b>
<b>Accessory Uses</b>				
Accessory Uses. <u>Examples</u> include <del>[security work,]</del> administration offices, and storage and distribution incidental to the primary use of the site.	P	<b>P</b>	P	P
<b>Agricultural, Resource Production and Extraction</b>				
Horticultural Uses. <u>Examples</u> include field crops, orchards, berries, and nursery or flower stock.		<b>P</b>	P	P
Mineral Resource Mining, Recovery, Stockpiling, Processing (excluding smelter or ore reduction)			SR	SR
<b>Eating and Drinking Establishments</b>				
<b>Bar and Tavern</b>	<b>P(4)</b>	<b>P(2)</b>	<b>P(4)</b>	
Delicatessen	P(54)	<b>P(2)</b>	P(24)	
Restaurant	P(54)	<b>P(2)</b>	P(24)	
Specialty Food and Beverage. <u>Examples</u> include bagel, candy, coffee, donut, and ice cream stores. Products manufactured on-site shall comply with manufacturing allowances for food and beverage products.	P(54)	<b>P(2)</b>	P(24)	
<b>Education, Cultural, Religious, Social and Fraternal</b>				
Artist Gallery/Studio	[P]	<b>P</b>	P	P

<b>Table 9.2450 Employment and Industrial Zone Land Use and Permit Requirements</b>				
	<del>I-1</del> <b>E-1</b>	<b>E-2</b>	<b>I-2</b>	<b>I-3</b>
Ballet, Dance, Martial Arts, and Gymnastic School/Academy/Studio	C(6)	<b>P</b>	C(6)	
Church, Synagogue, and Temple, including associated residential structures for religious personnel, <b>in existence or permitted by an approved CUP by ___ [effective date of ordinance]</b>	C		[C]	
Club and Lodge of State or National Organization		<b>P</b>	P	P
Library	P	<b>P</b>	[P]	[P]
<b>Museum</b>	<b>P</b>	<b>P</b>		
School, Business or Specialized Educational Training (excludes driver instruction)	P	<b>P</b>	P	P
School, Driving (including use of motor vehicles)			P	P
<b>Entertainment and Recreation</b>				
<b>Amusement Center (Arcade, pool tables, etc.)</b>		<b>P(2)</b>		
Athletic Facility and Sports Club	[C]P(4)	<b>P(2)</b>	[C]	
<b>Bowling Alley</b>		<b>P(2)</b>		
<b>Golf Course, Miniature Indoor and Outdoor</b>		<b>P(2)</b>		
Race Track, including drag strip and go-cart tracks			C	C
Theater, Live Entertainment	C(36)	<b>P(2)</b>	C(36)	[C(3)]
<b>Theater, Motion Picture</b>		<b>P(2)</b>		
<b>Financial Services</b>				
Automated Teller Machine (ATM)	P	<b>P</b>	P	P
Bank, Savings and Loan Office, Credit Union	P(54) [ <del>6</del> ]	<b>P(2)</b>	P(24) [ <del>6</del> ]	
<b>Government</b>				
Government Services, not specifically listed in this or any other uses and permit requirements table. <u>An example could include: a fire station.</u>	P	<b>P</b>	P	P
<b>Information Technology Services</b>				
Computer Networking (includes services and technical support center)	P[ <del>6</del> ]	<b>P</b>	P[ <del>6</del> ]	
E-commerce [(excludes on-site shipping via truck unless approved through a site review or PUD)]( <b>includes call centers, online sales &amp; shipping, and business-to-business services</b> )	P[ <del>6</del> ]	<b>P</b>	P[ <del>6</del> ]	
[Healthcare Informatics (includes biotechnology, bioinformatics, and medical informatics)]	[P(6)]		[P(6)]	
Internet and Web Site (includes services and technical support center)	P[ <del>6</del> ]	<b>P</b>	P[ <del>6</del> ]	
Software Development (includes services and technical support center)	P[ <del>6</del> ]	<b>P</b>	P[ <del>6</del> ]	
<b>Lodging</b>				
Homeless Shelter in Existence as of January 1, 1984 (See EC 9.5300)			[S]	<b>S</b>
Homeless Shelter Not in Existence as of January 1, 1984		<b>C</b>	C	C
<b>Hotel, Motel, and similar business providing overnight accommodations</b>		<b>P</b>		
<b>Manufacturing (Includes processing, assembling, packaging, and repairing)</b>				
Apparel, Clothing, and other finished products made from fabrics, wool, yarn and similar materials	<b>P</b>	<b>P</b>	P	P

<b>Table 9.2450 Employment and Industrial Zone Land Use and Permit Requirements</b>				
	<b>[I-4] E-1</b>	<b>E-2</b>	<b>I-2</b>	<b>I-3</b>
Asphalt Mixing and Batching/Concrete Mixing and Batching			SR	SR
Chemical, Drug, Cosmetics, and Related Products	P	<b>P</b>	P	P
Cleaning and Dyeing Plant		<b>P</b>	P	P
Concrete, Gypsum, and Plaster Products		<b>P</b>	P	P
Contractor's Storage Yard		<b>P</b>	P	P
Electronic and Communication Components, Systems, Equipment, and Supplies, includes computers and semi-conductors	P	<b>P</b>	P	P
Explosives, includes manufacturing				C
Food and Beverage Products	<b>P</b>	<b>P</b>	P	P
Furniture and Fixtures		<b>P</b>	P	P
Glass Products		<b>P</b>	P	P
Handcraft Industries, small scale manufacturing		<b>P</b>	P	P
Leather Products		<b>P</b>	P	P
Lumber and Wood Products		<b>P</b>	P	P
Machinery		<b>P</b>	P	P
Measuring, analyzing, and controlling instruments and time pieces	P	<b>P</b>	P	P
Metal Products Fabrication, machine/welding shops(no blast furnaces)		<b>P</b>	P	P
Motion Picture Production, Distribution, and Allied Services	P	<b>P</b>	P	P
Motor Vehicles and Transportation Equipment		<b>P</b>	P	P
Paints and Allied Products		<b>P</b>	P	P
Paper and Allied Products		<b>P</b>	P	P
Photographic and Copying Equipment	<b>P</b>	<b>P</b>	P	P
Precision Testing, Medical, Optical, Surgical, and Dental Goods	P	<b>P</b>	P	P
Recycling – composting, facilities requiring DEQ permit		<b>P</b>	P	P
<b>Recycling – deconstruction, reuse, resale</b>	<b>P</b>	<b>P</b>	<b>P</b>	
Recycling – large collection facility				P
Recycling – reverse vending machine		<b>P</b>	P	P
Recycling – scrap and dismantling yard (includes vehicle wrecking and salvage)				P
Recycling – small collection facility (See EC 9.5650)		<b>S</b>	S	P
Rubber and Plastic Products		<b>P</b>	P	P
Signs and Advertising Displays		<b>P</b>	P	P
Slaughterhouse and Rendering Plant (indoor only)				P
Stone, Cut Stone, and Clay Products		<b>P</b>	P	P
Textiles		<b>P</b>	P	P
<b>Medical, Health, and Correctional Services</b>				
<b>Blood Bank</b>		<b>P</b>		
Correctional Facility, excluding Residential Treatment Center	C	<b>C</b>	C	C
<b>Clinic or other Medical Health Treatment Facility (including mental health)</b>	<b>P</b>	<b>P</b>		
Drug Treatment Clinic - Non-Residential	<b>P(5)</b>	<b>P(5)</b>	P(45)	
<b>Hospital</b>	<b>P</b>	<b>P</b>		

<b>Table 9.2450 Employment and Industrial Zone Land Use and Permit Requirements</b>				
	<b>[I-4] E-1</b>	<b>E-2</b>	<b>I-2</b>	<b>I-3</b>
Laboratory, includes medical, dental, and x-ray. <b>In the E-1 zone, the [U]use</b> shall directly serve manufacturers, or other <b>employment and</b> industrial or commercial enterprises, but exclude services offered on premises to the general public other than on an incidental basis.	P	P		
Residential Treatment Center	C	C	[G]	
<b>Motor Vehicle Related Uses</b>				
<b>Car Wash</b>		P(2)		
<b>Motor Vehicle Sales/Rental/Service, excluding recreational vehicles and heavy trucks</b>		P	P	
Motorcycle Sales/Rental/Service		P	[P]	
Parking Area not directly related to a primary use on the same development site	P		P	P
<b>Parts Store</b>		P(2)		
Recreational Vehicle and Heavy Truck, Sales/Rental/Service		P(2)	P	P
Repair, includes paint and body shop		P(2)	P	P
Service Station, includes quick servicing --Only permitted if property is located over one-half mile by motor vehicle travel from commercially zoned land.		P(2)	P	P
Structured Parking, up to two levels not directly related to a primary use on the same development site	P	P	P	[P]
Structured Parking, three or more levels not directly related to a primary use on the same development site	P	P	P	[P]
Tires, Sales/Service		P(2)	P	P
Transit, Neighborhood Improvement	P	P	P	P
Transit Park and Ride, Major or Minor	P	P	P	P
Transit Station, Major <b>or Minor</b>	P	P	P	P
[Transit Station, Minor]	[P]		[P]	[P]
Trucking Terminal			P	P
<b>Office Uses</b>				
Administrative, General, and Professional Offices[; directly serving manufacturers or other industrial or commercial enterprises, but excluding services offered on premises to the general public other than on an incidental basis. Examples may include public relations; graphic arts and advertising; professional membership and labor union office; engineering, architectural, and surveying offices.]	P[(1)(6)]	P	[P(2)(6)]	
Scientific and Educational Research Center[; includes laboratory]	P[(6)]	P	P[(6)]	P
<b>Personal Services</b>				
Barber, Beauty, Nail, Tanning Shop	P(54)	P(2)	P(24)	
Day Care Facility (Not associated with a residence)	P(4)	P(2)	P(24)	
<b>Dry Cleaner</b>	P(4)	P(2)		
<b>Film, drop-off/pick-up</b>	P(4)	P(2)		
<b>Locksmith Shop</b>	P(4)	P(2)	P	
<b>Laundromat</b>	P(4)	P(2)		
<b>Mailing and Package Service</b>	P(4)	P(2)	P	
<b>Shoe Repair Shop</b>	P(4)	P(2)	P	
<b>Tailor Shop</b>	P(4)	P(2)		



<b>Table 9.2450 Employment and Industrial Zone Land Use and Permit Requirements</b>				
	<b>[I-4] E-1</b>	<b>E-2</b>	<b>I-2</b>	<b>I-3</b>
<b>Residential</b>				
<b>Dwellings</b>				
<b>One-Family Dwelling</b>	<b>P(1)</b>	<b>P(1)</b>	<b>P(1)</b>	<b>P(1)</b>
<b>Trade (Retail and Wholesale)</b>				
Agricultural Machinery Rental/Sales/Service		<b>P(2)</b>	P	P
<b>Appliance Sales/Service</b>		<b>P(2)</b>		
<b>Bicycle Rental/Sales/Service</b>	<b>P(4)</b>	<b>P(2)</b>		
Boat and Watercraft Sales/Service		<b>P(2)</b>	P	P
<b>Book Store</b>	<b>P(4)</b>	<b>P(2)</b>		
Building Materials and Supplies			P	P
<b>Computer Store</b>	<b>P(4)</b>	<b>P(2)</b>		
Convenience Store	P(54)	<b>P(2)</b>	P(24)	
<b>Drug Store (excluding Drug Treatment Center)</b>	<b>P(4)</b>	<b>P(2)</b>		
<b>Electrical Appliances and Supplies</b>	<b>P(4)</b>	<b>P(2)</b>		
Equipment, Light, Rental/Sales/Service		<b>P(2)</b>	P	P
Equipment, Heavy, Rental/Sales/Service- includes truck and tractor sales		<b>P(2)</b>	P	P
<b>Fabric Store</b>		<b>P(2)</b>		
<b>Floor Covering Store</b>		<b>P(2)</b>		
<b>Furniture and Home Furnishings Stores</b>		<b>P(2)</b>		
Garden Supply/Nursery, includes feed and seed store		<b>P(2)</b>	P	
<b>General Merchandise (includes supermarket and department store)</b>		<b>P(2)</b>		
<b>Hardware/Home Improvement Store</b>		<b>P(2)</b>		
<b>Healthcare Equipment and Supplies</b>	<b>P(4)</b>	<b>P(2)</b>		
<b>Liquor Store</b>		<b>P(2)</b>		
Manufactured Dwelling Sales/Service/Repair		<b>P(2)</b>	P	P
<b>Office Equipment and Supplies</b>	<b>P(4)</b>	<b>P(2)</b>		
Plumbing Supplies		<b>P(2)</b>	P	P
<del>Regional Distribution Center</del>	<del>P</del>		<del>P</del>	
Retail trade when secondary, directly related, and limited to products manufactured, repaired, or assembled on the development site	P(53)	<b>P(3)</b>	<b>P(3)</b>	<b>P(3)</b>
Storage Facility, Household/Consumer Goods		<b>P(2)</b>	P	P
<b>Specialty Store (an example includes a gift store)</b>	<b>P(4)</b>	<b>P(2)</b>		
<b>Toy and Hobby Store</b>		<b>P(2)</b>		
<b>Video Store</b>		<b>P(2)</b>		
Wholesale, <del>[Trade (excluding Regional Distribution Center)]</del> <b>Warehousing, and Distribution</b>	<b>P</b>	<b>P</b>	P	P
<b>Utilities and Communication</b>				
Amateur Radio Antenna Structure (See EC 9.5050)			S	S
Broadcasting Studio, Commercial and Public Education	P	<b>P</b>	P	
Electrical Substation, must meet landscape standards in EC 9.6210(3) High Screen Landscape Standard (L-3) unless fully enclosed within a building or approved through a Type II procedure that shows low visual impact.	P	<b>P</b>	P	P

<b>Table 9.2450 Employment and Industrial Zone Land Use and Permit Requirements</b>				
	<b>[I-1] E-1</b>	<b>E-2</b>	<b>I-2</b>	<b>I-3</b>
Fiber Optic Station, must meet landscape standards in EC 9.6210(3) High Screen Landscape Standard (L-3) unless fully enclosed within a building or approved through a Type II procedure that shows low visual impact.	SR	<b>P</b>	P	P
Pump Station, well head, non-elevated reservoir, and other water or sewer facilities, must meet landscape standards in EC 9.6210(3) High Screen Landscape Standard (L-3) unless fully enclosed within a building or approved through a Type II procedure that shows low visual impact.	SR	<b>P</b>	P	P
Telecommunication Tower or Facility (See EC 9.5750)	S	<b>S</b>	S	S
Water Reservoir, elevated above ground level	SR	<b>SR</b>	SR	SR
<b>Other Commercial Services</b>				
Building Maintenance Services	P(4)	<b>P(2)</b>	P	P
<b>Catering Services</b>	<b>P(4)</b>	<b>P(2)</b>		
<del>[Cemetery, includes c]Crematoria[, columbaria, and mausoleums]</del>			<del>[G]P</del>	<del>[G]P</del>
Collection Center, Collection of Used Goods (See EC 9.5150)		<b>S</b>	P	P
Garbage Dump, Sanitary Land Fill			C	C
Heliport and Helistop			C	C
Kennel			C	C
Mortuary		<b>P(2)</b>	<del>[G]</del>	<del>[G]</del>
Photographers' Studio		<b>P(2)</b>	<del>P(24)</del>	<del>[P(2)]</del>
Picture Framing and Glazing		<b>P(2)</b>	<del>P(24)</del>	<del>[P(2)]</del>
Printing, Blueprinting and Duplicating	P(4)	<b>P(2)</b>	P	P
Publishing Service	P	<b>P(2)</b>	P	P
Temporary Activity (See EC 9.5800)	S	<b>S</b>	S	S
Train Station		<b>P</b>	P	P
<b>Upholstery Shop</b>		<b>P(2)</b>		
<b>Veterinarian Service</b>		<b>P(2)</b>		

**Section 24.** Section 9.2451 of the Eugene Code, 1971, is amended to provide as follows:

**9.2451 Special Use Limitations for Table 9.2450.**

~~[(1) — Office Allowance in I-1. At least fifty percent of a building designed and used primarily for office use shall be occupied by a single tenant. In addition, any office building constructed after August 1, 2001 shall require approval as part of a business park according to site review or planned unit development procedures. At least 50% of the total ground floor area within the business park shall be in industrial use. The total office space, combined with any commercial support services, shall not exceed 50% of the total ground floor area within the business park. (For purposes of this code, the term “industrial use” includes all uses in the categories of “Manufacturing” and “Information Technology Services,” and the following uses: laboratory, includes medical, dental and x-ray; broadcasting studio; regional distribution center; printing, blueprinting, and duplicating; and publishing service.) For purposes of~~

inclusion of office space within a business park, industrial square footage existing on August 1, 2001 cannot be included for calculation purposes in business parks unless the industrial square footage was approved and constructed through a site review or planned unit development procedure prior to August 1, 2001.]

- (1) **Residential Standards.** *In all employment and industrial zones, one dwelling unit is allowed per development site. That unit may be contained within the primary structure on-site or it may be an external, stand-alone unit if it meets the following criteria:*
  - (a) *Unit shall not be located between the primary structure and the front property line, unless development in existence as of \_\_\_\_\_ [effective date of ordinance] precludes compliance.*
  - (b) *Unit shall be generally sited behind the primary structure except where development in existence as of \_\_\_\_\_ [effective date of ordinance] precludes compliance.*
- (2) ~~[Eating and Drinking, Financial, Office, Personal Services, and Trade]~~ **Special Allowances [in I-2] for properties with frontage on major arterial streets in the E-2 zone.** ~~[These uses require approval as part of a business park according to site review or planned unit development procedures. The combined floor area of all these types of uses shall not exceed 20 percent of the total floor area of all buildings within the business park.]~~ *On lots with frontage on a major arterial street, the uses allowed in Table 9.2450 subject to this standard shall not exceed 30,000 square feet per development site. This square footage limitation shall apply only to new development, and it shall not preclude reuse of existing buildings.*
- (3) **Special Retail Trade Allowance when accessory and directly related to the primary use in the E-1, E-2, I-2, and I-3 zones.** *Commercial uses allowed in Table 9.2450 subject to this standard can comprise up to 50 percent of the total square footage of the primary use on the development site and shall not exceed 30,000 square feet. The primary employment and industrial use must comprise no less than 50 percent of the total square footage.*
- (4) **Special Allowances when independent from the primary use in the E-1 and I-2 zones.** *These uses shall not exceed the following square footage limitations. The primary employment and industrial use must comprise no less than 50 percent of the total square footage.*
  - (a) *In the E-1 Campus Employment zone, the uses can comprise up to 20 percent of the total square footage of the primary use on a development site. No single "Specialty Retail" establishment shall exceed 5,000 square feet.*
  - (b) *In the I-2 Light Industrial zone, the uses can comprise up to 5,000 square feet on development sites with frontage on an arterial street.*
- (45) **Drug Treatment Clinic - Non-Residential.** *Use is permitted on property located within a quarter mile of a transit route.*
- (36) ~~[Theaters, Live Entertainment]~~ **Use of Existing Buildings.** *Theaters with live entertainment and ballet, dance, martial arts, and gymnastic school/academy/studio are conditionally permitted in existing buildings. No new buildings shall be constructed in the employment and industrial zones with the primary purpose of live theatrical productions or ballet, dance, martial arts, and gymnastic school/academy/studio.*

- ~~[(5) **Eating and Drinking, Financial, Personal Services, and Trade Allowance in I-1.** These uses require approval as part of a business park according to site review or planned unit development procedures. The combined floor area of all these types of uses shall not exceed 15 percent of the total floor area of all buildings within the business park. These uses shall be designed and located within buildings that contain another permitted primary use and shall exclude any drive-through.~~
- ~~(6) **Applicability of Large Commercial Facilities Standards for Offices in I-1 and I-2.** These uses shall comply with the standards in EC 9.2173 Commercial Zone Development Standards – Large Commercial Facilities.~~

**Section 25.** Section 9.2460 of the Eugene Code, 1971, is amended to provide as follows:

**9.2460 Employment and Industrial Zone Development Standards.**

- (1) **Intent.** The **employment and** industrial zone development standards are intended to achieve the following:
  - (a) Improve the quality and appearance of **business and** industrial development in the city.
  - (b) Ensure that such development is compatible with adjacent development and is complementary to the community as a whole.
  - (c) Encourage crime prevention through environmental design, decrease opportunity for crime, and increase user perception of safety.
  - (d) Increase opportunities for use of alternative modes of transportation.
  - (e) Regulate the intensity of uses allowed on a site.
  - (f) Promote streetscapes that are consistent with the desired character of the various **employment and** industrial zones.
  - (g) Promote safe, attractive, and functional pedestrian circulation systems in **employment and** industrial areas with higher employment ratios.
- (2) **Application of Standards.** In addition to applicable provisions contained elsewhere in this land use code, the development standards listed in Table 9.2460 **Employment and** Industrial Zone Development Standards shall apply to all development in **employment and** industrial zones. In cases of conflict, the standards specifically applicable in **employment and** industrial zones shall apply.

<b>Table 9.2460 Employment and Industrial Zone Development Standards</b>				
	<del>[I-1]</del> <b>E-1</b>	<b>E-2</b>	<b>I-2</b>	<b>I-3</b>
Maximum Building Height (1)	<del>[None]</del> <b>80 feet</b>	<b>80 feet</b>	None	None
Minimum Front Yard Setback (2) <del>(4)</del>				
<del>[Abutting any zone except residential or park and open space]</del> <b>Frontage on Arterial Street</b>	<del>[30]</del> <b>20 feet</b>	<b>15 feet</b>	0 feet	0 feet
<del>[Abutting residential or park and open space zone]</del> <b>Frontage on all other streets</b>	<del>[30]</del> <b>20 feet</b>	<b>5 feet</b>	<del>[40]</del> <b>0 feet</b>	<del>[40]</del> <b>0 feet</b>
<b>Maximum Front Yard Setback</b>				
<b>Frontage on Arterial Street</b>		<b>25 feet</b>		
<b>Frontage on all other streets</b>		<b>15 feet</b>		
Minimum Interior Yard Setback				

<b>Table 9.2460 Employment and Industrial Zone Development Standards</b>				
	<b>[I-4]E-1</b>	<b>E-2</b>	<b>I-2</b>	<b>I-3</b>
Abutting any zone except residential or park and open space (2)	0 feet	<b>0 feet</b>	0 feet	0 feet
Abutting residential or park and open space zone (2)	20 feet	<b>20 feet</b>	20 feet	20 feet
Minimum Landscape Standard abutting a residential zone (3)	High Screen	<b>High Screen</b>	High Wall	High Wall
Minimum Landscape Area (3)	20%	<b>10%</b>	Some ( <b>43</b> )	Some ( <b>43</b> )
On-Site Pedestrian Requirements (5)	Yes	<b>Yes</b>	No	No
Fences (6)				
Outdoor Storage Areas (7)				
Outdoor Merchandise Display (8)				
Garbage Screening (9)				
Utilities (10)				
Drive Through Facilities (11)				
Delivery and Loading Facilities (12)				

**Section 26.** Section 9.2461 of the Eugene Code, 1971, is amended to provide as follows:

**9.2461 Special Development Standards for Table 9.2460.**

- (1) **Building Height.** Buildings in **employment and** industrial zones are subject to the general height regulations contained in:
- (a) EC 9.6715 Height Limitation Areas[-];
  - (b) EC 9.6720 Height Exceptions for Roof Structures and Architectural Features[-]; **and**
  - (c) **Subject to the limitations in (a) and (b) of this subsection, in the E-1 and E-2 zones, no portion of a building located within 50 feet of a residential zone shall exceed the maximum building height permitted in the abutting residential zone.**
- (2) **Exceptions.** Exceptions to the general setbacks stated in Table 9.2460 **Employment and** Industrial Zone Development Standards are contained in the following:
- (a) EC 9.6745 Setbacks - Intrusions Permitted.
  - (b) EC 9.6750 Special Setback Standards.
- (3) **Landscape Standards.**
- (a) Minimum Landscape Area Required.
    - 1. In [I-4]E-1, a minimum of 20 percent of the development site shall be landscaped with living plant materials. All required landscaping shall comply with landscape standards beginning at EC 9.6200 Purpose of Landscape Standards. Any required landscape, such as for required front or interior yard setbacks, or off-street parking areas, shall apply toward any development site area landscape requirement.
    - 2. **Minimum landscape area requirements do not apply to developments in I-2 and I-3 zones except as associated with parking lot landscape and off-street loading requirements.**
  - (b) Landscaping in Front Yard Setbacks.
    - 1. In [I-4]E-1, required front yard setbacks along arterial streets shall be provided with landscaping that complies, at a minimum, with

the standards in EC 9.6210(7) Massed Landscape Standard (L-7). Front yard setbacks along collector or local streets shall be provided with landscaping that complies, at a minimum, with the standards in EC 9.6210(1) Basic Landscape Standard (L-1). The required landscaping may be pierced by pedestrian and vehicular access ways.

2. In [the] **E-1**, I-2 and I-3, required front yard setbacks shall be provided with landscaping that complies, at a minimum, with the standards in EC 9.6210(1) Basic Landscape Standard (L-1). The required landscaping may be pierced by pedestrian and vehicular access ways.
- (c) Landscaping in Interior Yard Setbacks Abutting Residential Zones.
  1. In [4]**E-1 and E-2**, required interior yard setbacks adjacent to a residential zone shall be provided with landscaping that is at least 10 feet in width and complies, at a minimum, with the standards in EC 9.6210(3) High Screen Landscape Standard (L-3).
  2. In [the] I-2 and I-3, required interior yard setbacks adjacent to a residential zone shall be provided with landscaping that is at least 10 feet in width and complies, at a minimum, with the standards in EC 9.6210(4) High Wall Landscape Standard (L-4).
- (d) Street Trees. Street tree requirements are specified in EC 7.280 Street Tree Program - Policies, Standards, Procedures.
- (4) **Front Yard Setbacks and Building Orientation. The front yard setbacks stated in Table 9.2460 Employment and Industrial Zone Development Standards, shall apply only to new buildings and any building addition that increases the length of the building facade facing a street by at least 100%. In addition, all new buildings and the portion of the development site specifically affected by the new building are subject to the requirements of this subsection.**
  - (a) ***In the E-2 zone, a minimum of 25% of all street facing facades must be built within the specified front yard setback.***
  - (b) ***In the E-2 zone, vehicular parking and circulation is not permitted between the street and the portion of the building that is used to comply with this subsection.***
  - (c) ***In the E-1 and E-2 zones, buildings fronting on a street must provide a main entrance facing the street on the facade of the building located within the specified front yard setback.***
  - (d) ***The requirements of (a) through (c) do not apply to developments in the I-2 and I-3 zones.***

[Minimum landscape area requirements do not apply to developments in I-2 and I-3 zones except as associated with parking lot landscape and off-street loading requirements.]
- (5) **Pedestrian Circulation.** Pedestrian facilities are required in [4]**E-1 and E-2** as specified in EC 9.6730 Pedestrian Circulation On-Site of this land use code. On-site pedestrian facilities are not required in I-2 or I-3, **except for uses listed as P(3) or P(4) in Table 9.2450.**
- (6) **Fences.**
  - (a) Types. The type of fence, wall, or screen used in any situation is limited only by specific requirements stated in the landscape standards beginning at EC 9.6200 Purpose of Landscape Standards. The standards apply to walls, fences, and screens of all types including

open, solid, wood, metal, wire, masonry or other material. Use of barbed wire and electric fencing is regulated in EC 6.010(d) Fences. Chain link fencing is prohibited within [I-4]**E-1**.

- (b) Location and Heights.
  1. Fences up to 42 inches in height are permitted within the front yard setback.
  2. Fences up to 8 feet high are permitted in the interior yard setbacks.
  3. The height of fences that are not in required setback areas is the same as the regular height limits of the zone.
  4. Fences must meet the standards in EC 9.6780 Vision Clearance Area.

**(7) Outdoor Storage Areas.** *Outdoor storage is permitted in the employment and industrial zones. The applicable setbacks and landscaping standards for outdoor merchandise display are stated in Table 9.2461(8) Outdoor Storage and Display-Setbacks and Landscaping. The following additional requirements are applicable in the E-1 Campus Employment zone.*

- (a) **Front Setback.** *Outdoor storage is not permitted in required setback areas. Additionally, outdoor storage shall be located no closer to the front property line than the front façade of the main building on the development site.*
- (b) **Residential Adjacency.** *Except for passenger vehicular fleet parking, outdoor storage is not permitted on lots abutting residential zones.*
- (c) **Height Limit.** *Outdoor storage materials shall not be stored at levels that exceed 30 feet from grade.*

~~[(a) In I-1 zones, no equipment (except operational motor vehicles), materials, or supplies shall be stored on-site except within an enclosed building. Exceptions to this standard may be allowed as necessary only to comply with state or local safety regulations.~~

~~[(b) Outdoor storage is permitted in I-2 and I-3 zones. The setback and landscaping standards for outdoor storage areas are stated in Table 9.2461(8) Outdoor Storage and Display-Setbacks and Landscaping.]~~

**(8) Outdoor Merchandise Display.** Outdoor display of goods is permitted in all **employment and** industrial zones except [I-4]**E-1**. The **applicable** setbacks and landscaping standards for outdoor merchandise display are stated in Table 9.2461(8) Outdoor Storage and Display-Setbacks and Landscaping.

Table 9.2461(8) Outdoor Storage and Display-Setbacks and Landscaping					
		[I-4] <b>E-1</b>	<b>E-2</b>	<b>I-2</b>	<b>I-3</b>
<b>Outdoor Storage</b>					
Adjacent to a street.	Permitted: Setback: Landscape:	[No] <b>Yes</b> <b>20 feet</b> <b>Low Screen Landscape Standard – (L-2)</b>	<b>Yes</b> <b>15 feet</b> <b>Low Screen Landscape Standard – (L-2)</b>	Yes 10 feet High Wall Landscape Standard – (L-43)	Yes 10 feet High Wall Landscape Standard – (L-43)

<b>Table 9.2461(8) Outdoor Storage and Display-Setbacks and Landscaping</b>					
		<b>[I-4]E-1</b>	<b>E-2</b>	<b>I-2</b>	<b>I-3</b>
Adjacent to a commercial or <b>employment and</b> industrial zone.	Permitted: Setback: Landscape:	[No] <b>Yes</b> <b>10 feet</b> <b>Low Screen Landscape Standard – (L-2)</b>	<b>Yes</b> <b>10 feet</b> <b>Low Screen Landscape Standard – (L-2)</b>	Yes None Screening Fence Landscape Standard – (L-5)	Yes None None
Adjacent to a residential or park and recreation zone.	Permitted: Setback: Landscape:	[No] <b>Yes</b> <b>10 feet</b> <b>High Screen Landscape Standard – (L-3)</b>	<b>Yes</b> <b>10 feet</b> <b>High Screen Landscape Standard – (L-3)</b>	Yes 10 feet High Wall Landscape Standard - (L-4)	Yes 10 feet High Wall Landscape Standard – (L-4)
<b>Outdoor Display</b>					
Adjacent to a street.	Permitted: Setback: Landscape:	No  	<b>Yes</b> <b>10 feet</b> <b>Low Screen Landscape Standard – (L-2)</b>	Yes 10 feet Low Screen Landscape Standard – (L-2)	Yes 10 feet Low Screen Landscape Standard – (L-2)
Adjacent to a commercial or <b>employment and</b> industrial zone.	Permitted: Setback: Landscape:	No  	<b>Yes</b> <b>10 feet</b> <b>Low Screen Landscape Standard – (L-2)</b>	Yes None None	Yes None None
Adjacent to a residential or park and recreation zone.	Permitted:	No	<b>No</b>	No	No

**(9) Garbage Screening.** In all zones except I-3 Heavy Industrial, garbage collection areas must be screened so as to meet the standards of subsections (a) and (b) below. Trash receptacles for pedestrian use are exempt from these requirements.

- (a) Required screening shall comply with one of the following:
1. EC 9.6210(3) High Screen Landscape Standard (L-3).
  2. EC 9.6210(4) High Wall Landscape Standard (L-4).
  3. EC 9.6210(5) Partial Screen Fence Landscape Standard (L-5).

(b) Garbage collection areas shall not be located within required setback areas or within required landscape areas associated with parking areas.

**(10) Utilities.** Within [I-4] **E-1** [~~Campus Industrial~~] **and E-2**, all utilities on the development site shall be placed underground, unless adjusted pursuant to



the provisions of EC 9.8030(5) of this land use code. Undergrounding of utilities is not required in ~~[other industrial zones]~~ **I-2 and I-3**. This provision does not apply to temporary uses on a development site. This requirement is satisfied if the applicant verifies in writing that utilities will be placed underground concurrent with a planned future development to occur within 12 months. Exceptions shall be made for such features as ~~[pad mounted]~~ **pad mounted** transformers, switch cabinets, back flow prevention devices and closures needed to safely operate and maintain utility systems.

**(11) Drive-Through Facilities.**

- (a) Application. The following regulations apply to all uses that have drive-through facilities including new developments, the addition of drive-through facilities in existing developments, and the relocation of an existing drive-through facility.
- (b) Drive-Through Facilities in [I-4] E-1, I-2, or I-3. **Drive-through facilities for eating and drinking establishments are not permitted in E-1.** Drive-through facilities are not permitted in [I-4] **I-2 or I-3**.
- (c) Service Areas Setback and Landscaping. Service areas and stacking lanes must be set back a minimum of 10 feet from all lot lines. Front yard setbacks shall be provided with landscaping that complies, at a minimum, with the standards in EC 9.6210(2) Low Screen Landscape Standard (L-2). Interior yard setbacks shall be provided with landscaping that complies, at a minimum, with the standards in EC 9.6210(3) High Screen Landscape Standard (L-3).
- (d) Driveway Entrances. All driveway entrances, including stacking lane entrances, must be at least 100 feet from an intersection, as measured along the property line from the tangent point of a corner radius and the closest edge of a driveway.
- (e) Pedestrian Access and Drive Aisles. **In E-1 and E-2, direct pedestrian access shall be provided from the public right of way to the primary entrance. Drive aisles for vehicular circulation are not permitted between the street and primary entrance.**
- (ef) Stacking Lanes. Design of stacking lanes shall conform with the requirements of EC 9.6420 Parking Area Standards.
- (g) Adjustments. **Adjustments to the standards stated in this subsection may be made based on criteria at EC 9.8030(2)(c) Setback Standards Adjustment.**

**(12) Delivery and Loading Facilities.**

- (a) Delivery and loading areas are not permitted in required setback areas.
- (b) On lots abutting parcels zoned for residential development, delivery and loading facilities shall be setback a minimum of 20 feet from property lines with required setbacks landscaped to at least the standards in EC 9.6210(4) High Wall Landscape Standard (L-4).

**Section 27.** Section 9.2463 of the Eugene Code, 1971, is added to provide as follows:

**9.2463 Employment and Industrial Zone Development Standards - Large Facilities.**

- (1) **Description and Purpose.** *The purpose of these regulations is to:*
  - (a) **Improve the appearance and function of large employment developments, while maintaining compatibility with adjacent property.**

- (b) *Create an attractive streetscape with a strong building presence on existing and future streets.*
  - (c) *Support all modes of transportation and improve pedestrian safety, comfort, and convenience.*
  - (d) *Promote human-scale site and building design with attention paid to visual detail.*
- (2) *Application of Standards. In addition to the standards of EC 9.2460, the standards in this section apply to any new building in the E-1 and E-2 zones with 25,000 square feet or more of floor area and the portion of the development site specifically affected by the new building.*
- (3) *Exemption. That portion of a building that contains warehouse and manufacturing space is exempt from subsection (7), below.*
- (4) *Building Entrances.*
  - (a) *All building sides that face an adjacent street shall feature at least one customer entrance. (For examples, see Figure 9.2173(3))*
  - (b) *Where a building faces more than two adjacent streets, excluding those with limited access, this requirement shall apply only to two sides of the building.*
  - (c) *Corner entrances, placed at an angle of up to 45 degrees from the primary street, as measured from the street lot line, may be substituted for separate entrances required under subsection (b), above. (For examples, see Figure 9.2173(3))*
- (5) *Off-Street Parking.*
  - (a) *In the E-1 Campus Employment zone, a drive aisle and single row of parking may be located between the front façade and the primary adjacent street. Vehicle use area is subject to front setbacks.*
- (6) *On-Site Pedestrian Circulation. In addition to the standards set forth in EC 9.6730 Pedestrian Circulation On-Site, the following standards shall apply to large facilities:*
  - (a) *A continuous internal pedestrian walkway, no less than 5 feet in width, shall be provided from the public sidewalks or right-of-way to all customer entrances of all buildings on the development site, and to all public sidewalks and paths abutting the development site.*
  - (b) *Sidewalks, no less than 5 feet in width, shall be provided along the full length of building walls and shall be located at least 6 feet from the wall of the building to provide planting beds for foundation landscaping, except where features such as arcades or entryways are part of the facade.*
  - (c) *All on-site pedestrian walkways located in vehicle use areas shall be distinguished from driving surfaces through the use of durable, low maintenance surface materials such as pavers, bricks, or scored concrete to enhance pedestrian safety and comfort, as well as the attractiveness of the walkways.*
- (7) *Exterior Wall Articulation, Facades, and Ground Floor Windows.*
  - (a) *Exterior building walls shall not continue along an uninterrupted plane for more than 100 feet. An uninterrupted plane is a wall that has no variation in exterior surface along its length. Except for building walls facing an alley, ground floor facades 100 feet or greater in length, measured horizontally, shall incorporate wall*

- plane projections or recesses having a depth of at least 3 percent of the length of the facade and extending at least 20 percent of the length of the facade. (For examples, see Figure 9.2173(10)(a).)*
- (b) *Except for building walls facing an alley, ground floor walls shall contain windows at the ground level. Solid walls are prohibited along street frontages. This standard does not apply to parking structures or the portion of a wall on which a loading dock is located.*
1. ***General Standard.*** *The windows in any walls that require windows shall occupy at least 50 percent of the length and 25 percent of the ground floor wall area. The portion of window area meeting this standard is that located between 4- and 9- feet above finished grade. (For examples, see Figure 9.2173(10)(c).)*
  2. ***Corner Lots.*** *On corner lots, the general ground floor window standard stated in subsection (b)1. must be met on one street frontage only. On the other street(s), the windows shall occupy at least 25% of the length and 12.5% of the ground floor wall area. The applicant may choose on which street to apply the general standard.*
- (8) ***Interior Yard Setbacks from Residential Zoning.*** *Interior yard setbacks shall be a minimum of 30 feet from abutting residentially zoned lots.*
- (9) ***Adjustments.*** *Adjustments to standards (1) through (7) stated in this section may be made based on criteria at EC 9.8030(33) Large Employment Facilities Standards Adjustment.*

**Section 28.** Section 9.2470 of the Eugene Code, 1971, is amended to provide as follows:

**9.2470** ***Employment and Industrial Zone Lot Standards.*** The following Table 9.2470 sets forth lot standards within ***employment and*** industrial zones. The numbers enclosed within (#) indicate a special standard of EC 9.2471.

<b>Table 9.2470 <i>Employment and Industrial Zone Lot Standards</i></b>				
	<b><del>[I-1]</del>E-1</b>	<b>E-2</b>	<b>I-2</b>	<b>I-3</b>
<b>Area Minimum (1)</b> All Lots	<del>[40 acres prior to site plan approval.]</del>  2 acres <del>[minimum lot size following site plan approval.]</del>	<b>6,000 square feet</b>	6,000 square feet  <del>[5 acre minimum lot size for any business park and the allowance of non-manufacturing uses.]</del>	6,000 square feet

<b>Table 9.2470 Employment and Industrial Zone Lot Standards</b>				
	<b>[I-1]E-1</b>	<b>E-2</b>	<b>I-2</b>	<b>I-3</b>
<b>Frontage Minimum (1)</b>				
Interior Lot	50 feet	<b>50 feet</b>	50 feet	50 feet
Corner Lot	50 feet	<b>50 feet</b>	50 feet	50 feet
Curved Lot	35 feet	<b>35 feet</b>	35 feet	35 feet
Cul-de-sac Bulb	35 feet	<b>35 feet</b>	35 feet	35 feet
Alley Access	na	<b>na</b>	na	na
Flag Lot				
1 Lot	15 feet	<b>15 feet</b>	15 feet	15 feet
2 to 4 Lots	25 feet	<b>25 feet</b>	25 feet	25 feet
<b>Width Minimum (1)</b>				
Interior Lot	50 feet	<b>50 feet</b>	50 feet	50 feet
Corner Lot	50 feet	<b>50 feet</b>	50 feet	50 feet
Curved Lot	35 feet	<b>35 feet</b>	35 feet	35 feet
Cul-de-sac Bulb	35 feet	<b>35 feet</b>	35 feet	35 feet
Alley Access	50 feet	<b>50 feet</b>	50 feet	50 feet
Flag Lot	40 feet	<b>20 feet</b>	20 feet	20 feet

**Section 29.** Subsection (20)(f) of Section 9.2530 of the Eugene Code, 1971, is amended to provide as follows:

**9.2530 Natural Resource Zone Development Standards.** In addition to applicable provisions contained elsewhere in this code, the development standards listed in this section shall apply to development in the NR zone, as specifically provided in EC 9.2520 Natural Resource Zone Land Use and Permit Requirements. In cases of conflict, the standards specifically applicable in the NR zone shall apply.

**(20) Noise.** For inventoried sites that received a Wildlife Habitat Rating of greater than 60 in the Metropolitan Natural Resources Inventory (Lev, 1990) and sites designated as high value wetlands in the wetland buffer provisions of this code, noise generated by uses within the NR zone and the wetland buffer overlay zone (as measured at the wetland boundary) and within the waterside protection overlay zone (as measured at the top of the high bank) shall not exceed the following standards:

- (f) Exceptions. Upon written application from the owner or operator of an **employment and** industrial or commercial noise source, the city manager or the manager's designee may authorize or conditionally authorize exceptions to local noise emission standards in the following situations:
  1. Infrequent noise.
  2. Noise levels at or anywhere beyond the property lines of the property of origin when exceeded by an exempt noise, as listed in subsection (d) above, in the same location.
  3. Noise levels on property owned or controlled by the person generating the noise.
  4. If after applying reasonably available control technology, a use existing as of January 27, 1982, is unable to conform to the standards established by this section.

Exception applications shall be filed at the city's permit and information center on a form prescribed by the city manager, and shall be accompanied by a fee as established by the city manager pursuant to EC 2.020 City Manager - Authority to Set Fees and Charges.

**Section 30.** Subsection (2)(p) of Section 9.2682 of the Eugene Code, 1971, is amended to provide as follows:

**9.2682 Public Land Zone Land Use and Permit Requirements.**

- (2) **Uses Requiring a Conditional Use Permit.** The following uses not operated by the public agency that owns the property are permitted conditionally when all or part of the property is declared by the owner to not be needed:
- (p) Scientific and Educational Research Centers, provided there shall be no radioactive materials, toxic, or noxious matter associated with the use or process unless it is entirely surrounded by ***employment and*** industrial zoning.

**Section 31.** Subsection (5) of Section 9.3050 of the Eugene Code, 1971, is amended to provide as follows:

**9.3050 Purpose of S-C Chambers Special Area Zone.** The S-C Chambers Special Area zone is intended to:

- (5) Establish, strengthen, and maintain a high quality urban environment with compatible commercial, residential and ***employment and*** industrial use; and

**Section 32.** Section 9.3305 of the Eugene Code, 1971, is amended to provide as follows:

**9.3305 S-E Elmira Road Special Area Zone Siting Requirements.** In addition to approval criteria at EC 9.8865 Zone Change Approval Criteria, the following criteria shall apply:

- (1) The property is on the north side of Elmira Road; and
- (2) The property has historically been used for a variety of residential, commercial and ***employment and*** industrial functions.

**Section 33.** Subsection (2) of Section 9.3400 of the Eugene Code, 1971, is amended to provide as follows:

**9.3400 Purpose of S-F Fifth Avenue Special Area Zone.** The purpose of the S-F zone is to encourage a variety of uses that:

- (2) Allows redevelopment of the area with a variety of commercial and ***employment and*** industrial uses.

**Section 34.** Section 9.3900 of the Eugene Code, 1971, is amended to provide as follows:

- 9.3900 Purpose of S-W Whiteaker Special Area Zone.** The purpose of the S-W Whiteaker Special Area Zone is to encourage the economic vitality of the area for **employment and** industrial, institutional, and commercial uses while also allowing a mix of residential dwellings. This zone has a broad range of permitted uses. No single use is mandated or required within the area and the zone encourages both a mixture of uses within a building as well as within a block. The mix of land uses and increase in residential density and employment opportunities is designed to provide a place for people to live and work in the same area. It is intended that the character of the zone develop so that the diversity of uses are enhanced and tied together with various forms of usable public and private open space where there is pedestrian-oriented activity. Appropriate intermingling of structures, street amenities, and major landscape features will be necessary in order to integrate older development with newer development. Development within the zone will occur incrementally over time and this zoning will help ensure a coordinated effort is undertaken to improve the area by the public and private sectors. The S-W zone is also designed to:
- (1) Encourage the continued economic vitality of existing and redeveloped commercial and **employment and** industrial uses with recognition of their role in providing a needed diversity of land uses and job opportunities.
  - (2) Encourage an increase in residential density to create additional opportunities for people to live close to major employment areas.
  - (3) Encourage actions that will enhance the attractiveness of the area and increase the use of major landscape features that can help tie the public and private open spaces together.
  - (4) Encourage the preservation, rehabilitation, and restoration of significant historic structures and retention of older, mature street trees.

**Section 35.** The following entries in Table 9.3910 of Section 9.3910 of the Eugene Code, 1971, are amended to provide as follows:

- 9.3910 S-W Whiteaker Special Area Zone Land Use and Permit Requirements.** The following Table 9.3910 S-W Whiteaker Special Area Zone Uses and Permit Requirements identifies those uses in the S-W zone that are:
- |       |   |
|-------|---|
| (P)   | Permitted, subject to zone verification.  |
| (SR)  | Permitted, subject to an approved site review plan or an approved final planned unit development.                     |
| (C)   | Subject to conditional use permit or an approved final planned unit development.                                      |
| (PUD) | Permitted, subject to an approved final planned unit development.   |
| (S)   | Permitted subject to zone verification and the Special Development Standards for Certain Uses beginning at EC 9.5000. |
| (#)   | The numbers in ( ) in the table are uses that have special use limitations that are described in EC 9.3911.           |

Examples of uses in Table 9.3910 are for informational purposes and not exclusive. Table 9.3910 does not include uses subject to Standards Review. Applicability of

Standards Review procedures is set out at EC 9.8465.

<b>Table 9.3910 S-W Whiteaker Special Area Zone Uses and Permit Requirements</b>	
	<b>S-W</b>
<b>Accessory Uses</b>	
Accessory Uses. <u>Examples</u> related to residential uses include a garage, storage shed, bed and breakfast facility (see EC 9.5100), home occupations (see EC 9.5350), and secondary dwellings (see EC 9.2741(2)). <u>Examples</u> relating to commercial and <b>employment and</b> industrial uses include security work, administration activity and sales related to industrial uses manufactured on the same development site, and storage and distribution incidental to the primary use of the site.	P
<b>Manufacturing</b>	
Paper and Allied Products [ <del>In I-1 no manufacturing of raw materials</del> ]	P

**Section 36.** Subsection (10) of Section 9.3915 of the Eugene Code, 1971, is amended to provide as follows:

- 9.3915 S-W Whiteaker Special Area Zone Development and Lot Standards.** Except as provided in subsections (5) to (12) of this section, sections 9.6000 to 9.6885 General Standards for All Development in this land use code shall apply within this S-W zone. In the event of a conflict between the general development standards of this land use code and the standards set forth in this section, the specific provisions of this section shall control.
- (10) Sign Standards.** The provisions of the **Employment and** Industrial Sign Standards set forth in this land use code shall apply within this S-W zone, except that additional restrictions may be imposed through site review.

**Section 37.** Subsection (1)(c) of Section 9.4290 of the Eugene Code, 1971, is amended to provide as follows:

- 9.4290 Density and Development Standards.** In addition to the requirements of the base zone, the following standards shall apply to all development, except that the standards in subsection (2) and (3) do not apply to single-family dwellings or duplexes:
- (1) Minimum Residential Density and Floor Area Ratio (FAR).**
- (a) Where the base zone is R-1 or R-1.5, new subdivisions shall achieve a minimum residential density of 8 units per net acre. Minimum residential density in R-2 shall be 15 units per net acre; in R-3 it shall be 25 units per net acre; and in R-4 it shall be 30 units per net acre.
  - (b) Where the base zone is C-1, C-2, C-3, or GO, the /TD standards in EC 9.4530 shall apply, except that the minimum floor area ratio (FAR) shall be 1.0 FAR (1.0 square feet of floor area to 1 square foot of the development site).
  - (c) Where the base zone is [~~C-4, I-1~~]**E-1, E-2, I-2, or I-3**, the /TD standards in EC 9.4530 shall apply, except that the minimum floor area ratio (FAR) shall be .40 FAR (.40 square feet of floor area to 1 square foot of the development site).

**Section 38.** Subsection (1) of Section 9.4640 of the Eugene Code, 1971, is amended to provide as follows:

**9.4640 Annexation and/or Annexation Agreements.**

- (1) Annexation of the entire development site, or execution of a consent to annexation agreement is required prior to any of the following actions:
  - (a) Any zone change or planned unit development approval if the development potential of the existing lot(s) would increase, or the proposed or allowable uses will generate, singly or in the aggregate, a direct additional need for key urban facilities and services.
  - (b) Approval of any new dwelling unit(s), commercial or **employment and industrial** development.
  - (c) Approval of an expansion of an existing commercial or **employment and industrial** development if the proposed use will generate, singly or in the aggregate, a direct additional need for key urban facilities and services provided by the city.

**Section 39.** Subsections (3)(a), (4)(a)1., (5)(a)1., (6)(c)2., (7)(b), (7)(d), and (7)(e) of Section 9.5750 of the Eugene Code, 1971, are amended to provide as follows:

**9.5750 Telecommunication Devices-Siting Requirements and Procedures.**

- (3) **Collocation of Additional Antennas on Existing Transmission Tower.**
  - (a) Permitted Use. Collocation of an additional antenna on an existing transmission tower shall be considered an outright permitted use if property is zoned GO, PL, S, C-2, C-3, [~~C-4, I-4~~]**E-1, E-2**, I-2, or I-3 or if the transmission tower is in any other zone and the city specifically approved, as part of a prior land use process authorizing the transmission tower, collocation of additional antennas.
- (4) **Collocation of Antennas on Existing Buildings, Light or Utility Poles, and Water Towers.** In addition to collocation on a transmission tower, an antenna may be collocated on existing buildings, light or utility poles, and water towers.
  - (a) Permitted Use. Such collocation on a building, light or utility pole, or water tower, shall be considered an outright permitted use provided that the antennas and ancillary facilities comply with the standards contained in EC 9.5750 Telecommunications Devices-Siting Requirements and Procedures, the color of the antennas blends in with the existing structure and surroundings, and one of the following is met:
    1. The property is zoned PL, C-2, C-3, R-4, [~~C-4, I-4~~]**E-1, E-2**, I-2, I-3, or S-WS and the antennas do not exceed the height limitation of the zone; or
- (5) **Construction of Transmission Tower.** Construction of a transmission tower, or a modification of an existing transmission tower to increase its height, shall be allowed as follows:
  - (a) Permitted Use.
    1. Such construction or modification shall be considered an outright



permitted use in the ~~[C-4, I-1]~~ **E-1, E-2**, I-2 and I-3 zone.

**(6) Application Requirements.**

(c) Site Review and Conditional Use Permit Applications. In addition to the application requirements specified in paragraph (b) above, applications for site review or conditional use permits also shall include the following information:

2. Documentation that alternative sites within a radius of at least 2000 feet have been considered and have been determined to be technologically unfeasible or unavailable. For site reviews, alternative sites zoned ~~[C-4, I-1]~~ **E-1, E-2**, I-2, and I-3 must be considered. For conditional use permits, alternative sites zoned PL, C-2, C-3, ~~[C-4, I-1]~~ **E-1, E-2**, I-2, I-3 and S-WS must be considered.

**(7) Standards for Transmission Towers and Antennas.** Installation, construction or modification of all transmission towers and antennas shall comply with the following standards, unless a variance is obtained pursuant to the provisions of subsection (9) of this section:

(b) Height Limitation: Transmission tower heights shall be governed by this section except as provided for below. No transmission tower shall exceed the maximum heights provided below. In no case shall a variance be granted from the limitations of subparagraphs (1) through (4) below.

1. In any zones, no transmission tower shall exceed the height limitations established for buildings and structures in the specified areas surrounding Skinner Butte contained in EC 9.6715 Height Limitation Areas of this land use code to protect views to and from Skinner Butte.
2. In any zone within the area east of Willagillespie Road, south of Cal Young Road, west of Oakway Road, and north of Southwood Lane and Country Club Road, no transmission tower shall exceed 75 feet in height to protect views to and from Gillespie Butte.
3. If located within a PL, C-2, C-3, R-4, ~~[C-4, I-1]~~ **E-1, E-2**, I-2, I-3 or S-WS zone, the height limitation for that zone shall apply.
4. If located within a C-1, S (other than S-WS) or GO zone, the maximum height of a transmission tower, including antennas, is 100 feet.
5. If located within an R-1 zone, the maximum height of a transmission tower, including antennas, is 75 feet, unless a variance is granted pursuant to the provisions of subsection (9) of this section. In no event shall a variance be granted to construct such a tower in excess of 100 feet.

(d) Setback. The following setbacks from adjacent property lines and adjacent streets shall be required unless a variance is granted pursuant to the provisions of subsection (9) of this section:

1. If located within a PL, S, C-2, C-3, ~~[C-4, I-1]~~ **E-1, E-2**, I-2, I-3 or S-WS zone, no setback from adjacent property lines shall be required beyond that required by this land use code or the provisions applicable to the S zone.
2. If located within an R-1, C-1, or GO zone, the transmission tower shall be set back from adjacent property lines a minimum number of feet that is equal to the height of the transmission tower.

3. In the R-1, PL, C-1 and GO zones, transmission towers shall be set back from adjacent public street(s) a minimum number of feet that is equal to the height of the tower. In all other zones, the setback from adjacent public streets shall be a minimum of 25 feet.
- (e) **Buffering.** In all zones, existing vegetation shall be preserved to the maximum extent possible. In the [~~C-4, I-4~~] **E-1, E-2**, I-2 and I-3 zones, no buffering is required beyond that required by this land use code. In all other zones, landscaping shall be placed completely around the transmission tower and ancillary facilities located at ground level except as required to access the facility. Such landscaping shall consist of evergreen vegetation with a minimum planted height of 6 feet placed densely so as to form a screen. Landscaping shall be compatible with other nearby landscaping and shall be kept healthy and well maintained.

**Section 40.** Subsection (5)(b) of Section 9.5800 of the Eugene Code, 1971, is amended to provide as follows:

**9.5800 Temporary Activity Special Development Standards.**

**(5) Zone Category and Duration.**

- (b) The standards for temporary activities in areas in the broad zone category of commercial, **employment and** industrial, or special (except S-H zones) are as follows:
  1. **Parking Lot Sales.** Parking lot sales in zones where outdoor merchandise display is not otherwise permitted are allowed for up to 2 consecutive weeks on 3 different occasions during a calendar year.
  2. **Fairs and Carnivals.** Fairs and carnivals are allowed for up to 2 consecutive weeks on 3 different occasions during a calendar year.

**Section 41.** Subsection (3)(a) of Section 9.6105 of the Eugene Code, 1971, is amended to provide as follows:

**9.6105 Bicycle Parking Standards.**

**(3) Long Term Bicycle Parking Location and Security.**

- (a) Long term bicycle parking required in association with a commercial, **employment and** industrial, or institutional use shall be provided in a well-lighted, secure location, sheltered from precipitation and within a convenient distance of a main entrance. A secure location is defined as one in which the bicycle parking is:
  1. A bicycle locker,
  2. A lockable bicycle enclosure, or
  3. Provided within a lockable room with racks complying with space standards at EC 9.6105(2).

**Section 42.** The following entries in Table 9.6205 of Section 9.6205 of the Eugene Code, 1971, are amended to provide as follows:

- 9.6205 Landscape Standards.** The landscape standards reflected in Table 9.6205 and EC 9.6207 - 9.6255 establish minimum landscape requirements that apply to any development, except:
- (1) Building alterations.
  - (2) Site improvements not listed in Table 9.6205.
  - (3) Change of use.

<b>Table 9.6205 Landscaping Required by this Land Use Code</b>							
	<b>L-1 Basic</b>	<b>L-2 Low Screen</b>	<b>L-3 High Screen</b>	<b>L-4 High Wall</b>	<b>L-5 Partial Screen Fence</b>	<b>L-6 Full Screen Fence</b>	<b>L-7 Massed</b>
Front Yard Setbacks in [ <del>I-4</del> ] <b>E-1</b> along Arterial Streets EC 9.2461(3)(b)1							x
Front Yard Setbacks in [ <del>I-4</del> ] <b>E-1</b> along Collector or Local Streets EC 9.2461(3)(b)1	x						
Front Yard Setbacks in <b>E-2</b> , I-2 and I-3 EC 9.2461(3)(b)2	x						
Interior Yard Setbacks in [ <del>I-4</del> ] <b>E-1 and E-2</b> Zoned Lots Adjacent To Residentially Zoned Lots EC 9.2461(3)(c)1			x				
Garbage Screening in <b>Employment and</b> Industrial Zones, excluding I-3, (choose one of the three) EC 9.2461(9)(a)			x	x	x		
Front Yard Setbacks for Drive-Through Facility Service Area Landscaping in [ <del>Industrial</del> ] <b>E-1 and E-2</b> Zones EC 9.2461(11)(c)		x					
Interior Yard Setbacks for Drive-Through Facility Service Area Landscaping in [ <del>Industrial</del> ] <b>E-1 and E-2</b> Zones EC 9.2461(11)(c)			x				
Delivery and Loading Facilities on Industrially Zoned Lots Abutting Residential Zones EC 9.2461(12)(b)				x			

Table 9.6205 Landscaping Required by this Land Use Code							
	L-1 Basic	L-2 Low Screen	L-3 High Screen	L-4 High Wall	L-5 Partial Screen Fence	L-6 Full Screen Fence	L-7 Massed
Outdoor Storage and Display Standards in <b>Employment and</b> Industrial Zones (Standards vary, see Table 9.2461.)		x	x	x	x		
Off-Street Loading Spaces in [I-4]E-1 EC 9.6415(2)(b)				x			

**Section 43.** The following entries in Table 9.6410 of Section 9.6410 of the Eugene Code, 1971, are amended to provide as follows:

**9.6410 Motor Vehicle Parking Standards.**

Table 9.6410 Required Off-Street Motor Vehicle Parking	
Uses	Minimum Number of Required Off-Street Parking Spaces
<b>Trade (Retail and Wholesale)</b>	
[Regional Distribution Center	1 per each 660 square feet of floor area.]
Wholesale [Trade (excluding regional distribution center)], <b>Warehousing, and Distribution</b>	1 per each 1650 square feet of floor area.

**Section 44.** Section 9.6415 of the Eugene Code, 1971, is amended to provide as follows:

**9.6415 Loading and Drive-Through Design Standards.**

- (1) **Drive-Through Design Standards.** In connection with drive-through establishments, there shall be a specially designed area for vehicle stacking located on private property between the public right-of-way and the pick-up window or service area. For a single row of vehicles, the specially designed area shall be at least 200 feet in length to allow for stacking of up to 10 cars. For a double row of vehicles, the specially designed area shall be at least 100 feet in length to allow for stacking of up to 5 cars. This area shall not interfere with safe and efficient circulation on the development site or abutting public right-of-way, **nor shall the location of stacking lanes prevent access to and exit from parking spaces.**
- (2) **Landscaping.**
  - (a) Off-street loading areas and vehicle stacking areas shall be landscaped as required by EC 9.6420(3).
  - (b) In the [I-4]E-1 zone, all off-street loading spaces and uses shall be on interior service courts or screened from view from all adjacent property lines according to EC 9.6210(4) High Wall Landscape Standard (L-4).
- (3) **Loading and Service Drives.** All loading spaces for commercial and **employment and** industrial buildings and uses shall be off the street, shall be

in addition to required off-street parking spaces, and shall be served by service drives and maneuvering areas so that no backward movement or other vehicle maneuvering within a street, other than an alley, will be required.

**Section 45.** Subsection (1)(a) of Section 9.6420 of the Eugene Code, 1971, is amended to provide as follows:

**9.6420 Parking Area Standards.**

**(1) Dimensions and Striping.** All parking spaces shall be striped or marked in a manner consistent with Table 9.6420(1) Motor Vehicle Parking Dimensions. All tandem parking spaces shall be striped and marked in a manner consistent with Table 9.6420(1) Motor Vehicle Parking Dimensions for Tandem Parking.

**(See Figure 9.6420(1) Motor Vehicle Parking Dimensions.)**

(a) **Carpool and Vanpool Parking.** New commercial and ***employment and*** industrial developments with 20 or more employee parking spaces shall designate at least 5 percent of the employee parking spaces for carpool or vanpool parking. Employee carpool and vanpool parking shall be located closer to the building entrance or the employee entrance than other employee parking with the exception of parking for those with disability permits. The carpool/vanpool spaces shall be clearly marked "Reserved - Carpool/Vanpool Only" by use of signs painted on the parking spaces or posted

**Section 46.** Subsection (4)(a) of Section 9.6640 of the Eugene Code, 1971, is amended to provide as follows:

**9.6640 General Provisions.**

**(4) Location Standards.**

(a) **Setbacks.** All signs shall comply with the setback requirements beginning at EC 9.2000 through EC 9.3915 and EC 9.6745 **Setbacks - Intrusions Permitted.** Signs may be installed up to 5 feet into the required front yard setback except that freestanding signs up to 5 feet in height in the [I-1] ***E-1*** zone may be installed at least 5 feet from the front property line.

**Section 47.** Subsection (2) of Section 9.6645 of the Eugene Code, 1971, is amended to provide as follows:

**9.6645 Applicability of Sign Standards.**

**(2)** Except as otherwise specified, signs located on property zoned S Special Zone shall be subject to the provisions of:

- (a) EC 9.6650 **Residential Sign Standards,** if the use thereon is primarily characterized as residential,
- (b) EC 9.6680 **Employment and Industrial Sign Standards,** if ***employment or*** industrial, or

(c) EC 9.6660 General Commercial Sign Standards.

**Section 48.** Subsection (1) of Section 9.6660 of the Eugene Code, 1971, is amended to provide as follows:

- 9.6660** **General Commercial Sign Standards.** The general commercial sign standards are hereby created and applied to all land as set forth below. Sign limitations reflect the commercial nature of the area and the amount of vehicular traffic.
- (1) Corresponding Zones.** Except as otherwise provided in the shopping center and highway commercial sign standards, the provisions of this section apply to all property located within the following zones: C-1[~~7~~] **or** C-2[~~7~~ ~~or~~ ~~C-4~~].

**Section 49.** Subsection (1) of Section 9.6665 of the Eugene Code, 1971, is amended to provide as follows:

- 9.6665** **Shopping Center Sign Standards.** The shopping center sign standards are hereby created and applied to all land as set forth below. Sign limitations in these standards accommodate the special commercial character of these areas and the residential areas which are close to most shopping centers.
- (1) Corresponding Zones.** The provisions of this section apply to all property not regulated by the highway commercial sign standards on which a shopping center is located and which is within the following zones: C-1[~~7~~] **or** C-2[~~7~~ ~~or~~ ~~C-4~~].

**Section 50.** Subsection (1) of Section 9.6675 of the Eugene Code, 1971, is amended to provide as follows:

- 9.6675** **Highway Commercial Sign Standards.** The highway commercial sign standards are hereby created and applied to all land as set forth below. Signs in this area are regulated to accommodate the mixed uses of the areas and the presence of major streets with high traffic volumes.
- (1) Corresponding Zones.** The provisions of this section apply to that property within the S-RP Riverfront Park Special Zone located within 200 feet of the Franklin Boulevard center line and to property within the C-1, C-2, C-3, [~~C-4~~] or any **employment and** industrial zone with frontage along the following named streets:
- (a) Beltline Road from 11th Avenue to Roosevelt Boulevard;
  - (b) Broadway from Mill Street to Franklin Boulevard;
  - (c) Coburg Road from 6th Avenue to 200 feet north of Frontier Drive;
  - (d) Franklin Boulevard east from Broadway, including the north-south segment;
  - (e) Garfield Street from 11th Avenue to 5th Avenue;
  - (f) Goodpasture Island Road from Valley River Drive to 1,700 feet north;
  - (g) Highway 99 North;
  - (h) I-5 from Henderson Avenue to 300 feet north of Laurel Hill Drive;

- (i) I-5 on the north side only, from 720 feet east of Henderson Avenue to 1,330 feet east of Henderson Avenue;
- (j) I-105 from the Coburg interchange to Scout Access Road;
- (k) Mill Street from Broadway to Coburg Road;
- (l) Railroad Boulevard;
- (m) 6th Avenue east of conjunction with Highway 99 North;
- (n) 7th Avenue east of conjunction with Highway 99 North; and
- (o) 11th Avenue from 200 feet east of the centerline of Chambers Street to Terry Street.

**Section 51.** Section 9.6680 of the Eugene Code, 1971, is amended to provide as follows:

- 9.6680** **Employment and Industrial Sign Standards.** The ***employment and*** industrial sign standards are hereby created and applied to all property zoned for ***employment and*** industrial use as set forth below. Signs are regulated to accommodate the minimal street frontage of most parcels and the general proximity to highways and arterial streets.
- (1) **Corresponding Zones.** The provisions of this section apply to all property not regulated by the highway commercial sign standards and located within the following zones: all ***employment and*** industrial zones.
  - (2) **Permitted Sign Types.** Signs allowed under the industrial sign standards shall be limited to the following types:
    - (a) Awning signs;
    - (b) Billboards;
    - (c) Electronic message centers;
    - (d) Freestanding signs;
    - (e) Marquee signs;
    - (f) Projecting signs;
    - (g) Readerboards;
    - (h) Roof signs;
    - (i) Under-marquee signs; and
    - (j) Wall signs.
  - (3) **Maximum Number of Signs.** The employment and ***employment and*** industrial sign standards shall have no limit on the number of signs permitted except that no freestanding or roof sign may be constructed within 200 feet of any other freestanding or roof sign on the development site, regardless of the number of street frontages.
  - (4) **Maximum Sign Area.** The employment and ***employment and*** industrial sign standards shall apply the following size limitations:
    - (a) Freestanding and roof signs shall not exceed 100 square feet in area for 1 face and 200 square feet for 2 or more faces.
    - (b) Notwithstanding any other provision, the sum of the area of all billboards, awning signs, marquee signs, projecting signs, and wall signs located on a single development site where the employment and ***employment and*** industrial sign standards apply shall be limited to 0.5 square feet times the length of the perimeter wall upon which the signs are located. If not located on a wall, the area of any billboard located on the development site shall be included in the total sign area attributed to that site.

- (c) Awning, marquee, projecting or wall signs shall be less than 200 square feet for any 1 face, and less than 400 square feet for 2 or more faces.
- (d) Notwithstanding the number of street frontages, no business occupant shall use more than 1000 square feet of sign surface area, including billboards, at any single development site.
- (5) **Maximum Height.** All billboards, freestanding signs and roof signs shall be no more than 30 feet in height except freestanding signs up to 5 feet in height are allowed in the [1-4]E-1 zone at a minimum of 5 feet from the front property line.
- (6) **Billboards.** Billboards regulated by the **employment and** industrial sign standards shall be subject to the following:
  - (a) Billboards shall be permitted only along property which abuts the following named streets:
    1. Garfield Street north of 5th Avenue to the intersection of Roosevelt Boulevard.
    2. Seneca Street north of 11th Avenue to the intersection of Roosevelt Boulevard.
    3. Bertelsen Road north of 11th Avenue to the intersection of Roosevelt Boulevard.
    4. Obie Street north of 11th Avenue to the end of the street, but no further north than the intersection of Stewart Road.
    5. West 11th Avenue from 200 feet east of the centerline of Chambers Street to Terry Street.
  - (b) No billboard shall exceed 250 square feet in area.
  - (c) Notwithstanding the required connection between perimeter wall size and billboard size established in (4)(b) of this section, a billboard not to exceed 200 square feet may be located on an otherwise vacant lot abutting any street designated in this section.
  - (d) The provisions of EC 9.6675(6)(d) to (i) shall apply to all billboards in areas regulated by the **employment and** industrial sign standards.

**Section 52.** Subsection (1) of Section 9.6703 of the Eugene Code, 1971, is amended to provide as follows:

**9.6703**     **Driveways and Internal Circulation**

- (1) Unless otherwise permitted in this code, driveways abutting an arterial or major collector street that serve a commercial, **employment and** industrial or multi-family development shall be a minimum of 20 feet wide.

**Section 53.** Subsection (2)(b) of Section 9.6709 of the Eugene Code, 1971, is amended to provide as follows:

**9.6709**     **Special Flood Hazard Areas - Standards.**

- (2) **Specific Standards.** In all areas of special flood hazards where base flood elevation data has been provided as required in subsections 9.6707(1) or (2), the following provisions are required:



- (b) Nonresidential Construction. New construction and substantial improvement of any commercial, **employment and** industrial or other nonresidential structure shall either have the lowest floor, including basement, elevated to the level of the base flood elevation; or, together with attendant utility and sanitary facilities, shall:
1. Be flood proofed so that below the base flood level the structure is watertight with walls substantially impermeable to the passage of water;
  2. Have structural components capable of resisting hydrostatic and hydrodynamic loads and effects of buoyancy;
  3. Be certified by a registered professional engineer or architect that the design and methods of construction are in accordance with accepted standards of practice for meeting provisions of this subsection based on their development and/or review of the structural design, specifications and plans. Such certifications shall be provided to the building official as required in section 9.6707.
  4. Nonresidential structures that are elevated, not floodproofed, must meet the same standards for space below the lowest floor as described in subparagraph (2)(a)2. of this section.
  5. Applicants floodproofing nonresidential buildings shall be notified that flood insurance premiums will be based on rates that are one foot below the floodproofed level (e.g. a building constructed to the base flood level will be rated as one foot below that level).

**Section 54.** Subsection (8)(d) of Section 9.6725 of the Eugene Code, 1971, is amended

to provide as follows:

**9.6725**     Outdoor Lighting Standards.

(8) **Creation of Outdoor Lighting Classifications.** To ensure appropriate lighting while minimizing its undesirable side effects, the zones established elsewhere in this land use code are consolidated into lighting zones, as follows:

- (d) High Ambient Light Areas (O-4) shall be permitted in areas planned or developed for a mix of uses and a high level of nighttime activity. This includes areas in the broad zone category of commercial, except for C-1, and areas in the broad zone category of **employment and** industrial. It also includes portions of colleges and universities, high schools, the fairgrounds, and other areas zoned PL determined by the planning director to have a high level of nighttime activity. Areas determined not to have a high level of nighttime activity that are zoned PL shall be considered Low Ambient Light Areas (O-2).

**Section 55.** Subsection (2) of Section 9.6730 of the Eugene Code, 1971, is amended to

provide as follows:

9.6730 **Pedestrian Circulation On-Site.**

(2) **Applicability of Standards.** As more specifically provided in this section, the standards in this section apply to any development that creates a new building entrance, but not to a building alteration or change in use.

- (a) In any zone, except I-2 and I-3, on-site pedestrian paths shall be constructed in the following cases for institutional, office, commercial and **employment and** industrial development:
1. Between all new building entrances and all streets adjacent to the development site. On-site pedestrian paths shall be designed and constructed to provide a direct connection to existing public right-of-way and public accessways.
  2. To connect any new building entrances on a development site to all other new and existing building entrances on the same development site, except entrances used primarily for loading and unloading freight.
  3. Along the exterior walls of new buildings greater than 100 feet in length when the wall of the building is located next to a street, parking lot or when a public entrance or entrances are located on the edge of the building, except in the following cases:
    - a. When the edge of a building is within 20 feet of a public sidewalk and the building entrance is connected to the public sidewalk by an on-site pedestrian facility, no on-site pedestrian facility on the edge of the building adjacent to the sidewalk is required.
    - b. When the edge of the building is bordered by a perimeter of landscaping which does not exceed 30 feet in width, and an on-site pedestrian facility is constructed at the edge of the landscaping, no on-site pedestrian facility immediately adjacent to the landscaped building edge is required.
  4. To connect institutional, office, commercial and **employment and** industrial uses on the development site to adjacent existing or planned institutional, office, commercial or **employment and** industrial uses, and to existing or planned transit stops, schools, or neighborhood parks where the addition of on-site pedestrian paths would reduce walking or cycling distance between the uses by 200 feet and by at least 50 percent over other available pedestrian routes.
  5. Along any development site, an on-site pedestrian facility connecting the street to the main building(s) shall be provided for every 300 feet of street frontage or for every 8 rows of vehicle parking, or for whichever standard requires the most on-site pedestrian paths.
- (b) In **employment and** industrial developments on [~~I-4~~]**E-1** zoned property, on-site pedestrian paths shall be constructed in the following cases:
1. Between the main building entrance and all streets adjacent to the development site. On-site pedestrian paths shall be designed and constructed to provide a direct connection to existing public right-of-way and public accessways.
  2. To connect the main building entrance on the development site to adjacent existing or planned office, commercial or **employment and** industrial uses, and to existing or planned transit stops where

the addition of the on-site pedestrian facility would reduce walking or cycling distance between the uses by 200 feet and by at least 50 percent over other available pedestrian routes.

- (c) In all zones, on-site pedestrian paths shall be constructed within new multiple-family residential developments with 3 or more units to insure that access is provided:
1. From every unit to all other units within the residential development.
  2. From every unit to all laundry, recreational and other community facilities in the residential development.
  3. From every building located within 40 feet of a public or private street to the street right-of-way line.

**Section 56.** Subsection (7)(b) of Section 9.6745 of the Eugene Code, 1971, is amended to provide as follows:

**9.6745      Setbacks-Intrusions Permitted.**

**(7)      Parking Spaces in Required Setbacks.**

- (b) In areas with the broad zone category of commercial or ***employment and industrial***, as depicted in Table 9.1030 Zones, except for the C-1, C-2 [~~and I-1~~]***E-1, and E-2*** zones, parking spaces and parking areas are permitted in any required interior yard setback.

**Section 57.** Subsection (1) of Section 9.6770 of the Eugene Code, 1971, is amended to provide as follows:

**9.6770      Transit Improvements.**

- (1)** The location of transit stops shall be based upon the size and trip generation of new development adjacent to an existing or planned transit corridor. The transit operator shall review site plans and may recommend transit-related facilities be constructed for the following developments:
- (a) Residential developments having an average peak hour trip rate of 25 trips or greater.
  - (b) Commercial and ***employment and industrial*** developments other than office developments, having an average peak hour trip rate of 100 trips or greater. Office developments generating 50 or more average peak hour trips.
  - (c) Institutional uses and public facilities, including churches, hospitals, middle schools, high schools, universities and colleges, public parks (other than neighborhood parks), libraries, post offices, and other institutional and public facilities generating 100 or more average peak hour trips.

**Section 58.** Subsection (2) of Section 9.6794 of the Eugene Code, 1971, is amended to provide as follows:

**9.6794 Stormwater Oil Control.**

- (2) Applicability.** Oil control standards set forth in EC 9.6794(3) apply to:
- (a) All new commercial and **employment and** industrial development with parking lots that store wrecked or impounded vehicles; or
  - (b) Any development that would result in an expected daily traffic count greater than one hundred vehicles per 1,000 square feet of gross building area, based on the most recent version of The Institute of Transportation Engineers' Trip Generation Manual; or
  - (c) Any development that would result in 100 or more off-street parking spaces; or
  - (d) Any commercial or **employment and** industrial development that receives an adjustment approving the installation of 125 percent or more of the minimum off-street parking spaces required by EC 9.6410(3), Minimum Number of Required Off-Street Parking Spaces and that adjustment will result in, at least, a total of 10 parking spaces.

**Section 59.** Table 9.8010 of Section 9.8010 of the Eugene Code, 1971, is amended to provide as follows:

**9.8010 List of Adopted Plans.** The documents listed in the following Table 9.8010, including any adopted amendments, are the currently effective adopted plans that may be applicable to a particular land use application. The plans and adopted policies are more particularly set forth beginning at EC 9.9500, and the boundaries for each are depicted on Map 9.8010 Adopted Plans.

<b>Table 9.8010 List of Adopted Plans</b>	
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
Downtown Riverfront Specific Area Plan	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 <sup>th</sup> and Agate Special Area Study	Willow Creek Special Area Study
[Resolution No. 3862 Adopting the West 11 <sup>th</sup> 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 60.** Subsections (2)(d), (20), and (22) of Section 9.8030 of the Eugene Code, 1971, are amended, and subsection (33) is added to provide as follows:

**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.

- (2) **Setback Standards Adjustment.** Where this land use code provides that the setback standards applicable to specific zones may be adjusted, the standards may be adjusted upon finding that the proposed setback is consistent with the following applicable criteria:
- (d) Outdoor Merchandise Display in C-2 [and C-4]. The limitation on outdoor merchandise display in EC 9.2170(8)(b)2. may be adjusted upon a finding that the proposed adjustment is consistent with the intent set out in EC 9.2170(1).
- (20) **Public Accessways.** The public accessway standards of 9.6835(1) may be adjusted if the developer has shown that pedestrian and bicyclists traveling to and from nearby residential areas, transit stops, neighborhood activity centers, and other commercial and **employment and** industrial areas are already being provided safe, convenient and direct access. "Nearby" means within 1/4 mile that can reasonably be expected to be used by pedestrians, and within 2 miles that can reasonably be expected to be used by bicyclists.
- (22) **Pedestrian Circulation On-site Adjustment.** Where this land use code provides that on-site pedestrian circulation may be adjusted, the standards may be adjusted upon finding that, considering site constraints or practical difficulties, the proposed design provides adequate pedestrian connections:
- (a) Between building entrances and streets or accesways;
- (b) Between new and existing buildings on the development site, including recreation and community facilities;
- (c) From proposed **employment and** industrial, commercial and institutional uses to adjacent parcels having similar existing or planned uses;
- (d) To nearby transit stops, parks and other recreation facilities; and
- (e) Between parking lots and main buildings.
- (33) **Large Employment Facilities Standards Adjustment.** *Where this land use code provides that the large employment facilities standards may be adjusted, the standards may be adjusted upon finding that the proposed development achieves the purpose of EC 9.2463 through alternative or innovative design solutions.*

**Section 61.** Subsection (4)(c) of Section 9.8215 of the Eugene Code, 1971, is amended

to provide as follows:

**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:

- (4) If the provisions of EC 9.8215(1) require a public street, or if the applicant proposes the creation of a public street, all of the following criteria also apply:
- (c) The proposed partition provides direct bicycle and pedestrian access to nearby and adjacent residential areas, transit stops, neighborhood activity centers, commercial areas, and **employment and** industrial areas, and provides safe, convenient and direct transit circulation, provided the city makes findings to demonstrate consistency with

constitutional requirements. "Nearby" means uses within 1/4 mile that can reasonably be expected to be used by pedestrians, and uses within 2 miles that can be reasonably expected to be used by bicyclists.

**Section 62.** Subsection (6) of Section 9.8515 of the Eugene Code, 1971, is amended to provide as follows:

- 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:
- (6) The proposed subdivision provides safe, convenient, and direct bicycle and pedestrian access to nearby and adjacent residential areas, transit stops, neighborhood activity centers, commercial areas, and **employment and industrial** areas, and provides safe, convenient, and direct transit circulation, provided the city makes findings to demonstrate consistency with constitutional requirements. "Nearby" means uses within 1/4 mile that can reasonably be expected to be used by pedestrians, and uses within 2 miles that can reasonably be expected to be used by bicyclists.

**Section 63.** Subsections (1)(b) and (2) of Section 9.8575 of the Eugene Code, 1971, are amended to provide as follows:

- 9.8575** **Special Platting Standards.** In addition to the partition and subdivision requirements contained in this land use code, the following specific platting standards may also apply to partition and subdivision applications that include lots or parcels designated as conservation parcels and lots or parcels located adjacent to a railroad right-of-way:
- (1) **Conservation Land Divisions.** Conservation land divisions are intended to facilitate the sale or donation of valuable natural resource areas to public or non-profit agencies for long-term protection and management by dividing conservation areas and remaining areas into separate parcels.
- (b) Remainder parcels are those parcels that are not being protected for natural resource values. Remainder parcels may be developed, partly developed, or undeveloped. The planning director may authorize exceptions to the minimum platting standards for lot area, lot frontage, lot width, and lot depth for remainder parcels provided the following standards are met:
1. At least one of the lots created must be a conservation parcel and must be rezoned to NR Natural Resource zone prior to or concurrent with land division.
  2. The number of remainder parcels created must be the least number that will accomplish the purpose of the conservation land division.
  3. Exceptions to minimum lot and parcel platting standards will not be allowed on residentially zoned remainder parcels.
  4. Exceptions to minimum lot and parcel platting standards for remainder parcels in agricultural, commercial and **employment**

**and** industrial zones will be no more than the minimum needed to accomplish the purpose of the conservation land division.

**(2) Platting Standards-Railroads.**

- (a) In accordance with the purpose of EC 9.8400 Purpose of Property Line Adjustments, special requirements may be imposed by the planning director in connection with railroad crossings including, but not limited to, provisions for separation of street and railroad grades, if necessary for the safety of the residents of the partition or subdivision and of the general public.
- (b) Where the partition or subdivision is adjacent to a railroad right-of-way, and the surrounding economic and physical conditions indicate the property will be used for **employment and** industrial purposes, all streets shall be located at a sufficient distance from the right-of-way to allow for reasonable sites for **employment and** industrial use adjacent to the right-of-way.

**Section 64.** Subsection (4) of Section 9.8865 of the Eugene Code, 1971, is amended to provide as follows:

**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:
  - (a) EC 9.2150 Commercial Zone Siting Requirements.
  - (b) EC 9.2430 **Employment and Industrial Zone Siting Requirements**.
  - (c) EC 9.2510 Natural Resource Zone Siting Requirements.
  - (d) EC 9.2610 Park, Recreation, and Open Space Siting Requirements.
  - (e) EC 9.2681 Public Land Zone Siting Requirements.
  - (f) EC 9.2735 Residential Zone Siting Requirements.
  - (g) EC 9.3055 S-C Chambers Special Area Zone Siting Requirements.
  - (h) EC 9.3105 S-CN Chase Node Special Area Zone Siting Requirements.
  - (i) EC 9.3140 S-DR Downtown Riverfront Special Area Zone Siting Requirements.
  - (j) EC 9.3205 S-DW Downtown Westside Special Area Zone Siting Requirements.
  - (k) EC 9.3305 S-E Elmira Road Special Area Zone Siting Requirements.
  - (l) EC 9.3605 S-JW Jefferson Westside Special Area Zone Siting Requirements.
  - (m) EC 9.3705 S-RP Riverfront Park Special Area Zone Siting Requirements.
  - (n) EC 9.3805 S-RN Royal Node Special Area Zone Siting Requirements.
  - (o) EC 9.3905 S-W Whiteaker Special Area Zone Siting Requirements.
  - (p) EC 9.3955 S-WS Walnut Station Special Area Zone Siting Requirements.
  - (q) EC 9.4205 /EC East Campus Overlay Zone Siting Requirements.
  - (r) EC 9.4715 /WP Waterside Protection Overlay Zone Siting Requirements.
  - (s) EC 9.4776 /WQ Water Quality Overlay Zone Siting Requirements (only

- (t) for the purposes of adding the overlay zone. See EC 9.4786.).  
EC 9.4915 WR Water Resources Conservation Overlay Zone Siting Requirements (only for the purposes of adding the overlay zone. See EC 9.4960.).
- (u) EC 9.4815 WB Wetland Buffer Overlay Zone Siting Requirements.
- (v) 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 65.** The findings set forth in Exhibit C attached to this Ordinance are adopted as findings in support of this Ordinance.

**Section 66.** Due to the Code amendments adopted by this Ordinance, it is necessary to repeal Resolution No. 3862 and Resolution No. 3885. Therefore, Resolution No. 3862 and Resolution No. 3885 are repealed as of the effective date of this Ordinance, and Map 9.8010 is amended to reflect the repeal of those Resolutions as set forth in Exhibit D attached to this Ordinance.

**Section 67.** Based on the findings set forth in Exhibit C (attached hereto and adopted as findings in support of this Ordinance), the following limitation on the use of the land referenced in Section 1, above, is hereby imposed:

Development on individual lots within the E-1 Campus Employment zone and the West Eugene study area, including E-2 Mixed Use Employment and C-2 Community Commercial zones, is limited in intensity to that which results in an equivalent or lesser number of maximum peak hour vehicle trips as that allowed by the zoning designation that preceded the zone changes adopted by this Ordinance. The maximum peak hour vehicle trips are based on the Trip Generation Manual from the Institute of Transportation Engineers (ITE).

The trip cap numbers are aggregate for all the affected lots; each individual lot is limited at the time of development to the maximum peak hour vehicle trips allowed by the prior zone designation of that lot. The aggregate vehicular trip cap within the West Eugene study area is 4,960 trips. The aggregate vehicular trip cap for the three discrete E-1 Campus Employment zoned areas are as follows: Greenhill Technology Park – 1250, Willow Creek – 1270, and Chad Drive – 1370.

The City may allow a modification of the trip cap beyond this maximum number of peak hour vehicle trips only if the applicant submits to the City a traffic impact analysis that demonstrates that the proposed intensification of use would be consistent with the Transportation Planning Rule (TPR) at OAR 660-12-0060. The applicant shall seek and the City shall consider such approval using the City's Type II land use application procedures.



**Section 68.** The City Recorder, at the request of, or with the concurrence 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.

**Section 69.** 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 70.** This Ordinance shall take effect pursuant to Section 32 of the Eugene Charter 2002, or on the date of its acknowledgement as provided in ORS 197.625, whichever is later.

**Passed by the City Council this**  
\_\_\_ day of \_\_\_\_\_, 2014

**Approved by the Mayor this**  
\_\_\_ day of \_\_\_\_\_, 2014

\_\_\_\_\_  
**City Recorder**

\_\_\_\_\_  
**Mayor**

## Exhibit A

## Employment and Industrial Zoning Amendments:

Map	Lot	Current Zoning	Proposed Zoning	Proposed Split Zone	Proposed Acres
<b>BIG Y AREA (Any overlay zones are unaffected by the proposed zone changes.)</b>					
17043622	1800	I-2	C-2		0.57
17043622	2200	I-2	C-2		0.51
17043622	2306	I-2	C-2		0.16
17043622	2310	I-2	C-2		0.12
17043622	2500	I-2	C-2		0.28
<b>CHAD DRIVE (/SR Site Review Overlay removed from Chad Drive area; other overlays remain in effect.)</b>					
17031600	302	I-1/WQ	E-1/WQ	Yes	1.19
17031600	1201	I-1/WQ	E-1/WQ		0.62
17031600	3300	I-1/SR/WQ	E-1/WQ		6.95
17031600	3400	I-1/SR/WQ	E-1/WQ		22.37
17031600	3600	I-1/SR	E-1		8.44
17031600	3700	I-1/SR	E-1		13.23
17031600	3800	I-1/SR	E-1		4.67
17031600	3900	I-1/SR	E-1		8.09
17031631	200	I-1/SR	E-1		4.79
17031631	300	I-1/SR	E-1		4.16
17031631	502	I-1/SR	E-1		1.16
17031631	503	I-1/SR	E-1		0.94
17031631	90000	I-1/SR	E-1		1.02
17031631	90001	I-1/SR	E-1		0.07
17031631	90002	I-1/SR	E-1		0.07
17031631	90003	I-1/SR	E-1		0.10
17031631	90004	I-1/SR	E-1		0.09
17031632	600	I-1/SR/WQ	E-1/WQ		9.79
17031632	901	I-1/SR	E-1		2.10
17031632	1000	I-1/SR	E-1		2.91
17031632	1300	I-1/SR	E-1		0.37
17031634	3701	I-1/SR/WQ	E-1/WQ		3.03
17031634	3703	I-1/SR/WQ	E-1/WQ		1.60
17031634	3704	I-1/SR/WQ	E-1/WQ		1.00
17031634	3705	I-1/SR/WQ	E-1/WQ		1.58
17031634	3800	I-1/SR/WQ	E-1/WQ		8.39
17031641	200	I-1/SR	E-1		1.82
17031641	201	I-1/SR	E-1		7.14
17031641	300	I-1/SR	E-1		1.52
17031641	1100	I-1/SR	E-1		5.00
17031643	100	I-1/SR/WQ	E-1/WQ		19.99
17031644	500	I-1/SR	E-1		0.37
17031644	600	I-1/SR	E-1		6.17
17031644	800	I-1/SR	E-1		1.48
17031641	400	R-1	E-1		6.40
<b>GREENHILL TECHNOLOGY PARK (No overlay zones are affected by the proposed zone changes.)</b>					
17043320	600	NR	E-1	Yes	1.87

Map	Lot	Current Zoning	Proposed Zoning	Proposed Split Zone	Proposed Acres
<b>STEWART ROAD (No overlay zones are affected by the proposed zone changes.)</b>					
17043413	100	I-2	E-2	Yes	0.17
17043414	900	I-2	E-2	Yes	0.38
<b>W. 11th AVE. CORRIDOR (No overlay zones are affected by the proposed zone changes.)</b>					
17043621	5500	S-C/C-2	C-2		0.70
17043621	5600	S-C/C-2	C-2		0.45
17043621	5700	S-C/C-2	C-2		0.34
17043621	5800	S-C/C-2	C-2		0.34
17043542	501	C-1	C-2		0.43
17043623	101	C-2	E-2		0.24
17043310	4500	C-2	E-2		0.83
17043310	2302	C-4	E-2		0.84
17043310	2303	C-4	E-2		2.59
17043310	2400	C-4	E-2		5.09
17043441	600	C-4	C-2		0.20
17043441	700	C-4	C-2		1.34
17043441	900	C-4	C-2		1.61
17043441	1001	C-4	C-2		0.41
17043441	1002	C-4	C-2		0.43
17043441	1003	C-4	C-2		0.01
17043441	1004	C-4	C-2		2.88
17043441	1200	C-4	C-2		0.62
17043441	1300	C-4	C-2		0.77
17043441	1301	C-4	C-2		1.11
17043442	100	C-4	C-2		1.28
17043442	101	C-4	C-2		1.12
17043442	3101	C-4	C-2		1.83
17043531	200	C-4	C-2		0.33
17043531	300	C-4	C-2		0.37
17043531	400	C-4	C-2		0.41
17043531	501	C-4	C-2		0.30
17043531	600	C-4	C-2		0.29
17043531	802	C-4	C-2		0.29
17043531	803	C-4	C-2		1.04
17043531	805	C-4	C-2		0.21
17043532	103	C-4	C-2		0.68
17043532	104	C-4	C-2		0.25
17043532	105	C-4	C-2		1.90
17043532	108	C-4	C-2		0.09
17043532	109	C-4	C-2		1.38
17043532	200	C-4	C-2		1.14
17043532	401	C-4	C-2		0.60
17043532	402	C-4	C-2		0.75
17043532	500	C-4	C-2		1.23
17043542	400	C-4	C-2		0.70
17043542	90000	C-4	C-2		1.82
17043542	90100	C-4	C-2		0.10
17043542	90200	C-4	C-2		0.51
17043621	1400	C-4	E-2		0.81
17043621	1900	C-4	E-2		0.69
17043621	2000	C-4	E-2		0.74

Map	Lot	Current Zoning	Proposed Zoning	Proposed Split Zone	Proposed Acres
17043621	2100	C-4	E-2		0.40
17043621	2200	C-4	E-2		0.58
17043621	2400	C-4	E-2		0.04
17043621	2800	C-4	C-2		0.39
17043621	2801	C-4	C-2		0.34
17043621	3000	C-4	C-2		0.91
17043621	3100	C-4	C-2		0.07
17043621	3101	C-4	C-2		0.22
17043621	3200	C-4	C-2		0.09
17043621	3301	C-4	C-2		0.02
17043621	4901	C-4	E-2		0.22
17043621	4903	C-4	E-2		0.15
17043621	5100	C-4	E-2		0.14
17043621	5200	C-4	E-2		0.15
17043621	5300	C-4	E-2		0.15
17043621	5501	C-4	C-2		0.29
17043621	5502	C-4	E-2		0.22
17043621	5503	C-4	C-2		0.16
17043621	7000	C-4	C-2		0.03
17042543	100	I-2	E-2		0.55
17042543	200	I-2	E-2		0.18
17042543	300	I-2	E-2		0.13
17042543	400	I-2	E-2		0.23
17042543	500	I-2	E-2		0.37
17042543	600	I-2	E-2		0.19
17042543	700	I-2	E-2		0.19
17042543	800	I-2	E-2		0.19
17042543	900	I-2	E-2		0.19
17042543	1000	I-2	E-2		0.39
17042543	1100	I-2	E-2		0.19
17042543	1200	I-2	E-2		0.19
17042543	1300	I-2	E-2		0.37
17042543	1400	I-2	E-2		0.09
17042543	1500	I-2	E-2		0.09
17042543	1600	I-2	E-2		0.18
17042543	1700	I-2	E-2		0.16
17042543	1800	I-2	E-2		0.14
17042543	1900	I-2	E-2		0.13
17042543	2000	I-2	E-2		0.13
17042543	2100	I-2	E-2		0.27
17042543	2200	I-2	E-2		0.37
17042543	2900	I-2	E-2		1.17
17042543	3300	I-2	E-2		0.90
17042543	3400	I-2	E-2		0.28
17042543	3500	I-2	E-2		0.32
17042543	3700	I-2	E-2		0.22
17042543	3801	I-2	E-2		0.23
17042543	3900	I-2	E-2		0.26
17042543	4000	I-2	E-2		0.49
17042543	4100	I-2	E-2		0.45
17042543	4200	I-2	E-2		0.26

Map	Lot	Current Zoning	Proposed Zoning	Proposed Split Zone	Proposed Acres
17042543	4300	I-2	E-2		0.26
17042543	4500	I-2	E-2		0.17
17042543	4600	I-2	E-2		0.56
17042543	4700	I-2	E-2		0.13
17042543	4800	I-2	E-2		0.19
17042543	5200	I-2	E-2		0.45
17042543	5400	I-2	E-2		0.27
17042543	5500	I-2	E-2		0.35
17042543	5600	I-2	E-2		0.23
17042543	5700	I-2	E-2		0.22
17042543	5800	I-2	E-2		0.22
17042543	5900	I-2	E-2		0.12
17042543	6100	I-2	E-2		0.13
17042543	6900	I-2	E-2		0.13
17042543	7100	I-2	E-2		0.19
17042543	7200	I-2	E-2		0.27
17042543	7300	I-2	E-2		0.09
17042543	7400	I-2	E-2		0.11
17042543	7500	I-2	E-2		0.20
17042543	7600	I-2	E-2		1.11
17042543	8000	I-2	E-2		1.56
17042543	8600	I-2	E-2		0.46
17042543	8700	I-2	E-2		0.83
17042543	9000	I-2	E-2		0.21
17042543	9001	I-2	E-2		1.55
17042543	12500	I-2	E-2		0.82
17042543	13000	I-2	E-2		1.22
17042543	13001	I-2	E-2		0.36
17042543	13300	I-2	E-2		0.08
17042543	13400	I-2	E-2		0.71
17042543	13600	I-2	E-2		0.00
17042544	5500	I-2	E-2		1.14
17042544	5900	I-2	E-2		0.13
17042544	6000	I-2	E-2		0.06
17042544	6100	I-2	E-2		0.20
17042544	6402	I-2	E-2		0.22
17042544	6800	I-2	E-2		0.22
17042544	7000	I-2	E-2		0.15
17043400	3400	I-2	E-2		2.34
17043400	3500	I-2	E-2		0.97
17043400	3501	I-2	E-2		1.24
17043400	3600	I-2	E-2		0.69
17043400	3601	I-2	E-2		1.31
17043400	3800	I-2	E-2		0.89
17043400	3801	I-2	E-2		0.74
17043400	3802	I-2	E-2		1.19
17043413	101	I-2	E-2		0.27
17043413	200	I-2	E-2		0.37
17043413	201	I-2	E-2		0.54
17043413	400	I-2	E-2		0.69
17043413	401	I-2	E-2		0.77

Map	Lot	Current Zoning	Proposed Zoning	Proposed Split Zone	Proposed Acres
17043413	500	I-2	E-2		5.04
17043413	501	I-2	E-2		4.51
17043413	502	I-2	E-2		1.18
17043413	600	I-2	E-2		0.40
17043413	1500	I-2	E-2		0.43
17043413	1800	I-2	E-2		0.07
17043413	1900	I-2	E-2		0.11
17043413	2100	I-2	E-2		0.72
17043413	2200	I-2	E-2		0.92
17043413	2600	I-2	E-2		2.16
17043414	401	I-2	E-2		1.05
17043414	402	I-2	E-2		0.34
17043414	404	I-2	E-2		0.39
17043414	405	I-2	E-2		0.04
17043414	407	I-2	E-2		0.80
17043414	408	I-2	E-2		0.31
17043414	501	I-2	E-2		0.29
17043414	502	I-2	E-2		0.36
17043414	503	I-2	E-2		0.44
17043414	504	I-2	E-2		0.43
17043414	506	I-2	E-2		0.87
17043414	701	I-2	E-2		0.27
17043414	801	I-2	E-2		0.26
17043414	802	I-2	E-2		0.52
17043414	1100	I-2	E-2		0.30
17043414	1200	I-2	E-2		0.79
17043414	1300	I-2	E-2		0.84
17043414	1500	I-2	E-2		0.71
17043414	1501	I-2	E-2		1.60
17043414	1600	I-2	E-2		1.56
17043414	1601	I-2	E-2		0.85
17043414	1602	I-2	E-2		0.86
17043423	1800	I-2	E-2		2.31
17043423	1800	I-2	E-2		0.06
17043423	1800	I-2	E-2		0.04
17043423	1800	I-2	E-2		0.04
17043423	1800	I-2	E-2		0.07
17043423	1800	I-2	E-2		0.07
17043423	1800	I-2	E-2		0.07
17043423	1800	I-2	E-2		0.07
17043423	1800	I-2	E-2		0.07
17043423	1800	I-2	E-2		0.04
17043423	1800	I-2	E-2		0.04
17043423	1800	I-2	E-2		0.04
17043423	1800	I-2	E-2		0.04
17043423	1800	I-2	E-2		0.04
17043423	1800	I-2	E-2		0.04
17043423	1800	I-2	E-2		0.06
17043424	201	I-2	E-2		1.01
17043424	202	I-2	E-2		0.59
17043424	203	I-2	E-2		2.14
17043424	204	I-2	E-2		2.99

Map	Lot	Current Zoning	Proposed Zoning	Proposed Split Zone	Proposed Acres
17043424	600	I-2	E-2		0.68
17043424	601	I-2	E-2		0.55
17043424	1000	I-2	E-2		0.31
17043424	1001	I-2	E-2		0.31
17043424	1002	I-2	E-2		0.64
17043424	1003	I-2	E-2		0.47
17043424	1004	I-2	E-2		0.24
17043424	1005	I-2	E-2		0.34
17043424	1006	I-2	E-2		0.26
17043424	1007	I-2	E-2		0.74
17043424	1008	I-2	E-2		1.52
17043424	1009	I-2	E-2		0.80
17043424	1010	I-2	E-2		0.75
17043424	1011	I-2	E-2		0.34
17043424	1012	I-2	E-2		0.28
17043424	1013	I-2	E-2		0.13
17043424	1014	I-2	E-2		0.31
17043424	1600	I-2	E-2		0.10
17043430	101	I-2	E-2		3.17
17043430	102	I-2	E-2		4.22
17043430	103	I-2	E-2		0.84
17043430	200	I-2	E-2		1.22
17043430	301	I-2	E-2		0.31
17043430	302	I-2	E-2		0.19
17043430	303	I-2	E-2		0.19
17043430	304	I-2	E-2		0.19
17043430	305	I-2	E-2		0.19
17043430	306	I-2	E-2		0.19
17043430	307	I-2	E-2		0.19
17043430	308	I-2	E-2		0.20
17043430	309	I-2	E-2		0.24
17043430	310	I-2	E-2		0.22
17043430	311	I-2	E-2		0.18
17043430	312	I-2	E-2		0.18
17043430	313	I-2	E-2		0.18
17043430	314	I-2	E-2		0.18
17043430	315	I-2	E-2		0.18
17043430	316	I-2	E-2		0.18
17043430	317	I-2	E-2		0.19
17043430	318	I-2	E-2		0.23
17043430	400	I-2	E-2		0.27
17043430	401	I-2	E-2		0.25
17043430	501	I-2	E-2		1.47
17043430	502	I-2	E-2		1.40
17043430	700	I-2	E-2		0.83
17043430	800	I-2	E-2		2.54
17043430	901	I-2	E-2		1.55
17043430	902	I-2	E-2		0.86
17043430	903	I-2	E-2		0.86
17043430	904	I-2	E-2		0.86
17043430	1000	I-2	E-2		5.00

Map	Lot	Current Zoning	Proposed Zoning	Proposed Split Zone	Proposed Acres
17043430	1100	I-2	E-2		4.78
17043430	1601	I-2	E-2		3.36
17043430	1701	I-2	E-2		0.88
17043430	1702	I-2	E-2		1.08
17043430	1800	I-2	E-2		2.20
17043430	2200	I-2	E-2		1.82
17043430	2400	I-2	E-2		0.72
17043430	2500	I-2	E-2		1.43
17043430	2700	I-2	E-2		1.13
17043430	2800	I-2	E-2		0.55
17043430	2900	I-2	E-2		0.53
17043430	3000	I-2	E-2		0.53
17043430	3100	I-2	E-2		0.89
17043430	3200	I-2	E-2		0.90
17043430	3300	I-2	E-2		0.90
17043430	3400	I-2	E-2		0.89
17043430	3500	I-2	E-2		0.94
17043430	3600	I-2	E-2		0.91
17043430	3700	I-2	E-2		1.12
17043430	3800	I-2	E-2		0.71
17043430	3900	I-2	E-2		0.70
17043430	4000	I-2	E-2		0.78
17043430	4100	I-2	E-2		0.62
17043430	4200	I-2	E-2		0.00
17043430	4400	I-2	E-2		0.00
17043430	4500	I-2	E-2		0.94
17043430	4600	I-2	E-2		0.67
17043430	4601	I-2	E-2		0.41
17043430	4700	I-2	E-2		11.94
17043430	4800	I-2	E-2		10.76
17043430	5200	I-2	E-2		0.37
17043440	14400	I-2	E-2		1.00
17043441	101	I-2	C-2		0.88
17043441	102	I-2	C-2		1.22
17043441	200	I-2	C-2		1.27
17043441	501	I-2	C-2		0.49
17043441	701	I-2	C-2		0.39
17043441	702	I-2	C-2		0.08
17043441	800	I-2	C-2		0.86
17043441	801	I-2	C-2		0.36
17043442	200	I-2	C-2		3.75
17043442	201	I-2	E-2		0.08
17043442	1000	I-2	E-2		0.19
17043442	1300	I-2	E-2		0.24
17043442	1400	I-2	E-2		0.19
17043442	1500	I-2	E-2		0.38
17043442	1700	I-2	E-2		0.31
17043442	1800	I-2	E-2		0.37
17043442	1900	I-2	E-2		0.20
17043442	2000	I-2	E-2		0.38
17043442	2100	I-2	E-2		0.07



Map	Lot	Current Zoning	Proposed Zoning	Proposed Split Zone	Proposed Acres
17043442	2101	I-2	E-2		0.12
17043442	2200	I-2	E-2		0.19
17043442	2300	I-2	E-2		0.19
17043442	2301	I-2	E-2		0.29
17043442	2302	I-2	E-2		0.11
17043442	2400	I-2	E-2		0.18
17043442	2500	I-2	E-2		0.18
17043442	2600	I-2	E-2		0.18
17043442	2700	I-2	E-2		0.18
17043442	2800	I-2	E-2		0.18
17043442	2900	I-2	E-2		0.19
17043442	3000	I-2	E-2		0.37
17043442	3100	I-2	C-2		3.24
17043442	3200	I-2	E-2		3.55
17043442	3300	I-2	E-2		3.65
17043442	3301	I-2	E-2		0.50
17043442	3302	I-2	E-2		0.50
17043442	3400	I-2	E-2		4.83
17043442	3503	I-2	E-2		0.23
17043442	3504	I-2	E-2		0.19
17043442	3505	I-2	E-2		0.19
17043442	3506	I-2	E-2		0.19
17043442	3507	I-2	E-2		0.19
17043442	3508	I-2	E-2		0.23
17043442	3509	I-2	E-2		0.23
17043442	3510	I-2	E-2		0.09
17043442	3511	I-2	E-2		0.09
17043442	3512	I-2	E-2		0.19
17043442	3513	I-2	E-2		0.19
17043442	3514	I-2	E-2		0.23
17043442	3517	I-2	E-2		0.09
17043442	3518	I-2	E-2		0.09
17043442	3601	I-2	E-2		0.31
17043442	3700	I-2	E-2		3.83
17043513	1100	I-2	C-2		0.21
17043513	1200	I-2	C-2		0.67
17043531	100	I-2	C-2		0.33
17043531	500	I-2	C-2		0.51
17043531	800	I-2	C-2		1.90
17043531	801	I-2	C-2		1.16
17043531	804	I-2	C-2		0.46
17043532	106	I-2	C-2		0.31
17043532	107	I-2	C-2		0.03
17043532	111	I-2	C-2		0.15
17043532	201	I-2	C-2		2.54
17043532	600	I-2	E-2		0.10
17043532	700	I-2	C-2		2.28
17043532	701	I-2	C-2		2.29
17043532	702	I-2	C-2		0.24
17043532	800	I-2	E-2		3.97
17043532	900	I-2	E-2		3.35

Map	Lot	Current Zoning	Proposed Zoning	Proposed Split Zone	Proposed Acres
17043532	1300	I-2	E-2		0.25
17043541	102	I-2	C-2		1.71
17043541	105	I-2	C-2		0.07
17043541	106	I-2	C-2		0.55
17043541	108	I-2	C-2		0.61
17043542	100	I-2	C-2		1.32
17043542	101	I-2	C-2		0.75
17043542	200	I-2	C-2		0.41
17043542	800	I-2	C-2		0.31
17043612	1700	I-2	E-2		0.94
17043612	2000	I-2	E-2		0.20
17043612	2100	I-2	E-2		0.20
17043612	2200	I-2	E-2		0.20
17043612	2400	I-2	E-2		0.54
17043612	2500	I-2	E-2		0.34
17043612	2900	I-2	E-2		0.81
17043612	3700	I-2	E-2		0.18
17043612	3800	I-2	E-2		0.28
17043612	4000	I-2	E-2		0.23
17043621	400	I-2	C-2		0.41
17043621	800	I-2	E-2		1.21
17043621	900	I-2	C-2		0.20
17043621	1000	I-2	C-2		0.20
17043621	1201	I-2	E-2		0.34
17043621	1202	I-2	E-2		0.33
17043621	2701	I-2	C-2		0.34
17043621	2702	I-2	C-2		0.25
17043621	2703	I-2	C-2		0.19
17043621	4300	I-2	C-2		0.62
17043621	5400	I-2	E-2		1.07
17043621	5901	I-2	E-2		0.35
17043621	6100	I-2	E-2		0.35
17043621	6200	I-2	E-2		0.28
17043621	6201	I-2	E-2		0.06
17043621	6800	I-2	C-2		1.38
17043621	6900	I-2	C-2		0.18
17043621	6901	I-2	C-2		0.09
17043621	6902	I-2	C-2		0.09
17043623	200	I-2	E-2		0.07
17043623	300	I-2	E-2		0.29
17043623	501	I-2	E-2		0.53
17043623	502	I-2	E-2		0.70
17043623	600	I-2	E-2		5.41
17043623	602	I-2	E-2		2.25
17043623	700	I-2	E-2		2.02
17043623	701	I-2	E-2		0.15
17043623	702	I-2	E-2		0.21
17043623	704	I-2	E-2		2.01
17043623	902	I-2	E-2		4.35
17043623	903	I-2	E-2		2.25
17043623	1000	I-2	E-2		1.03

Map	Lot	Current Zoning	Proposed Zoning	Proposed Split Zone	Proposed Acres
17043623	1001	I-2	E-2		1.03
17043623	1002	I-2	E-2		1.04
17043623	1003	I-2	E-2		1.04
17043623	1100	I-2	E-2		0.41
17043623	1101	I-2	E-2		1.08
17043623	1200	I-2	E-2		0.69
17043624	301	I-2	E-2		0.14
17043624	302	I-2	E-2		0.19
17043624	303	I-2	E-2		0.15
17043624	304	I-2	E-2		0.14
17043624	500	I-2	E-2		1.14
17043624	600	I-2	E-2		0.20
17043624	700	I-2	E-2		0.20
17043624	1000	I-2	E-2		0.20
17043624	1100	I-2	E-2		0.42
17043624	1200	I-2	E-2		0.21
17043624	1300	I-2	E-2		0.23
17043624	1500	I-2	E-2		0.62
17043624	1501	I-2	E-2		1.15
17043624	1502	I-2	E-2		0.55
17043624	1600	I-2	E-2		0.21
17043624	1700	I-2	E-2		0.82
17043624	1800	I-2	E-2		1.04
17043623	703	I-2	E-2	Yes	2.84
17043623	703	C-2	C-2	Yes	0.69
17043513	3500	I-3	E-2		0.31
17043520	1100	I-3	E-2		3.04
17043520	1200	I-3	E-2		8.88

#### Zoning Legend

E-1	Campus Employment
E-2	Mixed Use Employment
I-2	Light-Medium Industrial
I-3	Heavy Industrial
C-2	Community Commercial
C-4	Commercial/ Industrial
/SR	Site Review Overlay
/WQ	Water Quality Overlay
S-C	Special-Chambers
NR	Natural Resource



# Map 9.3055 S-C Chambers Special Area Zone and Subareas



- Chambers Special Area Zone Boundary
- S-C/R-1 Low Density Residential
- S-C/R-2 Medium Density Residential
- S-C/C-2 Community Commercial



**Exhibit C**  
**Findings for CA 13-4 and Z 13-08**  
**Employment and Industrial Zone Changes and Land Use Code Amendments**

**Land Use Code Amendments (CA 13-4)**

Eugene Code Section 9.8065 requires that the following approval criteria (in ***bold italics***) be applied to a code amendment:

- (1) The amendment is consistent with applicable 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 City 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 amendments do not amend the citizen involvement program. The process for adopting these amendments complied with Goal 1 because it is consistent with the citizen involvement provisions.

Prior to the formal adoption process, community stakeholders with experience and expertise in commercial and industrial business and development gave feedback on the concepts and code language. These stakeholders included property owners, business owners, neighborhood leaders, developers, commercial brokers, architects, and the Chamber of Commerce.

The Planning Commission public hearing on the proposal was duly noticed to all neighborhood organizations, community groups and individuals who have requested notice, as well as to the City of Springfield and Lane County. In addition, notice of the public hearing was also published in the Register Guard. The City Council will hold a duly noticed public hearing to consider approval, modification, or denial of the amendments. These processes afford ample opportunity for citizen involvement consistent with Goal 1. Therefore, the proposed ordinance is 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 decisions and actions related to use of land and to assure an adequate factual basis for such decisions and actions.*

The Eugene land use code specifies the procedure and criteria that were used in considering these amendments. The record shows that there is an adequate factual base for the amendments. The Goal 2 coordination requirement is met when the City engages in an exchange, or invites such an exchange, between the City and any affected governmental unit and when the City uses the information obtained in the exchange to balance the needs of the citizens. To comply with the Goal 2 coordination requirement, the City engaged in an exchange about the subject of these amendments with all of the affected governmental units.

Specifically, the City provided notice of the proposed action and opportunity to comment to Lane County, Springfield and the Department of Land Conservation and Development. There are no exceptions to Statewide Planning Goal 2 required for these amendments. Therefore, the amendments are consistent with Statewide Planning Goal 2.

Goal 3 - Agricultural Lands. *To preserve agricultural lands.*

The amendments are for property located within the urban growth boundary and do not affect any land designated for agricultural use. Therefore, Statewide Planning Goal 3 does not apply.

Goal 4 - Forest Lands. *To conserve forest lands.*

The amendments are for property located within the urban growth boundary and do not affect any land designated for forest use. Therefore, Statewide Planning Goal 4 does not apply.

Goal 5 - Open Spaces, Scenic and Historic Areas, and Natural Resources. *To conserve open space and protect natural and scenic resources.*

*OR 660-023-0250(3) provides: Local governments are not required to apply Goal 5 in consideration of a PAPA unless the PAPA affects a Goal 5 resource. For purposes of this section, a PAPA would affect a Goal 5 resource only if:*

- (a) The PAPA creates or amends a resource list or a portion of an acknowledged plan or land use regulation adopted in order to protect a significant Goal 5 resource or to address specific requirements of Goal 5;*
- (b) The PAPA allows new uses that could be conflicting uses with a particular significant Goal 5 resource site on an acknowledged resource list; or*
- (c) The PAPA amends an acknowledged UGB and factual information is submitted demonstrating that a resource site, or the impact areas of such a site, is included in the amended UGB area.*

These amendments do not create or amend the City'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 urban growth boundary. Therefore, Statewide Planning Goal 5 does not apply.

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

Goal 6 addresses waste and process discharges from development, and is aimed at protecting air, water and land from impacts from those discharges. The amendments do not affect the City's ability to provide for clean air, water or land resources. Therefore, Statewide Planning Goal 6 does not apply.

*Goal 7 - Areas Subject to Natural Disasters and Hazards.* *To protect life and property from natural disasters and hazards.*

Goal 7 requires that local government planning programs include provisions to protect people and property from natural hazards such as floods, land slides, earthquakes and related hazards, tsunamis and wildfires. The Goal prohibits a development in natural hazard areas without appropriate safeguards. The amendments do not affect the City's restrictions on development in areas subject to natural disasters and hazards. Further, the amendments do not allow for new development that could result in a natural hazard. Therefore, Statewide Planning Goal 7 does not apply.

*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 the provision of recreational facilities to Oregon citizens and is primarily concerned with the provision of those facilities in non-urban areas of the state. The amendments do not affect the City's provisions for or access to recreation areas, facilities or recreational opportunities. Therefore, Statewide Planning Goal 8 does not apply.

*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.*

The Administrative Rule for Statewide Planning Goal 9 (OAR 660, Division 9) requires cities to evaluate the supply and demand of commercial land relative to community economic objectives. The Eugene Commercial Lands Study (1992) was adopted by the City of Eugene as a refinement of the Metro Plan, and complies with the requirements of Goal 9 and its Administrative Rule.

The Eugene Commercial Lands Study acknowledged that the inventory of commercial land is dynamic and that different commercial services need to be accommodated through a variety of means. An emphasis of the study is to encourage higher intensity in-fill and redevelopment of commercial lands by constraining the supply of new commercial land. Findings addressing the relevant policies of the Eugene Commercial Lands Study are provided below under EC 9.8065 (2), and are incorporated herein by reference.

The amendments are specifically intended to facilitate commercial and industrial development and redevelopment. The amendments do not affect the amount of land designated for commercial use and will have no direct impact on the existing supply of commercially designated land. Rather, the amendments implement an Envision Eugene efficiency strategy to encourage more efficient use of industrial lands inside the UGB by allowing for mixed commercial and industrial development through the new E-2 Mixed Use Employment zone. This zone will replace the existing C-4 Commercial Industrial zone and is consistent with the existing plan designations in the study area (primarily Light Medium Industrial, small amount of Heavy

Industrial).

Therefore, the zone and code amendments are consistent with Statewide Planning Goal 9.

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

Goal 10 requires that communities plan for and maintain an inventory of buildable residential land for needed housing units. None of the amendments affect residentially designated properties. Therefore, the amendments are 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.*

The amendments do not affect the City's provision of public facilities and services. Therefore, Statewide Planning Goal 11 does not apply.

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

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

- (1) *If an amendment to a functional plan, an acknowledged comprehensive plan, or a land use regulation (including a zoning map) would significantly affect an existing or planned transportation facility, then the local government must put in place measures as provided in section (2) of this rule, unless the amendment is allowed under section (3), (9) or (10) of this rule. A plan or land use regulation amendment significantly affects a transportation facility if it would:*
  - (a) *Change the functional classification of an existing or planned transportation facility (exclusive of correction of map errors in an adopted plan);*
  - (b) *Change standards implementing a functional classification system; or*
  - (c) *Result in any of the effects listed in paragraphs (A) through (C) of this subsection based on projected conditions measured at the end of the planning period identified in the adopted TSP. As part of evaluating projected conditions, the amount of traffic projected to be generated within the area of the amendment may be reduced if the amendment includes an enforceable, ongoing requirement that would demonstrably limit traffic generation, including, but not limited to, transportation demand management. This reduction may diminish or completely eliminate the significant effect of the amendment.*
    - (A) *Types or levels of travel or access that are inconsistent with the functional classification of an existing or planned transportation facility;*
    - (B) *Degrade the performance of an existing or planned transportation facility such that it would not meet the performance standards identified in the TSP or comprehensive plan; or*



*(C) Degrade the performance of an existing or planned transportation facility that is otherwise projected to not meet the performance standards identified in the TSP or comprehensive plan.*

The proposed amendments do not change the functional classification of a transportation facility or change the standards implementing a functional classification system. Therefore, the amendments do not have a significant effect under (a) or (b). In regards to (c), the type of development currently permitted through existing code and zoning regulations will change with the creation and application of the new E-2 Mixed Use Employment zone in West Eugene and the converting of the I-1 Campus Industrial zone to the E-1 Campus Employment zone in three areas of the city.

As detailed in the following findings, the city proposes to impose trip caps on all of the properties that are subject to a code amendment or zone change that would allow uses that would generate more traffic than is currently allowed on those properties. Specifically, the city proposes to impose trip caps on all of the properties where the currently allowed uses will be expanded, either as a result of the newly-named E-1 zone or a zone change to C-2 or E-2. With the proposed trip caps traffic generated from the subject properties after the code amendments and zone changes cannot exceed the amount of traffic that could be generated from these properties prior to adoption of the code amendments and zone changes.

#### West Eugene

The analysis for West Eugene compared the reasonable worst-case scenario traffic generation under existing zoning to reasonable worst-case scenario traffic generation under the proposed zoning. The area is proposed to change from a mix of Commercial zones (C-1, S-C, C-2, and C-4) and Industrial zones (I-2 and a few I-3) to a combination of C-2 zoning along the commercial corridor and E-2 zoning in the light industrial areas (see Attachment A). To determine if the proposed zoning would result in more traffic generation than the current zoning, the analysis applied the reasonable worst case traffic generation scenario from the Institute of Traffic Engineers trip generation manual.

The analysis showed that the number of PM peak hour trips generated by reasonable worst-case scenario development allowed under the existing zoning is 4960 trips. This aggregate trip generation number is derived from the reasonable worst-case scenario development allowed under the current zoning of each of the properties within the West Eugene study area. In comparison, the number of PM peak hour trips generated by reasonable worst-case scenario development allowed under the proposed zoning is 5730 trips.

As a means of eliminating the potential significant effect of the proposed code amendments and zone changes on the existing and planned transportation facilities within the West Eugene Study area the city proposes to cap the number of trips that can be generated by the properties within the West Eugene study area at 4960 trips.

By imposing a trip cap on the properties within the West Eugene Study area that are subject to

code amendments and zone changes, the traffic generated from each of the subject properties after the amendments cannot exceed traffic that could be generated by uses that are already allowed under the current zoning. The trip cap is an enforceable, ongoing requirement that will demonstrably limit traffic generation for the subject properties by preventing the traffic generation beyond currently allowed levels. The trip cap is enforceable and ongoing because it will be monitored for the subject properties each time a building permit is received by the City. Until the cap is lifted, each of the properties within the subject area can only develop with a use that generates the same or less trips than could have been generated under the previous zoning.

The trip cap and the manner in which it can be modified will be recorded with the rezoning ordinance adopting the zone changes. Thus, in accordance with OAR 660-012-0060(1)(c), the proposed trip cap can be considered when determining whether a proposed amendment will significantly affect an existing or planned transportation facility. Because imposing a trip cap of 4960 prevents the proposed amendments and zone changes from creating any additional traffic generation from the subject properties, the trip cap completely eliminates the potential significant effect of the amendments and zone changes and, therefore, no additional TPR analysis is needed.

With a trip cap that prevents trip generation beyond currently allowed levels the proposed amendment complies with the TPR; any modification or lifting of the trip cap requires a separate demonstration of TPR compliance. Thus, prior to modifying or lifting of the trip cap, an analysis must be done to determine whether, without the trip cap or with a modified trip cap, any existing or planned transportation facilities will be significantly affected by the amendments. If the analysis shows that there is a significant effect from the amendments, the trip cap could be lifted or modified only if one or more of the mitigation measures set forth in OAR 660-012-0060(2) is adopted. This analysis and, if necessary, adoption of mitigation measures, could occur as part of the City's update to its Transportation System Plan (TSP) or could occur through a separate process. Whether done through the TSP adoption process or a separate application, the trip cap modification process will include notice and an opportunity for public participation and a demonstration of compliance with the TPR.

As such, per OAR 660-012-0060(3) the potential significant effect of the code amendments and zone changes on existing and planned transportation facilities within the West Eugene study area is eliminated because the amendments and code changes include a trip cap that is an enforceable, ongoing requirement that limits traffic generation to currently allowed levels; therefore the proposed code amendments and zone changes are consistent with Goal 12.

#### Campus Industrial Areas

The campus industrial areas are zoned I-1 (Campus Industrial; see maps in Attachments B, C, and D). This zone is proposed to be renamed E-1 Campus Employment and the use list revised to include more office and medical uses. For each of the three campus industrial areas the analysis compared reasonable worst-case scenario traffic generation under the existing I-1 zoning to reasonable worst-case scenario traffic generation under the proposed E-1 zoning. The

table below shows the results of the analysis:

Study Area	Projected PM Peak Trips Existing I-1 Zoning	Projected PM Peak Trips Proposed E-1 Zoning
Greenhill	1250	1855
Willow Creek	1270	1885
Chad Drive	1370	2335

This aggregate trip generation numbers shown in the above-chart are derived from the reasonable worst-case scenario development allowed under the current and proposed zoning of each of the properties within the three campus industrial study areas. The analysis shows that for each of the three campus industrial areas, the proposed E-1 zoning will generate more PM peak hour trips than currently generated under the existing I-1 zoning. As a means of eliminating the potential significant effect of the proposed zone change on the existing and planned transportation facilities within the campus industrial areas the city proposes to cap the number of trips that can be generated by the properties within each of the three campus industrial areas at the number of trips currently projected for reasonable worst-case scenario development under the existing I-1 zoning.

By imposing a trip cap on the properties within the three campus industrial areas that are subject to the zone change, the traffic generated from each of the subject properties after the zone change cannot exceed the traffic that could be generated by uses that are already allowed under the current zoning. The trip cap is an enforceable, ongoing requirement that will demonstrably limit traffic generation for the subject properties by preventing the traffic generation beyond currently allowed levels. The trip cap is enforceable and ongoing because it will be monitored for the properties subject to the zone change each time a building permit is received by the City. Until the cap is lifted, each of the properties within the three subject areas can only develop with a use that generates the same or less trips than could have been generated under the previous zoning.

The trip cap and the manner in which it can be modified will be recorded with the rezoning ordinance adopting the zone changes. Thus, in accordance with OAR 660-012-0060(1)(c), the proposed trip cap can be considered when determining whether a proposed amendment will significantly affect an existing or planned transportation facility. Because imposing a trip cap of 1250 for the Greenhill and Willow Creek study areas and 1370 for the Chad Drive study area prevents the zone change from creating any additional traffic generation from the subject properties, the trip cap completely eliminates the potential significant effect of zone change and, therefore, no additional TPR analysis is needed.

With a trip cap that prevents trip generation beyond currently allowed levels the proposed zone change complies with the TPR; any modification or lifting of the trip cap requires a

separate demonstration of TPR compliance. Thus, prior to modifying or lifting of the trip cap, an analysis must be done to determine whether, without the trip cap or with a modified trip cap, any existing or planned transportation facilities will be significantly affected by the amendment.

If the analysis shows that there is a significant effect from the amendment, the trip cap could be lifted or modified only if one or more of the mitigation measures set forth in OAR 660-012-0060(2) is adopted. This analysis and, if necessary, adoption of mitigation measures, could occur as part of the City's update to its Transportation System Plan (TSP) or could occur through a separate process. Whether done through the TSP adoption process or a separate application, the trip cap modification process will include notice and an opportunity for public participation and a demonstration of compliance with the TPR.

As such, per OAR 660-012-0060(3) the potential significant effect of the zone change is eliminated because the zone change includes a trip cap that is an enforceable, ongoing requirement that limits traffic generation to currently allowed levels; therefore the proposed zone change is consistent with Goal 12.

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

The amendments do not impact energy conservation. Therefore, Statewide Planning Goal 13 does not apply.

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

The amendments do not affect the City's provisions regarding the transition of land from rural to urban uses. Therefore, Statewide Planning Goal 14 does not apply.

*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 amendments do not contain any changes that affect the Willamette River Greenway regulations; therefore, Statewide Planning Goal 15 does not apply.

*Goal 16 through 19 - Estuarine Resources, Coastal Shorelands, Beaches and Dunes, and Ocean Resources.*

There are no coastal, ocean, estuarine, or beach and dune resources within the local jurisdiction. Therefore, these goals are not locally relevant and the amendments will not affect compliance with Statewide Planning Goals 16 through 19.

**(2) The amendment is consistent with applicable provisions of the Metro Plan and**

***applicable adopted refinement plans.***

**Applicable Metro Plan Policies**

The following policies from the *Metro Plan* (identified below in *italics*) are applicable to these amendments. Based on the findings provided below, the amendments are consistent with and supported by the applicable provisions of the *Metro Plan*.

**Economic Element**

- B.8 Encourage the improvement of the appearance of existing industrial areas, as well as their ability to serve the needs of existing and potential light industrial development.*

The proposed code amendments introduce design standards for larger facilities in the Employment and Industrial zones. These standards address building design as it relates to the adjacent public street, including pedestrian connectivity, first floor transparency, and articulation. These requirements, in concert with enhanced landscaping and vegetative screening of outdoor storage areas, are intended to improve the appearance of all employment and industrial zones.

- B.15 Encourage compatibility between industrially zoned lands and adjacent areas in local planning programs.*

The proposed code amendments retain certain landscape standards that are intended to screen industrial areas from adjacent residential zones, while also introducing several requirements that increase separation between uses and limit building height. These compatibility standards will reduce visual intrusion on residential areas, thereby maintaining privacy.

- B.17 Improve land availability for industries dependent on rail access.*

The I-3 Heavy Industrial and I-2 Light-Medium Industrial zones have extensive railroad access. Recognizing the value of this access for industrial uses, the proposed code amendments remove several non-industrial uses from the list of permitted uses in each zone. This action helps to preserve industrial land with rail access for industries that need it.

- B.23 Provide for limited mixing of office, commercial, and industrial uses under procedures which clearly define the conditions under which such uses shall be permitted and which: (a) preserve the suitability of the affected areas for their primary uses; (b) assure compatibility; and (c) consider the potential for increased traffic congestion.*

This policy is directly implemented by the proposed amendments, in particular the E-2 Mixed Use Employment zone, which allows for limited mixing of uses under clear conditions (special use limitations). Numerous retail commercial uses are added to the permitted use list in all four

Employment and Industrial zones. The retail commercial is intended as supporting uses in previously single-use industrial areas. The introduction of such uses is accompanied by limitations on square footage or overall percentages per development site, thereby maintaining the industrial predominance of development.

Mixing land uses along key transit corridors is a central theme of the Envision Eugene vision. In addition, these efficiency measures are aimed at efficient use of lands inside the existing urban growth boundary, where the city's transportation system plan will provide for facilities to support these planned land uses and densities. A full explanation of transportation impacts and required analysis and mitigation measures is provided above under Goal 12.

### Transportation Element

#### *Transportation System Improvements: Pedestrian*

*F.26 Provide for a pedestrian environment that is well integrated with adjacent land uses and is designed to enhance the safety, comfort, and convenience of walking.*

Consistent with this policy, the amendments modify pedestrian connectivity standards in industrial areas that previously lacked such standards. The introduction of select retail commercial uses necessitates the concurrent implementation of standards to improve pedestrian amenities. These standards are triggered by the presence of retail uses.

#### *Finance*

*F.36 Require that new development pay for its capacity impact on the transportation system.*

Consistent with this policy, developments will continue to be subject to transportation system development charges (SDCs). These amendments do not modify or change the applicability of SDCs.

Based on the above findings, the zone changes and code amendments are consistent with the *Metro Plan*.

### **Applicable Refinement Plans**

The applicability of these code amendments is confined to industrial zones across the city and the West Eugene study area. These areas are addressed by several city council-adopted refinement plans, and each applicable plan was reviewed for consistency. Findings addressing relevant provisions of applicable refinement plans are provided below.

#### **Bethel-Danebo Refinement Plan Phase II (1977)**

The refinement plan lacks a plan diagram but the broad policies are supportive of both the proposed zone changes and code amendments. The proposed zone changes will enable the diversification of the employment base, while also consolidating the current jumble of zones. Both these actions are consistent with the policy direction stated below. The proposed E-2

Mixed Use Employment zone will expand the list of permitted uses in existing industrial areas, which will allow property owners to more nimbly respond to local market demands. Those specific uses listed in Policy 3, below, are allowed in the current zones and will be retained in the proposed E-2 Mixed Use Employment zone.

2. *Economic development should:*
  - a. *Diversify the employment base...*
3. *Industrial park development, including areas for warehousing, distributive industries, and research developments is to be encouraged.*

### **Eugene Commercial Lands Study (1992)**

The Eugene Commercial Lands Study (ECL) is a policy document that applies citywide. In general, the relevant ECL policy directives are to increase development potential and, to the greatest degree possible, accommodate that compact development within the existing UGB. On both counts, the zone changes and code amendments are consistent with and advance this policy direction, as explained below.

- 4.0 *Allow some flexibility to mix commercial and industrial uses where the site and public infrastructure can ensure compatibility with surrounding land uses and adequate provision of public services.*

The entirety of the area proposed for zone changes is well served by necessary public services. The code amendments allow increased flexibility of uses by permitting commercial uses along major transportation corridors, in campus industrial areas, and in a limited fashion, throughout the industrial zones. Currently, the industrial zones do not allow such flexibility of uses.

- 6.0 *Promote redevelopment of existing commercial areas and compact, dense growth by encouraging business to revitalize and reuse existing commercial sites.*

The proposed zone changes affect a large swath on the south side of West 11<sup>th</sup> Avenue presently regulated with four zones. This area will be consolidated into a single zone, C-2 Community Commercial. The proposal is intended to simplify the regulations by providing zone consistency in a compact, close-in corridor. This approach supports redevelopment and reuse of existing commercial and industrial sites. The code amendments are crafted to exempt reuse and repurposing of existing structures from new development and design standards. This is achieved by applying the standards to new development only.

- 12.0 *Concentrate development in existing commercial areas to minimize traffic impacts on the rest of the city.*

Envision Eugene focuses redevelopment efforts like these efficiency strategies in core commercial areas and along key transit corridors. The two areas affected by the proposed zone changes and code amendments – West Eugene and Chad Drive – are within the existing urban

growth boundary. The proposed zone changes to C-2 Community Commercial are applied to an existing commercial street. In the three areas designated Campus Industrial, the code amendments to the E-1 zone will allow a wider range of supporting uses, such as restaurants, fitness centers, day care, and corner stores, that should diversify a zone that was previously envisioned as a single use office park. This is intended to reduce vehicular miles traveled and create a more pedestrian-friendly environment.

- 19.0 Consider additional commercial land in the West Eugene Subarea to accommodate both neighborhood commercial needs and those of the larger community. In siting additional commercial land, evaluate impacts on traffic patterns and surrounding land uses.*

The West Eugene Subarea comprises approximately a quarter of the area within the city limits, much larger than the current study area. Thus, the current project advances in part the policy directive. A full discussion of the additional commercial uses and land zoned C-2 is included under Policy 6.0 above. All of the amendments will be served by transportation system plan projects designed to accommodate Envision Eugene land uses, with TSP adoption slated to follow local adoption of Envision Eugene efficiency strategies, comprehensive plan, and UGB.

#### **Jefferson Far West Refinement Plan (1983)**

The proposed zone changes and code amendments are consistent with the plan's policy direction. As described below, the Land Use Element policies lend general support for the employment efficiency strategy proposals.

##### *Commercial/ Industrial policies*

- 1. Promote a mix of mutually supportive land uses which will help stimulate neighborhood-based economic development.*

The intent of the proposed E-2 Mixed Use Employment zone is to diversify the permitted land uses in a single zone. Currently, commercial retail, light industrial, and offices are all separated into specific zones. The proposed E-2 is intended to assist local property owners and local businesses respond to market forces in those areas along key transit corridors such as West 11<sup>th</sup> and Garfield Streets adjacent to the Far West neighborhood. Subarea 5, described in more detail below, is designated Commercial/ Industrial on the Plan Diagram, and the proposed E-2 zone will implement the designation.

- 5. North Commercial/ Industrial Area*
  - *This area is appropriate for commercial and industrial uses.*
  - *Broadway shall be recognized as a transition line between commercial and industrial uses to the north and residential uses to the south.*
  - *Site reviews shall be required in conjunction with rezonings which may result in development along Broadway or Chambers Street to ensure compatibility with residential areas to the south and east.*



Subarea 5 is designated Commercial/ Industrial on the Plan Diagram, and the proposed E-2 zone change will implement the designation. Zoning those properties along 7<sup>th</sup> Avenue as C-2 Community Commercial is consistent with this policy and those of the adjacent Whiteaker Plan, which is discussed below.

The residential areas south of Broadway (West 9<sup>th</sup> Avenue) are zoned R-1 low density residential. The proposed zone changes are consistent with this intended transition and do not extend across the current zone line along Broadway.

The final policy calls for Site Review (/SR) to be required in conjunction with rezonings along Chambers or Broadway. As part of this project, the /SR suffix will be applied to those parcels fronting Chambers Street and Broadway.

6. *West 11<sup>th</sup> Avenue/ Garfield Street Commercial Area*
  - *The City shall promote development along West 11<sup>th</sup> Avenue and Garfield Street that will allow it to continue to be a major commercial corridor and yet respond to the need for efficient movement of automobile traffic.*

The proposed zone changes on the south side of West 11<sup>th</sup> Avenue will apply C-2 Community Commercial in accordance with the plan policy direction. Transportation needs are being addressed in the current TSP update to serve Envision Eugene planned land uses and densities.

### **Whiteaker Plan (1994)**

Several policies in the Whiteaker Plan are relevant to the current proposals. While some were acted upon by previous City Council actions, the current proposals will still advance the policy directives, thereby maintaining consistency with the plan.

#### *Neighborhood History and Character Element Design Standards*

7. *Review existing City Code regulations on height, setback, area, and lot coverage to strengthen compatibility between existing residential development and new commercial, industrial, medium and high-density residential development, and the positive impact of new development on the public streetscape.*

The proposed code amendments introduce compatibility measures to address the interface between residential and non-residential uses. Where such measures are absent in the current I-2 Light-Medium Industrial zone, the proposed E-2 Mixed Use Employment zone includes several measures, including;

- height limits not to exceed that of the abutting residential zone when located within 50 feet,
- landscape buffering of large canopy trees and continuous hedgerow,
- wider setbacks for larger development, and
- the majority of parking areas sited at the side and rear to increase separation and improve

privacy.

Land Use Element

*Subarea 4. Blair Industrial Area*

1. *Recognize the Blair Industrial Area as appropriate for light-medium and heavy industrial uses as shown on the Whiteaker Plan Land Use Diagram.*

Areas currently zoned I-2 Light-Medium Industrial are proposed for a change to E-2 Mixed Use Employment. The E-2 Mixed Use Employment zone will implement the Light-Medium Industrial designation. The E-2 zone retains the light-medium industrial uses that are permitted in I-2, while also opening the door to a compatible mix of retail trade and office uses. The proposed zone changes do not affect the heavy industrial designated areas.

3. *Help protect residential areas close to the Blair Industrial Area from the impacts of industrial expansion and changes in use occurring within this area. Apply the site review /SR suffix on all industrially zoned parcels adjacent, across an alley, or across a street from property zoned low-density residential.*

The /SR site review suffix was previously applied to the industrial properties abutting residential zones. No changes are proposed to that city action. Additionally, as noted above, the proposed code amendments introduce regulations intended to improve compatibility between potentially incompatible uses.

*Subarea 5. 6<sup>th</sup> and 7<sup>th</sup> Avenues Commercial Area*

1. *Recognize the 6<sup>th</sup> / 7<sup>th</sup> Avenues Area as appropriate for community commercial activities.*

The proposed zone changes directly implement this policy. Those properties with frontage on W. 6<sup>th</sup> and W. 7<sup>th</sup> Avenues are proposed for zone changes from I-2 Light-Medium Industrial and C-4 Commercial/ Industrial to C-2 Community Commercial.

**Willakenzie Area Plan (1992)**

The following policies lend general support for the proposed code amendments. There is one proposed zone change within the area covered by the Willakenzie Area Plan. The proposal changes one property near the east end of Chad from R-1 to E-1, as allowed by the Campus Industrial plan designation. The code amendments affect the area designated Campus Industrial and zoned I-1 by renaming the zone E-1 Campus Employment, expanding the permitted use list, and incorporating new compatibility standards.

*Land Use Policies*

6. *Minimize land use conflicts by promoting compatibility between low-density and higher-density residential land uses as well as between residential and nonresidential land uses.*

The proposed code amendments introduce compatibility measures to address the interface between residential and non-residential uses. Where such measures are absent in the current I-1 Campus Industrial zone, the proposed renamed and updated zone E-1 Campus Employment includes several measures, including;

- height limits not to exceed that of the abutting residential zone when located within 50 feet,
- landscape buffering of large canopy trees and continuous hedgerow,
- wider setbacks for larger development, and
- the majority of parking areas sited at the side and rear to increase separation and improve privacy.

*General Commercial and Industrial Policies*

1. *The City shall encourage the development of programs to improve the overall appearance of existing and new commercial and industrial areas.*

The proposed code amendments create a set of Large Employment Facility standards that are applicable in the E-1 Campus Employment zone. This package addresses the major themes of pedestrian-friendly and transit supportive design, enhanced landscaping, façade articulation, and fenestration, while restraining from dictating a particular architectural style and aesthetic.

*Coburg-Crescent Subarea Policies*

3. *The City of Eugene shall ensure that industrial development in the Coburg/Crescent subarea is sensitive to and compatible with surrounding uses and will conform to the Coburg/Crescent Special Light Industrial Siting and Development Standards.*

In regards to compatibility between uses, an explanation is provided with Land Use Policy 6, above. The Coburg/Crescent Special Light Industrial Siting and Development Standards were previously incorporated into the Eugene Code. The proposed amendments provide additional transitional standards that are intended to improve the interface between industrial and residential land uses. The new standards implement the policy direction in the Willakenzie Area Plan, and therefore the Site Review overlay in this area is proposed for removal, as indicated in the draft ordinance.

4. *The City shall allow for a gradual transition from existing residential to future industrial use for those areas along Old Coburg Road that are currently zoned residential but are industrially designated.*

The proposed zone changes include bringing the last remaining industrially designated parcel into the new Campus Employment zone. The 6.4 acre parcel is currently zoned R-1. The plan-zone conflict has existed since Willakenzie Area Plan adoption, and the property no longer has any residential use on it (it is currently vacant).

Based on the above findings, the proposal is consistent with and supported by the applicable provisions of the Willakenzie Area Plan.

**Willow Creek Special Area Study (1982)**

There are no refinement plan policies that apply to the proposed code amendments or zone changes. The plan designates the affected area as Special Light Industrial, which was subsequently renamed Campus Industrial in the Metro Plan and has been implemented by the Campus Industrial zone. There are no proposed re-designations or zone changes within the Willow Creek special area, and the proposed code amendments do not conflict with the special area study policies.

**(3) *The amendment is consistent with EC 9.3020 Criteria for Establishment of an S Special Area Zone, in the case of establishment of a special area zone.***

The amendments do not establish a special area zone. Therefore, this criterion does not apply to these amendments.

**EC 9.8865 Criteria for Approval of a Zone Change.**

Two areas are proposed for zone changes: a 6.4 acre parcel on Chad Drive is proposed to be rezoned from R-1 Low Density Residential to E-1 Campus Employment, and numerous parcels are proposed to be rezoned in West Eugene, as summarized in the table below and shown on the maps in Attachments A and B.

**West Eugene Zone Change Summary**

<b>From Zone – To Zone</b>	<b>Acres</b>
C-1 to C-2	0.4
C-4 to C-2	30.2
I-2 to C-2	35.6
S-C to C-2	1.8
<b>Total to C-2</b>	<b>68.0</b>
C-2 to E-2	0.7
C-4 to E-2	12.8
I-2 to E-2	238.7
I-3 to E-2	12.2
R-1 to E-2	1.2
<b>Total to E-2</b>	<b>265.6</b>

Findings for the Zone Change approval criteria are outlined below.

***(1) The proposed change is consistent with applicable provisions of the Metro Plan. The written text of the Metro Plan shall take precedence over the Metro Plan diagram where apparent conflicts or inconsistencies exist.***

The Chad Drive zone change reconciles the site's Metro Plan designation and zoning by changing the zoning to comply with the Campus Industrial plan designation. Applicable Metro Plan policies are discussed under EC 9.8065 (2) above, and the findings are incorporated herein by reference.

In West Eugene, the zone changes implement the Metro Plan as well. The C-2 zone is proposed to implement areas shown as Commercial on the plan diagram. The E-2 zone is proposed to implement areas shown as Light Medium Industrial and a few parcels shown as Heavy Industrial. The plan text for the industrial designations allows the City to implement them with commercial-industrial zoning such as the proposed E-2 zone. Applicable Metro Plan policies are discussed under EC 9.8065 (2) above, and the findings are incorporated herein by reference.

***(2) The proposed zone change is consistent with applicable adopted refinement plans. In the event of inconsistencies between these plans and the Metro Plan, the Metro Plan controls.***

The Chad Drive zone change implements the site's Special Light Industrial refinement plan designation. Applicable Refinement Plan policies from the Willakenzie Area Plan and Commercial Lands Study are discussed under EC 9.8065 (2) above, and the findings are incorporated herein by reference.

In West Eugene, the zone changes are consistent with applicable refinement plans as outlined under EC 9.8065 (2) above. The findings of consistency with the Bethel Danebo Refinement Plan, Commercial Lands Study, Jefferson Far West Refinement Plan, Whiteaker Plan, Willakenzie Area Plan, and Willow Creek Special Area Study are incorporated herein by reference.

City Council Resolutions 3885 – Establishing Areas for Application of C-4 Commercial-Industrial District Zoning and 3862 – West 11<sup>th</sup> Commercial Land Use Policy are locally regarded as refinement plans due to the legal land use controls contained therein. Each is proposed for repeal as part of this project; therefore, the resolution policy direction is not applicable.

***(3) The uses and density that will be allowed by the proposed zoning in the location of the proposed change can be served through the orderly extension of key urban facilities and services.***

The Chad Drive zone change involves a vacant parcel in an existing Campus Industrial area served by all key urban facilities and services, including water, sanitary sewer, storm water, electric service, and transportation. This zone change package is being coordinated with the Transportation System Plan update, and a trip cap is proposed for the area until TSP adoption, as explained under the Goal 12 findings above.

The West Eugene zone changes apply to areas fully served by key urban facilities and services, including water, sanitary sewer, storm water, electric service, and transportation. This zone change package is being coordinated with the Transportation System Plan update, and a trip cap is proposed for the area until TSP adoption, as explained under the Goal 12 findings above.

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

There are no siting requirements outlined for the C-2 zone.

The current I-1 zone (to be amended to E-1 with this project) is subject to the following siting criterion:

**9.2430 Industrial Zone Siting Requirements.**

***(1) I-1 Campus Industrial.*** *This zone is limited to areas designated Campus Industrial in the Metro Plan.*

The proposed zone change from R-1 to E-1 (the new name for the existing I-1 zone) complies with this requirement. The parcel is designated Campus Industrial in the Metro Plan.

There are no siting criteria for the new E-2 zone. The city proposes to add siting criteria to guide future zone change requests to E-2, as outlined in the ordinance.

***(5) In cases where the NR zone is applied based on EC 9.2510(3), the property owner shall enter into a contractual arrangement with the city to ensure the area is maintained as a natural resource area for a minimum of 50 years.***

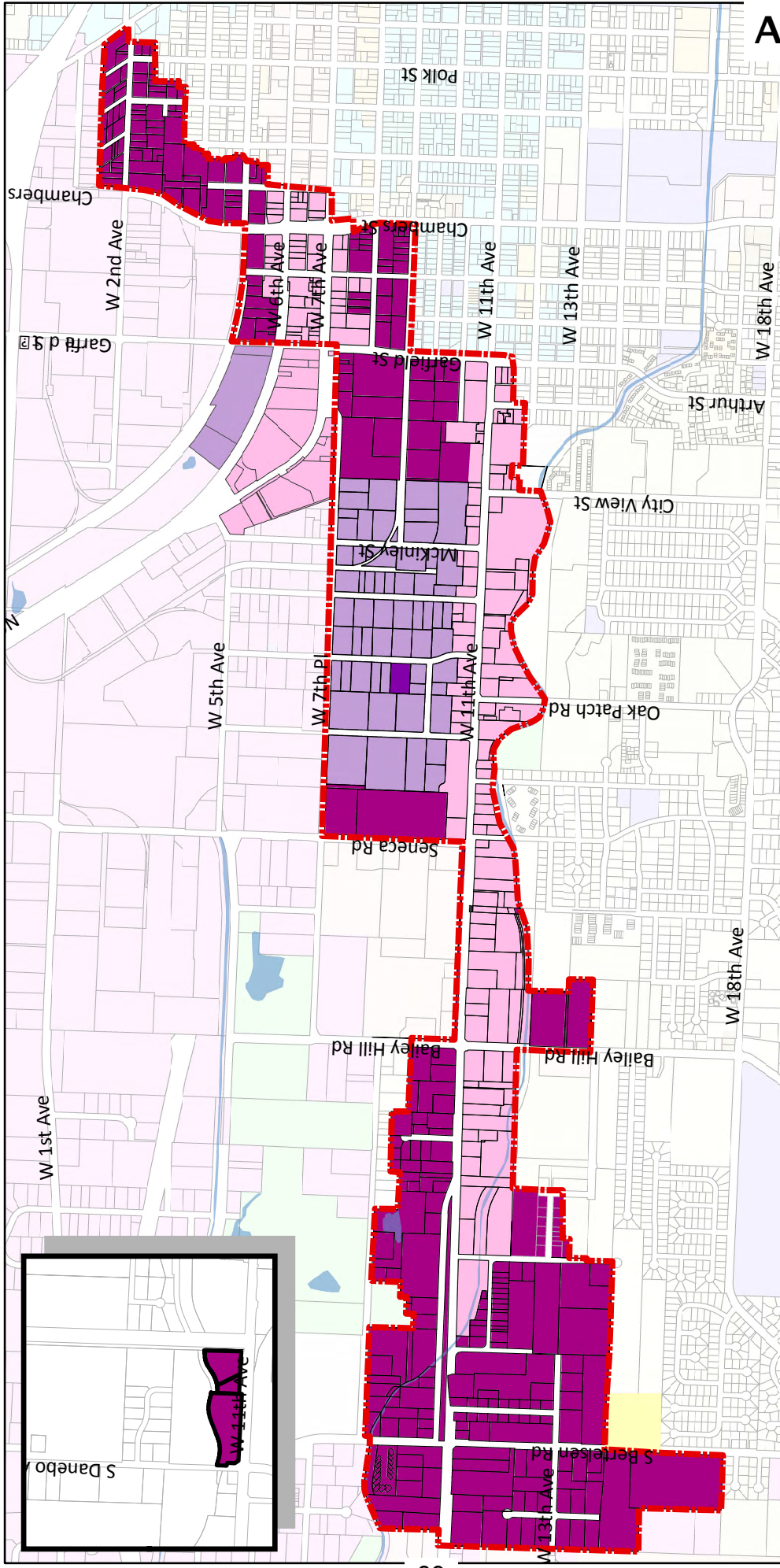
No NR zoning is proposed as part of this project; therefore this criterion does not apply.



## W. 11th Avenue study area: Zoning Designations



\*\*\*The zoning designations do not affect applicable overlays.\*\*\*



**Legend**

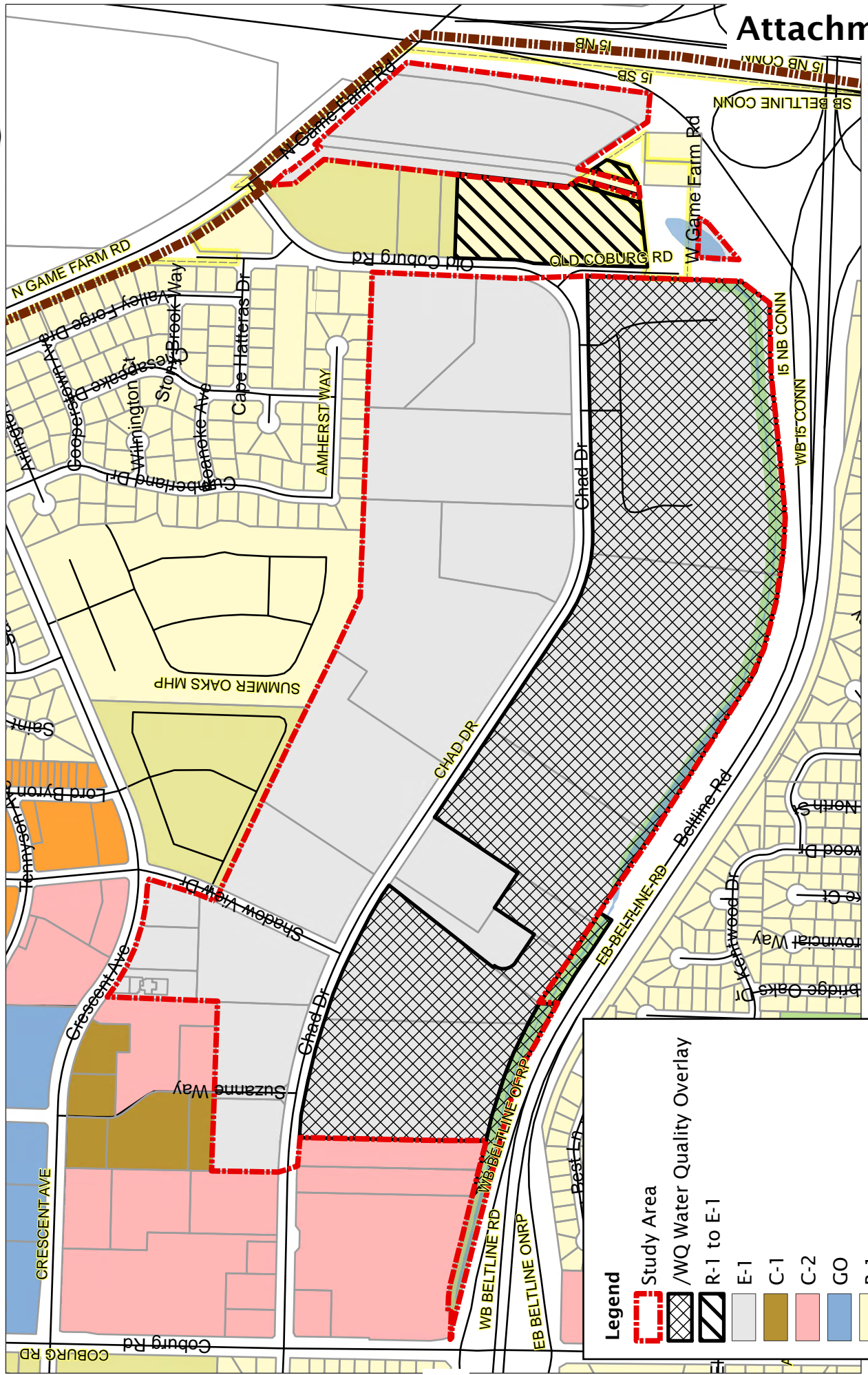
- Study Area
- E-2 Mixed Use Employment
- C-2 Community Commercial
- I-2 Light-Medium Industrial
- I-3 Heavy Industrial







# Chad Drive study area: Zoning Designations



**Legend**

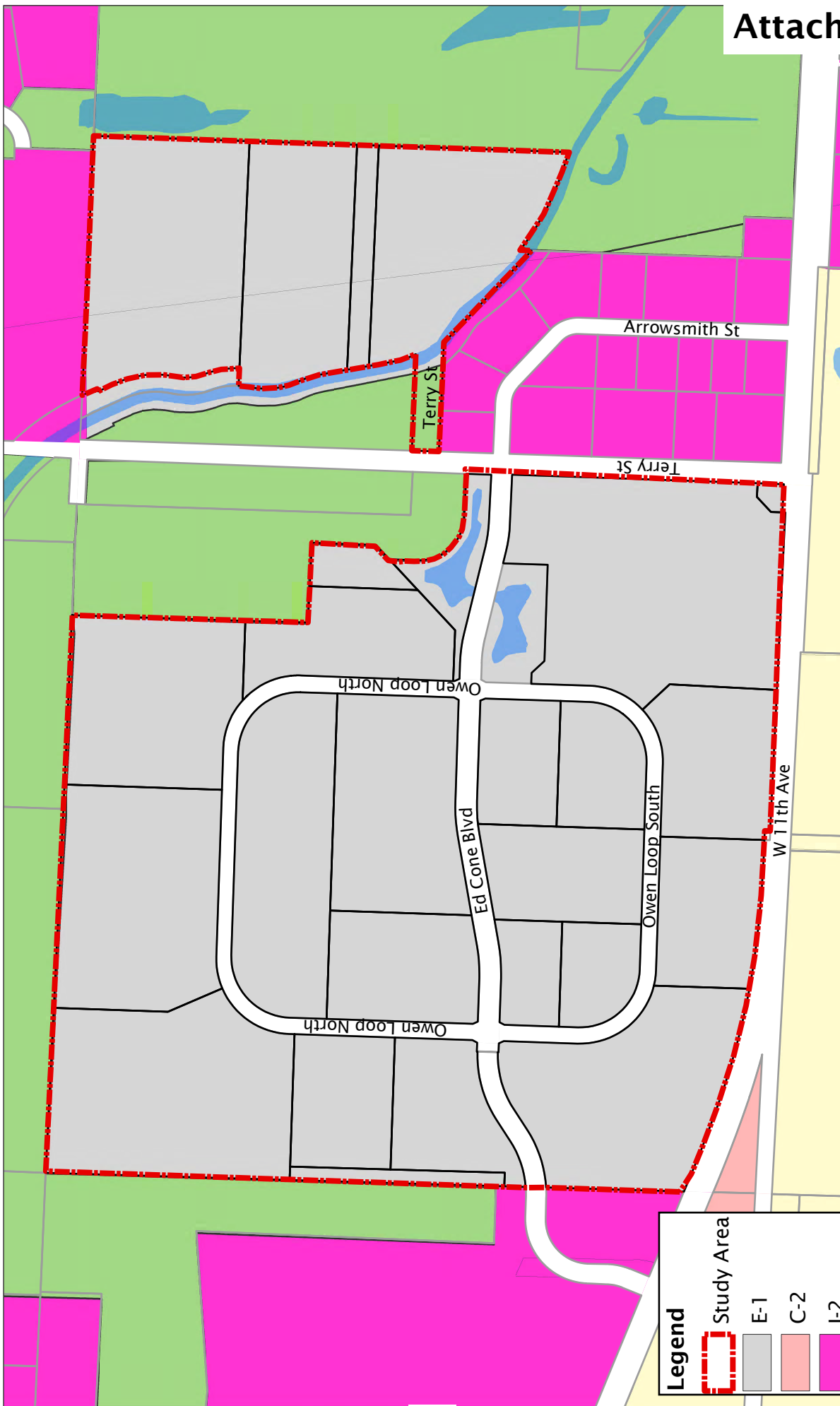
- Study Area
- /WQ Water Quality Overlay
- R-1 to E-1
- E-1
- C-1
- C-2
- GO
- R-1
- R-2
- R-4





# Greenhill Technology Park study area: Zoning Designations

\*\*\*The zoning designations do not affect applicable overlays.\*\*\*



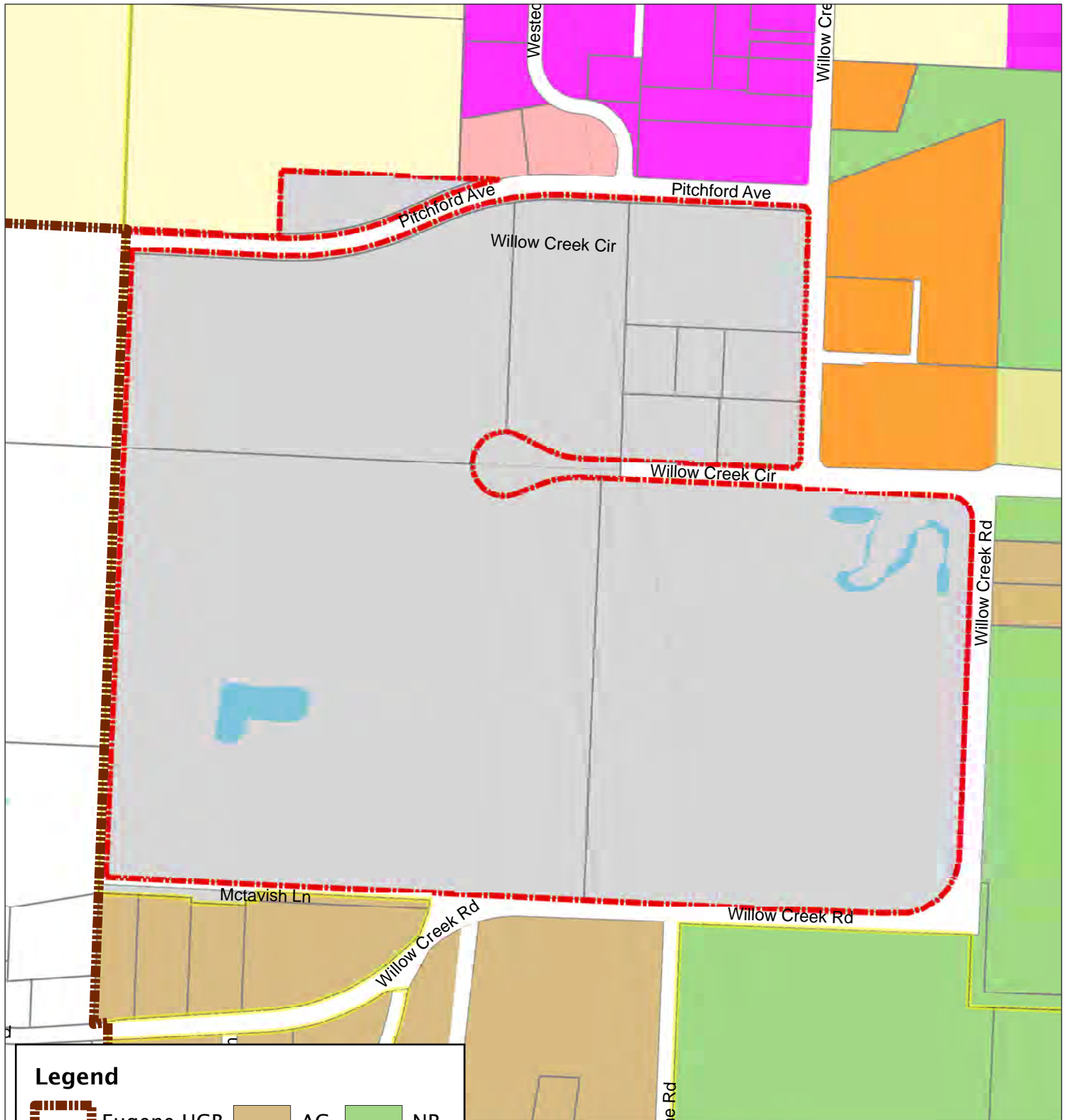
**Legend**

	Study Area
	E-1
	C-2
	I-2
	NR
	R-1
	R-2














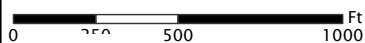
# Willow Creek study area: Zoning Designations

\*\*\*The zoning designations do not affect applicable overlays.\*\*\*

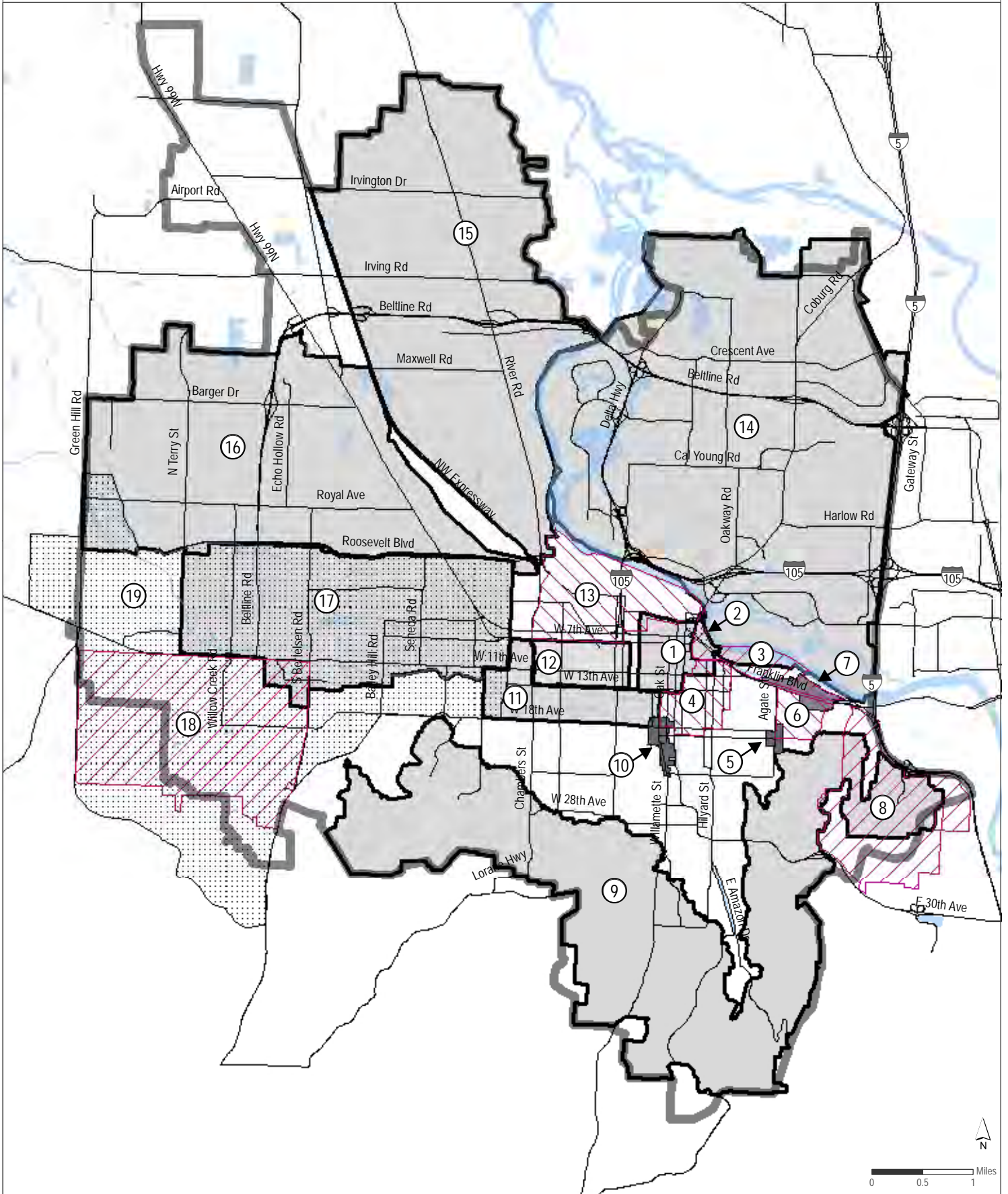


**Legend**

	Eugene UGB		AG		NR
	City Limits		C-2		R-1
	Study Area		I-1		R-2
			I-2		R-4





















# Map 9.8010 Adopted Plans




# Map 9.8010

## Adopted Plans Legend



- 1  Eugene Downtown Plan
- 2  EWEB Downtown Riverfront Specific Area Plan
- 3  Riverfront Park Study Area
- 4  West University Refinement Plan
- 5  19th & Agate Special Area Study
- 6  Fairmount/University Special Area Plan
- 7  Walnut Station Specific Area Plan
- 8  Laurel Hill Plan
- 9  South Hills Study
- 10  South Willamette Subarea Study
- 11  Jefferson/Far West Refinement Plan
- 12  Westside Neighborhood Plan
- 13  Whiteaker Plan
- 14  Willakenzie Area Plan
- 15  River Road -Santa Clara Urban Facilities Plan
- 16  Bethel-Danebo Refinement Plan
- 17  Bethel-Danebo Neighborhood Refinement Plan, Phase II, West Eugene Industrial Study
- 18  Willow Creek Special Area Study
- 19  West Eugene Wetlands Plan

### City or Metropolitan Area Plans

-  Urban Growth Boundary (UGB)
  - Comprehensive Stormwater Management Plan = City Limits (not shown)
  - Eugene Commercial Lands Study = UGB
  - Eugene Parks & Recreation Plan = UGB
  - Metro Plan = Metro Area
  - TransPlan = Metro Area

This map is intended as general reference for the boundaries of plans adopted by the Eugene City Council. For specific boundaries, please refer to the plan. Map prepared by Eugene Planning and Development Department.  
(Some plans have overlapping boundaries.)





# Employment and Industrial Zone Changes + Code Amendments

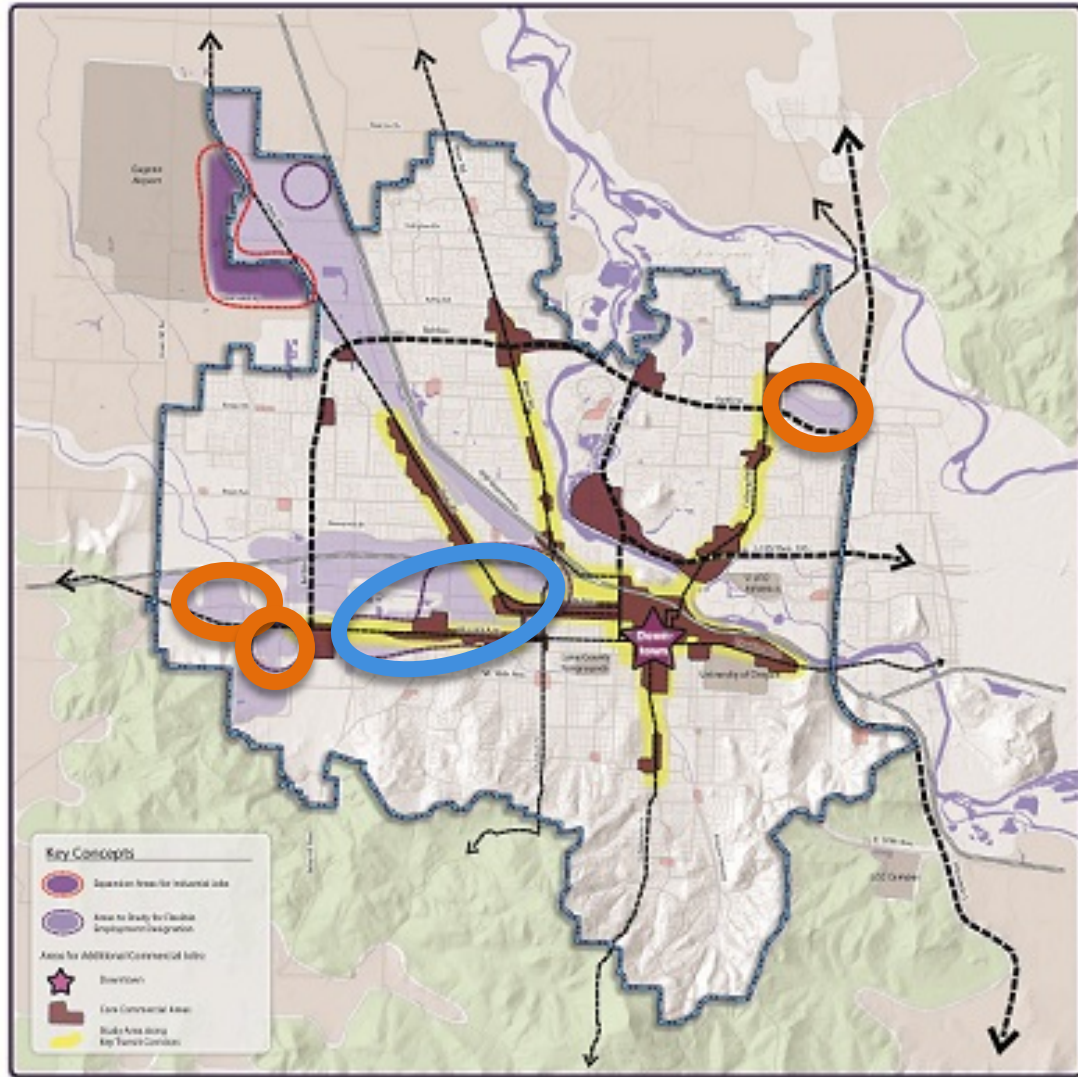
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Accommodating more jobs inside the UGB

City Council 05.14.2014

# Jobs Vision

-96-



**New E-1 Campus Employment Zone**

**New E-2 Mixed Use Employment Zone**



# Project Goals

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- Support Business & Job Opportunities in Campus Industrial areas (E-1).
- Provide Commercial-Industrial Zoning flexibility in West Eugene with new Mixed Use Employment zone (E-2).
- Protect industrial lands for industrial uses in I-2 and I-3 zones, while allowing for supporting services.

# Jobs Accommodated

## 20-year Projected Commercial Job Growth

Envision Eugene Job Growth Rate	1.43%
Commercial Job Projection	22,025
Jobs inside existing UGB	~17,440
<b><i>Jobs through E &amp; I Zone Changes &amp; Code Amendments</i></b>	<b>~4,250</b>
Jobs through other Efficiency Strategies	~335



# Public Engagement Process

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- Community input sought early to inform the zoning proposals
- Planning Commission process November 2013-January 2014 produced 7-0 recommendation
- Council Public Hearing on April 21<sup>st</sup> with strong support for the changes

# West Eugene: E-2 and C-2 Zones

---

Cleanup existing “patchwork” zoning along West Eugene EmX Extension

## E-2 GOALS

1. Do no harm to existing business and allow adaptive reuse of existing buildings.
2. Allow a mixture of commercial and industrial, with more retail along arterial roads.
3. Pedestrian friendly and transit supportive development standards.





I-3



I-3



C-2



DART  
MART

C-1



C-4



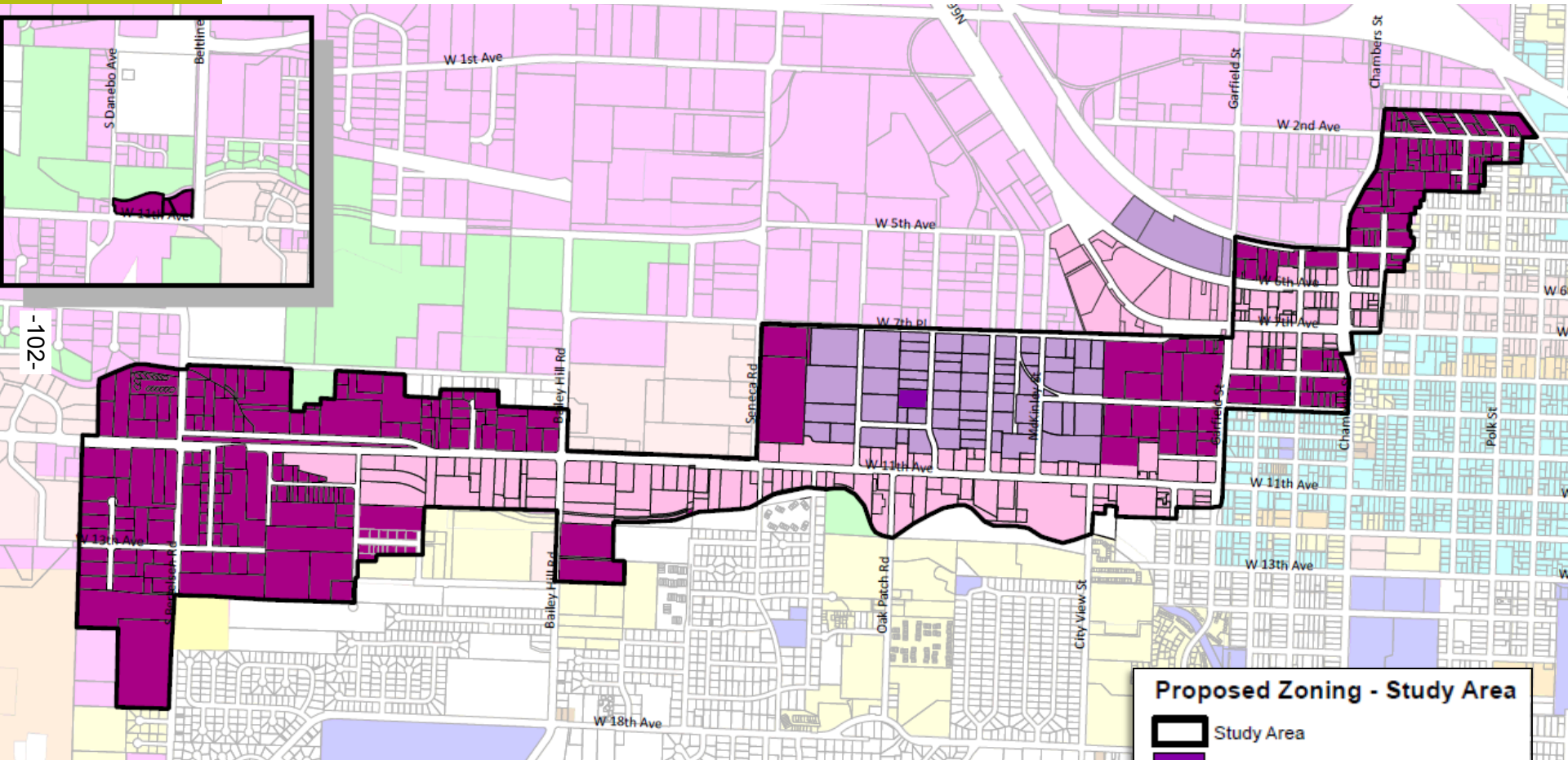
I-2



C-2



# West Eugene Proposed Zoning



-102-

**Proposed Zoning - Study Area**

- Study Area
- I-2 Light-Medium Industrial
- I-3 Heavy Industrial
- C-2 Community Commercial
- E-2 Mixed Use Employment



# E-1 Campus Employment

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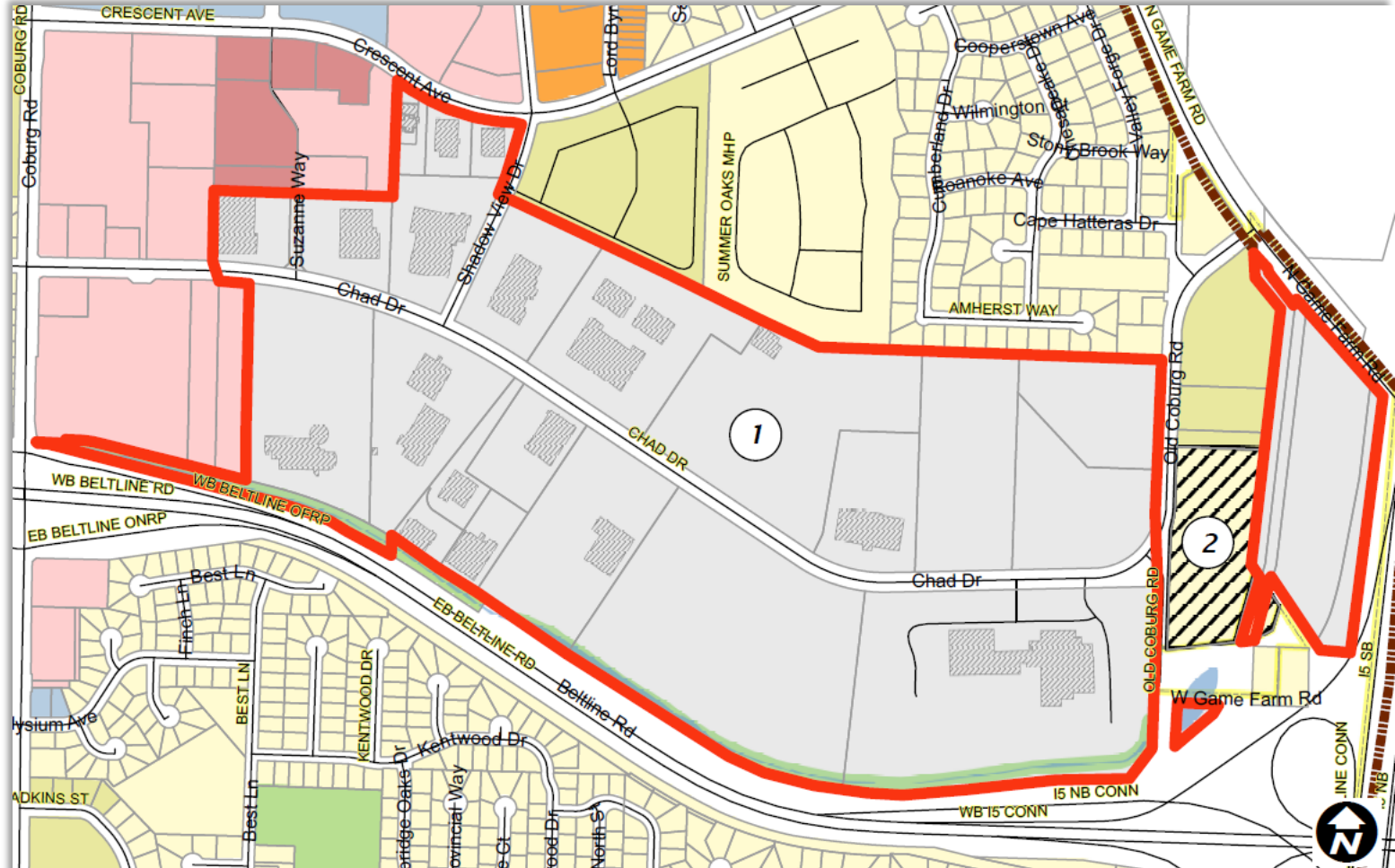
## GOALS

1. Remove barriers to employment opportunities; add medical and office uses.
2. Maintain campus character and improve transitions to residential uses.
3. Provide clarity for property owners, businesses, and the city.



# E-1 Campus Employment Zoning

## Chad Drive

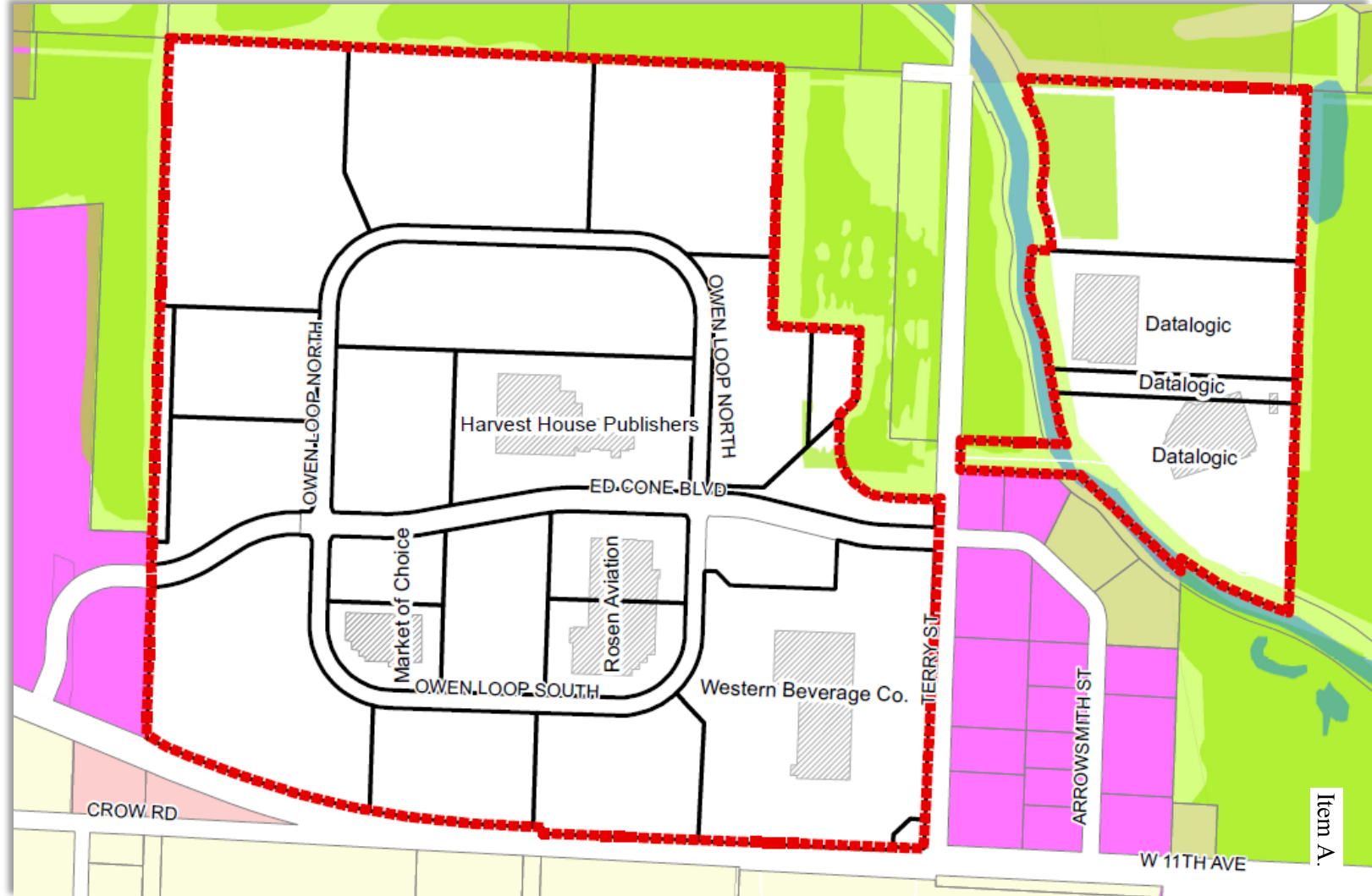


-104-



# E-1 Campus Employment Zoning

## Greenhill Tech Park



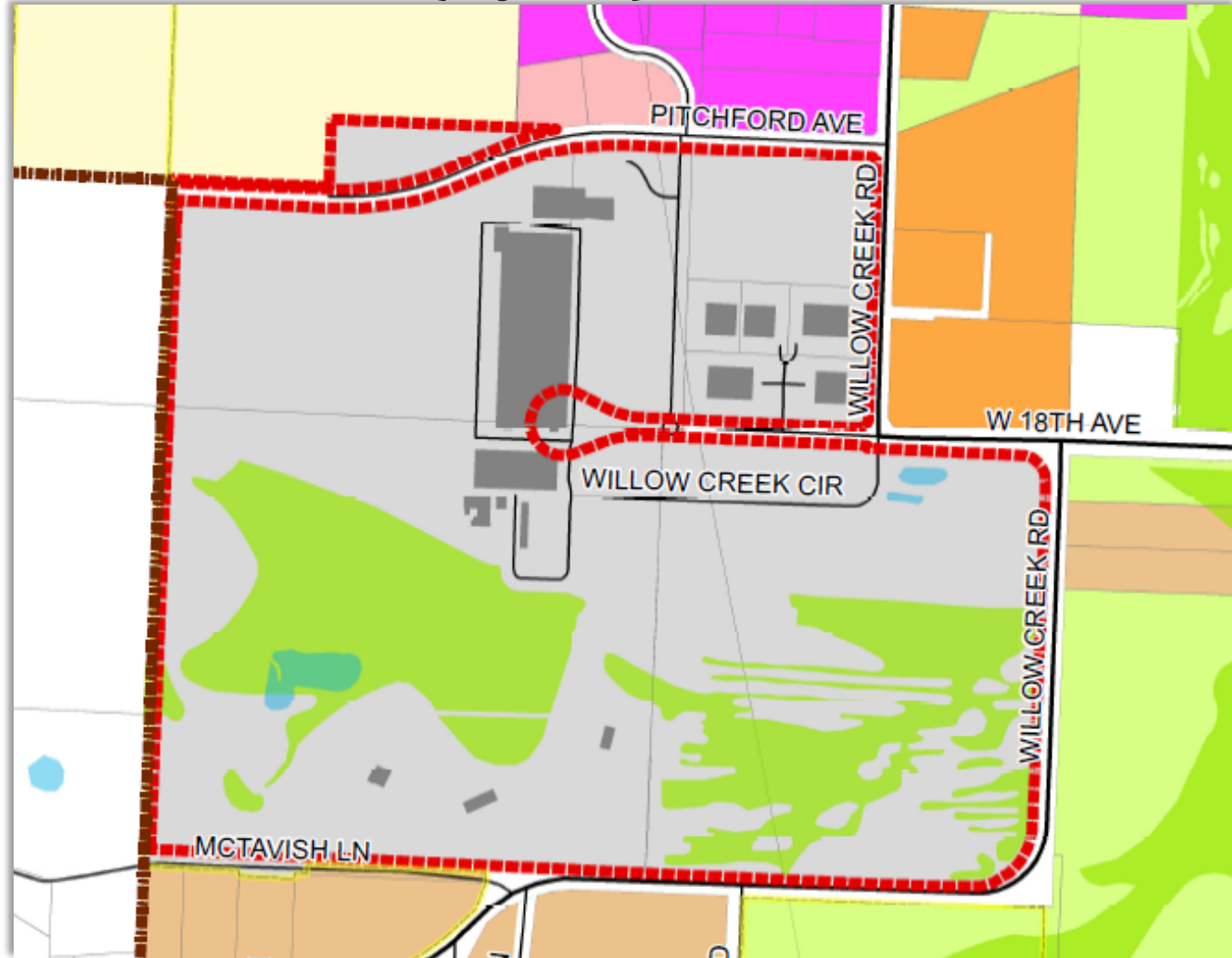
-105-



Item A.

# E-1 Campus Employment Zoning

## Willow Creek (Hynix)



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# I-2 and I-3 Industrial Zones

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## GOALS

1. Industrial lands preservation.
2. Clarity in regulations for sales of products made on site.
3. Diversify single use areas by allowing some supporting uses.



# **Employment and Industrial Zone Changes + Code Amendments**

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Accommodating more jobs inside the UGB

**City Council 05.14.2014**



# Other Topics

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1. E-1 Outdoor Storage
2. E-1 Residential Transitions

# E-1 OUTDOOR STORAGE

Current Code	Planning Commission Recommendation	Alternative Storage Proposal
Outdoor storage prohibited in I-1	E-1 allows storage with standards; only passenger fleet parking on lots abutting R zones.	E-1 would allow storage with standards, with a 50-foot setback abutting R zoned lots.

-110-



# Outdoor Storage (PC Recommendation)

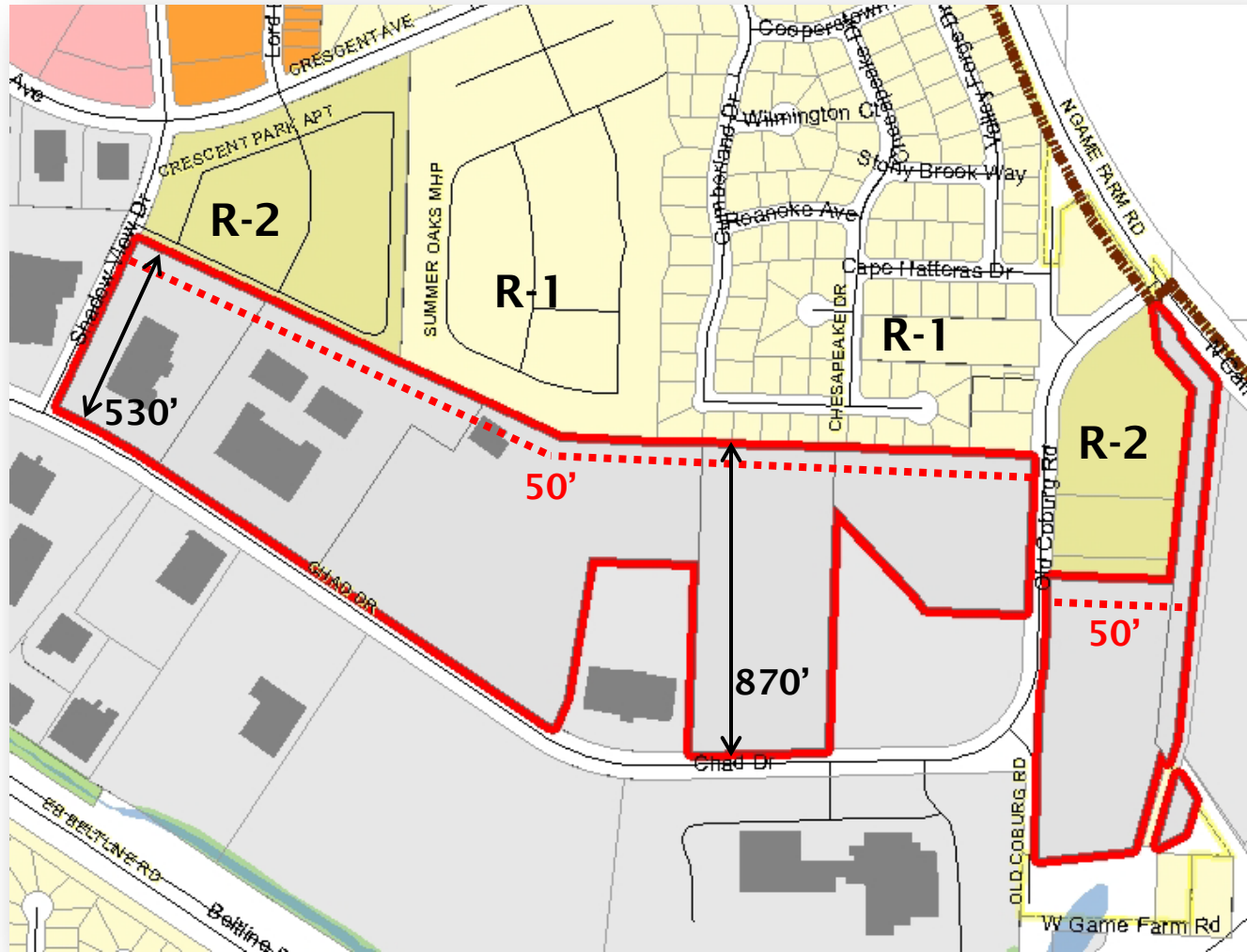


Prohibited on all lots abutting Residential zones.

-111-



# Outdoor Storage (Alternative Proposal)



Setback 50-feet from Residential zones.

# E-1 Residential Transitions

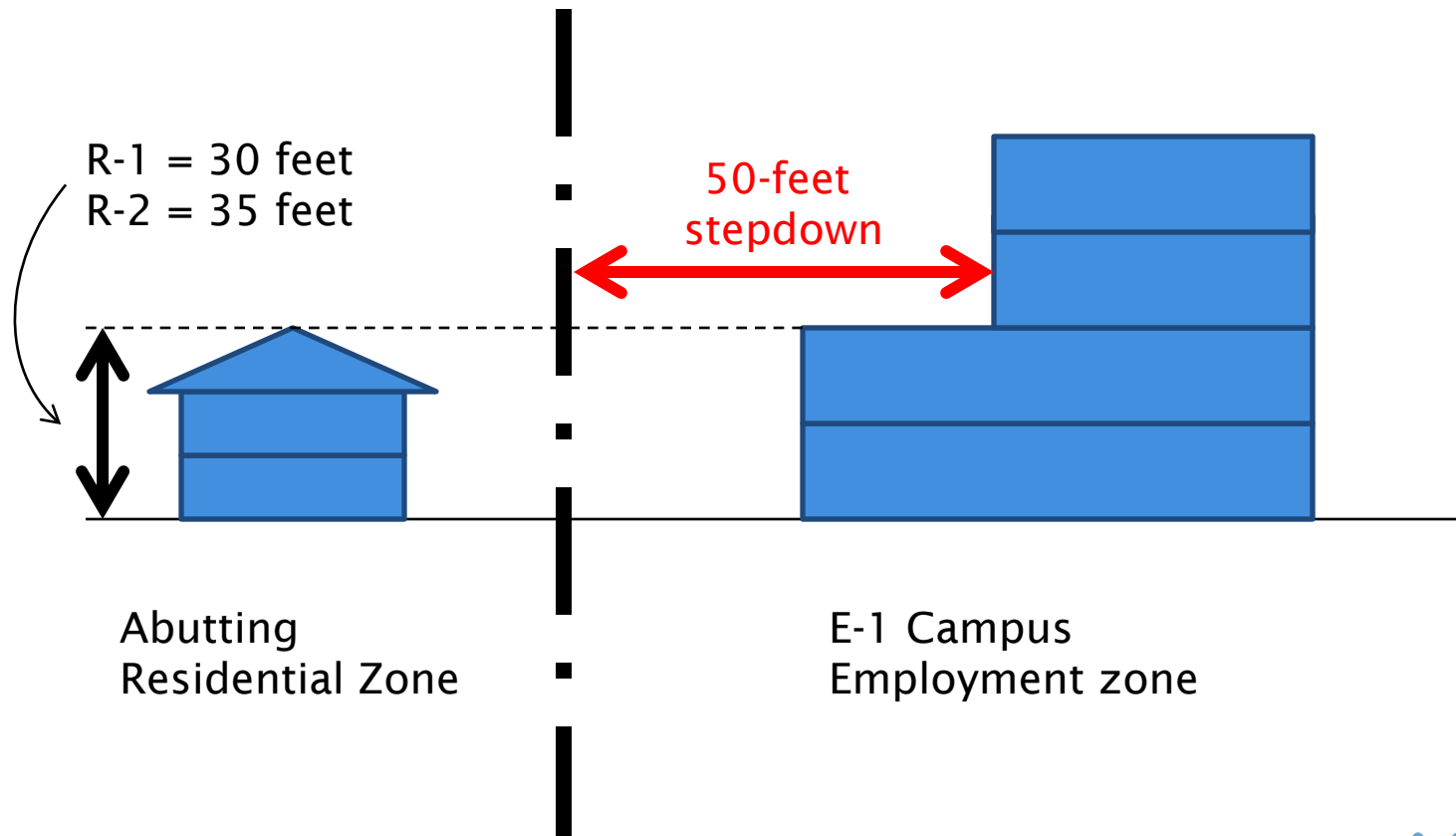
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## IMPROVE RESIDENTIAL COMPATIBILITY.

- Introduce height limit → 80 feet ≈ 6 stories
- Stepdown transition next to residential zones.
- Retain L-3 High Screen Landscape standard.
- Parking location to the side and rear.

# E-1 Residential Transitions

STEPPDOWN TRANSITION NEXT TO RESIDENTIAL ZONES.

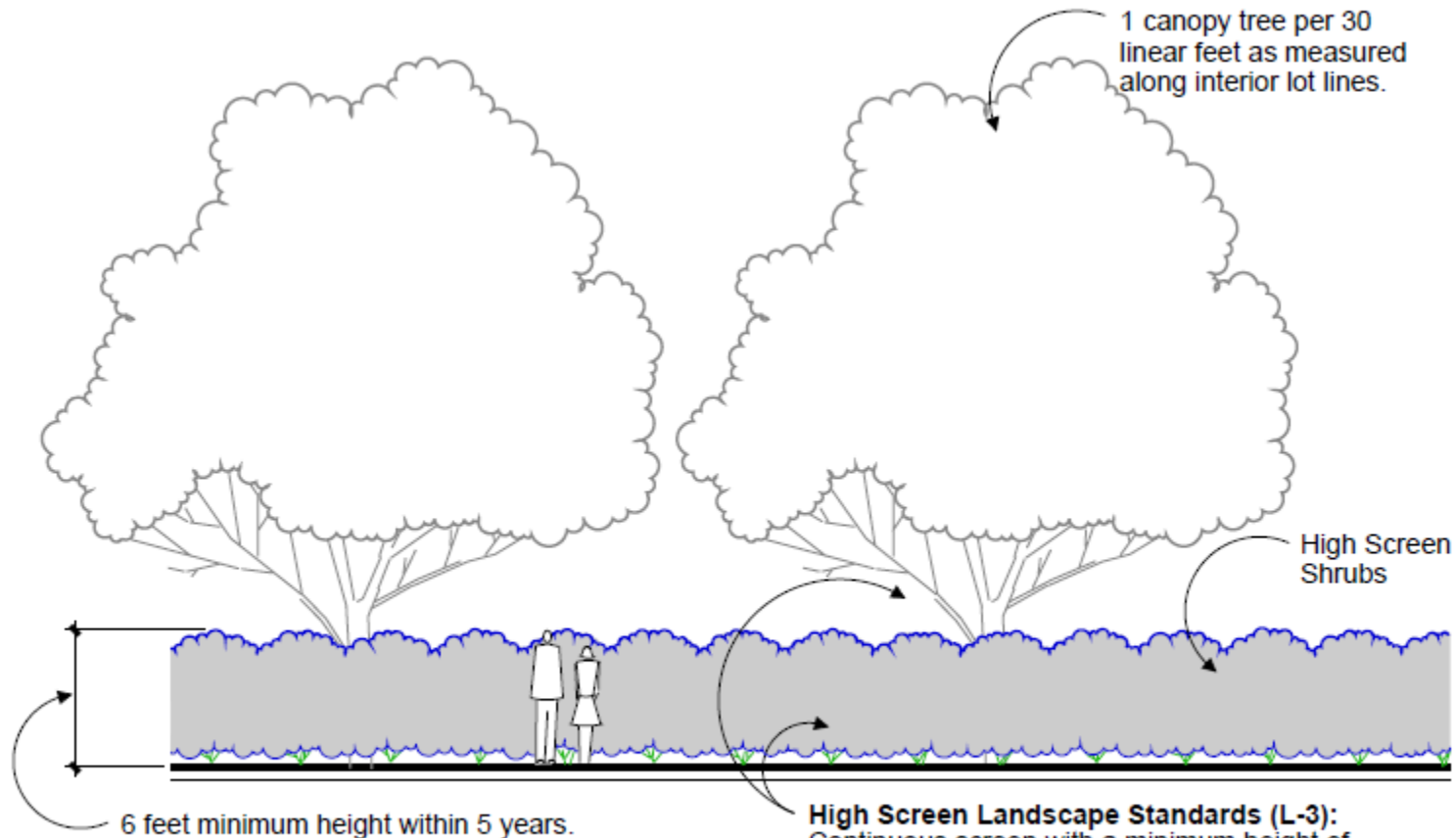


-114-



# E-1 Residential Transitions

RETAIN L-3 HIGH SCREEN LANDSCAPE STANDARD.



**High Screen Landscape Standards (L-3):** Continuous screen with a minimum height of 6 feet within 5 years; 1 canopy tree per 30 linear feet; living plant material covering 70 percent of required planting area within 3 years.

Item A.



# EUGENE CITY COUNCIL

## AGENDA ITEM SUMMARY




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### Work Session and Possible Action: Envision Eugene Implementation - An Ordinance Concerning Single-Family Code Amendments for Accessory Buildings, Alley Access Lots and Secondary Dwellings

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Meeting Date: May 14, 2014  
 Department: Planning and Development  
[www.eugene-or.gov](http://www.eugene-or.gov)

Agenda Item Number: B  
 Staff Contact: Alissa Hansen  
 Contact Telephone Number: 541-682-5508

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#### ISSUE STATEMENT

The City Council will deliberate and possibly take action on a package of land use code amendments related to single-family housing in the R-1 Low Density Residential zone. These would apply citywide, except for the three neighborhoods covered by the recently adopted university area protection measures. The proposed amendments would:

1. Improve compatibility standards for structures that are already allowed, including secondary dwellings, dwellings on existing alley access lots and accessory buildings; and
2. Allow for new alley access lots in limited areas, subject to compatibility standards.

#### BACKGROUND

As part of Envision Eugene, the City Council initiated land use code amendments to promote secondary dwellings and allow for new alley access lots. These amendments directly implement several Envision Eugene strategies under the housing affordability, neighborhood livability and climate change/energy resiliency pillars related to smaller homes.

During the public engagement process for the Envision Eugene recommendation, there was strong and broad support voiced for more opportunities for smaller homes. Subsequent research confirmed that this sentiment is consistent with changing trends in demographics and housing preferences. In particular, singles, couples, and retirees are seeking smaller housing options, which provide more affordable, flexible and energy efficient housing than traditional single-family homes. A recent video produced by the Oregon Department of Environmental Quality describes the benefits of smaller housing options and specifically mentions the programs offered in Eugene and Portland. This video can be watched at this [link](#) or via <http://vimeo.com/87717129>.

Unfortunately, these smaller housing types are not widely available in Eugene, in part due to costly and/or uncertain regulations. As a result, the Envision Eugene recommendations call for the promotion of these housing types through modifying regulations and providing incentives to create more opportunities, while improving compatibility.

#### **Citywide Amendments for Secondary Dwellings, Alley Access Lots and Accessory Buildings**

The proposed amendments represent the culmination of many years of public engagement and considerable community input, with the ultimate goal of fulfilling a strong community desire and long-standing interest to improve the compatibility of small-scale infill in this community's neighborhoods. Because of the broad applicability of these proposed standards (they would apply in all R-1 neighborhoods with the exception of Amazon, Fairmount and South University), and the diverse nature and character of the community's neighborhoods, they necessarily represent a balanced approach. It is essential that the proposed standards provide enough flexibility to ensure they work citywide in a variety of situations. In addition, care was taken to ensure that the proposed standards were not so restrictive that they would unduly discourage the construction of these development types.

### **City Council Process**

Following a unanimous recommendation for approval by the Eugene Planning Commission in October 2013, the City Council held a work session and a public hearing on the entire package of single-family code amendments (the citywide compatibility standards and the university area protection measures). Following the November 18, 2013, public hearing, the City Council voted to hold the public hearing record open for one week for additional testimony. Written testimony received at the public hearing and during the open record period was provided previously to the City Council under separate cover.

At the February 12, 2014, work session on the entire package of single-family code amendments, the City Council directed staff to return with a separate ordinance which on its own would accomplish the interim protection measures. Subsequently, on March 12, 2014, the City Council adopted the university area interim protection measures, which became effective on April 12, 2014. Those code amendments apply to the existing single-family neighborhoods surrounding the University of Oregon (Amazon, Fairmount and South University), which have experienced a substantial increase in unintended housing development associated with the demand for student housing and the proximity of the university. As adopted, they prohibit certain dwelling types and land divisions, and limit certain uses until more comprehensive planning of these areas can be completed, as committed to through Envision Eugene.

The single family code amendments as originally proposed at the City Council's November 2013 public hearing -- which are amendments unanimously recommended by the Planning Commission -- are contained in the proposed ordinance and exhibits provided as Attachment A. The proposed ordinance and exhibits contain some minor revisions from those originally posted for the public hearing, including organizational and format changes of the code sections, as well as code citation references, as a result of the interim protection measures being adopted first.

In addition to separating the interim protection measures from the remainder of the single-family code amendments, the City Council expressed interest in reviewing other modifications being suggested by neighborhood leaders. These suggested changes are included as Attachment B. Staff has prepared a matrix that summarizes the current land use code provisions, the proposed amendments (as contained in the attached ordinance) and the changes suggested for each building type. The final column includes some of the effects of the changes suggested. This matrix is provided as Attachment C. During the work session, staff will walk the City Council through the matrix.

If the council chooses to pursue the changes suggested by the university area neighbors,

additional process steps will need to be taken prior to adoption, including required public notice to property owners of lots that would no longer be eligible for secondary dwellings. Given the extent of those alternative changes, and to provide for a transparent and equitable process, staff recommends that the proposed changes return to the Planning Commission for a new public hearing process. Due to staff resources and priorities, this process would not begin until following local adoption of Envision Eugene (including a Eugene-specific urban growth boundary). While the number of single-family dwellings anticipated to occur as a result of these amendments (approximately 40 alley access lots and 85 secondary dwellings) is small, they would not be counted as land efficiency measures to accommodate housing within the current urban growth boundary. Instead, this number of housing units (125) would necessarily be added to the city's land need.

### **RELATED CITY POLICIES**

Findings addressing the applicable approval criteria, including Statewide Planning Goals, the Metro Plan, and applicable refinement plans, are provided as an exhibit to the ordinance in Attachment A.

### **COUNCIL OPTIONS**

Following deliberations, the City Council may consider the following options:

1. Approve the ordinance as provided in Attachment A
2. Approve the ordinance with specific modifications as determined by the City Council
3. Deny the ordinance

### **CITY MANAGER'S RECOMMENDATION**

The City Manager recommends approval of the ordinance as provided in Attachment A.

### **SUGGESTED MOTION**

Move to adopt Council Bill 5115, an ordinance concerning single-family code amendments for accessory buildings, alley access lots and secondary dwellings, contained in Attachment A.

### **ATTACHMENTS**

- A. Proposed Ordinance and Findings
- B. Draft R-1 Code Amendments Recommendations, provided by Carolyn Jacobs, SUNA
- C. Summary Comparison Matrix

### **FOR MORE INFORMATION**

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## ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE CONCERNING SINGLE FAMILY CODE AMENDMENTS FOR ACCESSORY BUILDINGS, ALLEY ACCESS LOTS AND SECONDARY DWELLINGS; AMENDING SECTIONS 9.0500, 9.1245, 9.2741, 9.2750, 9.2751, 9.2760, 9.2761, 9.6505, 9.6775, 9.8030, AND 9.8405 OF THE EUGENE CODE, 1971; ADDING SECTION 9.2779 TO THAT CODE; AND PROVIDING AN EFFECTIVE DATE.**

**THE CITY OF EUGENE DOES ORDAIN AS FOLLOWS:**

**Section 1.** The following definitions in Section 9.0500 of the Eugene Code, 1971, are amended 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:

**Accessory Building.** Any authorized, detached building subordinate to the main building on the same development site. ***In addition,*** [F]for the purposes of EC 9.2700 through [9.2777]**9.2751**, in the R-1 zone, an accessory building that shares a common wall with the primary dwelling for less than 8 feet is considered a detached accessory building.

**Bedroom.** [A]***Within a dwelling, a*** bedroom is any room that either:

- (A) Is designated as a bedroom on a development plan submitted to the city;
- (B) Is included in the number of bedrooms stated in an advertisement, rental or sales contract, marketing material, loan application, or any other written document in which the owner, or an authorized agent of the owner, makes a representation regarding the number of bedrooms available in the dwelling; or
- (C) Meets all of the following:
  1. Is a room that is a “habitable space” as defined by the current Oregon Structural Specialty Code (OSSC) or Oregon Residential Specialty Code (ORSC);
  2. Meets the OSSC or OSRC bedroom requirements for natural light, ventilation, and emergency escape and rescue windows;
  3. Is a room that is accessed by a door on an interior wall and that does not provide access to another room except for a bathroom, toilet room, closet, hall, or storage or utility space.

**kennel.** An establishment or premises on which 4 or more dogs over 6 months of age are kept or maintained, whether by owners of the dogs or by persons providing facilities and care, and whether or not for compensation, not including the temporary keeping of one additional dog for up to 6 months in any 12-month period. For purposes of this definition, if the “premises” consists of a lot that contains a main dwelling and a secondary dwelling unit, the “premises” means the lot. **(See [EC 9.2741(2)(a)5. and ]EC 9.2751(17)[(j)](a)5. and (c)10.)**

**Section 2.** Section 9.1245 of the Eugene Code, 1971, is amended to provide as follows:

**9.1245 Legal Pre-Existing Structures.** The structures listed in Table 9.1245 Legal Pre-Existing Structures shall be considered to be pre-existing as long as such structures were legally established. These structures may continue, and are not subject to the provisions of sections 9.1200 through 9.1230. Determinations as to whether a particular structure qualifies as a pre-existing structure shall be made by the Planning Director.

<i>R-1 Low Density Residential</i>	<i>Secondary Dwelling</i>	<i>Limited to those in existence on _____ [effective date of ordinance]</i>
<i>R-1 Low Density Residential</i>	<i>Accessory Building</i>	<i>Limited to those in existence on _____ [effective date of ordinance]</i>
<i>R-1 Low Density Residential</i>	<i>Alley Access Lot Dwelling</i>	<i>Limited to those in existence on _____ [effective date of ordinance]</i>
R-1 Low Density Residential [within the] within the city-recognized boundaries of Amazon Neighbors, Fairmount Neighbors and South University Neighborhood Association	Secondary Dwelling, Rowhouse, Duplex, Triplex, Fourplex, Flag Lot, Alley Access Lot, Dwellings with 4 or more bedrooms, Accessory Building	Limited to those in existence on April 12, 2014

**Section 3.** Subsection (2) of Section 9.2741 of the Eugene Code, 1971, is amended to provide as follows, and by moving the provisions of (2)(a) and (b) to Section 9.2751(17) as shown in Section 5 of this Ordinance:

**9.2741 Special Use Limitations for Table 9.2740.**

(2) **Secondary Dwellings.** Secondary dwellings are only permitted in R-1 and are subject to the standards [below] **beginning at EC 9.2750, except that new secondary dwellings are prohibited on alley access lots.**

~~[(a) Secondary dwellings that are within the same building as the primary dwelling shall comply with all of the following:~~

- ~~1. The dwelling shall not exceed 800 square feet unless occupying the full story of a multi-story structure with ground floor residential use.~~
- ~~2. Either the primary dwelling or the secondary dwelling shall be occupied by the property owner.~~
- ~~3. There shall be at least 1 off-street parking space on the property.~~
- ~~4. Except for flag lots, the lot shall be at least 4,500 square feet. Flag lots shall contain at least 13,500 square feet to permit a secondary dwelling.~~
- ~~5. No more than 3 dogs shall be permitted on the lot, not including the temporary keeping of one additional dog for up to 6 months in any 12-month period.~~



- (b) ~~In addition to the standards in subsection (a) of this section, detached secondary dwellings shall comply with the following:~~
- ~~1. Except for flag lots, the lot shall be at least 6,000 square feet. Flag lots shall contain at least 13,500 square feet.~~
  - ~~2. If located within 20 feet of a property line, the maximum building height shall not exceed 15 feet.~~
  - ~~3. Provide a pedestrian walkway from the street or alley to the primary entrance of the secondary dwelling.~~
  - ~~4. The primary entrance to a secondary dwelling shall be defined by a roofed perch.~~
  - ~~5. Outdoor storage and garbage areas shall be screened from view from adjacent properties and those across the street or alley.~~
- ~~Prior to issuance of a final occupancy permit for the secondary dwelling (or the primary dwelling if it is constructed later), the owner shall provide the city with a copy of a notice that has been recorded with the Lane County Clerk that documents the requirement that the secondary dwelling or primary dwelling is, and will remain, owner/occupied.]~~

**Section 4.** Section 9.2750 of the Eugene Code, 1971, is amended to provide as follows:

**9.2750 Residential Zone Development Standards.** In addition to applicable provisions contained elsewhere in this code, the development standards listed in this section and in EC 9.2751 to EC ~~[9.2777]~~ **9.2779** shall apply to all development in residential zones. In cases of conflicts, standards specifically applicable in the residential zone shall apply. ***In cases of conflicts in this section between the general standards and the area-specific standards, the area-specific standards shall apply.***

The following Table 9.2750 sets forth the residential zone development standards, subject to the special development standards in EC 9.2751.

<b>Table 9.2750 Residential Zone Development Standards (See EC 9.2751 Special Development Standards for Table 9.2750.)</b>					
	<b>R-1</b>	<b>R-1.5</b>	<b>R-2</b>	<b>R-3</b>	<b>R-4</b>
<b>Density (1)</b>					
<b>Minimum Net Density per Acre</b>	No Minimum	--	10 units	20 units	20 units
<b>Maximum Net Density per Acre</b>	14 units	--	28 units	56 units	112 units
<b>Maximum Building Height (2), (3), (4), (5), (16), (17), (18)</b>					
Main Building. Includes Secondary Dwellings <del>[W]within the [M]main [B]building, but does not include main building on an Alley Access Lot</del>	30 feet	35 feet	35 feet	50 feet	120 feet
<b>Main Building on Alley Access Lot</b>	<b>See (18)</b>	--	--	--	--

<b>Table 9.2750 Residential Zone Development Standards (See EC 9.2751 Special Development Standards for Table 9.2750.)</b>					
	<b>R-1</b>	<b>R-1.5</b>	<b>R-2</b>	<b>R-3</b>	<b>R-4</b>
Accessory Building. [Includes Secondary Dwellings Detached from Main Building (See EC 9.2741(2)(b) if located within 20 feet of property line.)]	[20-foot] <b>See (16)</b>	20 feet	25 feet	30 feet	30 feet
<b>Secondary Dwelling Detached from Main Building</b>	<b>See (17)</b>	--	--	--	--
<b>Minimum Building Setbacks (2), (4), (6), (9), (10), (11), (16), (17), (18)</b>					
Front Yard Setback (excluding garages and carports)	10 feet	10 feet	10 feet	10 feet	10 feet
Front Yard Setback for Garage Doors and Carports (12)	18 feet	--	18 feet	18 feet	18 feet
Interior Yard Setback (except where use, structure, location is more specifically addressed below)(7)	5 feet or minimum of 10 feet between buildings	--	5 feet or minimum of 10 feet between buildings	5 feet or minimum of 10 feet between buildings	5 feet or minimum of 10 feet between buildings
Interior Yard Setback for Education, Government and Religious Uses.	15 feet	--	15 feet	15 feet	15 feet
Interior Yard Setback for Buildings Located on Flag Lots in R-1 Created After December 25, 2002 (See EC 9.2775(5)(b))	10 feet	--	--	--	--
<b>Interior Yard Setback for Secondary Dwellings</b>	<b>See (17)</b>	--	--	--	--
<b>Interior Yard Setback for Alley Access Lots in R-1</b>	<b>See (18)</b>	--	--	--	--
Area-Specific Interior Yard Setback	--	--	--	See (8)	See (8)
<b>Maximum Lot Coverage (18)</b>					
All Lots, [Excluding Rowhouse Lots] <b>except where specifically addressed below</b>	50% of Lot	--	50% of Lot	--	--
<b>Lots with Secondary Dwellings (Area Specific)</b>	<b>See (17)(c)</b>	--	--	--	--
<b>Alley Access Lots in R-1</b>	<b>See (18)</b>	--	--	--	--
Rowhouse Lots	75% of Lot	75% of Lot	75% of Lot	75% of Lot	75% of Lot
<b>Outdoor Living Area (13)</b>					
Minimum Total Open Space	--	--	20% of dev. site	20% of dev. site	20% of dev. site
<b>Fences (14)</b>					
Maximum Height Within Interior Yard Setbacks	6 feet	42 inches	6 feet	6 feet	6 feet

<b>Table 9.2750 Residential Zone Development Standards (See EC 9.2751 Special Development Standards for Table 9.2750.)</b>					
	<b>R-1</b>	<b>R-1.5</b>	<b>R-2</b>	<b>R-3</b>	<b>R-4</b>
Maximum Height within Front Yard Setbacks	42 inches	42 inches	42 inches	42 inches	42 inches
<b>Driveways and Parking Areas (15)</b>					
General Standards	--	--	--	See (15)(b)	See (15)(b)
Area-Specific	See (15)(a)	--	--	--	--
<b>Accessory Buildings in R-1 (16)</b>					
<b>General Standards</b>	<b>See (16)(a)</b>	--	--	--	--
Area-Specific	See (16)(b)	--	--	--	--
<b>Secondary Dwellings [Units] (17)</b>					
General Standards	See [EC 9.2741(2)] (17)(a) and (b)	--	--	--	--
Area-Specific	See (17)(c)	--	--	--	--
<b>Alley Access Lots (18)</b>					
<b>General Standards</b>	<b>See (18)(a)</b>				
Area-Specific	See (18)(b)	--	--	--	--
<b>Maximum Bedroom Count (19)</b>					
Area-Specific	See (19)	--	--	--	--

**Section 5.** Figure 9.2751(16)(a)2.a. is added as shown on Exhibit A attached hereto; Figure 9.2751(16)(c)1. is relabeled to Figure 9.2751(16)(b)3. as shown on Exhibit B attached hereto; Figure 9.2751(17)(b)6. is added as shown on Exhibit C attached hereto; Figure 9.2751(18)(a)5. is added as shown on Exhibit D attached hereto; Figure 9.2751(18)(k) is relabeled to Figure 9.2751(18)(a)11. as shown on Exhibit E attached hereto; and Subsections (3), (11), (16), (17), and (18) of Section 9.2751 of the Eugene Code, 1971, are amended; to provide as follows:

**9.2751 Special Development Standards for Table 9.2750.**

**(3) Building Height.**

- (a) Except as provided in (b) and (c) below, in the R-3 and R-4 zone, the maximum building height shall be limited to 30 feet for that portion of the building located within 50 feet from the abutting boundary of, or directly across an alley from, land zoned R-1.
- (b) For that area bound by Patterson Street to the west, Agate Street to the

east, East 18<sup>th</sup> Avenue to the north and East 20<sup>th</sup> Avenue to the south:

1. In the R-3 zone between 19<sup>th</sup> and 20<sup>th</sup> Avenues, the maximum building height is 35 feet.
2. In the R-4 zone west of Hilyard Street, the maximum building height is 65 feet.
3. In the R-4 zone east of Hilyard Street, the maximum building height is:
  - a. 35 feet within the area south of 19<sup>th</sup> Avenue;
  - b. 50 feet within the half block abutting the north side of 19<sup>th</sup> Avenue;
  - c. 65 feet within the half block abutting the south side of 18<sup>th</sup> Avenue.

**(See Figure 9.2751(3)).**

- (c) For that area bound by Hilyard Street to the west, Kincaid Street to the east, East 13<sup>th</sup> Alley to the north and East 18<sup>th</sup> Avenue to the south the maximum building height is 65 feet.

**(See Figure 9.2751(3)).**

- (d) An additional 7 feet of building height is allowed for roof slopes of 6:12 or steeper in the R-1, R-2, R-3 and R-4 zones, except that this additional building height allowance is not permitted **in the R-1 zone** for secondary dwellings, accessory buildings [~~in the R-1 zone,~~] or development on alley access lots [~~within the city-recognized boundaries of Amazon Neighbors, Fairmount Neighbors and South University Neighborhood Association~~].

- (11) **Alley Access Lots/Parcels.** [~~Alley access parcels shall be subject to the provisions of this section for all yards, including the yard adjacent to the property line separating the alley access parcel from the original parent parcel. Alley access parcels have only interior yard setbacks.~~] There are no front yard setbacks since there is no frontage on a street. (See EC 9.2751(18) for Alley Access Lot Standards **in R-1** [~~within the city-recognized boundaries of the Amazon Neighbors, Fairmount Neighbors and South University Neighborhood Association~~].)

- (16) **Accessory Buildings in R-1.**

- (a) **General Standards.** *Except as provided in subsection (b) below, the following standards apply to all new accessory buildings in the R-1 zone that are detached or that share a common wall with the primary dwelling for less than 8 feet:*

1. **Building Size.**

- a. ***For accessory buildings on development sites (with a dwelling) that are 13,500 square feet or less in area, the maximum square footage of all accessory buildings shall not exceed 1,000 square feet.***
- b. ***For accessory buildings on development sites (with a dwelling) that are greater than 13,500 square feet and less than 43,560 square feet, the maximum square footage of all accessory buildings shall be 10 percent of the area of the development site but in no case shall the total square footage of all accessory buildings exceed 3,000 square feet.***
- c. ***For accessory buildings on development sites 43,560 square feet or greater in area, or on development sites***

*with a non-residential use, there is no building size limitation.*

*For the purposes of calculating area, all floors of a multi-story structure shall be included.*

2. **Building Height/Interior Setback.**
  - a. *For accessory buildings on development sites (with a dwelling) that are 13,500 square feet or less in area, interior yard setbacks shall be at least 5 feet. In addition, at a point that is 12 feet above finished grade, the setback shall slope at the rate of 6 inches vertically for every 12 inches horizontally away from the property line to a maximum building height of 22 feet. (See Figure 9.2751(16)(a)2.a.)*
  - b. *For accessory buildings on development sites greater than 13,500 square feet in area or on development sites with a non-residential use, the interior yard setback shall be at least 10 feet. In addition, at a point that is 12 feet above finished grade, the setback shall slope at a rate of 10 inches vertically for every 12 inches horizontally away from the property line to a maximum building height of 25 feet.*
3. **Use.** *No accessory building shall be rented, advertised, represented or otherwise used as an independent dwelling. An accessory building shall be limited to 2 plumbing fixtures, except that an accessory building may have 3 plumbing fixtures if, prior to the city's issuance of a building permit for the accessory building, the owner records a deed restriction with the Lane County Clerk, on a form approved by the city, that includes the following provisions:*
  - a. *The accessory building may not be rented, advertised, represented, or otherwise used as an independent dwelling.*
  - b. *The deed restriction runs with the land and binds the property owner(s), heirs, successors and assigns.*
  - c. *The deed restriction may be terminated, upon approval by the city, at such time as the city code no longer limits the use of said accessory building for residential uses, or upon removal of the accessory building.*
5. **Adjustment Review.** *The standards in EC 9.2751(16)(a)1. and 2. regarding building size and building height/interior setback may be adjusted, based on the criteria at EC 9.8030(34). For accessory buildings in the R-1, these are the only standards that may be adjusted. These standards are not adjustable for accessory buildings within the city-recognized boundaries of Amazon Neighbors, Fairmount Neighbors and South University Neighborhood Association.*
  - (b) **Area-Specific Accessory Building Standards.** *The following standards apply to all new accessory buildings associated with a dwelling in the R-1 zone within the city-recognized boundaries of Amazon Neighbors, Fairmount Neighbors and South University Neighborhood Association that are detached or that share a common*

wall with the primary dwelling for less than 8 feet:

- ~~(a)~~1. In addition to any accessory buildings legally established prior to April 12, 2014, one accessory building is allowed.
- ~~(b)~~2. The accessory building shall not exceed 400 square feet in area.
- ~~(c)~~3. Building Height/Interior [~~Sloped~~] Setback.
  - 1.a. The interior yard setbacks shall be at least 5 feet from the interior lot lines. In addition, at a point that is 8 feet above finished grade, the setbacks shall slope at the rate of 10 inches vertically for every 12 inches horizontally (approximately 40 degrees from horizontal) away from the lot lines until a point not to exceed a maximum building height of 18 feet.
  - 2.b. The allowances for setback intrusions provided at EC 9.6745(3) do not apply within the setback described in 1. above, except that eaves, chimneys and gables are allowed to project into this setback no more than 2 feet.

**(See Figure 9.2751(16))~~(c)1-~~(b)3.)**

- ~~(d)~~4. An accessory building greater than 200 square feet in area shall have a minimum roof pitch of 6 inches vertically for every 12 inches horizontally.
- ~~(e)~~5. No accessory building shall be rented, advertised, represented or otherwise used as an independent dwelling.
- ~~(f)~~6. The accessory building shall not include more than one plumbing fixture.
- ~~(g)~~7. For an accessory building with one plumbing fixture, prior to the city's issuance of a building permit for the accessory building, the owner shall provide the city with a copy of a deed restriction on a form approved by the city that has been recorded with the Lane County Clerk. The deed restriction must include the following statements:
  - 1.a. The accessory building shall not be rented, advertised, represented or otherwise used as an independent dwelling.
  - 2.b. If the property owner is unable or unwilling to fulfill the requirements of the Eugene Code for use of the accessory building, then the property owner shall discontinue the use and remove the plumbing fixture from the building.
  - 3.c. Lack of compliance with the above shall be cause for code enforcement under the provisions of the applicable Eugene Code.
  - 4.d. The deed restriction shall lapse upon removal of the accessory building or removal of the plumbing fixture. The City must approve removal of deed restriction.
  - 5.e. The deed restriction shall run with the land and be binding upon the property owner, heirs and assigns and is binding upon any successor in ownership of the property.

**(17) Secondary Dwellings in R-1.**

- (a) **General Standards for Attached Secondary Dwellings. Except as provided in subsection (c) below, secondary dwellings that are within the same building as the primary dwelling shall comply with all of the following:**
  - 1. **Lot Area. To allow for a secondary dwelling, the lot shall**

- contain at least 4,500 square feet except that flag lots shall contain at least 13,500 square feet.
2. **Building Size.** The secondary dwelling shall not exceed 800 square feet of total building square footage, measured at the exterior perimeter walls. Total building square footage is defined as all square footage inside of the dwelling, including, but not limited to hallways, entries, closets, utility rooms, stairways and bathrooms.
  3. **Minimum Attachment.** The secondary dwelling and the primary dwelling must share a common wall or ceiling for a minimum length of 8 feet to be considered attached.
  4. **Maximum Bedrooms.** The secondary dwelling shall contain no more than 2 bedrooms.
  5. **Dog Keeping.** No more than 3 dogs shall be permitted on the lot, not including the temporary keeping of one additional dog for up to 6 months in any 12-month period.
  6. **Ownership/Occupancy Requirements.** Either the primary dwelling or the secondary dwelling shall be the principal residence of the property owner. The principal residence must be occupied for a minimum of 6 months of each calendar year by a property owner who is the majority owner of the property as shown in the most recent Lane County Assessor's roll. If there is more than one property owner of record, the owner with the majority interest in the property shall be deemed the property owner. Any property owner of record holding an equal share in the property may be deemed the majority owner if no other owner owns a greater interest. The principal residence cannot be leased or rented when not occupied by the property owner. Prior to the city's issuance of the building permit for the secondary dwelling (or the primary dwelling if it is constructed later) the property owner must provide the city with a copy of the property deed to verify ownership and two forms of documentation to verify occupancy of the primary residence. Acceptable documentation for this purpose includes voter's registration, driver's license, homeowner's insurance, income tax filing, and/or utility bill. When both the primary and secondary dwelling are constructed at the same time, such documentation must be provided prior to final occupancy.
  7. **Temporary Leave.** Notwithstanding subsection 6. above, a property owner may temporarily vacate the principal residence for up to one year due to a temporary leave of absence for an employment, educational, volunteer opportunity, or medical need. The property owner must provide the city proof of temporary leave status from the property owner's employer, educational facility, volunteer organization or medical provider, and a notarized statement that the property owner intends to resume occupancy of the principal residence after the one year limit. During the temporary leave, the property owner may rent or lease both units on the property. Leaves in which property owner is

*temporarily absent shall not be consecutive and shall not occur more than once every 5 years. This standard may be adjusted in accordance with EC 9.8030(35).*

8. **Deed Restriction.** *Prior to issuance of a building permit for the secondary dwelling (or the primary dwelling if it is constructed later), the owner shall provide the city with a copy of a deed restriction on a form approved by the city that has been recorded with the Lane County Clerk. The deed restriction must include a reference to the deed under which the property was acquired by the present owner and include the following provisions:*
    - a. *One of the dwellings must be the principal residence of a property owner who is the majority owner of the property. Requirements for occupancy shall be determined according to the applicable provisions of the Eugene Code.*
    - b. *The deed restriction runs with the land and binds the property owner(s), heirs, successors and assigns.*
    - c. *The deed restriction may be terminated, upon approval by the city, when one of the dwellings is removed, or at such time as the city code no longer requires principal occupancy of one of the dwellings by the owner.*
  9. **Verification.** *At least once every two years, the property owner shall provide to the city documentation of compliance with the ownership and occupancy requirements of subsection 6. above. The property owner must provide a copy of the current property deed to verify ownership and two forms of documentation to verify occupancy of the principal residence. Acceptable documentation for this purpose includes voter's registration, driver's license, homeowner's insurance, income tax filing, and/or utility bill.*
- (b) **General Standards for Detached Secondary Dwellings.** *In addition to the standards in subsection (a) of this section, detached secondary dwellings shall comply with the following, except as provided in subsection (c) below:*
1. **Lot Area.** *To allow for a secondary dwelling, the lot shall contain at least 6,000 square feet, except that flag lots shall contain at least 13,500 square feet.*
  2. **Building Size.** *Up to 300 square feet of un-heated garage or storage space attached to the secondary dwelling unit is allowed and is not counted in the allowable total building square footage.*
  3. **Pedestrian Access.** *A pedestrian walkway shall be provided from the street or alley to the primary entrance of the secondary dwelling. The pedestrian walkway shall be a hard surface (concrete, asphalt or pavers) and shall be a minimum of 3 feet in width.*
  4. **Primary Entrance.** *The primary entry to a secondary dwelling shall be defined by a covered or roofed entrance with a minimum roof depth and width of no less than 3 feet.*
  5. **Outdoor Storage/Trash.** *Outdoor storage and garbage areas*



*shall be screened from view from adjacent properties and those across the street or alley with a minimum 42-inch tall 100-percent site obscuring fence or enclosure on at least three sides.*

**6. Building Height/Interior Setback.**

**a. For detached secondary dwellings located within 20 feet of a property line:**

**(1) Interior yard setbacks shall be at least 5 feet. In addition, for roof slopes less than 5:12, at a point that is 12 feet above finished grade, the setback shall slope at the rate of 6 inches vertically for every 12 inches horizontally away from the property line until a point not to exceed a maximum building height of 15 feet.**

**(2) Interior yard setbacks shall be at least 5 feet. In addition, for roof slopes 5:12 or greater, at a point that is 12 feet above finished grade, the setback shall slope at the rate of 6 inches vertically for every 12 inches horizontally away from the property line until a point not to exceed a maximum building height of 18 feet.**

**b. For detached secondary dwellings located 20 feet or more from all property lines, the maximum building height is 24 feet.**

**c. The allowances for setback intrusions provided at EC 9.6745(3) do not apply within the setback described in a. above, except that eaves, chimneys and gables are allowed to project into this setback no more than 2 feet. (See Figure 9.2751(17)(b)6.)**

**d. This standard may be adjusted to allow for a secondary dwelling over an accessory building in accordance with EC 9.8030(35).**

**7. Maximum Wall Length. Along the vertical face of the dwelling, offsets shall occur at a minimum of every 25 feet by providing at least one of following: recesses or extensions, including entrances, a minimum depth of 2 feet and a minimum width of 5 feet for the full height of the wall. Full height is intended to mean from floor to ceiling (allowing for cantilever floor joists).**

**(c) Area-Specific Secondary Dwelling Standards. The following standards apply to all new attached or detached secondary dwellings in the R-1 zone within the city-recognized boundaries of Amazon Neighbors, Fairmount Neighbors and South University Neighborhood Association:**

**(a) 1. Lot Area. To allow for a secondary dwelling, the lot shall contain at least 7,500 square feet.**

**(b) 2. Lot Dimension. The boundaries of the lot must be sufficient to fully encompass an area with minimum dimensions of 45 feet by 45 feet.**

**(c) 3. Lot Coverage. The lot shall meet the lot coverage requirements for R-1, except that all roofed areas shall be included as part of**

the calculation of lot coverage.

- (d)4. Vehicle Use Area. The maximum area covered by paved and unpaved vehicle use areas including but not limited to driveways, on-site parking and turnarounds, shall be limited to 20 percent of the total lot area.
- (e)5. Building Size. For lots at least 7,500 square feet and less than 9,000 square feet in area, the secondary dwelling shall not exceed 600 square feet of total building square footage. For lots at least 9,000 square feet in area, the secondary dwelling shall not exceed 800 square feet of total building square footage. Total building square footage is defined as all square footage inside of the dwelling, including, but not limited to hallways, entries, closets, utility rooms, stairways and bathrooms.
- (f)6. Minimum Attachment. ~~[The secondary dwelling and the primary dwelling must share a common wall or ceiling for a minimum length of 8 feet to be considered attached.]~~ **The standards at EC 9.2751(17)(a)3. are applicable.**
- (g)7. Maximum Bedrooms. For lots with a primary dwelling containing 3 or fewer bedrooms, the secondary dwelling shall be limited to 2 bedrooms. For lots with a primary dwelling containing 4 or more bedrooms, the secondary dwelling shall be limited to 1 bedroom.
- (h)8. Maximum Occupancy. For lots with a primary dwelling containing 3 or fewer bedrooms, the secondary dwelling shall be limited to 3 occupants. For lots with a primary dwelling containing 4 or more bedrooms, the secondary dwelling shall be limited to 2 occupants.
- (i)9. Building Height/Interior [Sloped] Setback. For detached secondary dwellings:
  - 1.a. The interior yard setback shall be at least 5 feet from the interior lot line. In addition, at a point that is 8 feet above grade, the setback shall slope at the rate of 10 inches vertically for every 12 inches horizontally (approximately 40 degrees from horizontal) away from the lot line until a point not to exceed a maximum building height of 18 feet.
  - 2.b. The allowances for setback intrusions provided at EC 9.6745(3) do not apply within the setback described in 1. above, except that eaves, chimneys and gables are allowed to project into this setback no more than 2 feet.
- (See Figure 9.2751(16)(c)4.(b)3.)
- (j)10. Dog Keeping. ~~[No more than 3 dogs shall be permitted on the lot, not including the temporary keeping of one additional dog for up to 6 months in any 12-month period.]~~ **The standards at EC 9.2751(17)(a)5. are applicable.**
- (k)11. Ownership/Occupancy Requirements. ~~[Either the primary dwelling or the secondary dwelling shall be the principal residence of the property owner. The principal residence must be occupied for a minimum of 6 months of each calendar year by a property owner who is the majority owner of the property as shown in the most recent Lane County Assessor's roll. If there is more than one property owner of record, the owner with the majority interest in the property shall be deemed the property owner. Any property owner of record holding an equal share in the property may be~~

deemed the majority owner if no other owner owns a greater interest. The principal residence cannot be leased or rented when not occupied by the property owner. Prior to the city's issuance of the building permit for the secondary dwelling (or the primary dwelling if it is constructed later) the property owner must provide the city with a copy of the property deed to verify ownership and two forms of documentation to verify occupancy of the primary residence. Acceptable documentation for this purpose includes voter's registration, driver's license, homeowner's insurance, income tax filing, and/or utility bill. When both the primary and secondary dwelling are constructed at the same time, such documentation must be provided prior to final occupancy.] ***The standards at EC 9.2751(17)(a)6. are applicable.***

(j) **12. Temporary Leave.** [Notwithstanding subsection (k) above, a property owner may temporarily vacate the principal residence for up to one year due to a temporary leave of absence for an employment, educational, volunteer opportunity, or medical need. The property owner must provide the city proof of temporary leave status from the property owner's employer, educational facility, volunteer organization or medical provider, and a notarized statement that the property owner intends to resume occupancy of the principal residence after the one year limit. During the temporary leave, the property owner may rent or lease both units on the property. Leaves in which property owner is temporarily absent shall not be consecutive and shall not occur more than once every 5 years.] ***The standards at EC 9.2751(17)(a)7. are applicable.***

(m) **13. Deed Restriction.** [Prior to issuance of a building permit for the secondary dwelling (or the primary dwelling if it is constructed later), the owner shall provide the city with a copy of a deed restriction on a form approved by the city that has been recorded with the Lane County Clerk. The deed restriction must include a reference to the deed under which the property was acquired by the present owner and include the following provisions:

1. One of the dwellings must be the principal residence of a property owner who is the majority owner of the property. Requirements for occupancy shall be determined according to the applicable provisions of the Eugene Code.
2. The deed restriction runs with the land and binds the property owner(s), heirs, successors and assigns.
3. The deed restriction may be terminated, upon approval by the City, when one of the dwellings is removed, or at such time as the city code no longer requires principal occupancy of one of the dwellings by the owner.

In addition, the applicable maximum occupancy limitation in subsection (h) above must be included in the deed restriction.] ***The standards at EC 9.2751(17)(a)8. are applicable.***

(n) **14. Verification.** [At least once every two years, the property owner shall provide to the city documentation of compliance with the ownership and occupancy requirements of subsection (k) above. The property owner must provide a copy of the current property

~~deed to verify ownership and two forms of documentation to verify occupancy of the principal residence. Acceptable documentation for this purpose includes voter's registration, driver's license, homeowner's insurance, income tax filing, and/or utility bill.] **The standards at EC 9.2751(17)(a)9. are applicable.**~~

- ~~(o) 15. Parking. For the primary dwelling, there shall be a minimum of one and a maximum of two parking spaces on the lot. There shall be one additional parking space on the lot for the exclusive use for the occupants and guests of the secondary dwelling.~~
- ~~(p) 16. Alley Access Parking and Driveway. The standards at EC 9.2751(18)[(k)](a)11. are applicable to attached and detached secondary dwellings where primary vehicle access for the required parking is from an alley.~~
- ~~(q) 17. Pedestrian Access. [A pedestrian walkway shall be provided from the street or alley to the primary entrance of the secondary dwelling. The pedestrian walkway shall be a hard surface (concrete, asphalt or pavers) and shall be a minimum of 3 feet in width. The standards in this subsection (q) are applicable to attached and detached secondary dwellings, except that if primary vehicle access for the required parking is from an alley, the path must be provided from the alley.] **The standards at EC 9.2751(17)(b)3. are applicable to attached and detached secondary dwellings, except that if primary vehicle access for the required parking is from an alley, the path must be provided from the alley.**~~
- ~~(r) 18. Primary Entrance. [The primary entry to a secondary dwelling shall be defined by a covered or roofed entrance with a minimum roof depth and width of no less than 3 feet. The standards in this subsection [(r)] are applicable to detached secondary dwellings only.] **The standards at EC 9.2751(17)(b)4. are applicable to detached secondary dwellings only.**~~
- ~~(s) 19. Outdoor Storage/Trash. [Outdoor storage and garbage areas shall be screened from view from adjacent properties and those across the street or alley with a minimum 42-inch tall 100-percent site-obscuring fence or enclosure on at least three sides. The standards in this subsection [(s)] are applicable to detached secondary dwellings only.] **The standards at EC 9.2751(17)(b)5. are applicable to detached secondary dwellings only.**~~
- ~~(t) 20. Maximum Wall Length. [Along the vertical face of the dwelling, offsets shall occur at a minimum of every 25 feet by providing at least one of following: recesses or extensions, including entrances, a minimum depth of 2 feet and a minimum width of 5 feet for the full height of the wall. Full height is intended to mean from floor to ceiling (allowing for cantilever floor joists). The standards in this subsection [(t)] are applicable for detached secondary dwellings only.] **The standards at EC 9.2751(17)(b)7. are applicable for detached secondary dwellings only.**~~
- ~~[(u) Enforcement. Failure to adhere to the standards required under this section shall constitute a violation subject to the enforcement provisions of section 9.0000 through 9.0280 General Administration.]~~

- (d) **Adjustment Review.** *The standards at EC 9.2751(17)(a)7. regarding temporary leave and at EC 9.2751(17)(b)6. regarding building height (to allow for a secondary dwelling over an accessory building) may be adjusted in accordance with EC 9.8030(35). Additionally, an adjustment may be requested to convert an existing building into a secondary dwelling in accordance with EC 9.8030(35) if the existing building does not meet the standards under EC 9.2751(17)(a) or (b). For secondary dwellings, these are the only standards that may be adjusted. With the exception of EC 9.2751(17)(a)7. regarding temporary leave, these standards are not adjustable for secondary dwellings within the city-recognized boundaries of Amazon Neighbors, Fairmount Neighbors and South University Neighborhood Association.*
- (e) **Enforcement.** *Failure to adhere to the standards required under this section shall constitute a violation subject to the enforcement provisions of section 9.0000 through 9.0280 General Administration.*
- (18) **Alley Access Lots in R-1.**
- (a) **General Standards.**
1. **Applicability.** *Except as provided in (b) below, the following standards apply to all alley access lots in R-1.*
  2. **Use Regulations.** *Alley access lots have the same land use regulations as the base zone except that there is no allowance for a secondary dwelling unit.*
  3. **Building Size.** *An alley access lot dwelling shall not exceed 1,000 square feet of total building square footage, measured at the exterior perimeter walls. For alley access lots, total building square footage is defined as all square footage inside of the dwelling, including, but not limited to hallways, entries, closets, utility rooms, stairways and bathrooms. For one and one-half story structures, a maximum of 400 square feet of the total building square footage can be on the upper floor.*
  4. **Lot Coverage.** *Alley access lots shall meet the lot coverage requirements for R-1, except that all roofed areas shall be included as part of the calculation of lot coverage.*
  5. **Building Height/Interior Setback.**
    - a. *Interior yard setbacks shall be at least 5 feet, including along the alley frontage. In addition, at a point that is 14 feet above finished grade, the setback shall slope at the rate of 8 inches vertically for every 12 inches horizontally away from the property line perpendicular to the alley until a point not to exceed a maximum building height of 24 feet.*
    - b. *The allowances for setback intrusions provided at EC 9.6745(3) do not apply within the setback described in 1. above, except that eaves, chimneys and gables are allowed to project into this setback no more than 2 feet. (See Figure 9.2751(18)(a)5.)*
    - c. *These standards may be adjusted in accordance with EC 9.8030(36).*

6. **Windows, Dormers and Balconies.**
  - a. *Any window on the upper story must be located a minimum of 10 feet from any property line.*
  - b. *Up to two dormers are allowed on the side of the dwelling facing the alley. Dormers are limited to a maximum width of 10 feet. Dormers are not allowed on the remaining sides of the dwelling.*
  - c. *Balconies and other second floor outdoor areas are only allowed on the side of the dwelling facing the alley, and shall be setback at least 10 feet from the alley.*
  - d. *Notwithstanding 2. and 3. above, dormers and balconies are not allowed on the second floor of a dwelling on any non-alley facing property line unless the affected adjacent property owner consents in writing on a form approved by the city.*
7. **Bedrooms.** *The dwelling shall contain no more than 3 bedrooms.*
8. **Primary Entrance.** *The primary entry to the dwelling shall be defined by a covered or roofed entrance with a minimum roof depth and width of no less than 3 feet.*
9. **Pedestrian Access.** *The dwelling shall be served by a minimum three foot wide hard-surfaced/hard-scaped (paved, concrete or pavers) pedestrian walkway from the alley, or from the front street via an easement. The pedestrian walkway must be recognizable and distinct (different color, materials and/or texture) from the driveway and parking area, but is not required to be separated from the driveway or parking area.*
10. **Parking Spaces.** *There shall be a minimum of 1 and a maximum of 2 parking spaces on the lot.*
11. **Parking and Driveway.**
  - a. *Only one covered or enclosed parking space may be provided (carport or garage). The covered or enclosed parking space shall be counted towards the total number of parking spaces.*
  - b. *The maximum dimensions for a garage shall be 16 feet by 24 feet, with a maximum garage door width of 9 feet.*
  - c. *The minimum setback for a garage shall be 5 feet from the alley. If the garage is setback greater than 5 feet from the alley, it must be setback a minimum of 15 feet and the area between the garage and the alley shall be counted towards one parking space.*
  - d. *The maximum width for a driveway accessing a garage or carport shall be 12 feet.*
  - e. *The maximum dimensions for one parking space located perpendicular to the alley shall be 12 feet in width by 20 feet in depth.*
  - f. *The maximum dimensions for two side by side parking spaces perpendicular to the alley shall be 20 feet in width by 20 feet in depth.*

- g. *The maximum dimensions for tandem parking spaces shall be 12 feet in width by 33 feet in depth.*
  - h. *Only one parking space parallel to the alley shall be allowed, and such space shall not exceed 10 feet in width and 20 feet in length along the length of alley.*
  - i. *The total vehicle use area, including but not limited to driveways and on-site parking, but not including parking space in garage, shall not exceed 400 square feet.*
  - j. *No parking shall occur outside of the vehicle use area. (See Figure 9.2751(18)(a)11.)*
12. **Distance from Street/Fire Safety.** *If any portion of the exterior walls of the first story of the dwelling is greater than 150 feet from the centerline of the alley where it intersects with the curb of the street, as measured by a route approved by the fire code official, the dwelling shall be equipped throughout with multi-purpose residential sprinklers as defined in National Fire Protection Association Standard 13D.*
  13. **Trash and Recycling.** *Outdoor storage and garbage areas shall be screened from view from adjacent properties and those across the alley with a minimum 42-inch tall 100-percent site obscuring fence or enclosure on at least three sides.*
  14. **Accessory Buildings.** *Detached accessory buildings are allowed subject to the standards at EC 9.2751(16), except that the total square footage of all accessory buildings on an alley access lot is limited to 400 square feet.*
  15. **Adjustment Review.** *For alley access lots, EC 9.2751(18)(a)5 is the only standard that may be adjusted.*
- (b) **Area-Specific Alley Access Lot Standards in R-1.** ~~[(a) Applicability. The following standards apply]~~ ***Except as provided below, the standards in subsection (a) of this section apply to alley access lots existing as of April 12, 2014, in the R-1 zone within the city-recognized boundaries of Amazon Neighbors, Fairmount Neighbors and South University Neighborhood Association. In lieu of EC 9.2751(18)(a)5. Building Height/Interior Setback, the following applies:***
- ~~[(b) General. All base zone development standards must be met, unless otherwise stated in this section. Secondary dwellings are not allowed.~~
  - ~~[(c) Building Size. An alley access lot dwelling shall not exceed 1,000 square feet of total building square footage, measured at the exterior perimeter walls. For alley access lots, total building square footage is defined as all square footage inside of the dwelling, including, but not limited to hallways, entries, closets, utility rooms, stairways and bathrooms. For one and one-half story structures, a maximum of 400 square feet of the total building square footage can be on the upper floor.~~
  - ~~[(d) Lot Coverage. Alley access lots shall meet the lot coverage requirements for R-1, except that all roofed areas shall be included as part of the calculation of lot coverage.]~~
  - ~~[(e) Building Height/Interior Setback.]~~

1. The interior yard setbacks shall be at least 5 feet from all lot lines (including the alley frontage). In addition, at a point that is 8 feet above finished grade, the setbacks from all lot lines, except the alley frontage, shall slope at the rate of 10 inches vertically for every 12 inches horizontally (approximately 40 degrees from horizontal) away from the lot line until a point not to exceed a maximum building height of 18 feet.
2. The allowances for setback intrusions provided at EC 9.6745(3) do not apply within the setback described in 1. above, except that eaves, chimneys and gables are allowed to project into this setback no more than 2 feet.

**(See Figure 9.2751(16))[(c)1.](b)3.)**

**3. *This standard may not be adjusted.***

~~(f) Windows, Dormers and Balconies.~~

- ~~1. Any window on the upper story must be located a minimum of 10 feet from any property line.~~
- ~~2. Up to two dormers are allowed on the side of the dwelling facing the alley. Dormers are limited to a maximum width of 10 feet. Dormers are not allowed on the remaining sides of the dwelling.~~
- ~~3. Balconies and other second floor outdoor areas are only allowed on the side of the dwelling facing the alley, and shall be setback at least 10 feet from the alley.~~
- ~~4. Notwithstanding 2. and 3. above, dormers and balconies are not allowed on the second floor of a dwelling on any non-alley facing property line unless the affected adjacent property owner consents in writing on a form approved by the city.~~

~~(g) Bedrooms. The dwelling shall contain no more than 3 bedrooms.~~

~~(h) Primary Entrance. The primary entry to the dwelling shall be defined by a covered or roofed entrance with a minimum roof depth and width of no less than 3 feet.~~

~~(i) Pedestrian Access. The dwelling shall be served by a minimum three foot wide hard surfaced/hardscaped (paved, concrete or pavers) pedestrian walkway from the alley, or from the front street via an easement. The pedestrian walkway must be recognizable and distinct (different color, materials and/or texture) from the driveway and parking area, but is not required to be separated from the driveway or parking area.~~

~~(j) Parking Spaces. There shall be a minimum of 1 and a maximum of 2 parking spaces on the lot.~~

~~(k) Parking and Driveway.~~

- ~~1. Only one covered or enclosed parking space may be provided (carport or garage). The covered or enclosed parking space shall be counted towards the total number of parking spaces.~~
- ~~2. The maximum dimensions for a garage shall be 16 feet by 24 feet, with a maximum garage door width of 9 feet.~~
- ~~3. The minimum setback for a garage shall be 5 feet from the alley. If the garage is setback greater than 5 feet from the alley, it must be setback a minimum of 15 feet and the area~~



between the garage and the alley shall be counted towards one parking space.

4. ~~The maximum width for a driveway accessing a garage or carport shall be 12 feet.~~
  5. ~~The maximum dimensions for one parking space located perpendicular to the alley shall be 12 feet in width by 20 feet in depth.~~
  6. ~~The maximum dimensions for two side by side parking spaces perpendicular to the alley shall be 20 feet in width by 20 feet in depth.~~
  7. ~~The maximum dimensions for tandem parking spaces shall be 12 feet in width by 33 feet in depth.~~
  8. ~~Only one parking space parallel to the alley shall be allowed, and such space shall not exceed 10 feet in width and 20 feet in length along the length of alley.~~
  9. ~~The total vehicle use area, including but not limited to driveways and on-site parking, but not including parking space in garage, shall not exceed 400 square feet.~~
  10. ~~No parking shall occur outside of the vehicle use area. (See Figure 9.2751(18)(k))~~
- (l) ~~Distance from Street/Fire Safety. If any portion of the exterior walls of the first story of the dwelling is greater than 150 feet from the centerline of the alley where it intersects with the curb of the street, as measured by a route approved by the fire code official, the dwelling shall be equipped throughout with multi-purpose residential sprinklers as defined in National Fire Protection Association Standard 13D.~~
- (m) ~~Trash and Recycling. Outdoor storage and garbage areas shall be screened from view from adjacent properties and those across the alley with a minimum 42-inch tall 100-percent site obscuring fence or enclosure on at least three sides.~~
- (n) ~~Accessory Buildings. Detached accessory buildings are allowed subject to the standards at EC 9.2751(16), except that the total square footage of all accessory buildings on an alley access lot is limited to 400 square feet.]~~

**Section 6.** Section 9.2760 of the Eugene Code, 1971, is amended to provide as follows:

**9.2760 Residential Zone Lot Standards.** The following Table 9.2760 sets forth residential zone lot standards, subject to the special standards in EC 9.2761.

<b>Table 9.2760 Residential Zone Lot Standards (See EC 9.2761 Special Standards for Table 9.2760.)</b>					
	R-1	R-1.5	R-2	R-3	R-4
<b>Lot Area Minimum (1)</b>					

<b>Table 9.2760 Residential Zone Lot Standards (See EC 9.2761 Special Standards for Table 9.2760.)</b>					
	<b>R-1</b>	<b>R-1.5</b>	<b>R-2</b>	<b>R-3</b>	<b>R-4</b>
Lots, except Rowhouse Lots, Small Lots, Duplex Lots, Triplex Lots, Fourplex Lots, Residential Flag Lots, Duplex Division Lots, <b><i>Alley Access Lots</i></b>	4,500 square feet	--	4,500 square feet	4,500 square feet	4,500 square feet
Small Lots (2)	Per Cluster Subdivision or PUD		2,250 square feet or per Cluster Subdivision or PUD	2,250 square feet or per Cluster Subdivision or PUD	2,250 square feet or per Cluster Subdivision or PUD
Rowhouse Lots (3) (Rowhouse lots shall be indicated on the final plat and shall be developed with a rowhouse.)	1,600 square feet	1,600 square feet	1,600 square feet	1,600 square feet	1,600 square feet
Duplex Lots (In R-1, a duplex lot shall be indicated on the final subdivision plat as developable as a duplex. Such lots may not be created by a partition. Alternatively, a duplex lot may be located on a corner lot that contains at least 8,000 square feet.)	8,000 square feet	--	--	--	--
Triplex Lots (In R-1, lots shall be indicated on the final subdivision plat as developable as a triplex. Such lots may not be created by a partition)	12,000 square feet	--	--	--	--
Fourplex Lots (In R-1, lots shall be indicated on the final plat and shall be developed as a fourplex.)	16,000 square feet	--	--	--	--
Residential Flag Lot (4) (Existing lot shall be at least 13,500 square feet.)	6,000 square feet	--	6,000 square feet	6,000 square feet	6,000 square feet
Duplex Division Lots (8) (Existing lot shall be at least 8,000 square feet.)	3,600 square feet		3,600 square feet	3,600 square feet	3,600 square feet
<b><i>Alley Access Lot (Existing lot or lots shall be at least 9,000 square feet)</i></b>	<b><i>2,250 square feet</i></b>	--	--	--	--
<b>Lot Frontage Minimum (1)</b>					
Interior Lot	50 feet	20 feet	35 feet (9)	35 feet (9)	35 feet (9)
Corner Lot	50 feet	20 feet	35 feet (9)	35 feet (9)	35 feet (9)
Curved Lot	35 feet	20 feet	35 feet (9)	35feet (9)	35feet (9)
Cul-de-sac Bulb Lot	35 feet	20 feet	20 feet	20 feet	20 feet
Residential Flag Lot (4)					

<b>Table 9.2760 Residential Zone Lot Standards (See EC 9.2761 Special Standards for Table 9.2760.)</b>					
	<b>R-1</b>	<b>R-1.5</b>	<b>R-2</b>	<b>R-3</b>	<b>R-4</b>
1 Lot	15 feet		15 feet	15 feet	15 feet
2 to 4 Lots	25 feet		25 feet	25 feet	25 feet
Rowhouse Lot	15 feet	15 feet	15 feet	15 feet	15 feet
<b>Alley Access Lot</b>	<b>0 feet</b>	--	--	--	--
<b>Lot Width Minimum (1)</b>					
Interior Lot (7)	50 feet	20 feet	35 feet (9)	35 feet (9)	35 feet (9)
Corner Lot	50 feet	20 feet	35 feet (9)	35 feet (9)	35 feet (9)
Curved Lot	35 feet	20 feet	35 feet (9)	35 feet (9)	35 feet (9)
Cul-de-sac Bulb Lot	35 feet	20 feet	20 feet	20 feet	20 feet
Residential Flag Lot (4)	50 feet		--	--	
Rowhouse Lot	15 feet	15 feet	15 feet	15 feet	15 feet
<b>Alley Access Lot</b>	<b>50 feet</b>	--	--	--	--
<b>Lot Area Maximum (5)</b>					
[New subdivisions and partitions only], <b>except for Alley Access Lots</b>	13,500 square feet	--	--	--	--
<b>Alley Access Lots</b>	<b>5,000 square feet</b>	--	--	--	--
<b>Housing Mix Maximum (6)</b>					
Duplex	See EC 9.2741(4)	--	--	--	--
Triplex	See EC 9.2741(5)	--	--	--	--
Four[-]plex	See EC 9.2741(6)	--	--	--	--

**Section 7.** Section 9.2779 of the Eugene Code, 1971, is added to provide as follows:

**9.2779 Alley Access Lot Standards**

- (1) **Purpose.** To provide opportunities for single family housing variety and choice, home ownership, and affordable housing, and to promote the efficient use of residential land by allowing the creation of a lot that fronts an alley rather than a street. Development standards are included to specifically address design considerations and compatibility.
- (2) **Applicability.** The creation of new alley access lots is prohibited in the R-1 zone within the boundaries of Amazon Neighbors, Fairmount Neighbors and South University Neighborhood Association.
- (3) **Land Division Regulations.**
  - (a) **Original Lot.** The original (existing) lot or lots shall be a minimum of 9,000 square feet in area prior to the creation of the alley access lot. If the original lot(s) meet(s) the required lot area and dimensions to create a flag lot or an alley access lot, only an alley access lot shall be created.
  - (b) **Front Lot:** The street fronting lot shall meet the lot standards for R-1 lots
  - (c) **Lot Area.** The alley access lot shall be a minimum of 2,250 square feet, a maximum of 5,000 square feet and shall not exceed 40

- percent of the area of the street fronting lot.*
- (d) **Lot Width.** *The alley access lot shall have a minimum width of 50 feet, and shall abut the alley for a minimum width of 50 feet.*
  - (e) **Lot Depth.** *No portion of the alley access lot shall have a depth of less than 35 feet.*
  - (f) **Distance from Street.** *The corner of the alley access lot closest to the street shall be a maximum of 125 feet from the centerline of the alley where it intersects with the curb of the street.*
  - (g) **Alley Improvement.** *The minimum improvement width for the alley shall be 12 feet.*

**Section 8.** Subsection (3) of Section 9.6505 of the Eugene Code, 1971, is amended to provide as follows:

**9.6505** **Improvements - Specifications.** All public improvements shall be designed and constructed in accordance with adopted plans and policies, the procedures specified in Chapter 7 of this code, and standards and specifications adopted pursuant to Chapter 7 of this code. Additionally, all developments shall make and be served by the following infrastructure improvements:

**(3) Streets and Alleys.**

- (a) The developer shall grade and pave all streets and alleys in the development site. All paving shall be to the width specified in EC 9.6870 Street Width and provide for drainage of all such streets and alleys, and construct curbs and gutters, sidewalks, street trees and street lights within the development site according to the Design Standards and Guidelines for Eugene Streets, Sidewalks, Bikeways and Accessways and standards and specifications adopted pursuant to Chapter 7 of this code and other adopted plans and policies.
- (b) The developer shall pave streets and alleys adjacent to the development site to the width specified in EC 9.6870 Street Width, unless such streets and alleys are already paved to that width, provided the City makes findings to demonstrate consistency with constitutional requirements. All paving shall provide for drainage of all such streets and alleys, and construct curbs and gutters, sidewalks, street trees and street lights adjacent to the development site according to the Design Standards and Guidelines for Eugene Streets, Sidewalks, Bikeways and Accessways and standards and specifications adopted pursuant to Chapter 7 of this code and other adopted plans and policies.
- (c) The standard at (3)(b) may be adjusted if consistent with the criteria of EC 9.8030(19).
- (d) ***Notwithstanding (a), (b) and (c) above, for alley access lots, the developer may improve the alley adjacent to the development site with a temporary surface, designed and constructed in accordance with the city's adopted temporary surface permit procedures.***

**Section 9.** Section 9.6775 of the Eugene Code, 1971, is amended to provide as follows:

**9.6775 Underground Utilities.**

- (1) **Exemptions from Underground Utility Standards.** *The following are exempt from the undergrounding requirement of this section:*
- (a) *Temporary uses on a development site.*
  - (b) *New utility connections to structures or buildings with legally established above ground utility service.*
  - (c) *Secondary dwellings that can be served from an existing legally established above ground utility service to the primary dwelling on the development site.*
  - (d) *Dwellings on alley access lots that can be served from an existing above ground utility-owned structure.*
- (2) **Underground Utility Standards.** All new on-site utilities shall be placed underground if there is a utility-owned structure immediately adjacent to the development site, unless adjusted pursuant to the provisions of EC 9.8030(5). ~~[This provision does not apply to temporary uses on a development site or to new utility connections to structures or buildings with legally established above ground utility service.]~~ This requirement is satisfied if the applicant verifies in writing that utilities will be placed underground concurrent with planned future development to occur within 12 months. Exceptions shall be made for such features as padmounted transformers, switch cabinets, back flow prevention devices and closures needed to safely operate and maintain utility systems.

**Section 10.** Table 9.6870 in Section 9.6870 of the Eugene Code, 1971, is amended to provide as follows:

<b>Table 9.6870 Right-of-Way and Paving Widths</b>		
<b>Type of Street or Alley</b>	<b>Right-of-Way (for Public Streets and Alleys only)</b>	<b>Paving Width</b>
Major Arterials	100' – 120'	68' – 94'
Minor Arterials	65' – 100'	46' 70'
Major Collector	60' – 75'	32' – 44'
Neighborhood Collector	40' 55'	20' – 43'
Bicycle and Pedestrian Accessway:		
With Fire Accessibility	20'	20'
Without Fire Accessibility	10'	10'
Local Streets		
Alley (secondary access <b>or access to an alley access lot in R-1</b> ) <del>[only]</del>	14'	12'
Alley (primary access)	20'	12' one-way travel 20' two-way travel
Access Lane	40' – 55'	21' – 28'
Low Volume Residential	45' – 55'	20' – 28'
Medium Volume Residential	50' – 60'	20' – 34'
Commercial and Industrial	55' – 70'	30' – 44'
Cul-de-sac Bulb Radius:		
Residential	48.5''	35'
Non-residential	62'	50'
*Measured from face to face of curbs		

**Section 11.** Subsections (34), (35) and (36) of Section 9.8030 of the Eugene Code, 1971, are added, to provide as follows:

**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.

**(34) Accessory Buildings in R-1. Building Height/Interior Setback or Building Size.** *Where this land use code provides that the standards for accessory buildings in R-1 may be adjusted, the building height/setback or building size standards may be adjusted upon demonstration of all of the following:*

- (a) The location and design of the accessory building maintains a compatible relationship to adjacent properties and does not significantly impact the privacy, light, or solar access of adjacent properties.*
- (b) The exterior design of the building maintains the scale of the neighborhood.*
- (c) The design of the building relates to the design of the primary dwelling and shall not visually dominate it or the surrounding properties.*

**(35) Secondary Dwellings.** *Where this land use code provides that the standards for secondary dwellings may be adjusted, the standards may be adjusted upon demonstration by the applicant that the applicable corresponding criteria are met.*

- (a) Temporary Leave. A property owner may exceed the temporary leave provisions by one additional consecutive year if the property owner submits proof of temporary leave status from the property owner's employer, educational facility, volunteer organization or medical provider.*
- (b) Conversion of Existing Building. A legally established building existing as of \_\_\_\_\_ [effective date of ordinance] may be converted to a secondary dwelling if it complies with all of the following:*
  - 1. The secondary dwelling is limited to 800 square feet in total building square footage, and occupies the first floor of a multi-story building or is limited to one-story.*
  - 2. The exterior design of the building is compatible with the existing dwelling on the lot, such as through building form, height, and construction materials.*
  - 3. The exterior design of the building maintains the scale of the neighborhood.*
  - 4. The location and design of the building maintains a compatible relationship to adjacent properties and does not significantly impact the privacy, light, solar access or parking of adjacent properties.*
- (c) Building Height. A detached secondary dwelling may be located above a detached accessory building if the secondary dwelling is limited to 500 square feet in area, the building does not exceed 24 feet in building height, and complies with all of the following:*

1. *The exterior design of the building is compatible with the primary dwelling on the lot, such as through building form, height, and construction materials.*
  2. *The exterior design of the building maintains the scale of the neighborhood.*
  3. *The location and design of the building maintains a compatible relationship to adjacent properties and does not significantly impact the privacy, light, solar access or parking of adjacent properties.*
  4. *Access stairs, decks, balconies, entry doors and large windows are oriented to the primary dwelling to the greatest extent possible, or to an alley if applicable. Windows that impact the privacy of the neighboring side or rear yard have been minimized.*
  5. *The design of the building relates to the design of the primary dwelling and shall not visually dominate it or the surrounding properties.*
- (36) **Alley Access Lots. Building Height/Interior Setback.** *Where this land use code provides that the development standards for alley access lots in R-1 may be adjusted, the building height/interior setback may be adjusted upon demonstration of all of the following:*
- (a) *The exterior design of the dwelling maintains the scale of the neighborhood.*
  - (b) *The location and design of the dwelling maintains a compatible relationship to adjacent properties and does not significantly impact the privacy, light, or solar access of adjacent properties.*
  - (c) *The impacts of windows or balconies to the privacy of the neighboring side or rear yard have been minimized such as through design, location, open space or landscaping.*
  - (d) *The design of the dwelling does not visually dominate the surrounding properties.*

**Section 12.** Subsection (3) of Section 9.8405 of the Eugene Code, 1971, is amended to provide as follows:

**9.8405 Applicability of Property Line Adjustment Applications.**

- (3) A property line adjustment application may not be utilized to create flag lots **or alley access lots.**

**Section 13.** The findings set forth in Exhibit F attached to this Ordinance are adopted as findings in support of this Ordinance.

**Section 14.** The City Recorder, at the request of, or with the concurrence 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.

**Section 15.** 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 16.** This Ordinance shall take effect pursuant to Section 32 of the Eugene Charter 2002, or on the date of its acknowledgement as provided in ORS 197.625, whichever is later.

**Passed by the City Council this**

**Approved by the Mayor this**

\_\_\_ day of \_\_\_\_\_, 2014

\_\_\_ day of \_\_\_\_\_, 2014

\_\_\_\_\_  
**City Recorder**

\_\_\_\_\_  
**Mayor**



Figure  
9.2751(16)(a)2.a

# Accessory Buildings - Interior Yard Setbacks

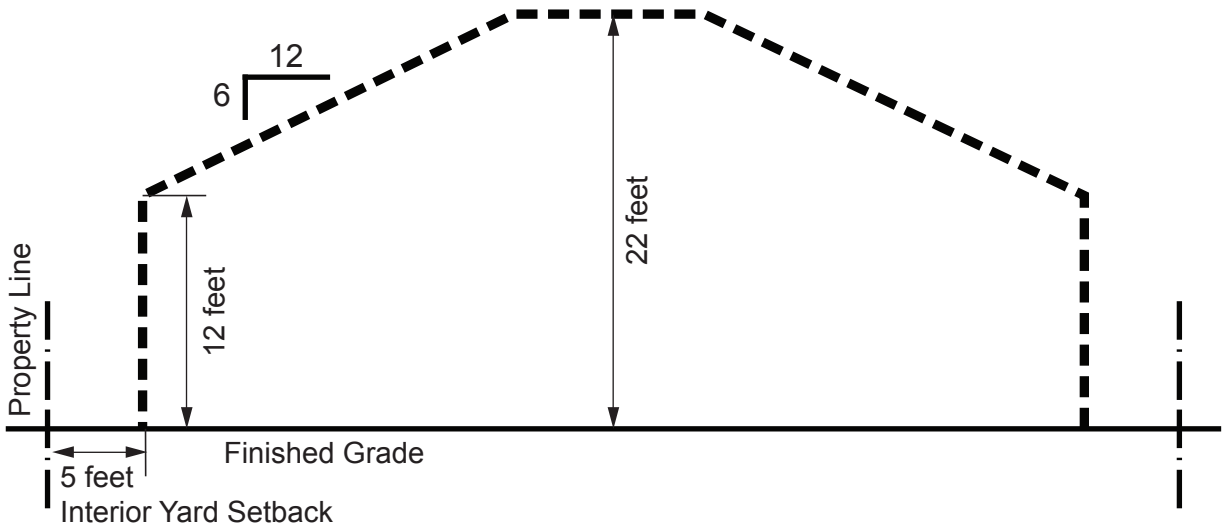


Figure  
9.2751(16)(b)3.

**Area - Specific  
Interior Yard Setbacks  
for Accessory Buildings,  
Secondary Dwellings and  
Alley Access Lots**

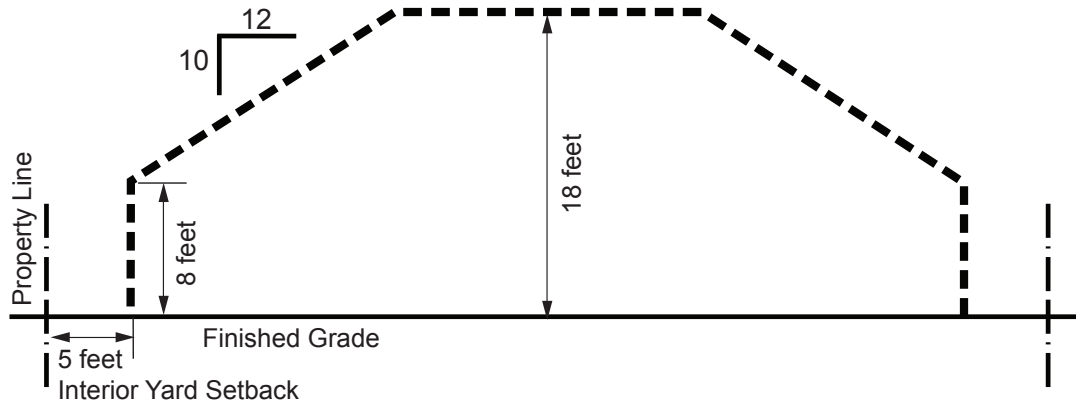


Figure 9.2751(17)(b)6.

### Detached Secondary Dwellings - Interior Yard Setbacks

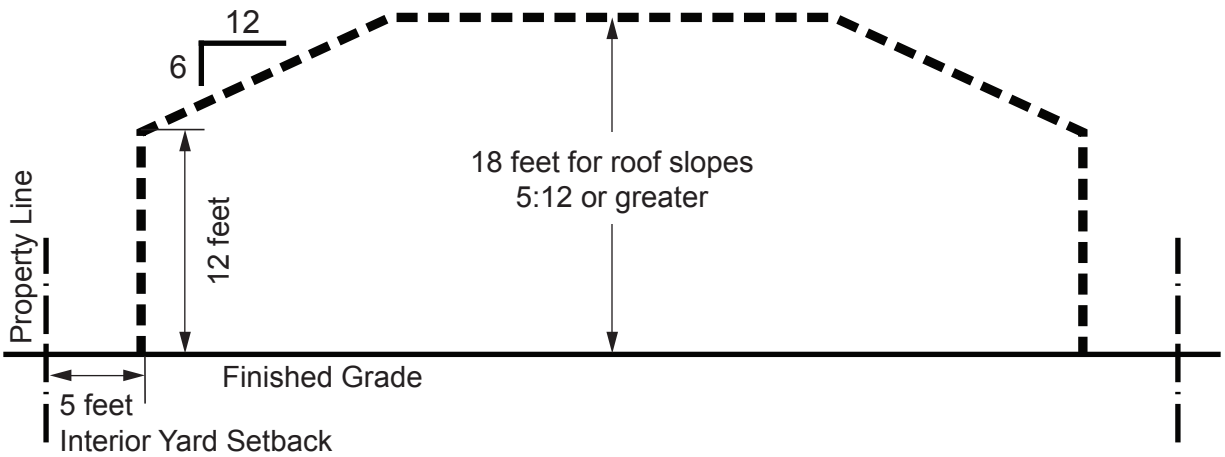
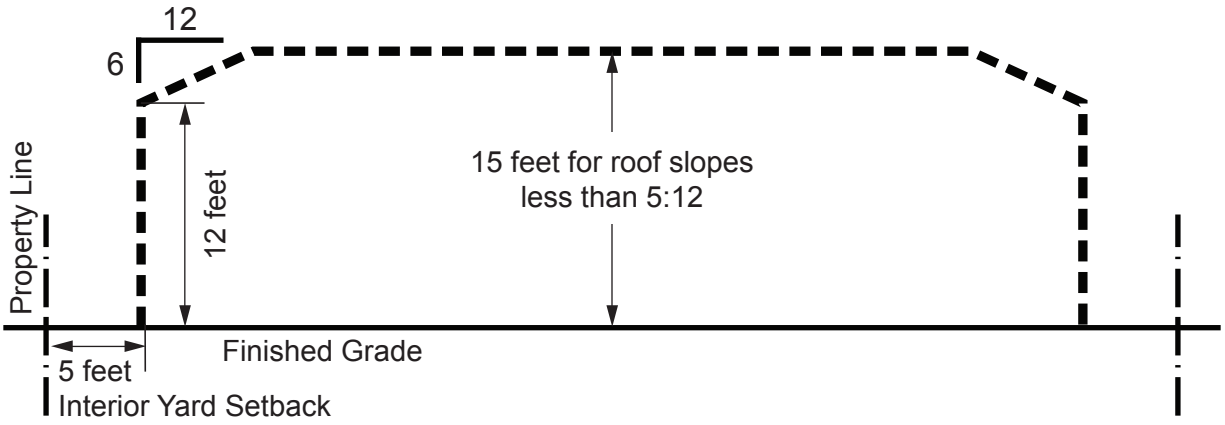


Figure  
9.2751(18)(a)5.

## Interior Yard Setbacks for Alley Access Lots

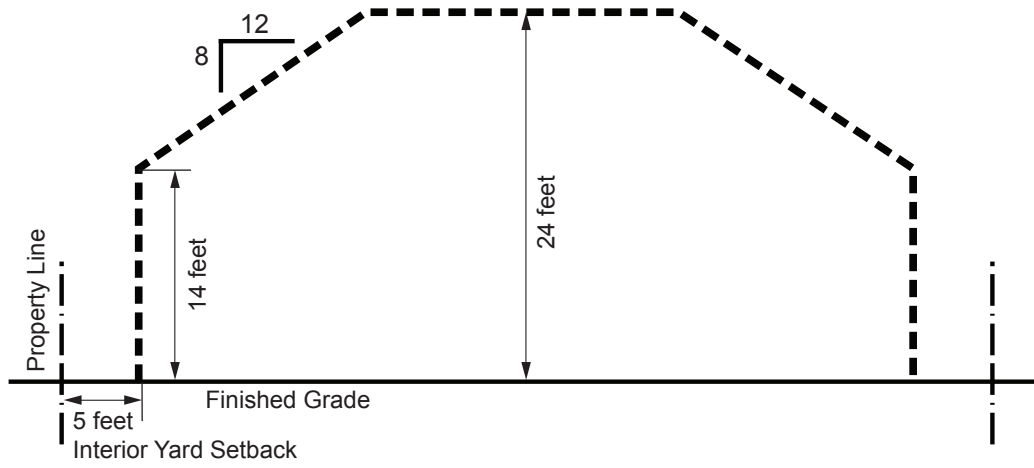
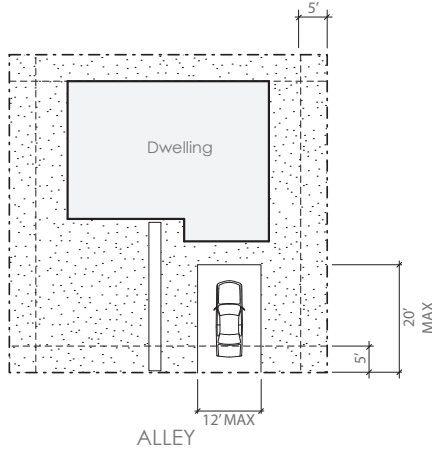


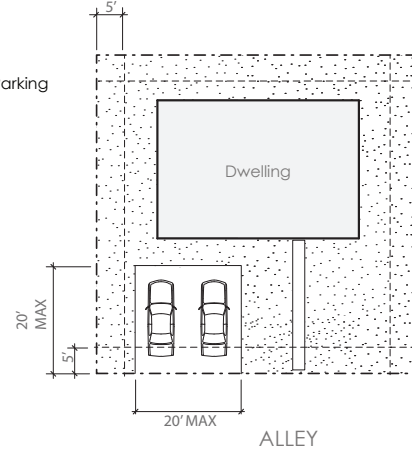
Figure 9.2751(18)(a)11.

# Parking and Driveway for Alley Access Lots

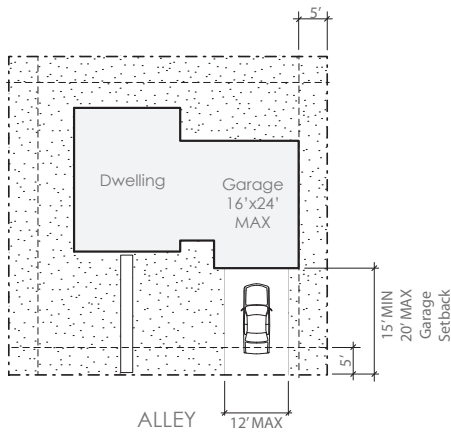
**OPTION A:**  
Single Perpendicular Parking  
400 SF MAX



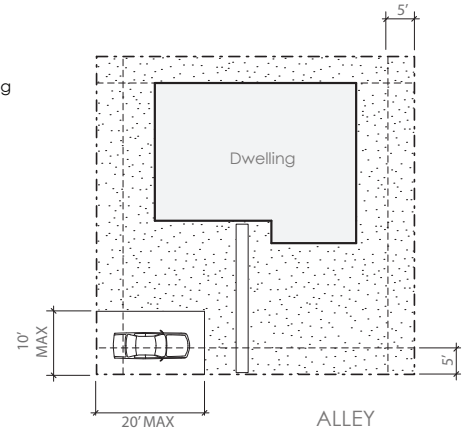
**OPTION B:**  
Side by Side Parking  
400 SF MAX



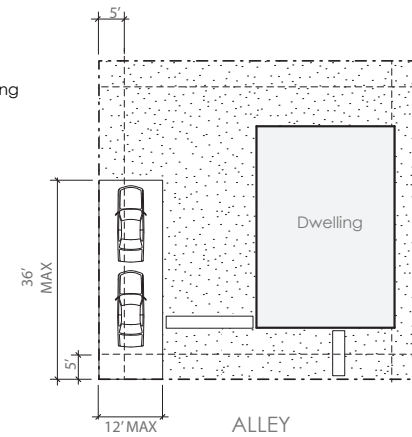
**OPTION C:**  
Attached Parking and  
Single Parking Combination  
400 SF MAX



**OPTION D:**  
Parallel Parking  
400 SF MAX



**OPTION E:**  
Tandem Parking  
400 SF MAX



- - - Property Line  
- - - - - Setbacks

## Exhibit F

# Findings

### Single Family Land Use Code Amendments Secondary Dwellings, Accessory Buildings and Alley Access Lots (City File CA 13-3)

#### Overview

This package of land use code amendments of the R-1 Low Density Residential zone achieves the following:

- Improve compatibility standards for structures that are already allowed, including secondary dwellings, dwellings on existing alley access lots and accessory buildings;
- Allow for new alley access lots in limited areas, subject to compatibility standards

The goal of these amendments is to implement several Envision Eugene strategies under the housing affordability, neighborhood livability and climate change/energy resiliency pillars related to smaller homes. These amendments are also included as part of the city's strategy to accommodate more of the city's 20 year need for single-family housing (low density residential) inside the current urban growth boundary. Specifically, these amendments are part of a package of land use efficiency strategies the city is relying on to accommodate approximately 125 additional single-family homes inside the urban growth boundary.

#### Land Use Code Amendments (CA 13-1)

Eugene Code Section 9.8065 requires that the following approval criteria (in ***bold italics***) be applied to a code amendment:

- (1) The amendment is consistent with applicable 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 City 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 amendments do not amend the citizen involvement program. The process for adopting these amendments complied with Goal 1 because it is consistent with the citizen involvement provisions.

The early concepts for these amendments emerged out of the city's Infill Compatibility Standards (ICS) project (beginning in 2007), which was led by a task team that included 14 neighborhood association representatives, a Housing Policy Board representative, and five additional members with the perspectives of builders, developers, and designers of market-rate and affordable infill housing.

The initial code concepts were largely influenced by the previous work of the ICS project, specifically the Single-Family Dwelling Subcommittee and R-1 Infill/Flag Lot Implementation Team (RIFLIT), as well as the Neighborhood Livability Working Group, best practices from other cities, and a review of

## Exhibit F

Eugene land use code. Once drafted, the code concepts were reviewed and vetted by an external advisory group comprised of neighborhood advocates, designers and builders with expertise in single family housing, and two Planning Commissioners. The majority of the members of the advisory group were also part of the original ICS/RIFLT team.

Prior to the start of the formal adoption process, the code concepts were sent out for broad public feedback to over 120 individuals that are interested in the topic or involved in a group or profession associated with neighborhood livability and infill, including neighborhood leaders and advocates, property owners, architects, designers and developers, Infill Compatibility Standards Task Team, and the Home Builder's Association. Other engagement and information opportunities included an open house in June 2013, highlighting the project in the May edition of the Envision Eugene e-newsletter, an open invitation to neighborhood leaders and other interested parties to meet about the amendments, and the establishment of a project web page.

The Planning Commission public hearing on the proposal was duly noticed to all neighborhood organizations, community groups and individuals who have requested notice, as well as to the City of Springfield and Lane County. In addition, notice of the public hearing was also published in the Register Guard. The City Council will hold a duly noticed public hearing to consider approval, modification, or denial of the code amendments. These processes afford ample opportunity for citizen involvement consistent with Goal 1. Therefore, the proposed ordinance is 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 decisions and actions related to use of land and to assure an adequate factual basis for such decisions and actions.*

The Eugene land use code specifies the procedure and criteria that were used in considering these amendments. The record shows that there is an adequate factual base for the amendments. The Goal 2 coordination requirement is met when the City engages in an exchange, or invites such an exchange, between the City and any affected governmental unit and when the City uses the information obtained in the exchange to balance the needs of the citizens. To comply with the Goal 2 coordination requirement, the City engaged in an exchange about the subject of these amendments with all of the affected governmental units. Specifically, the City provided notice of the proposed action and opportunity to comment to Lane County, Springfield and the Department of Land Conservation and Development. There are no exceptions to Statewide Planning Goal 2 required for these amendments. Therefore, the amendments are consistent with Statewide Planning Goal 2.

*Goal 3 - Agricultural Lands. To preserve agricultural lands.*

The amendments are for property located within the urban growth boundary and do not affect any land designated for agricultural use. Therefore, Statewide Planning Goal 3 does not apply.

*Goal 4 - Forest Lands. To conserve forest lands.*

The amendments are for property located within the urban growth boundary and do not affect any land designated for forest use. Therefore, Statewide Planning Goal 4 does not apply.

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Goal 5 - Open Spaces, Scenic and Historic Areas, and Natural Resources. *To conserve open space and protect natural and scenic resources.*

*OAR 660-023-0250(3) provides: Local governments are not required to apply Goal 5 in consideration of a PAPA unless the PAPA affects a Goal 5 resource. For purposes of this section, a PAPA would affect a Goal 5 resource only if:*

- (a) The PAPA creates or amends a resource list or a portion of an acknowledged plan or land use regulation adopted in order to protect a significant Goal 5 resource or to address specific requirements of Goal 5;*
- (b) The PAPA allows new uses that could be conflicting uses with a particular significant Goal 5 resource site on an acknowledged resource list; or*
- (c) The PAPA amends an acknowledged UGB and factual information is submitted demonstrating that a resource site, or the impact areas of such a site, is included in the amended UGB area.*

These amendments do not create or amend the City'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 urban growth boundary. Therefore, Statewide Planning Goal 5 does not apply.

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

Goal 6 addresses waste and process discharges from development, and is aimed at protecting air, water and land from impacts from those discharges. The amendments do not affect the City's ability to provide for clean air, water or land resources. Therefore, Statewide Planning Goal 6 does not apply.

Goal 7 - Areas Subject to Natural Disasters and Hazards. *To protect life and property from natural disasters and hazards.*

Goal 7 requires that local government planning programs include provisions to protect people and property from natural hazards such as floods, land slides, earthquakes and related hazards, tsunamis and wildfires. The Goal prohibits a development in natural hazard areas without appropriate safeguards. The amendments do not affect the City's restrictions on development in areas subject to natural disasters and hazards. Further, the amendments do not allow for new development that could result in a natural hazard. Therefore, Statewide Planning Goal 7 does not apply.

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 the provision of recreational facilities to Oregon citizens and is primarily concerned with the provision of those facilities in non-urban areas of the state. The amendments do not affect the City's provisions for or access to recreation areas, facilities or recreational opportunities.



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Therefore, Statewide Planning Goal 8 does not apply.

*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.*

Goal 9 requires cities to evaluate the supply and demand of commercial land relative to community economic objectives. The Eugene Commercial Lands Study (1992) was adopted by the City of Eugene as a refinement of the Metro Plan, and complies with the requirements of Goal 9 and the corresponding Administrative Rule. As the amendments are specific to residential development standards in the R-1 Low Density Residential zone, which implements the low density residential Metro Plan designation, the amendments do not impact the supply of industrial or commercial lands. Therefore, the amendments are consistent with Statewide Planning Goal 9.

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

Goal 10 requires communities to provide an adequate supply of residential buildable land to accommodate estimated housing needs for a 20-year planning period. The Residential Lands Study (1999) was adopted by the City of Eugene as a refinement of the Metro Plan, and complies with the requirements of Goal 10 and the corresponding Administrative Rule. According to the Residential Lands Study, there is sufficient buildable residential land to meet the identified land need.

The proposed amendments do not impact the supply of residential buildable land. No land is being re-designated from residential use to a nonresidential use, and the amendments do not otherwise diminish the lands available for residential use. Rather, the amendments increase the capacity of existing residential land, increasing the number of dwelling units without adversely impacting the residential land inventory. Accordingly, the amendments do not impact the supply or availability of residential lands included in the documented supply of "buildable land" that is available for residential development as inventoried in the acknowledged Residential Lands Study. Therefore, the amendments are 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.*

The amendments do not affect the City's provision of public facilities and services. Therefore, Statewide Planning Goal 11 does not apply.

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

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

- (1) *If an amendment to a functional plan, an acknowledged comprehensive plan, or a land use regulation (including a zoning map) would significantly affect an existing or planned transportation facility, then the local government must put in place measures as provided in section (2) of this rule, unless the amendment is allowed under section (3), (9) or (10) of this rule. A plan or land use regulation amendment significantly affects a transportation facility if it*

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would:

- (a) *Change the functional classification of an existing or planned transportation facility (exclusive of correction of map errors in an adopted plan);*
- (b) *Change standards implementing a functional classification system; or*
- (c) *Result in any of the effects listed in paragraphs (A) through (C) of this subsection based on projected conditions measured at the end of the planning period identified in the adopted TSP. As part of evaluating projected conditions, the amount of traffic projected to be generated within the area of the amendment may be reduced if the amendment includes an enforceable, ongoing requirement that would demonstrably limit traffic generation, including, but not limited to, transportation demand management. This reduction may diminish or completely eliminate the significant effect of the amendment.*
  - (A) *Types or levels of travel or access that are inconsistent with the functional classification of an existing or planned transportation facility;*
  - (B) *Degrade the performance of an existing or planned transportation facility such that it would not meet the performance standards identified in the TSP or comprehensive plan; or*
  - (C) *Degrade the performance of an existing or planned transportation facility that is otherwise projected to not meet the performance standards identified in the TSP or comprehensive plan.*

The proposed amendments do not change the functional classification of a transportation facility or change the standards implementing a functional classification system. Therefore, the amendments do not have a significant effect under (a) or (b). In regards to (c), the level of residential and development currently permitted through existing code and zoning regulations will remain essentially the same as a result of these amendments. The relatively small number of homes that are expected to be developed as a result of the secondary dwelling unit and alley access lot provisions will have a negligible impact on any transportation facility. Therefore, the amendments do not significantly affect any existing or future transportation facilities. Based on the above findings, the amendment is consistent with Statewide Planning Goal 12.

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

The amendments do not impact energy conservation. Therefore, Statewide Planning Goal 13 does not apply.

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

The amendments do not affect the City's provisions regarding the transition of land from rural to urban uses. Therefore, Statewide Planning Goal 14 does not apply.

*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 amendments do not contain any changes that affect the Willamette River Greenway regulations, therefore, Statewide Planning Goal 15 does not apply.

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Goal 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 effected by these amendments. Therefore, these goals are not relevant and the amendments will not affect compliance with Statewide Planning Goals 16 through 19.

**(2) *The amendment is consistent with applicable provisions of the Metro Plan and applicable adopted refinement plans.***

**Applicable Metro Plan Policies**

The following policies from the *Metro Plan* (identified below in *italics*) are applicable to these amendments. To the extent that the following policies constitute mandatory approval criteria, based on the findings provided below, the amendments are consistent with and supported by the applicable provisions of the *Metro Plan*.

Residential Land Use and Housing Element*Residential Density Policies:*

- A.9 *Establish density ranges in local zoning and development regulations that are consistent with the broad density categories of this plan.*

*Low density: Through 10 dwelling units per gross acre (could translate up to 14.28 units per net acre depending on each jurisdictions implementation measures and land use and development codes)*

*Medium density: Over 10 through 20 dwelling units per gross acre (could translate to over 14.28 units per net acre through 28.56 units per net acre depending on each jurisdictions implementation measures and land use and development codes.)*

*High density: Over 20 dwelling units per gross acre (could translate to over 28.56 units per net acre depending on each jurisdictions implementation measures and land use and development codes)*

This policy was raised in public testimony. The proposed code amendments apply to the city's R-1 Low Density Residential Zone, which implements the Metro Plan's low density residential land use plan designation. The Eugene Code density provisions for the R-1 zone, which are not proposed to be changed as part of these amendments, are consistent with the above policy in that they allow for a maximum of 14 units per net acre. Consistent with this policy, the proposed single-family code amendments do not change or conflict with the density range for low density residential.

Testimony identified the proposed lot size for new alley access lots as being in conflict with the above density range for low density residential. When applying the Eugene Code density provisions to a land divisions (partitions and subdivisions), they are applied to the development site being divided. In

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the case of a 9,000 square foot development site (the minimum proposed size for the original lot prior to creation of an alley access lot) being divided into two lots, the resulting density is 9.68 or 10 (rounded) units per net acre. A net density of 10 units per acre is consistent with Eugene Code density provisions for the R-1 zone, and falls within the appropriate range above.

Testimony also identified that the existing provisions for secondary dwellings units do not comply with the density requirements for R-1 zoning in the land use code or with the low density residential designation in the Metro Plan. Secondary dwellings are currently permitted outright in the R-1 zone, subject to certain development standards. These include minimum lot area, which require a minimum lot size of 4,500 square feet to allow for an attached secondary dwelling and 6,000 square feet to allow for a detached secondary dwelling unit. Testimony states that allowing two units on the specific minimum lot area exceeds maximum allowable density in the R-1 zone and low density residential plan designation (14 units per net acre). These minimum lot area requirements, which were adopted in 2002 (Ordinance No. 20270) are not proposed to be changed as part of these code amendments.

Secondary dwellings (previously called accessory dwellings prior to the 2001 land use code update) have long been permitted within the City of Eugene's R-1 zone as a means to promote opportunities for small scale infill, to make efficient use of land, and to fulfill the Metro Plan's overall goals and policies to increase overall residential density. The City of Eugene typically approves building permits for an average of 9 secondary dwellings per year. Historically, these dwellings have not counted toward residential density provisions. This approach is consistent with how many communities across the state treat secondary dwellings (including City of Springfield) and is supported by Department of Land Conservation and Development (DLCD) staff.

Regarding consistency with the Metro Plan, the above policy provides a density range that depends on "dwelling units" for its density calculation. However, it does not dictate how that calculation is done and what dwelling units are counted in that calculation. The city has had a long practice of not counting secondary dwelling units (whether attached or detached) in the density "dwelling per net acre" calculation. The City of Springfield, which also does not count secondary dwellings towards density requirements, calculates density the same way and therefore interprets the Metro Plan density language in the same way the City of Eugene has historically interpreted it. While the historical practice alone is not enough to justify the city's policy not to count secondary dwelling units, it goes a long way in explaining the rationale behind the practice.

This approach is further supported by other text and policies in the Metro Plan, including text that calls for an overall average of about six units per gross acres for new construction (page II-G-3), and policy A.13 that calls for increasing overall residential density by creating more opportunities for effectively designed infill (see full text of policy below). Allowing for secondary dwellings without counting them towards residential density provisions is an effective means of gradually increasing overall average density on a city wide scale. The proposed code amendments strengthen the current design standards (including lowering building heights and adding sloped setbacks) and address neighborhood compatibility.

Additionally, Policy A.16, which allows for the development of zoning districts which overlap the established Metro Plan density ranges to promote housing choice and result in either maintaining or

## Exhibit F

increasing housing density in those districts, lends support to the City's practice regarding secondary dwellings and density. While not entirely germane to the City's current allowance for secondary dwellings in the current R-1 Low Density Residential zone, this policy acknowledges that the City of Eugene (and Springfield) can develop zoning that overlaps with the above density ranges.

The provisions related to minimum lot area were adopted in 2002 as part of a package of amendments concerning secondary dwellings and flag lots. This approach was found to be consistent with the applicable Metro Plan policies and Statewide Planning Goals, and was acknowledged by the state. The city is entitled to interpret the Metro Plan and to determine how those calculations are done.

*A.12 Coordinate higher density residential development with the provision of adequate infrastructure and services, open space, and other urban amenities.*

This policy was raised in public testimony. To the extent that allowing for alley access lots in limited areas in the R-1 Low Density Residential zone constitutes higher density residential development as referenced in this policy, the provision of adequate infrastructure and services will be reviewed through the land division process for each individual proposal for the creation of an alley access lot. The approval criteria for partitions and subdivisions, as provided for in the Eugene Code, require compliance with the City's standards for streets, alleys and other public ways and for public improvement.

*A.13 Increase overall residential density in the metropolitan area by creating more opportunities for effectively designed in-fill, redevelopment, and mixed use while considering impacts of increased residential density on historic, existing and future neighborhoods.*

The intent of the amendments pertaining to secondary dwellings and alley access lots is to allow for compatible infill, consistent with this policy. The addition of standards addressing building height and sloped setbacks for secondary dwellings and alley access lots is to ensure that such has minimal impact on surrounding properties in existing neighborhoods.

#### *Housing Type and Tenure Policies*

*A.17 Provide opportunities for a full range of choice in housing type, density, size, cost and location.*

*A.18 Encourage a mix of structure types and densities within residential designations by reviewing and, if necessary, amending local zoning and development regulations.*

*A.20 Encourage home ownership of all housing types, particularly for low-income households.*

Consistent with these policies, the amendments provide for more opportunities for smaller housing types for both rental (secondary dwelling units) and homeownership (alley access lots) within existing single family neighborhoods.

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### *Design and Mixed Use Policies*

- A.23 Reduce impacts of higher density residential and mixed-use development on surrounding use by considering site, landscape, and architectural design standards or guidelines in local zoning and development regulations.*

This policy was raised in public testimony. To the extent that allowing for alley access lots in limited areas in the R-1 Low Density Residential zone constitutes higher density residential development as referenced in this policy, the amendments are consistent with this policy in that they add design standards to address building height, setbacks, upper story windows, dormers and balconies, parking area and building size. These standards will also apply to existing alley access lots (created when such lots were previously allowed in the R-1 zone), which are currently subject to the development standards that apply to typical R-1 lots.

- A.24 Considering adopting or modifying local zoning and development regulations to provide a discretionary design review process or clear and objective design standards, in order to address issues of compatibility, aesthetics, open space and other community concerns.*

Consistent with this policy direction, the amendments related to secondary dwellings, accessory buildings and alley access lots all include clear and objective design standards that address compatibility and aesthetics, and also include a discretionary path (adjustment review) to allow for flexibility, while maintaining compatibility, under certain circumstances.

### Transportation Element

#### *Land Use Policies*

- F.4. Require improvements that encourage transit, bicycles, and pedestrians in new commercial, public, mixed use and multi-unit residential development.*

This policy was raised in public testimony. This policy is not applicable to the proposed code amendments because the amendments do not involve or affect commercial, public, mixed use or multi-unit residential development.

#### *Transportation System Improvements: Roadway Policies*

- F.14 Address the mobility and safety needs of motorists, transit users, bicyclists, pedestrians, and the needs of emergency vehicles when planning and constructing roadway system improvements.*

This policy was raised in public testimony as applying to the proposed amendments to allow for alley access lots. This policy is not applicable to alleys, because, as stated in TransPlan, this policy is relevant to the region's roadway system, which is comprised of arterial and collector streets.

#### *Transportation System Improvements: Bicycle Policies*

## Exhibit F

*F.22 Construct and improve the region's bikeway system and provide bicycle system support facilities for both new development and redevelopment/expansion.*

This policy was raised in public testimony as applying to the proposed amendments to allow for alley access lots. As stated in TransPlan, the bicycle policies are focused on directing bicycle system improvements, such as expansion of the existing regional network, the provision of safety improvements and the addition of adequate support facilities. This policy is not applicable to the proposed amendments for alley access lots, as it applies to system improvements at the regional level rather than individual sites.

*Transportation System Improvements: Pedestrian Policies*

*F.26 Provide for a pedestrian environment that is well integrated with adjacent land uses and is designed to enhance safety, comfort, and convenience of walking.*

This policy was raised in public testimony as applying to the proposed amendments to allow for alley access lots. This policy is not applicable to the proposed amendments for alley access lots as it is intended to apply on a broader scale (system improvements) than an individual single family lot.

**Applicable Refinement Plans**

Given the broad applicability of these amendments (R-1 Low Density Residential zoning applies throughout the city), all adopted refinement plans were reviewed for consistency. It is noted that the secondary dwelling unit and accessory buildings amendments apply citywide. Areas with existing alley access lots or where new alley access lots could potentially be created, given the existence of alleys, include areas covered by the Fairmount/U of O Special Area Study, Jefferson/Far West Refinement Plan, South Hills Study and the Whitaker Plan. Additionally, new alleys could be created through a subdivision process citywide.

No relevant policies were found in the following adopted refinement plans:

- Bethel-Danebo Refinement Plan (1982)
- Bethel-Danebo Refinement Plan Phase II (1977)
- Central Area Transportation Study (2004)
- Comprehensive Stormwater Management Plan (1993)
- Eugene Commercial Lands Study (1992)
- Eugene Downtown Plan (2004)
- Eugene (EWEB) Downtown Riverfront Specific Area Plan (2013)
- Laurel Hill Neighborhood Plan (1982)
- 19th and Agate Special Area Study (1988)
- Riverfront Park Study (1985)
- South Hills Study (1974)
- South Willamette Subarea Study (1987)
- TransPlan (2002)
- Walnut Station Specific Area Plan (2010)
- Westside Neighborhood Plan (1987)
- West University Refinement Plan (1982)
- Whiteaker Plan (1994)
- Willow Creek Special Area Study (1982)

## Exhibit F

- Resolution No. 3862 Adopting the West 11th Commercial Land Use Policy and Refining the Eugene-Springfield Metropolitan Area General Plan (1984)
- Resolution No. 3885 Establishing Areas for the Application of C-4 Commercial-Industrial District Zoning, and Amending Resolution No. 3862 (1984)

Findings addressing relevant provisions of applicable refinement plans are provided below.

### **Fairmount/U of O Special Area Study (1982)**

Although there are no policies in this refinement plan that directly address the amendments or constitute mandatory approval criteria, the below text from the Land Use Diagram Text of the plan is relevant. As these amendments apply within the Low Density Residential area, and are intended to preserve and maintain the existing single family character, they are consistent with, and supported by this text.

#### Low Density Residential

*This area generally encompasses the south and east portions of the special study area. This area is to remain in low-density residential use with emphasis on preserving and maintaining the single-family character which currently exists.*

### **Jefferson Far West Refinement Plan (1983)**

The following residential policies in the Land Use Element of the plan lend general support for the amendments:

*2.0 Increase the opportunity for home ownership in the area.*

*3.0 Encourage a mixture of housing densities and types to allow a diverse population group to live in the area.*

The amendments related to secondary dwelling units and alley access lots are consistent with these policies in that they provide the opportunity for smaller single family housing types, and the alley access lot provisions provide the opportunity for home ownership.

Additionally, the following policies in Land Use Element (following the land use diagram) are relevant:

#### *2. Central Low-Density Residential Area*

*The low-density designation recognizes existing residential development and land uses. The City shall continue to recognize the residential character of the area and provide incentives for public and private rehabilitation of rundown structures. In addition, the City shall encourage block planning, infilling, and shared housing. Access to housing units off of alleys shall be accommodated when not in conflict with other policies and goals.*

#### *4. South Low-Density Residential Area*

*This area shall be recognized as appropriate for low-density residential use. The City shall encourage the rehabilitation of rundown structures, block planning, infilling, and shared housing.*

#### *15. Low Density Residential Area*



## Exhibit F

*This area shall be recognized as appropriate for low-density residential use. The City shall explore methods of encouraging an increase in residential density yet maintaining the character of the area. The City shall encourage block planning, infilling, and shared housing. Access to housing units off of alleys shall be accommodated when not in conflict with other policies and goals.*

Within all three of these low density residential subareas of the plan, the City is directed to encourage infilling. Consistent with this policy direction, the amendments related to secondary dwellings and alley access lots are intended to encourage compatible infill housing. Additionally, the amendments to allow for alley access lots and the associated compatibility standards are consistent with the policy direction to accommodate access to housing units off alleys when not in conflict with other policies and goals.

### **River Road-Santa Clara Urban Facilities Plan (1987)**

The following policies from the Residential Land Use section are relevant:

- 1.0 Recognize and maintain the predominately low-density residential character of the area consistent with the Metro Plan.*
- 2.0 Provide a diversity of housing types in the area. Available techniques include encouraging reinvestment and rehabilitation of existing housing stock and the use of development standards that provide for clustering or planned unit development.*

The amendments attempt to strike a balance between maintaining the character of existing low density neighborhoods and providing a diversity of housing types in the area, consistent with this policy. While the amendments continue to allow for secondary dwellings in recognition of the importance of this small single-family housing type, they also include standards to improve the compatibility of these dwellings.

### **Willakenzie Area Plan (1992)**

Although there are no policies in this refinement plan that directly address the amendments or constitute mandatory approval criteria, the following land use policy lends general support for the amendments:

#### *Residential Policies*

- 1. Maintain the existing low-density residential character of existing Willakenzie neighborhoods, while recognizing the need to provide housing for all income groups in the city.*
- 4. Encourage a mixture of housing densities and types to address the housing needs of a diverse population.*

The amendments attempt to strike a balance between maintaining the character of existing low density neighborhoods and providing housing for all income levels, consistent with this policy. While the amendments continue to allow for secondary dwellings in recognition of the importance of this housing type, they also include standards to improve the compatibility of these dwellings.

### **TransPlan (2002)**

Exhibit F

Several policies from TransPlan were raised in public testimony as applying to the proposed amendments. Those policies are addressed above under the Metro Plan, as identical policies are included in the Metro Plan. Those findings are incorporated herein by reference as demonstration of compliance with these policies.

Based on the above findings, the proposal is consistent with and supported by the applicable provisions of these adopted plans.

**(3) *The amendment is consistent with EC 9.3020 Criteria for Establishment of an S Special Area Zone, in the case of establishment of a special area zone.***

The amendments do not establish a special area zone. Therefore, this criterion does not apply to these amendments.

**Draft R-1 Code Amendment Recommendations**  
**16-Feb-2014**

**INTRODUCTION**

The following is a response to the City Manager's request for specific direction from councilors on changes they want to see in the draft R-1 ordinance that was presented by staff.

**Summary of all recommendations.**

- **Interim Protection Measures** – Put in a separate ordinance, based on the revised code e-mailed to council on February 14 by university neighborhood leaders. Ordinance should have an immediate effective date, and the effective date must not be dependent on DLCD acknowledgement.
- **Creation of new alley access only lots** – Remove all code that would allow creation of new alley access only lots. Hold off on further work on this concept until it can be dealt with as part of developing or revising specific neighborhood plans.
- **Owner occupancy standards for SDUs** – Adopt these as part of the ordinance that implements Interim Protection Measures. Make them permanent and city-wide when the city-wide amendments for SDU development standards are adopted.
- **Lot and development standards for SDUs** – Revise as described below.
- **Development standards for existing alley access only lots** – Revise as described below.
- **Development standards for accessory buildings** – Revise as described below.

**SUMMARY OF RECOMMENDATIONS IN THIS DOCUMENT**

**Lot and development standards for SDUs.**

Make the following changes to the draft code:

- Count SDUs when calculating density.
- Increase minimum lot sizes to maintain density within the ***Metro Plan*** Low Density Residential range. Allow smaller lots through existing PUD provisions.
- Disallow SDUs on “flag lots.”
- Reduce the height of structures close to neighboring backyards by reducing the “inflection” point at which the sloped setback begins.
- Increase the angle of the sloped setback to allow reasonable massing of structures.
- Rewrite adjustments to clarify criteria and limit extent of allowable adjustments.

**Development standards for existing alley access only lots**

- Use the same setback, height and massing standards that are used for detached SDUs.

**Development standards for accessory buildings**

- Reduce the height of structures close to neighboring backyards by reducing the “inflection” point at which the sloped setback begins.
- Increase the angle of the sloped setback to allow reasonable massing of structures.
- Rewrite adjustments to clarify criteria and limit extent of allowable adjustments.

## DETAILS OF RECOMMENDATIONS IN THIS DOCUMENT

### Lot and development standards for SDUs.

Amend Table 9.2740 to count SDUs when calculating density:

“All dwellings, *including secondary dwellings*, shall meet minimum and maximum density requirements in accordance with Table 9.2750.”

Other than the above, the SDU standards are mostly specified in the proposed code under section **9.2751 Special Development Standards for Table 9.2750** under the “**Secondary Dwellings**” subsection, in the following subsections:

- **Lot area.** Require a minimum of 6,100<sup>1</sup> square feet for an SDU, whether attached or detached. Allow smaller lots through a PUD, as long as overall density remains within **Metro Plan** Low Density Residential range. Do not allow SDUs on flag lots.
- **Building size.** Allow a maximum total square footage of 10% of lot area, not to exceed 800 s.f., for both attached and detached SDUs.
- **Building Height/Setback.** For detached SDUs and any portion of an attached SDU that is more than 60 feet from the front property line:

The dwelling (or portion of dwelling) shall be limited by interior yard setbacks that are five feet, with an inflection point at 8 feet height and a sloped setback from that height that increases at the rate of 10 inches vertically for every additional 12 inches horizontally. (*Note that setbacks are sloped. They do not have “pitch” – that is a term that applies to roofs and other structures, not setback planes. It confuses people who may think that the setback slope is a limit to roof pitch, when it is not.*)

With this setback configuration, it’s reasonable to allow a maximum building height of 18 feet on all lots for both detached SDUs and affected portions of attached SDUs. (An 18 foot height would have to be 13 feet from the adjacent property.)

Do not allow any intrusions into the setback areas other than eaves and chimneys.

- Rewrite **adjustment** (35) to clarify criteria and set maximum extent of allowable adjustments, as follows:

**Conversion of Existing Building.** Obviously, allow conversion if the structure meets all SDU standards. For structures that would conform to all standards, *except the sloped setback plane*, allow only for total square footage no more than 600 s.f. and no portion of structure more than 15’ above grade. Allow conversion of such structures that are closer than five feet to an interior lot line, only if the adjacent property owner grants an easement.

**Building Height.** Allow a max height of 24 feet if all of the structure that would fall within the scope of the “Building Height/Sloped Setback” standard is at least 20 feet from all interior property lines and within the sloped setback.

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<sup>1</sup> Councilors may want to adopt a slightly different minimum lot size. Here are the relevant factors:

- The **Metro Plan** Low Density Residential density maximum is 14.28 dwellings per net acre (du/na), which is equivalent to one dwelling per 3,050 square feet or two dwellings per 6,100 square feet.
- The City’s R-1 Low Density Residential Zone maximum density is 14 du/na, which is equivalent to one dwelling per 3,111 square feet or two dwellings per 6,222 square feet.

### Development standards for existing alley access only lots

These standards are mostly specified in the proposed code under section **9.2779 Alley Access Lot Standards** under the “Development Standards.” Subsection. The following proposed subsections should be changed to be the same as for detached SDUs:

- **Building Size.**
- **Building Height/Interior Setback.**

In addition to using the same Building Height standards, use the same **adjustment** for building height. (i.e., replace adjustment (36) with the rewritten adjustment (35).)

### Development standards for accessory buildings

These standards are mostly specified in the proposed code under section **9.2751 Special Development Standards for Table 9.2750** under the “Accessory Buildings in R-1” subsection, in the following subsections:

- **Building Size.** Simplify accessory building size limits as 10% of lot size for all lots, regardless of lot size or development site size. Allow alternatives for larger development sites only through PUDs.
- **Building Height/Setback.** Simplify and provide adequate protection by having interior yard setbacks be five feet, with an inflection point of 8 feet and a sloped setback that increases at the rate of 10 inches vertically for every additional 12 inches horizontally.

With this setback configuration, it’s reasonable to allow a maximum building height of 25 feet on all lots. (A 25 foot height would have to be 19 feet from the adjacent property.) This should be stated as: “No part of the building (except chimneys), shall be more than 25 feet above grade.”

- Rewrite **adjustment (34)** to allow only up to a five foot increase in height in a PUD and as long as the entire structure meets the sloped setback standards. (*With a 25 foot max height, as suggested, there is no great need, and there is significant potential impact, for allowing higher accessory buildings unless they’re part of a PUD. PUD approval criteria already require development to be “compatible” and have “minimal impact” on surrounding areas.*)



**Secondary Dwellings**

The following table (Table 1) provides a summary comparison of the current code provisions for secondary dwelling units (SDUs), the proposed changes as contained in the draft ordinance provided at the November 2013 public hearing, and the changes suggested by university area neighbors following the City Council’s February 2014 work session on the topic. The final column includes some of the implications of the changes suggested by the university area neighbors.

**Table 1**

Secondary Dwellings				
Development Standard	Current Code	As Proposed in Ordinance	Suggested Changes	Implications of Suggested Changes
Minimum Lot Size/Density	<p><i>For attached SDUs:</i> Except for flag lots, the lot shall be at least 4,500 square feet to allow for an SDU.</p> <p><i>For detached SDUs:</i> Except for flag lots, the lot shall be at least 6,000 square feet.</p> <p>Flag lots: Must contain at least 13,500 square feet to allow for any SDU</p> <p>Density: The City’s long standing practice, supported by the Metro Plan, does not include SDUs when calculating density at the time of permit. They are counted in the City’s supply of housing.</p>	<p>No changes to minimum lot size</p> <p>Flag lots: No changes</p> <p>Density: Continue current practice, supported by the Metro Plan, of not counting SDUs when calculating density.</p>	<p>Increase minimum lot size to 6,100 square feet to allow for any SDU</p> <p>Flag lots: Prohibit SDUs on all flag lots</p> <p>Density: Add code language that requires SDUs to be counted when calculating density</p>	<p>By increasing minimum lot and calculating towards density, approximately 5,160 lots or approximately 11% of all lots currently eligible for an SDU would no longer be eligible for an SDU</p> <p>Flag lots: If SDUs are prohibited on flag lots, approximately 300 lots would no longer be eligible for SDUs.</p> <p>This proposed restriction on lots that currently are eligible for an SDU would require a legal notice to those property owners and a new public hearing.</p>
Building Size	800 square feet, unless occupying an entire story of a multi-story home	Limits all SDUs 800 square feet. Clarifies how to measure	Limit total square footage to 10% of lot area, not to exceed 800 square feet.	<p>For lots less than 8,000 square feet, SDU would be required to be less than 800 sq. ft.</p> <p>For a 6,100 square foot lot, the SDU would be limited to 610 square feet. To provide for two bedrooms, 750 square feet is a more realistic size.</p>
Building Height	<p><i>Attached SDUs:</i> 30 feet or 37 feet for roof slopes 6:12 or steeper (same as main house)</p> <p><i>Detached SDUs:</i> 15 feet or 22 feet for roof slopes 6:12 or steeper if located within 20 feet of a property line (Allows for 2 story)</p> <p>20 feet or 27 feet for roof slopes 6:12 or steeper if located greater than 20 feet</p>	<p><i>Attached SDUs:</i> no change</p> <p><i>Detached SDUs:</i> 15 feet for roof slopes 5:12 or less (flatter) or 18 feet for roof slopes 6:12 or steeper if located within 20 feet of a property line. (Allows for 1 story)</p> <p>24 feet, if located greater than 20 feet from any property line, (Allows for 2 story)</p>	<p><i>Attached SDUs:</i> 18 feet for any portion of an attached SDU that is more than 60 feet from a front property line. No change for attached SDUs within 60 feet from front property line.</p> <p><i>Detached SDUs:</i> 18 feet</p>	<p>Lowers height for attached SDUs more than 60 feet from front property line (street) to 18 feet, regardless of height of the home containing the SDU.</p> <p>Attached SDUs can include garage conversions, which are likely to be located within 60 feet from a front property line. If the existing garage exceeds 18 feet in</p>

	from a property line.			height, such a conversion would not be permitted.  Although difficult to quantify, this would presumably result in a significant reduction in the number of lots that can currently do an attached SDU through a garage conversion.
Sloped Interior Yard Setbacks	No sloped setback (which means the dwelling can reach maximum building height at a point 5 feet in from the interior property line)	For detached SDUs located within 20 feet of a property line: creates a building envelope that requires dwelling to slope away from interior yard setback starting at a building height of 12 feet above grade.  For a detached secondary dwelling, starting at the 5 foot interior yard setback, the dwelling would be limited in height to 12 feet, and then would be required to slope away from the interior property lines at a maximum roof slope of 6:12 (50%) rising to a maximum height of 18 feet. This would result in the ridge (tallest point) of the dwelling being a minimum of 17 feet from the interior property lines.	For all detached SDUs and any portion of an attached SDU that is more than 60 feet from the front property line: creates a building envelope that requires dwelling to slope away from interior yard setback starting at a building height of 8 feet above grade (instead of 12 feet), and use a maximum slope of 10:12 (83%). This would result in the ridge (tallest point) of the dwelling being a minimum of 13 feet from the interior property lines.	The suggested change for sloped setback/building height is identical to the area-specific SDU standards recently adopted as part of the University Area Interim Protection Measures. Taking into account that normal ceiling height in residential construction is 8 to 9 feet, not including the typical crawl space and required ceiling insulation, an 8 foot building height is not feasible for construction.  Attached SDUs are commonly contained within an existing home (such as an attic or basement or through garage conversion). If the existing home/garage does not meet sloped setback, SDU would not be permitted, except through an adjustment review, and would be further limited in building size and height by adjustment review criteria.
Setback Intrusions	Allows for building features, such as eaves, awnings, chimneys, bays, bay windows and porches, to project into interior yard setbacks up to 2 feet	Limit setback intrusions to eaves, chimneys and gables.	Limit setback intrusions to eaves and chimneys	Would not allow gables to project into sloped setback.
Ownership/Occupancy	Either the primary dwelling or the secondary dwelling must be occupied by the property owner	Strengthens current requirements by defining ownership and length of occupancy, requiring documentation to verify ownership and occupancy, requiring deed restriction and requiring verification every two years that requirements are met. Provides allowance for temporary leave under certain circumstances.	Adopt as proposed in ordinance	
Adjustment Review	None	Allows for adjustment review in limited situations: temporary leave, to allow conversion	To allow for conversion, if the structure meets all SDU standards except the sloped	For conversion of existing structures, would place additional limits on building size and



		<p>of existing accessory building into secondary dwelling and to allow a secondary dwelling over an accessory building (height).</p> <p>To allow for conversion of existing building that does not meet all of SDU standards; the SDU must be limited to 800 square feet and must be limited to one story or on ground floor of 2 story building. Other relevant compatibility criteria apply.</p> <p>To allow for a SDU over an accessory building (such as a garage), limit SDU size to 500 square feet, limit building height to 24 feet. Other relevant compatibility criteria apply.</p>	<p>setback, limit SDU to 600 square feet in building size and 15 feet in height. If closer than 5 feet from interior property line, allow if adjacent property owner grants easement.</p> <p>To allow for a SDU over an accessory building, limit height to 24 feet if all of the building is at least 20 feet from all interior property lines and within the sloped setback.</p>	<p>height (beyond those for new SDUs). Whereas a new SDU could be 800 square feet and 18 feet in height (assuming an 8,000 square foot or greater sized lot), an existing building to be converted to an SDU could not exceed 600 square feet and 15 feet in height.</p> <p>To allow for a SDU over an accessory building, the building would need to be at least 20 feet from all interior property lines and fit within sloped setback established above.</p> <p>Although difficult to quantify, this would presumably result in a reduction in the number of lots that can currently do an attached SDU through a garage conversion.</p>
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**Alley Access Lots**

The following table (Table 2) provides a summary comparison of the current code provisions for dwellings on existing alley lots, the proposed changes as contained in the draft ordinance provided at the November 2013 public hearing (that would apply to existing and new lots), and the changes suggested by university area neighbors following the City Council’s February 2014 work session on the topic. The final column includes some of the implications of the changes suggested by the university area neighbors.

**Table 2**

<b>Alley Access Lots</b>				
<b>Development Standard</b>	<b>Current Code (applies to existing lots)</b>	<b>Proposed Change (to apply to existing and newly created lots)</b>	<b>Suggested Changes (to apply to existing lots; prohibit new lots)</b>	<b>Implications of Suggested Changes</b>
Building Size	No limits (except that current lot coverage standards limit total building coverage to 50 percent of a lot)	1,000 square feet maximum. For two story structures, only 400 square feet of the 1,000 is allowed on the upper floor.	Same as suggested above for detached SDUs: Limit total square footage to 10% of lot area, not to exceed 800 square feet.	Existing alley access lots are typically less than 5,000 square feet in area, which means that homes would be limited to 500 square feet or less.  Homes on alley access lots are a different housing type than SDUs. Limiting the homes to such a small size (and height) will limit the desirability of these homes for owner-occupancy.  The recently adopted University Area Interim Protection Measures allow provide for a maximum building size of 1,000 square feet on existing alley access lots.
Building Height	30 feet or 37 feet for roof slopes 6:12 or steeper	24 feet	18 feet	Same as suggested above for detached SDUs
Sloped setback	No sloped setback (which means the dwelling can reach maximum building height at a point 5 feet in from the interior property line)	Creates a building envelope that requires dwelling to slope away from interior yard setback starting at a building height of 14 feet above grade.  Starting at the 5 foot interior yard setback, the dwelling would be limited in height to 14 feet, and then would be required to slope away from the interior property lines at a maximum roof slope of 8:12 (67%) rising to a maximum height of 24 feet. This would result in the ridge (tallest point) of the dwelling being a minimum of 20 feet from the interior property lines.	Creates a building envelope that requires dwelling to slope away from interior yard setback starting at a building height of 8 feet above grade (instead of 14 feet), and change maximum slope to 10:12 (instead of 8:12). This would result in the ridge (tallest point) of the dwelling being a minimum of 13 feet from the interior property lines (instead of 20 feet).	Same as suggested above for detached SDUs, which is identical to the area-specific SDU standards recently adopted as part of the University Area Interim Protection Measures.  Taking into account that normal ceiling height in residential construction is 8 to 9 feet, not including the typical crawl space and required, an 8 foot building height is not feasible for construction.
Adjustment Review	None	Provide for adjustment review to building	Provide for adjustment review to allow	Existing alley access lots are typically less than

		height/sloped setback subject to criteria that address scale, location, design, privacy, light and solar access, and visual impact of the dwelling in the context of adjacent properties.	dwelling up to maximum height of 24 feet if all of the building is at least 20 feet from all interior property lines and within the sloped setback.	5,000 square feet and 50 feet in width. As such, it may not be possible or practicable to create a dwelling that is 20 feet from all interior property lines. Due to the suggested change for building size to 10% of lot area (see above), which results in a small home, it is unlikely a property owner would need or desire to seek an increase in height.
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**Accessory Buildings**

The following table (Table 3) provides a summary comparison of the current code provisions for accessory buildings (such as garages, sheds and greenhouses), the proposed changes as contained in the draft ordinance provided at the November 2013 public hearing, and the changes suggested by university area neighbors following the City Council’s February 2014 work session on the topic. The final column includes some of the implications of the changes suggested by the university area neighbors.

**Table 3**

Accessory Buildings				
Development Standard	Current Code	As Proposed in Ordinance	Suggested Changes	
Building Size	No limits (except that current lot coverage standards limit total building coverage to 50 percent of a lot)	<p>On development sites (with a dwelling) that are 13,500 square feet or less in area, limit total square footage to 1,000 square feet</p> <p>On development sites (with a dwelling) that are between 13,501 square feet and 43,559 square feet, limit total square footage to 10 percent of development site, not to exceed 3,000 square feet.</p> <p>On development sites 43,560 square feet (one acre) or greater in area, or on development sites with a non-residential use (such as a park, church or school), no building size limitation.</p>	<p>Limit to 10% of lot size for all lots</p> <p>Allow alternative for large development sites through PUDs</p>	<p>Suggested change simplifies the standard by not differentiating between lot sizes, as recommended by the Planning Commission to address scale and proportionality.</p> <p>Requiring planned unit development (PUD) approval for larger development sites would be onerous to a property owner. PUDs are a two-step land use application process that require tentative approval by the City’s Hearings Official; are subject to a minimum application fee of \$21,593; require a property owner to hire a team of professionals to prepare the application; and typically take at least 6 to 9 months to process.</p>
Building Height	20 feet or 27 feet for roof slopes 6:12 or steeper	<p>22 feet for development sites (with a dwelling) that are 13,500 square feet or less in area</p> <p>25 feet for development sites greater than 13,500 square feet in area or on development sites with a non-residential use.</p>	25 feet for all lots regardless of size	Suggested change simplifies the standard by not differentiating between lot sizes, as recommended by the Planning Commission to address scale and proportionality.
Sloped setback	No sloped setback (which means the building can reach maximum building height at a point 5 feet in from the interior property line)	<p>On development sites (with a dwelling) that are 13,500 square feet or less in area, interior yard setbacks shall be at least 5 feet. In addition, at a point that is 12 feet above finished grade, the setback shall slope at 6:12 horizontally away from the property line to a maximum building height of 22 feet.</p> <p>On development sites greater than 13,500 square feet in area or on development sites with</p>	Creates a building envelope for all sized lots that requires a building to slope away from a five foot interior yard setback starting at a building height of 8 feet above grade (instead of 12 feet). Use maximum slope of 10:12 (83%) regardless of lot size. This would result in the ridge (tallest point) of the building being a minimum of 19 feet from the interior property lines.	<p>Suggested change simplifies the standard by not differentiating between lot sizes, as recommended by the Planning Commission to address scale and proportionality.</p> <p>Requires same 8 foot building height at interior yard setback as suggested for secondary dwellings and alley access lots.</p> <p>Results in a 25 foot tall building 19 feet from</p>

		a non-residential use, the interior yard setback shall be at least 10 feet. In addition, at a point that is 12 feet above finished grade, the setback shall slope at 10:12 horizontally away from the property line to a maximum building height of 25 feet.		property line (as opposed to 25 feet from property line).
Adjustment Review	None	Provide for adjustment review to building height/sloped setback subject to criteria that address scale, location, design, privacy, light and solar access, and visual impact of the building in the context of adjacent properties.	Allow up to a five foot increase in height only through an approved planned unit development application and as long as the entire structure meets the sloped setback standard.	Requiring planned unit development (PUD) approval for larger development sites would be onerous to a property owner. Planned unit developments are a two-step land use application process that require tentative approval by the City's Hearings Official; are subject to a minimum application fee of \$21,593; require a property owner to hire a team of professionals to prepare the application; and typically take at least 6 to 9 months to process.



# Envision Eugene Single Family Code Amendments



-177-

Mixed Transitional

Transit Corridor

DOWNTOWN CORE

Parks

- Goals
- Public Engagement Process
- Proposed Amendments + Alternative Proposal
  - Secondary dwellings
  - Alley access lots
  - Accessory buildings

-178-



Photo Credit: Eugene Backyard Farmer





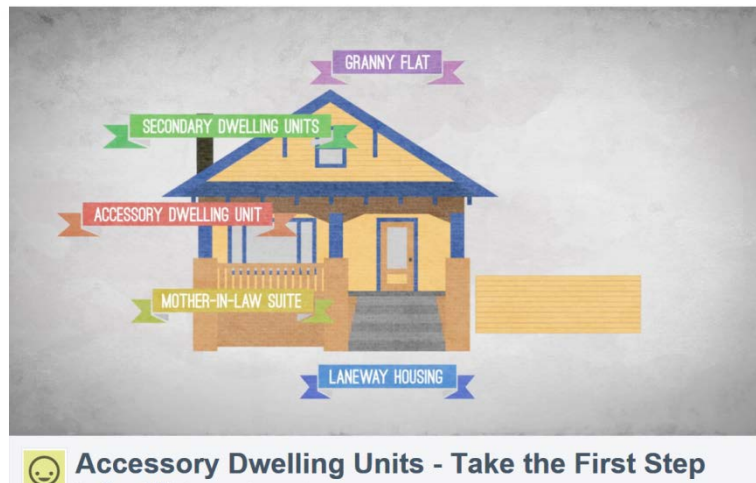
## Promote Smaller Homes

- Affordability
- Flexibility
- Efficiency



Rainbow Valley Design and Construction

# Promote Smaller Homes



Accessory Dwelling Units - Take the First Step

-180-

## The New York Times

HOME & GARDEN

88 COMMENTS

### Grandma Never Had It So Good

By SANDY KEENAN MAY 7, 2014

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BELLE NOW PLAYING GET TICKETS

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In most cities, adding a second house to a single-family lot would be illegal or would set off an epic battle with the neighbors that could drag on for years. But not in Portland, Ore.

There, this kind of housing — referred to officially as “accessory dwelling units,” but better known as granny flats, garage apartments, or alley houses — is being welcomed and even encouraged, thanks to friendly zoning laws. And additional living spaces are springing up everywhere, providing affordable housing without changing the feeling or texture of established neighborhoods the way high-rise developments can.

In the southeastern part of town, Jen Wantland,



Photo: Kelley Lee/The New York Times

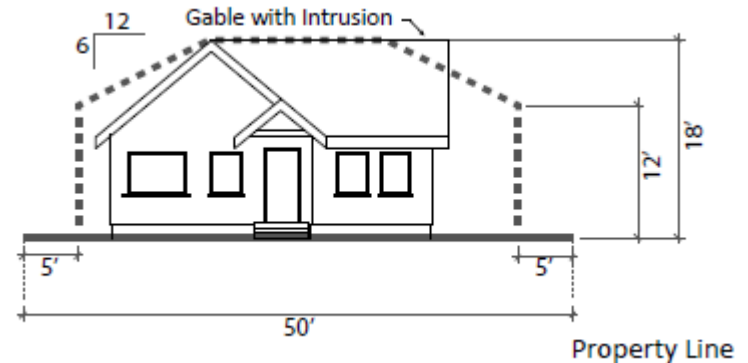
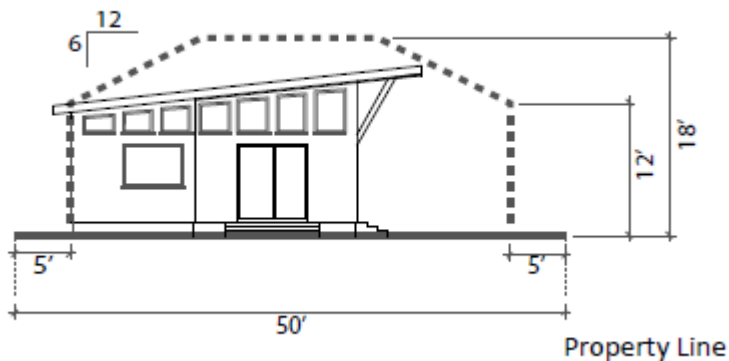
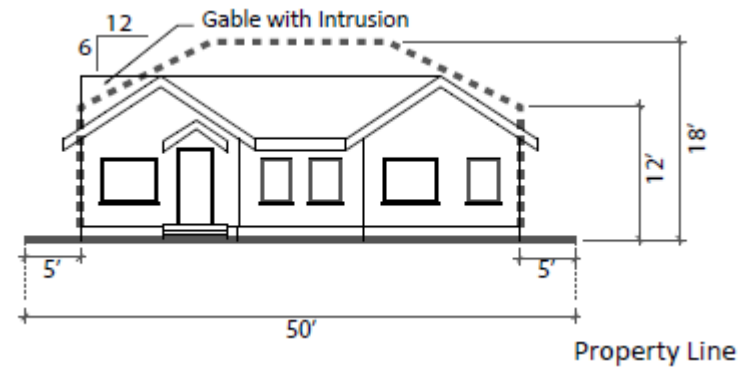


Boneyard Studios

## Improve Compatibility

- Building Heights
- Sloped Setbacks
- Building Size

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## Highlights

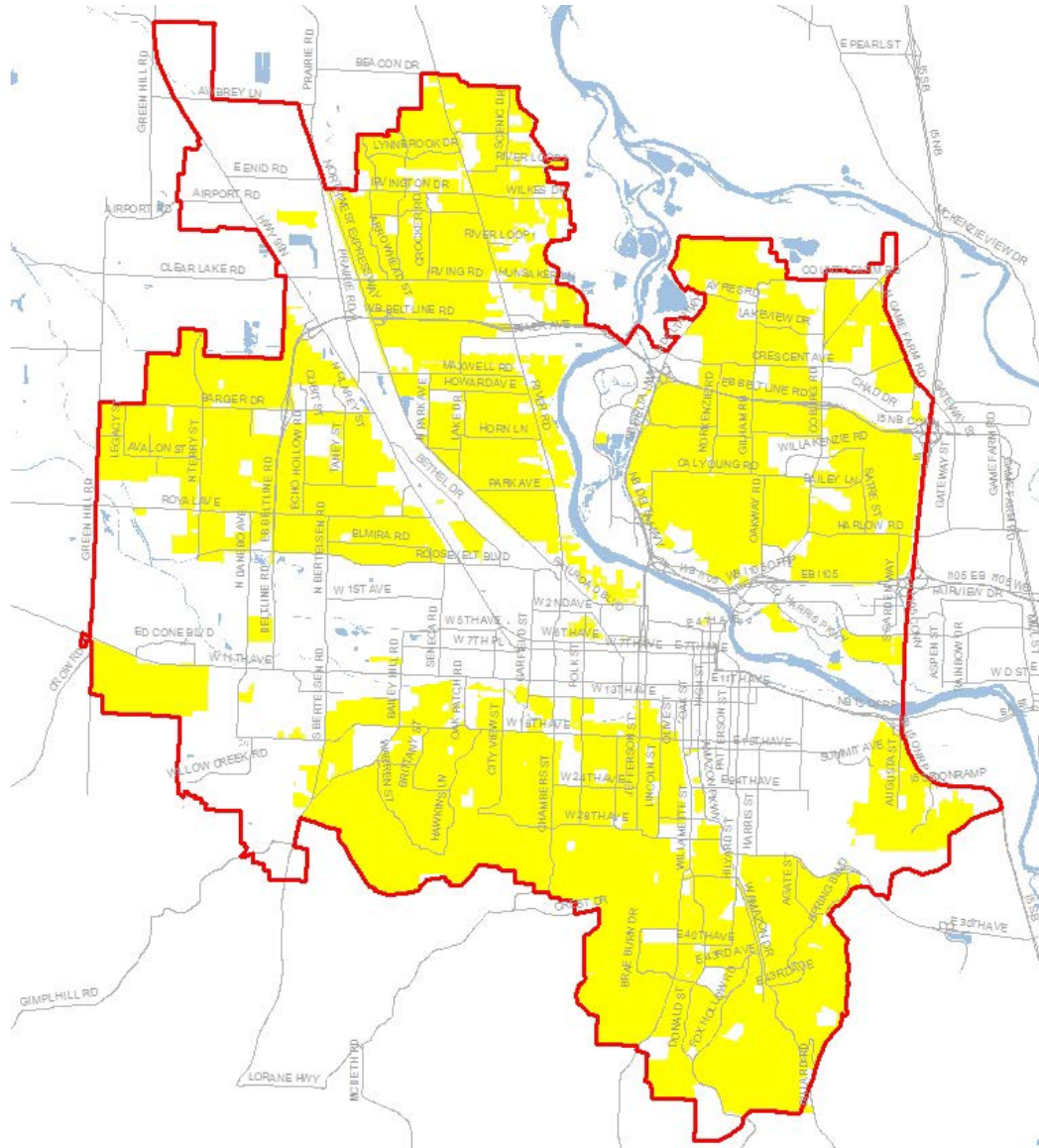
- |           |  |
|-----------|--|
| 2007-2009 | Infill Compatibility Standards (ICS) Task Team                                     |
| 2010      | R-1 Infill/Flag Lot Implementation Team  |
| 2010-2013 | On-going Envision Eugene public engagement   |
| 2011      | Draft Envision Eugene Proposal published   |
| 2012      | Envision Eugene Recommendation published<br>City Council initiated code amendments |
| 2012-2013 | Single Family Advisory Group   |
| 2013      | Public outreach: open house, emails, meetings, website                             |
| 2013      | Planning Commission public process   |
| 2013      | City Council public process  |

## R-1 Low Density Residential Zone

- Improve compatibility standards citywide
  - secondary dwelling units (currently allowed)
  - existing alley access lots
  - accessory buildings (currently allowed)
- Allow for new alley access lots, in limited areas, subject to compatibility standards



## R-1 Low Density Residential Zoning



## Secondary Dwellings

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Rainbow Valley Design and Construction



Rainbow Valley Design and Construction



Item B.

## Secondary Dwellings

### Planning Commission Recommendation

- Strengthen owner/occupancy provisions
- Limit building height to one story (detached)
- Add sloped setbacks
- Limit building size/number of bedrooms
- Allow for adjustment review in limited cases



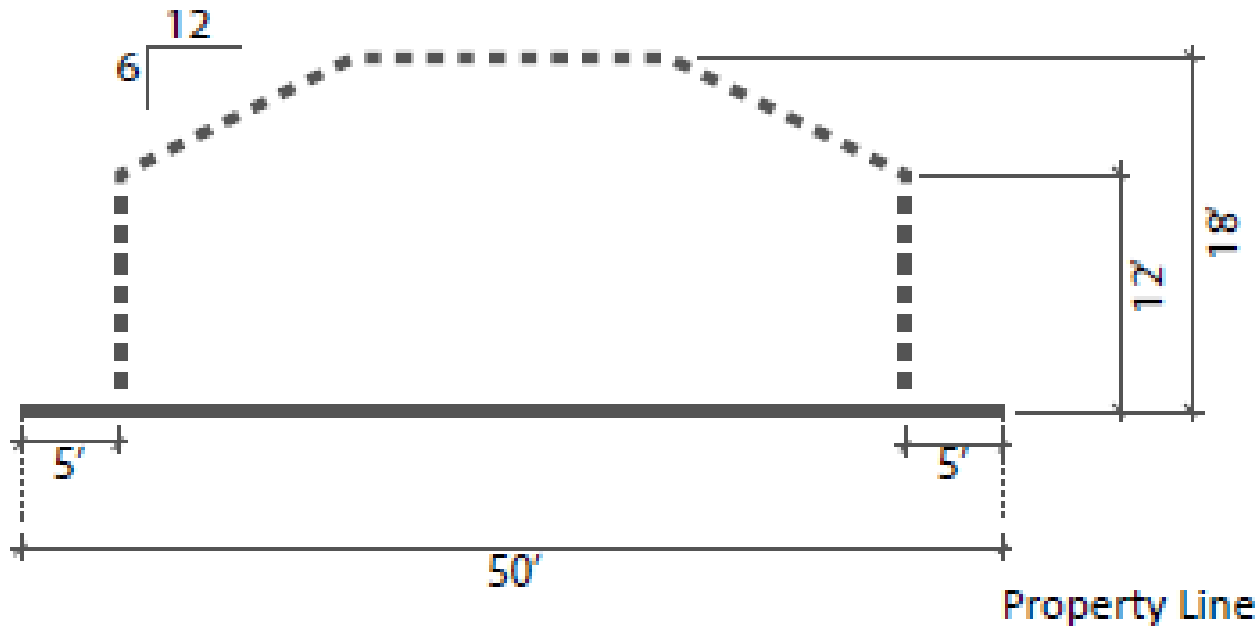
## Secondary Dwellings

### Alternative Proposal

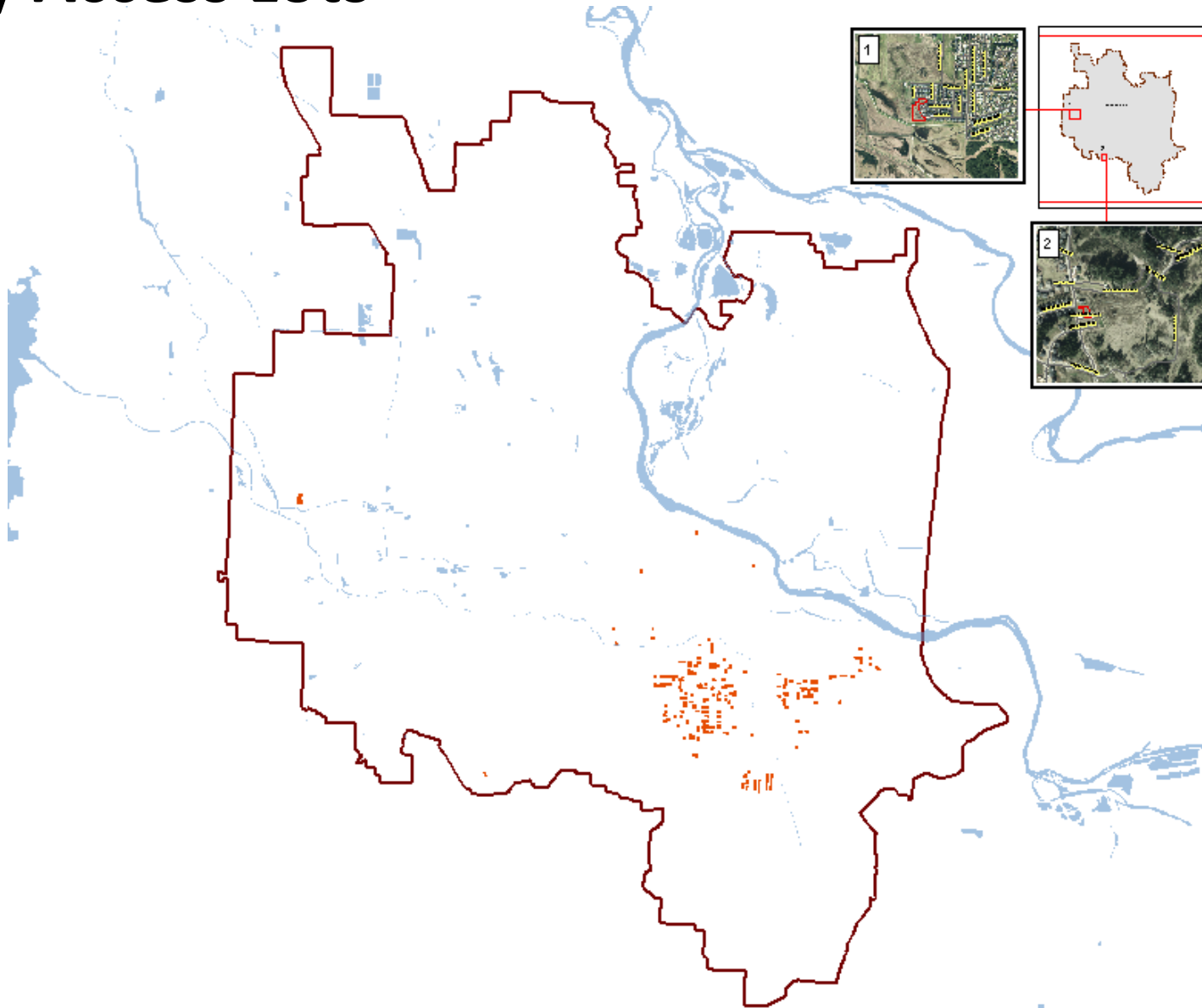
- Minimum Lot Size/Density
- Maximum Building Size
- Maximum Building Height
- Sloped Interior Yard Setbacks
- Setback Intrusions
- Adjustment Review

## Secondary Dwellings

### Building Height/Sloped Setback

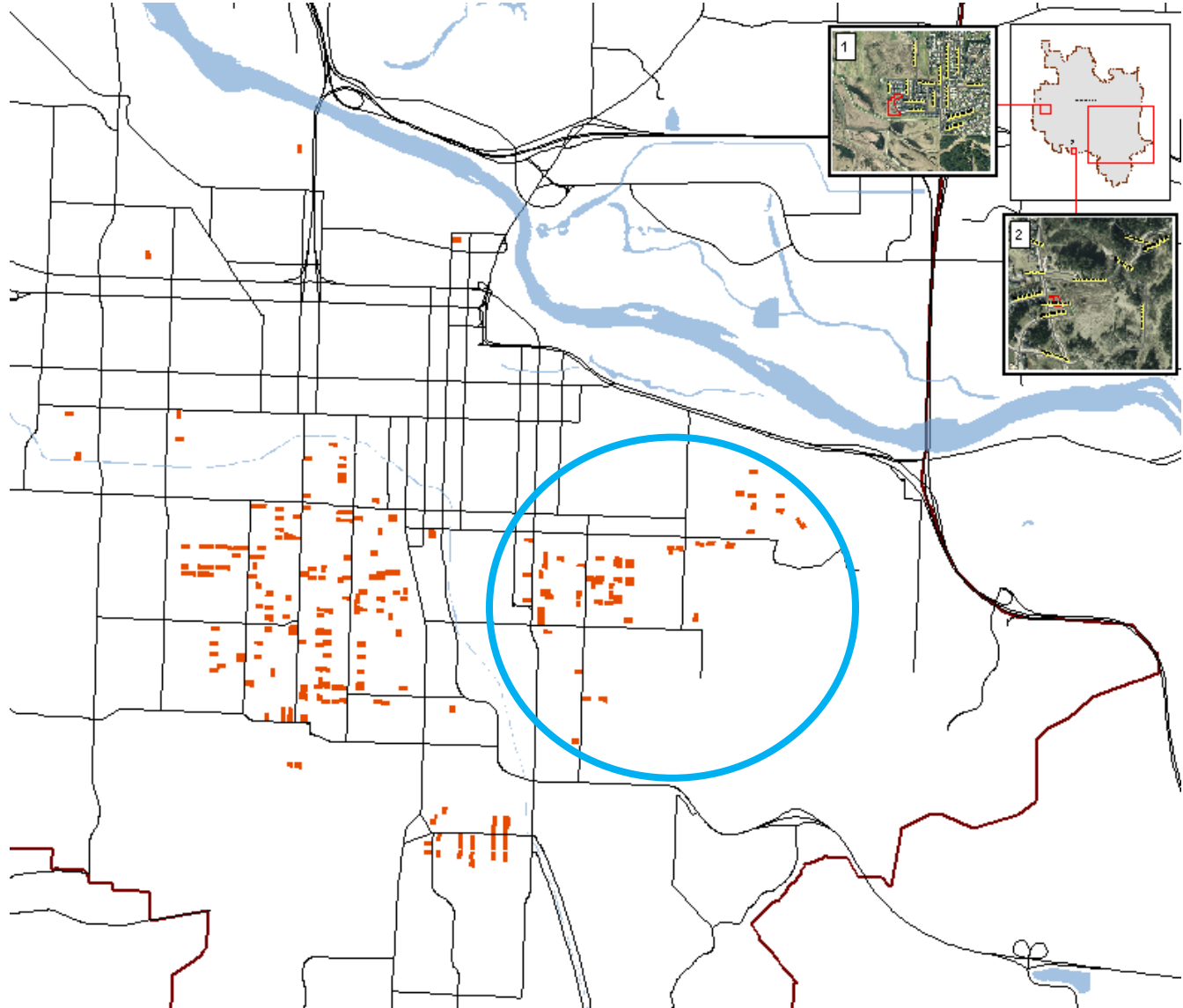


## Alley Access Lots

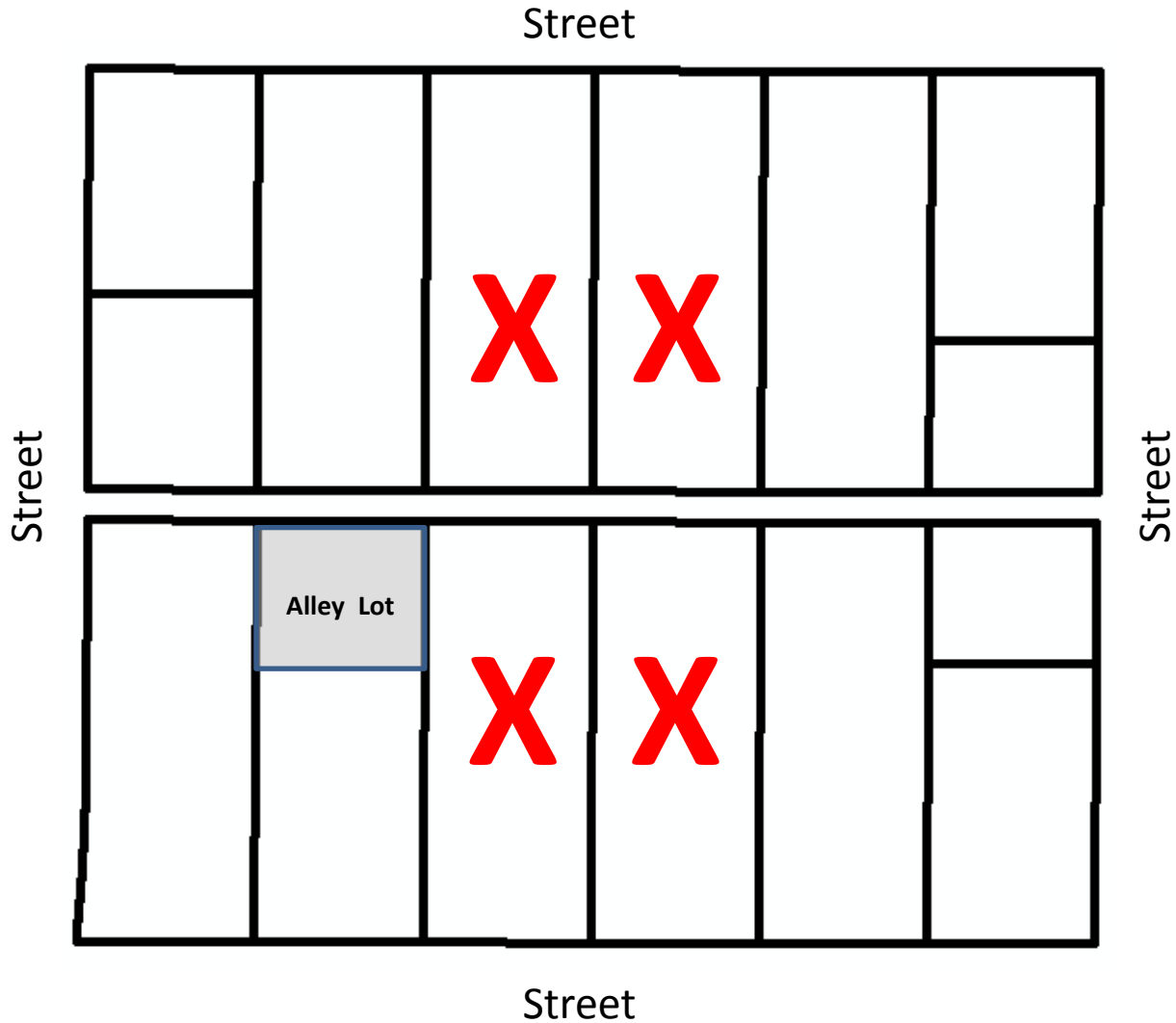


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## Alley Access Lots



## Alley Access Lots



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## Alley Access Lots

### Planning Commission Recommendation

- Allow creation of new lots
- Limit home size
- Limit building height /requiring sloped setbacks
- Limit balconies, dormers, upper story windows
- Limit number of bedrooms to three
- Limit total area for driveways and parking
- Allow for adjustment review in limited cases

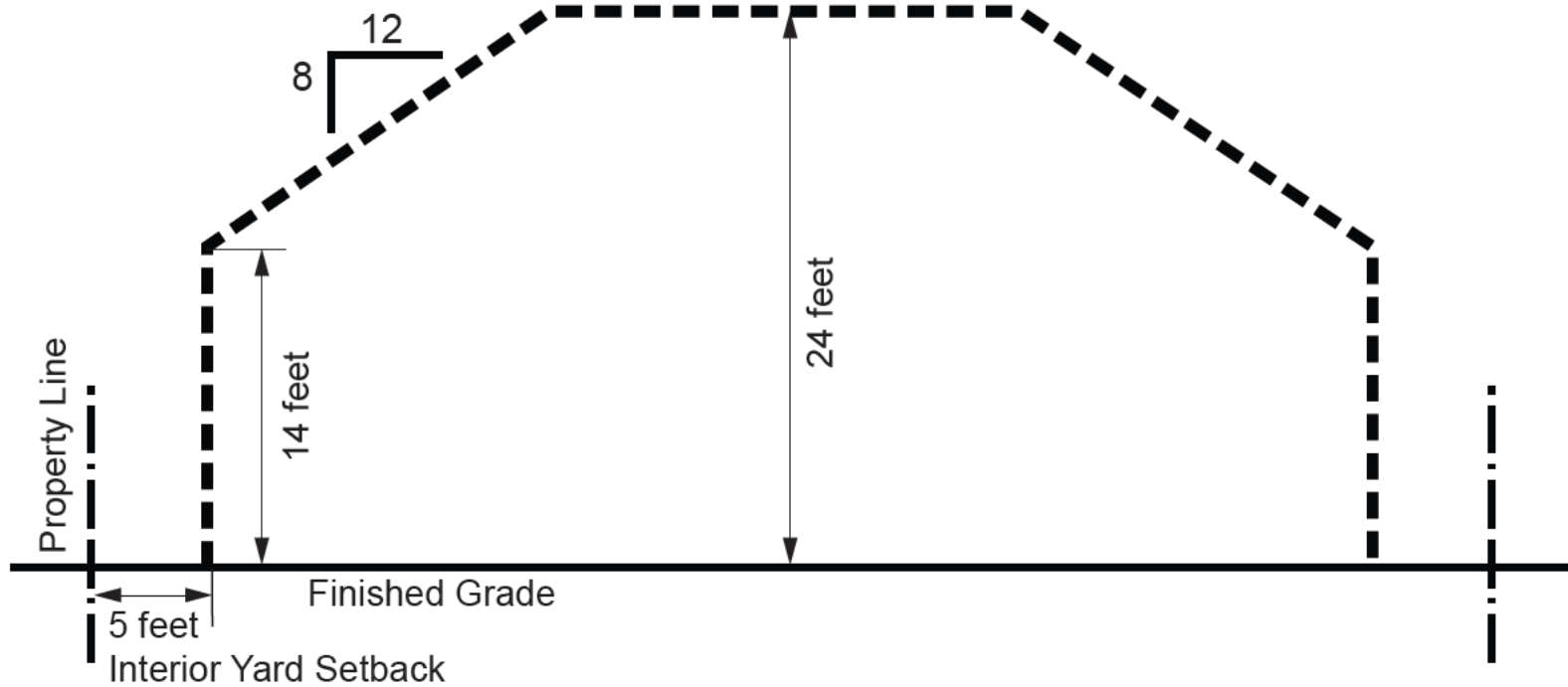
## Alley Access Lots

### Alternative Proposal

- Prohibit New Lots
- Maximum Building Size
- Maximum Building Height
- Sloped Interior Yard Setbacks
- Adjustment Review

# PROPOSED AMENDMENTS

-194-





## Accessory Buildings

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Item B.

## Accessory Buildings

### Planning Commission Recommendation

- Limit building height/add sloped setbacks
- Limit building size on smaller lots
- Increase setbacks on larger lots
- Limit number of plumbing fixtures
- Allow for adjustment review in limited cases

## Accessory Buildings

### Alternative Proposal

- Building Size
- Building Height
- Sloped Interior Yard Setbacks
- Adjustment Review

