



**Eugene City Council**

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# EUGENE CITY COUNCIL AGENDA

July 27, 2015

**5:30 p.m. CITY COUNCIL WORK SESSION**

**Harris Hall**

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

**Eugene, Oregon 97401**

**7:30 p.m. CITY COUNCIL MEETING**

**Harris Hall**

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

**Eugene, Oregon 97401**

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**Meeting of July 27, 2015;  
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 and**

**MEETING OF THE EUGENE URBAN RENEWAL AGENCY**

**Harris Hall**

**5:30 p.m. A. EXECUTIVE SESSION – Eugene Urban Renewal Agency**

**Pursuant to ORS 192.660 (2)(e)**

**B. WORK SESSION:**

**Rental Unit Management and Livability**

**CITY COUNCIL MEETING  
Harris Hall**

**1. CEREMONIAL MATTERS**

**2. PUBLIC FORUM**

**3. CONSENT CALENDAR**

*(Note: Time permitting, action on the Consent Calendar may be taken at the 5:30 p.m. work session.)*

**A. Approval of City Council Minutes**

**B. Approval of Tentative Working Agenda**

**C. Appointment of Civilian Review Board Representative to Police Commission**

**4. ACTION:**

**An Ordinance Concerning Land Use Code Maintenance and Amending Sections 9.0500, 9.1060, 9.2160, 9.2740, 9.3115, 9.3210, 9.3310, 9.3510, 9.3810, 9.3910, 9.4260, 9.5200, 9.6105, 9.6410, 9.6610, 9.7315, 9.7335, 9.7415, 9.7455, 9.7505, 9.7520, 9.7560, 9.7655, 9.8400, 9.8405, and 9.8855 of the Eugene Code, 1971 (City File CA 15-2)**

**5. ACTION: Approval of Motions Relating to the November 3, 2015, Election**

**6. ACTION:**

**Interim Appointment to the Citizen Planning Committee of the Whilamut Natural Area of Alton Baker Park**

*\*time approximate*

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The Eugene City Council welcomes your interest in these agenda items. This meeting location is wheelchair-accessible. For the hearing impaired, FM assistive-listening devices are available or an interpreter can be provided with 48 hours' notice prior to the meeting. Spanish-language interpretation will also be provided with 48 hours' notice. To arrange for these services, contact the receptionist at 541-682-5010. City Council meetings are telecast live on Metro Television, Comcast channel 21, and rebroadcast later in the week.

City Council meetings and work sessions are broadcast live on the City's Web site. In addition to the live broadcasts, an indexed archive of past City Council webcasts is also available. To access past and present meeting webcasts,

locate the links at the bottom of the City's main Web page ([www.eugene-or.gov](http://www.eugene-or.gov)).

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.

**For more information, contact the Council Coordinator at 541-682-5010,**

**[visit us online at www.eugene-or.gov](http://www.eugene-or.gov)**



# EUGENE CITY COUNCIL

## AGENDA ITEM SUMMARY




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### Work Session: Rental Unit Management and Livability

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Meeting Date: July 27, 2015  
 Department: Planning and Development  
[www.eugene-or.gov](http://www.eugene-or.gov)

Agenda Item Number: B  
 Staff Contact: Sarah Medary  
 Contact Telephone Number: 541-682-8817

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#### ISSUE STATEMENT

This work session follows up on previous council discussions related to property management of multi-unit rental housing and community livability. Staff will present additional information and possible options for the council to review and consider that may help address on-going concerns and enhance neighborhood livability.

#### BACKGROUND

In 2011 the Neighborhood Livability Working Group issued “*A Progress Report on Recommendations for Improving Campus Area Livability*” (Attachment A). The report identified key issues and recommended actions for addressing the impacts of parties and other behavioral issues in campus area neighborhoods. Since that time, a number of the recommended actions and other strategies have been implemented to help address neighborhood livability concerns in the University area including:

- Ordinance on Unruly Gatherings (2013)
- University of Oregon (UO) Restorative Justice Program linked to violations of the Ordinance on Unruly Gatherings
- UO code of conduct extended to off-campus behaviors (2014) (Attachment B)
- UO CommUniversity Resource Assistant Program (Housing Fair, neighborhood outreach)
- ThunderCans campaign (2013) promoting appropriate placement of garbage and recycling
- Rental Housing Code (renewed through 2016)
- Eugene Police Department Rental Property Program
- Eugene Police Department Party Patrol

The City Council has also held several work sessions to discuss property management and quality of life issues related to rental housing. At those work sessions, staff summarized input collected from local property managers and research on the ways other communities are regulating rental housing to help improve livability. The research revealed that local property managers agree that effective management is critical and they use a variety of strategies to do so, including on-site resident management, non-resident management, and lease provisions that address behavior.

The survey of other communities highlighted a number of similar concerns and strategies related

to rental housing management and neighborhood livability, especially in college or university communities. Similar to the University of Oregon, many universities provide a Good Neighbor Guide to students and neighbors which highlights students' responsibilities, local laws and policies, and neighborhood resources. A number of communities have enacted social host and noise ordinances to help alleviate issues around large gatherings. Some communities offer incentives to property owners whose properties have no code violations and few disturbance calls. In addition, several communities have passed ordinances that require a local agent, someone who lives locally and can act on behalf of the owner to respond quickly in an emergency.

In order to further inform the discussion on rental unit management, staff has collected additional data on local multi-unit properties, property management types, and calls for service related to livability. While the data collected was not an exhaustive review of all multi-unit properties in Eugene or the University area, it may provide some insights on current conditions and future strategies that could help address ongoing livability concerns.

## **RELATED CITY POLICIES**

### *City Council Goals*

- Safe Community: A community where all people are safe, valued and welcome.
- Sustainable Development: A community that meets its present environmental, economic and social needs without compromising the ability of future generations to meet their own needs.

### *Envision Eugene Pillars*

- Provide affordable housing for all income levels
- Promote compact urban development and efficient transportation options
- Protect, repair, and enhance neighborhood livability

## **COUNCIL OPTIONS**

No options at this time. Staff will be looking for council input and direction on next steps.

## **CITY MANAGER'S RECOMMENDATION**

No recommendation is proposed at this time.

## **SUGGESTED MOTION**

No motion is proposed at this time.

## **ATTACHMENTS**

- A. Neighborhood Livability Working Group Progress Report on Recommendations for Improving Campus Area Livability, 2011
- B. University of Oregon Student Code of Conduct

**FOR MORE INFORMATION**

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# NEIGHBORHOOD LIVABILITY WORKING GROUP



September  
2011

A Progress Report On Recommendations  
For Improving Campus Area Livability

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# Neighborhood Livability Working Group

## SECTION I: MEMBERS AND PURPOSE

### City of Eugene

- Keli Osborn, City Manager's Office
- Michael Kinnison, Neighborhood Services
- Richard Stronach, Eugene Police Department, Captain, Patrol Division
- Sam Kamkar, Eugene Police Department, Lieutenant, Patrol Division
- Kelly Dixon, Eugene Police Department, West Univ. Station Manager

### University of Oregon

- Karen Hyatt, Government and Community Relations Assistant Director
- Greg Rikhoff, Government and Community Relations Director
- Sheryl Eyster, Associate Dean of Students
- Paul Shang, Assistant Vice President and Dean of Students
- Carolyn McDermed, Department of Public Safety Deputy Director
- Ed Rinne, Department of Public Safety Captain
- Vanessa Vissar, Graduate Teaching Fellow, Office of the Dean of Students
- Kaitlyn Lange, Community Resource Assistant
- Sheila McGraw, Community Resource Assistant

### Neighborhood Associations

- Paul Conte, Jefferson Westside Neighbors
- Malcom Wilson, South University Neighborhood Assoc.
- Carolyn Jacobs, South University Neighborhood Assoc.
- Sandra Austin, Fairmount Neighbors
- David Sonnichsen, Fairmount Neighbors
- Marcy Cauthorn, Amazon Neighbors
- Steven Bennett, West University Neighbors

### Property Owners/Managers

- Sue Prichard, Amazon Neighbors
- Kathy Cotta, Jennings & Co.
- Kathy Jo Deen, Mallard Properties
- Terry Shockley, Property Management Concepts
- Dean Hansen, rental property owner
- Jim Anderson, rental property owner
- Jim Straub, Acorn Property Management

**Purpose:** To identify and clarify issues, existing and planned efforts, gaps and shortfalls and propose actions for improving impacts to neighborhoods from loud parties and other behavioral issues.

## SECTION II: BACKGROUND

In March of 2010, nearly 40 people gathered for a Livability Summit organized by residents of campus area neighborhoods in conjunction with the University of Oregon. The Summit was in direct response to long-term residents' frustration with increasing impacts to their quality of life primarily from noise and other undesirable behaviors fueled by binge drinking youth. A variety of stakeholder interests were represented including neighborhood associations, city staff, elected officials, university administrators, and property management companies. The group heard stories about impacts from behaviors of concern, reviewed current efforts to address the problem, and discussed the need for creative solutions that recognize limited resources and competing priorities facing the police department. A recommendation was made to organize a group of stakeholder representatives to continue meeting to identify potential solutions to the problem. This resulted in the creation of the Neighborhood Livability Working Group.

The Working Group began meeting in July 2010 with the facilitation of the City's Neighborhood Services Program. Participation includes representatives from five main stakeholder groups: City, University of Oregon, neighborhood associations, property owners/managers and students (See Section I for a complete list of Working Group members). In the ensuing 14 months, the Working Group has accomplished a number of tasks:

- Created a Catalogue of Negative Behaviors and Impacts document that categorizes and explains the negative behaviors and impacts of living in proximity to the university (Appendix A).
- Gathered data on crime and other neighborhood characteristics to clarify current conditions and trends (see Section III and Appendix B and C)
- Assessed progress to date on implementing strategies recommended by the West University Task Force in 2003 (Section IV).
- Documented current efforts to protect neighborhood livability led by all stakeholder groups (Section V). This document reveals that a significant amount of resource and effort is already being devoted to this problem.
- Conducted research on best practices in other communities to identify potential strategies and assess potential effectiveness of ideas generated by the working group. This included Working Group member attendance at the 2011 International Town and Gown Association Conference.
- Identified potential new strategies (Section VI). Vetted strategies requiring City action with Municipal Court staff, City Attorney and City Prosecutor for consistency with current law and practice.

### **Purpose of This Report and Next Steps**

This document is intended as a report on progress to date. It is not intended as a set of final recommendations for decision-makers. While all stakeholder groups have actively participated and approached the group's work in a spirit of collaboration and shared responsibility, there remain differing opinions on the appropriateness and potential effectiveness of several of the strategies on the list. The Working Group still needs time to collect information and thoroughly discuss several of the strategies to try to address existing stakeholder concerns.

There is also interest in a group of stakeholders continuing to meet to address livability issues and track progress on implementing proposed strategies. It is likely that some form of the current Working Group will continue meeting less frequently to address this need.

## SECTION III: CURRENT CONDITIONS

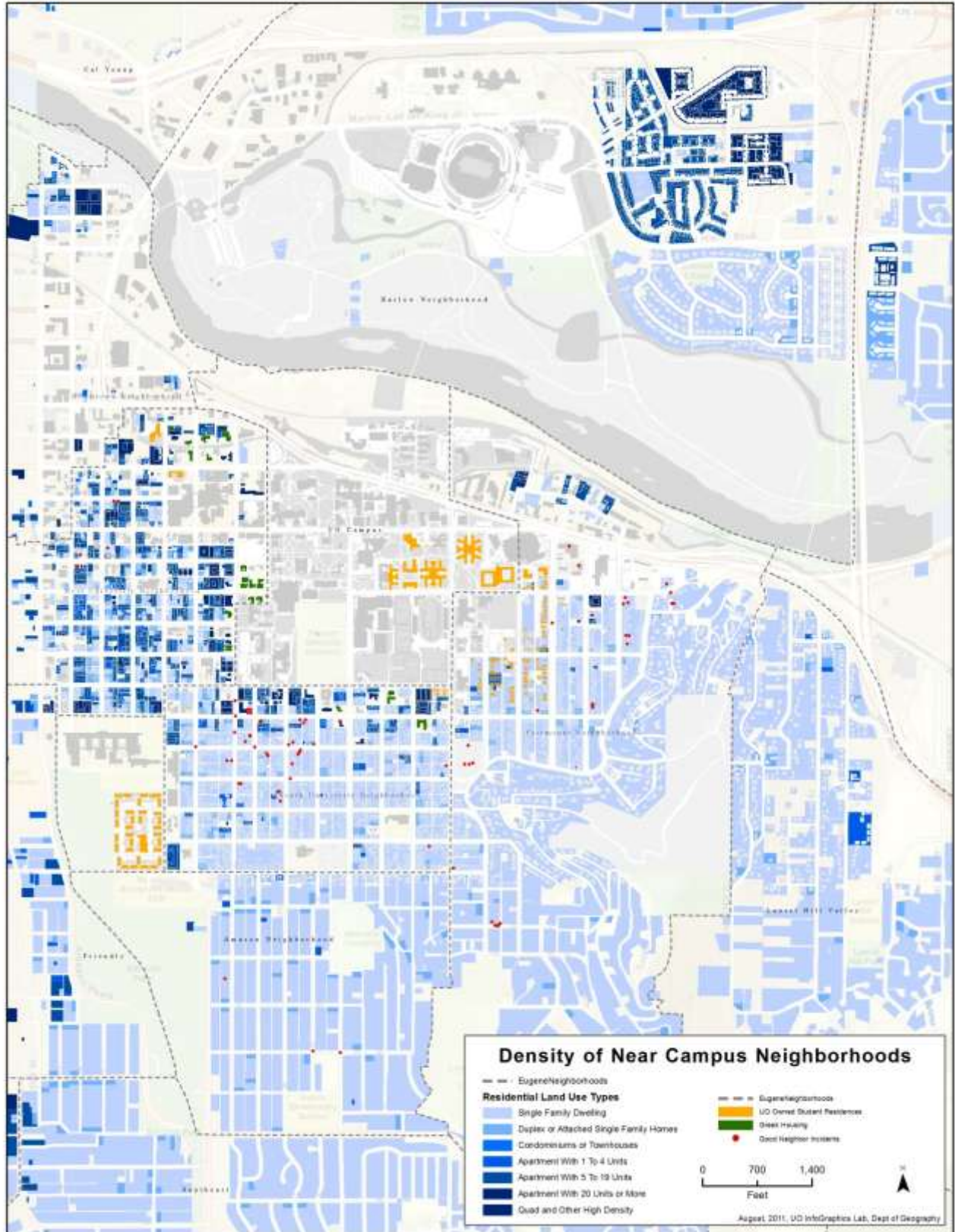
The campus area neighborhoods vary in terms of population demographics, housing tenure and type and levels of criminal activity (see Appendix B, Neighborhood Characteristics: Population, Housing Land Use and Crime and C, Noise, Disorderly Conduct and Alcohol-related Violations). West University is far more densely populated, contains significantly more students young residents and rental housing (99 percent of all housing units), and experiences far more crime than the other neighborhoods (In 2010, the West University area accounted for over 15 percent of all crimes in Eugene and 3.5 times the number of crimes in the other three neighborhoods combined). Owner-occupied homes account for less than half the housing stock in the Amazon neighborhood and 8 out of 10 homes are now rentals in South University. Fairmount is the only neighborhood with a majority of its housing stock still in owner occupancy. Not surprisingly, multi-family is by far the dominate land use type in the campus area, although the type and distribution varies among neighborhoods. The following series of maps provide a graphic representation of distribution of students, housing density and crime hot spots in the campus area neighborhoods.

Note: “Campus area neighborhoods” includes West University, South University, Amazon, Fairmount and Jefferson Westside. Harlow Neighbors has large concentrations of student residents but the neighborhood does not experience livability impacts as acutely as other areas and the group declined to participate. The data analysis in appendices B and C focuses on the four neighborhoods nearest the university: West University, South University, Amazon and Fairmount.

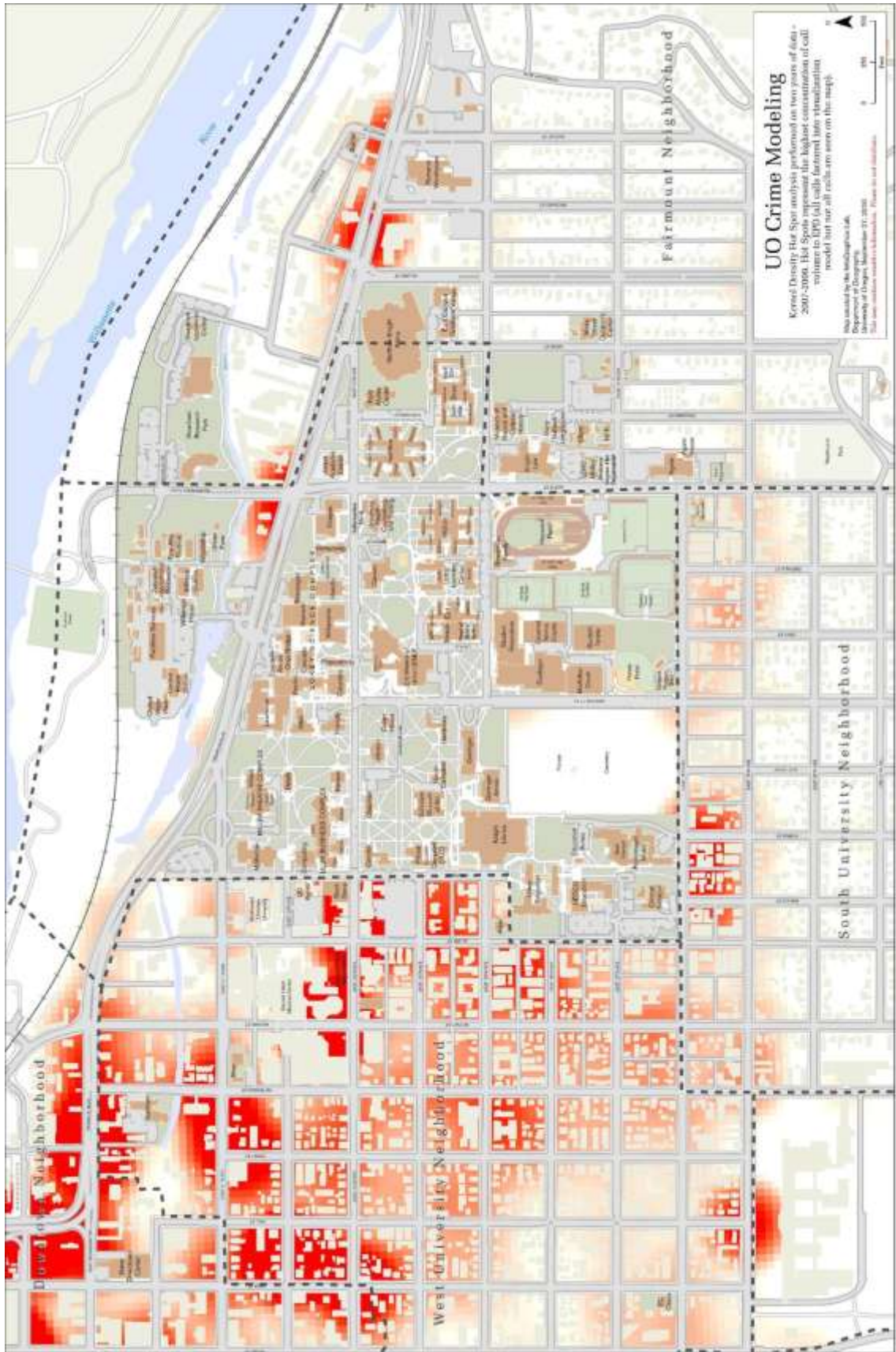
**Map 1. Distribution of Student Addresses**



Map 2. Density of Near Campus Neighborhoods



Map 3. Crime Hot Spots



Bad behaviors associated with noise and alcohol are of major concern to neighborhood residents. An analysis of data on arrests for noise, disorderly conduct and alcohol related violations for the period of 2006-2010 provides some insight into how conditions are trending (see Appendix C). In general, the numbers of these violations have remained relatively steady in Amazon and Fairmount neighborhoods. South University has seen a steady rise of these types of arrests during this period and recorded nearly 2.5 times the number of violations in 2010 than five years earlier. While the total number of violations is significantly higher in any given year in the West University area, the same trend of increasing numbers of violations holds true.

A Catalogue of Negative Behaviors and Impacts document was compiled to categorize and explain some of the negative behaviors and impacts of living in proximity to the university (see Appendix A). Behaviors and impacts that are addressed include those related to property, personal and behavior crimes, and zoning/land use issues. The Catalogue gives a thorough description of the issue of concern and provides firsthand accounts from residents of their experiences. Short of spending time in the neighborhood on a Friday or Saturday night, the document gives a good sense of what residents experience on a regular basis.

Each neighborhood experiences all the catalogued negative behaviors and impacts to some degree. While negative incidents are significantly more common and intense in the West University area and the situation has become more pronounced in SUNA in recent years, residents of Amazon and Fairmount are also experiencing real impacts to the peaceful and safe enjoyment of their neighborhoods. The following information was provided by neighborhood association representatives to describe their neighborhood's experience with threats to livability:

#### **West University Neighbors**

- The residential sector is populated mostly by renters, with few "owner occupants." The largest percentage of inhabitants can be described as transient, youthful and students.
- The bulk of the property owners and occupants are those that support the benefits of medium and high density residential living.
- The neighborhood has more than its share of problems typical with late night parties, low-level antisocial behavior, noise and trash as standard complaints.
- Additional problem areas include increased gang related activity, homelessness, assaults, burglaries and unsafe operation of vehicles (i.e., speeding).

#### **Amazon Neighbors**

- Frequent, blatant violation of the land use laws, particularly in regard to secondary and accessory dwellings and renting to more than five unrelated individuals with little or no financial consequence.
- Because of the "overbuild" of bedrooms within this R1 zoned neighborhood, purchasing a house keeping these properties in a cycle of investment is more expensive than home ownership or long-term tenancy.
- Behavioral problems are on the rise, including noise, speeding, parking on lawns, vandalism, litter, garbage, as well as some poor oversight/neglect of properties by investors and homeowners.
- Inconsistent messaging and enforcement from the neighbors, landlords, City code enforcement, and police contribute to the problem. This leads to long-term neighbors becoming frustrated by having to either tolerate the bad behaviors or assume the burden of educating new residents on neighborhood expectations for appropriate behavior. Longer-term residents grow weary of the situation, which results in frequent turn-over and flight from the neighborhood.

#### **South University Neighborhood Association**

- During the school year (and increasingly during the summer), young people spend Thursday, Friday and Saturday nights in loud and disruptive parties.



**Neighborhood Livability Working Group**

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- Parties in apartments and houses in the R3 and R4 areas of 18th and 19th avenues spill out onto the street so that 19th Avenue often appears like a carnival. In the last two years, 19th Avenue has simply become unlivable for working adults and their families.
- The R1 area south of 19th has a high proportion of rental houses. The students here regularly test their freedoms with loud parties.
- Every week the neighborhood suffers vandalism of private and public property, littering, public urination and public sexual activity into the early hours of the morning.
- Roving bands of students, often disgorged by party buses, disturb the night with their yelling and it is not unusual to be awakened in the middle of the night by a young person pounding on the door too inebriated to realize they are at the wrong house.

**SECTION IV: REVIEW PAST EFFORTS TO ADDRESS LIVABILITY**

**2003 West University Task Force - Progress Report on Proposed Strategies**

This is not the first time the City and community have grappled with these problems within a formal process. In response to the riot that occurred in September 2002, Mayor Torrey and President Frohnmayer formed the West University Task Force to develop solutions to the safety and livability issues of the area. Similar to the NLWG, the task force comprised a mix of relevant stakeholders and produced a series of short- and long- term strategies. However, the work of the task force was limited to the West University neighborhood. An update on progress implementing the recommendations was provided in 2003 and staff conducted a more recent update for this report. Understanding the results of previous work on this issue was important to informing this work and helping craft new, effective strategies. It is worth noting that several of the task force strategies are similar to current strategies being considered (identified by italics). The following table provides information on the task force strategies and progress in implementing them:

Strategy	2003 Update (Memo to City Council)	2011 Update
<b>Long-Term Strategies</b>		
<p><b>Housing Standards</b> - Consider implementing basic habitability and safety standards that would also address exterior maintenance as a mechanism for residents or property management companies to compel negligent property owners to improve/maintain properties.</p>		<p>The Rental Housing Code was adopted in 2005 and addresses six basic minimum standards: structural integrity; plumbing and heating; weatherproofing; security; and smoke detectors. More recently the language expanded to address visible mold caused from faulty plumbing or insufficient weatherproofing. The code is specific to address interior habitability standards. While the City does have language in Chapter 8 that speaks to "maintenance," it is specific to safety, not aesthetics.</p>
<p><b>Alley improvements</b> - Explore options for alley paving and other improvements.</p>		<p>All 23 unimproved alleys in the West University Neighborhood were upgraded to 14-foot wide concrete alleys with storm water catch basins in 2005. Improvements were funded with \$2 million generated from one large local improvement district.</p>

## Neighborhood Livability Working Group

Strategy	2003 Update	2011 Update
<p><b>More and/or Improved Lighting –</b> Provide additional lighting fixtures in the area, particularly along 14<sup>th</sup> Avenue, to improve visibility and perception of safety for pedestrians and bicyclists.</p>		<p>In 2005, City installed approximately six street lights at various locations on 14<sup>th</sup> Avenue between Mill and Kincaid streets. \$42,000 in CDBG funds were used for the project. The project also worked with adjoining property owners to make a number of changes to lighting and vegetation on private property to limit dark spots and provide improved visibility.</p>
<p><b>Consistent and Enhanced Police Presence –</b> Provide a wide range of policing strategies from a dedicated police patrol to focused police presence.</p>	<p>A foot patrol officer was added to the neighborhood in August 2003 with partial funding from the UO.</p>	<p>The foot patrol officer position is still in place and likely to continue.</p>
<p><b>Promote Longer Term Residency –</b> Extend the Multiple Unit Property Tax Exemption (MUPTEx) boundary to include West University and consider other options, such as the low income rehabilitation loan program, to assist property owners with needed housing improvements.</p>		<p>City Council approved expanding the MUPTEx boundary to include the West University neighborhood in April 2004. A total of 10 MUPTEx projects have been built in the neighborhood involving 133 units (21 one-bedroom, 36 two-bedroom, 28 three-bedroom, 34 four-bedroom, 14 five-bedroom). Two additional projects involving 75 units are planned.</p>
<p><b>Outgoing Freshman Orientation –</b> Provide an orientation for freshman at year's end about basic tenant rights and responsibilities, campus behavior issues and legal culpability to provide a strong foundation for newly independent residents.</p>		<p>The UO does not have a mandatory outgoing freshman orientation in place. However, a number of initiatives have been implemented relate to this concept:</p> <ul style="list-style-type: none"> <li>• Off Campus Housing Fair</li> <li>• CommUniversity Resource Assistant Program</li> <li>• Pond and Beyond Off Campus Newsletter</li> <li>• Off Campus Living Forum</li> </ul>

Strategy	2003 Update	2011 Update
<p><b>Neighborhood Association –</b> Actively encourage renewed participation in a neighborhood association to continue neighborhood building and resident involvement in area improvements.</p>	<p>West University Neighbors were reactivated in 2003.</p>	
<p><b>Modify Student Conduct Code –</b> Consider modifying the student conduct code to include punitive measures against students involved with serious criminal conduct, such as rioting, off-campus.</p>	<p>The UO is reviewing its student conduct code and off-campus jurisdiction for serious criminal conduct is one of many issues being examined. Codes from all over the country are being reviewed to see how off-campus behavior is handled.</p>	
<p><b>Patrols by Non-Police –</b> This could include student groups handing out literature to residents at the beginning of each term on how to have a safe party or establishing neighborhood watch programs to assist in monitoring activity in the neighborhood and contacting police before parties get out of control. Intervention with party hosts has potential risks and would need careful consideration.</p>		<p>The annual UO Community Welcome involves groups of university staff, students, City staff and neighbors canvassing the campus area and greeting students and distributing literature that includes information on behavioral expectations including how to throw a safe party.</p>
<p><b>City Nuisance Complaint System –</b> Review current nuisance complaint system to see if it can be streamlined for ease of access, and enforcement options expanded and/or strengthened to improve its effectiveness.</p>		<p>The City's nuisance program is complaint driven. Staff is typically able to respond to the complainant within 24 to 48 hours. Depending on the priority level an Order will usually go out within five days of receipt of the complaint. A proactive based enforcement program would require more resources and a well-developed plan on how to address concerns of selective enforcement.</p>

## Neighborhood Livability Working Group

Strategy	2003 Update	2011 Update
<b>Short-Term Strategies</b>		
<p><b>Locate and Notify Property Owners and Landlords</b> – Develop a system that notifies landlords/property owners that police have responded to one of their rental properties due to loud noise or other party-related activities.</p>		<p>The Police Department’s Rental Property Program notifies participating property owners whenever a police incident is initiated for any type call at a specific address. The system has 300 property owner contacts in the database, any one of which may represent multiple properties. On average, 475 notifications per month are generated.</p>
<p><b>Police Saturation and/or Party Patrols</b> – Provide a dedicated team of officers that focus on patrolling the West University neighborhood during the school year.</p>	<p>Due to staffing shortages, the police department is unable to assign a team of officers to the neighborhood on regular assignment. An ad-hoc party patrol team, involving six overtime assignments, is offered each Friday and Saturday night during the fall term.</p>	<p>There is no change in status for this item since the 2003 update.</p>
<p><b>Keg List Checks and Knock and Talks</b> - Continue the partnership between OLCC and the police department in obtaining the list of residences where kegs of beer will be consumed and then visiting those residences to convey party host’s responsibilities.</p>		<p>This practice has been ongoing for several years and will continue.</p>
<p><b>Street Light Maintenance</b> – Better maintenance of existing light fixtures would improve ambient lighting.</p>	<p>Public Works has placed this on its work list.</p>	
<p><b>Fire Code Enforcement</b> – Fire Marshall periodically participates in ride-alongs with the police department to enable fire code enforcement.</p>		<p>Ride-alongs are considered problematic as time needed by Fire Marshall staff at any particular address could take longer than police department is able to commit.</p>

Strategy	2003 Update	2011 Update
<b>Neighborhood Grants</b> – Pursue neighborhood grants for environmental improvements to the neighborhood.		The City has had a neighborhood matching grant program since 2000. A \$14,270 grant was provided for improvements to the West University Park in 2007.
<b>Neighborhood Cleanup/Community Day</b> – Establish a neighborhood clean-up or community day to encourage community building and investment in the area.		The UO organizes a number of annual service projects in the campus area neighborhoods including park adoption/cleanups, tree plantings, and litter pick up.
<b>Resource Contact List</b> – Compile a list of important contacts for residents, landlords and businesses to inform parties of their rights and channels of recourse.		Neighborhood Services produces a City directory and frequently called numbers list that is distributed to all neighborhood associations.  The Office of the Dean of Students produces online and hard copy versions of the “Living Off Campus Guide”, which contains resource contact information.
<b>Provide Educational Information with Kegs</b> – Distribute pamphlets through beer distributors that describe rights and responsibilities as they pertain to hosting a party.	No progress to report.	No progress to report.
<b>Neighborhood Forum</b> – Hold a forum to gauge interest in forming a neighborhood association and engage more residents in the work of the task force.		At the initiative of the South University Neighborhood Association, a Livability Summit was hosted by the UO in March 2010 involving a cross section of stakeholders concerned with the impacts to livability in the campus area neighborhoods. The Neighborhood Livability Working Group was formed in response to this forum.

*The Neighborhood Livability Working Group has included similar strategies to those identified in italics.*

## SECTION V: CURRENT EFFORTS TO ADDRESS LIVABILITY

This section provides a summary of stakeholders' current efforts to address campus area livability. All parties (City, University of Oregon, neighborhoods and students) are already implementing a number of actions to maintain the quality of life in this area. While landlords and property owners do not have specific programs listed that they are leading, most are committed to ensuring responsible behavior of their tenants, support and participate in current efforts and maintain management practices to ensure their properties contribute positively to the neighborhoods.

### City Led

**Eugene Police Department (EPD) Rental Property Program:** This free program offered by EPD generates an automatic email to participants any time a police incident is initiated at one of their properties, whether or not EPD was able to respond to the complaint. Since the beginning of last school year, the property owner of each location for which EPD received a party or loud noise complaint was contacted and an attempt was made to recruit them into the program. Response to this program has been overwhelmingly positive. Landlords are kept informed regarding activity at their properties, and tenants are learning that each time they have a loud party reported to EPD, their landlord is finding out!

**EPD "Party Patrol":** EPD deploys a group of officers coordinated by a supervisor to target the behavior crimes and violations in the West University Neighborhood that has been known to lead to riots and other disruption of the neighborhood. Because this service requires staffing beyond the levels needed for answering the "normal" call load of the City, the officers assigned to the West University are hired on overtime. The cost per one night of the deployment is approximately \$2,726, or \$5,252 for both weekend nights. Deployment of this team is generally concentrated in the Fall months, and then again in the Spring when the weather is conducive to outside activities. On average, EPD deploys officers in West University 12 to 16 weekends per year. The yearly costs of a periodic enforcement in the area runs from \$100,000 to \$120,000, including a large scale operation for Halloween weekend.

It should be noted that these enforcement efforts have been referred to in the past as "Party Patrol." This name for the task group is deceptive as the emphasis has shifted from responding to disorderly parties, to targeting the alcohol and behavioral issues that have led ultimately to riots.

**EPD Crime Prevention Program:** The EPD Crime Prevention Unit (CPU) has focused a great deal of effort in the near-campus neighborhoods as well as heavily student-populated neighborhoods such as Commons & Kinsrow over the last couple of years. Two-to-five-day crime prevention outreach events were held during move-in week in September, prior to winter break in December, and prior to spring break in March. The CPU has staffed a booth outside the UO bookstore, gone door-to-door in the neighborhoods handing out crime prevention literature and answering questions about how to safeguard property, sent emails to UO and NCU students via the schools and landlord distribution lists, given crime prevention trainings to landlords, and used local media to get their crime prevention message to community members. The Crime Prevention Specialist for the campus area regularly patrols the neighborhoods, looking for suspicious behavior and alerting neighbors to circumstances which could make them easy victims.

### University of Oregon (UO) Led

**Community Welcome event and communications:** During the first week of classes in September, City, neighborhood, and university leaders canvass campus neighborhoods to welcome students back for the year and encourage them to be respectful neighbors. Leaders share materials provided by the UO and the city concerning neighbor relations, throwing a responsible party, the rental housing code, crime prevention and additional services.

In 2010, over 1,000 households in West University, South University, and Fairmount neighborhoods were reached and more than 75 leaders participated.

**Good Neighbor Complaint Process and Staff Team:** In fall 2009 the UO established the [goodneighbor@uoregon.edu](mailto:goodneighbor@uoregon.edu) email for neighbors to report incidents of inappropriate behavior in campus neighborhoods that may involve UO students. Neighbors are encouraged to contact EPD during the incident and use the good neighbor email as follow up after the incident. A UO staff team, with representatives from Government and Community Relations, the Office of the Dean of Students, the Department of Public Safety, and the InfoGraphics Lab, meets weekly to develop custom strategies for these reported incidents as well as other neighborhood livability issues. Strategies have included contact with social or athletic clubs and teams with which students may be associated, personal visits to chronic problem addresses, sending of the Joint Letter (explained later in this document), and offers of mediation and facilitated conversations.

**Campus Community Relations Task Force meetings:** The Dean of Students and Director of Community Relations facilitate a meeting to discuss upcoming events and issues with neighborhood leaders, students, and UO and City staff once each academic term (3 times a year).

**Campus Event Programming:** During certain times of the year, when an especially large amount of celebrating is expected, a variety of events are scheduled on campus designed to attract students to stay on campus or come to campus as an alternative to partying in off-campus neighborhoods. Examples include late night programming during Halloween weekend and a large watch party during the football BCS bowl championship. Plans are in the works for enhanced programming the weekend before school starts fall 2011.

**Substance Abuse Prevention/Reduction Strategies:** In July 2011, the UO Office of the Dean of Students hired a substance abuse prevention director. A portion of this position portfolio will include issues of alcohol-related issues off campus. In addition, this fall the university is implementing *AlcoholEdu for College*, an evidenced-based alcohol education program for all incoming first year and transfer students under the age of 21. The tool is a confidential, personalized on-line education intervention program that links choices about drinking to academic and personal success, helps students practice healthier and safer decision-making, resets unrealistic expectations about the effects of alcohol, and motivates behavior change. Ultimately, *AlcoholEdu for College* seeks to engage students in a learning experience that creates a healthier community.

**CommUniversity Assistant Program:** The Office of the Dean of Students oversees the CommUniversity Assistant Program to provide student services to students living off campus and improve the student-populated neighborhoods adjacent to the campus. The program, housed in the Erb Memorial Union, is coordinated by a graduate teaching fellow with support from student leaders (CommUniversity Assistants) serving as ambassadors living in the off-campus neighborhoods. Approximately five students each year attend neighborhood association meetings; help organize the Off Campus Housing Fair, the Day of Service in Campus Neighborhoods, and the Green Goodbye Move Out event; and work with neighborhoods in additional ways as needed. CommUniversity Assistants provide information about community living, safety, rights and responsibilities, and issues specific to their neighborhood. They also assist in finding solutions to address issues, and support students in becoming engaged members of their neighborhoods.

**Pond and Beyond off-campus student newsletter:** The UO Office of the Dean of Students produces a monthly online newsletter that is distributed by email to all 20,000 students living off campus. The publication includes neighborhood livability information.

**Off-Campus Housing Fair:** The Office of the Dean of Students and the CommUniversity Assistant Program coordinates this annual one-day event that brings property managers and owners and housing-related resources



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onto campus. The event helps students find housing options and become more knowledgeable, responsible and engaged neighbors and tenants. Neighborhood, city and nonprofit partners will provide resources and workshops to support students as they transition into off-campus community living. City of Eugene Neighborhood Services, Rental Housing Program, Transportation Options, EPD and Fire and EMS are all partners in this effort. Student attendance has been much higher than predicted at the first two events, with estimates around 1,500 – 2,000.

**Move Out Event (A Green Goodbye):** CommUniversity Assistants coordinate an event at the end of the school year as part of an effort to reduce landfill waste from abandoned household items and furniture as students vacate their school-year residences in neighborhoods surrounding the community. The program promotes the safe, sustainable and accessible exchange of used furniture and household items in campus neighborhoods while educating students about reducing, reusing, and recycling waste. The objectives of the program are to improve community relations with the neighborhoods surrounding the university by reducing negative student move-out impacts within the neighborhoods; reduce landfill waste from students moving out; encourage ecologically responsible behavior among University of Oregon students; and promote student /community volunteerism. This small scale event has been moderately successful. Plans are underway to re-envision this event and partner with UO recycling and city sustainability colleagues for a more effective program.

### Neighbor Led

**Neighborhood Livability Summit:** On March 17, 2010, a group of about 45 people met in the Long House at the University of Oregon to discuss the growing problems of student behavior in the near campus neighborhoods. The meeting was organized by the South University Neighbors Association and included participants from the West University and Fairmount neighborhoods, as well as officials from the City of Eugene, Eugene Police Department, University of Oregon and various property management companies. The participants discussed the problems and possible general solutions and recommended further work. The meeting gave rise to the Neighborhood Livability Working Group, which has been meeting regularly and has prepared this Progress Report.

**South University Neighbors Association (SUNA) Livability Committee:** For the past two years, SUNA Livability Committee has met to formulate strategies for dealing with student behavioral disruptions. The committee runs an e-mail list which informs residents of behavioral incidents and disseminates information to students regarding fines for various behavior offenses.

**Amazon Neighbors initiatives:** On an informal basis, neighbors organize litter pick up and graffiti removal and provide door to door written information about these issues. Individual neighbors use the City's nuisance enforcement program. Groups of neighbors also have formal and informal neighborhood watch groups.

**West University Neighbors (WUN) initiatives:** Neighbors reach out to invite students and representatives from White Bird and EPD to monthly meetings to discuss issues of mutual interest. Multiple Unit Property Tax Exemption (MUPTE) applications are discussed and voted on by WUN participants on a regular basis. Students have served on the WUN board for at least the last three years, and student Jackson Hite chaired the association for a year. The neighbors were instrumental in the development of West University Park, a frequent gathering place for neighborhood association activities that promote neighborhood cohesiveness.

**Fairmount Neighbors Association (FNA) initiatives:** The impacts of increased multi-unit housing development in the Walnut Mixed Use area, proposed residential zoning changes and increased student occupation of single family homes has caused the Fairmount Neighbors Board to identify neighborhood livability as a priority for the coming year. Neighbors also continue to be active participants in the monitoring of impacts related to the

operation of Matthew Knight Arena. Neighborhood leaders communicate regularly and participate in multiple meetings and discussions with university and city staff on these topics.

### **Student Led**

**Fraternity and Sorority Life off-campus living forum:** In Spring 2011, the UO Pan Hellenic and Inter-Fraternity Council leaders organized an off-campus living forum. Since only a small portion of UO's 2,200 fraternity and sorority members live in chapter houses, student leaders saw the need to educate their members on off-campus issues. The forum was attended by over 200 members and included presentations about rental rights and responsibilities, and good neighbor behavior.

### **Combined Efforts**

**Joint letter from City and UO leaders:** Sometimes incidents of illegal behavior in near campus neighborhoods are significant enough that they generate enforcement action from the Eugene Police Department. When these complaints are shared via the [goodneighbor@uoregon.edu](mailto:goodneighbor@uoregon.edu) email, a "joint letter" describing neighborhood livability values and signed by EPD Chief Pete Kerns, UO Department of Public Safety Chief Doug Tripp, UO Assistant Vice President and Dean of Students Paul Shang, and Eugene Neighborhood Services Manager Michael Kinnison is sent to the residents of the address and the recorded property owner.

**International Town and Gown Association (ITGA)/Conference participation:** UO and the City of Eugene staff are members of and participate in this organization that includes a focus on campus neighborhood issues. This past June five UO staff and three city staff attended the ITGA Conference in Boulder, Colorado.

## SECTION VI: POTENTIAL NEW STRATEGIES TO IMPROVE LIVABILITY

The Working Group has identified 14 potential strategies to improve livability. The list includes a variety of approaches that rely on a mix of education, incentives, regulation, enforcement and local initiative to encourage good neighbor behavior, prevent and reduce criminal activity and encourage home ownership. The following is a list of strategies for consideration:

Strategy	Responsible Lead	Page Reference
<b>Enforcement and Sanctions</b>		
Develop a Eugene Social Host Ordinance	City of Eugene	19
Increase Fines for Alcohol and Noise Related Offenses	City of Eugene	21
Enhance Police Resources	City of Eugene	22
Regulate Party Bus Impacts	City of Eugene	23
UO Police Department (with jurisdiction in near campus neighborhoods)	University of Oregon	25
Modify University of Oregon Student Code of Conduct	University of Oregon	26
<b>Education and Prevention</b>		
Crime Prevention Through Environmental Design	City of Eugene	27
Countermeasures for Traffic Sign Vandalism	City of Eugene	29
Safe Party Initiative (“Balance the Party”)	University of Oregon	31
Good Neighbor Strategy	Neighborhood volunteers/UO	32
<b>Encourage Owner Occupancy and Responsible Management</b>		
Establish a Home Ownership and Investment Program	City of Eugene/UO	34
Graffiti Garbage and Litter Abatement	Neighborhood volunteers	36
<b>Planning and Land Use</b>		
Evaluate continued need for MUPTC in the campus area	City of Eugene	37
Neighborhood-based Planning	City of Eugene	39

While many of the strategies were not considered controversial and have widespread support from all stakeholder groups, a number of them have raised concerns from members of the Working Group. Instead of seeking consensus on each strategy, the Working Group agreed to present them with outstanding issues, and clearly identified concerns (see Issues to Consider section for each strategy). Two strategies considered by the Working Group are not included on the list (Modify/Expand the Rental Housing Program and Require Onsite Managers at Rental Properties) due to strong stakeholder opposition. The list may be modified as the Working Group continues to discuss and consider stakeholder concerns.

The Working Group did not go through a formal prioritization process for the strategies. An attempt was made to assess members’ perspective on the anticipated effectiveness of each strategy (see Appendix D). The results provide some insight into which ideas the members think are the “cream” so to speak. However, not all of the Working Group members participated in this process and results may change as the group continues to learn more about each proposal. The two strategies that rose to the top and were unanimously believed would be highly effective at addressing impacts to overall livability (noise, public drunkenness, vandalism, etc.) and personal safety were Enhance Police Resources and expanded jurisdictional authority of an Oregon Police Department in near campus neighborhoods.

## Develop a Eugene Social Host Ordinance

### **Problem Description**

For many years, neighborhoods near the University of Oregon campus have experienced the negative effects of large parties. These parties generally result in underage drinking, overdose, disorderly behavior, and damage to public and private property, diminishing quality of life for the residents and at the same time consuming tremendous resources from a number of City departments.

The traditional approach to resolving this problem has been increased police response followed by an aggressive enforcement action against individual party attendees for violations such as minor in possession. This costly approach has been ineffective in addressing this problem and forces many of the City of Eugene's services to shift their attention and resources toward this single geographical area.

### **Strategy Description**

The experience of other Town and Gown communities has shown that a Social Host Ordinance has been an effective tool in the deterrence of large parties in near campus neighborhoods. Social host laws hold hosts (including tenants, landowners and landlords) liable for costs associated with responding to disruptive parties that typically include underage drinking. For example, the City of St. Cloud, Minnesota enacted a Social Host ordinance in conjunction with court mandated alcohol education and a restorative justice model provided by the municipal court and local university. Incidents of high-risk drinking among college students dropped from 18 points above the national average to two points below the national average in a four year period.

This strategy calls for replacing the existing First Response Ordinance with a Eugene Social Host Ordinance. Members of the Police Department will be responsible for drafting the Social Host Ordinance and working with City Council to get it passed. The following are elements drawn from model ordinances in other communities to provide a sense of what a local ordinance might look like:

- Defines a qualifying event as a gathering of three or more people on public or private property where the violation/crime of Prohibited Noise, Minors in Possession, Furnishing or Allowing Minors to Consume Alcohol, or any illegal drug use is occurring.
- Defines the "host" as the person responsible for planning and executing the event, whether or not they are the legal resident.
- Carries a fine of \$500 for the first offense, with a graduated fine and police/fire recovery costs (cap to be determined) for subsequent offenses within a four year period.
- Provides for property owner notification of each offense and fines and recovery of response costs for chronic offenders (i.e., property owners are put on notice of potential liability before penalties issued). Unpaid fines may result in a lien being placed on the property.
- Subsequent offenses by an individual are subject to the graduated fine and recovery fees regardless of address location (i.e., changing addresses is not a strategy to avoid penalties).

### **Related Goals/Policies**

West University Task Force recommendations (June 2003):

- Consistent and enhanced police presence – includes a wide range of proactive policing strategies from a dedicated police patrol to focused police presence.
- Police saturation and/or party patrols – Increased police presence in the area, particularly on nights and weekends, is a proven deterrent to disorderly behavior and improves response time to complaints regarding large parties.

### **Costs and Potential Resources**

Costs to implement a Social Host Ordinance are anticipated to be low as no additional police patrol resources (beyond current party patrol) are required for this strategy.

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### **Issues to Consider**

- Options for administering the ordinance include the West University Public Safety Station manager or alignment with the City's existing nuisance abatement program within the Building and Permit Services Division. The latter may be a good fit as recovery fines can be handled as civil, rather than criminal, penalties.
- The following stakeholder perspectives represent individual member concerns regarding this strategy:
  - We should focus on enforcing existing codes and ordinances first and provide clear and consistent enforcement guidelines for police and the public.
  - How can a landlord be held liable for tenant behaviors they were not aware of? A landlord should not be considered a "social host" any more than the community college, university, city or state.
  - We need to provide clear allowances for landlords that have made good faith efforts to address tenant behaviors.
  - We need to quantify that we have a chronic problem before enacting an ordinance. How many noise or MIP violations have occurred at the same house?
  - We need to make sure that existing enforcement efforts are making those responsible for the problem pay before turning to absentee owners.
  - The enforcement and sanctions of this strategy need a lot more refinement. Just like tenants, many landlords provide quality service to the community and any new laws should specifically define the negative behavior of the responsible party that we are wishing to mitigate.

### **Measuring Effectiveness**

The effectiveness of this strategy will be measured by the number of loud party complaints received, and responses to alcohol-related medical calls.

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## Increase Fines for Alcohol and Noise Related Offenses

### **Problem Description**

Many alcohol and Noise related offenses, such as Minor in Possession of Alcohol, Selling or Furnishing Alcohol to Certain Persons Prohibited, Minors - Falsely Representing Age and Noise Disturbance, are prevalent in and around the campus area. The current amount for these fines does not appear to be an effective deterrent nor does it encourage students to modify their behavior and act more responsibly. In addition, the base fines are considerably lower than other agencies and that presents challenges when the Police Department collaborates with other agencies on law enforcement operations.

### **Strategy Description**

Review and recommend changes to Municipal Court's Base Fine Schedule for alcohol and noise related offenses. The following fines should be reviewed:

- Minor in Possession of alcohol (EC 4.115(1))  
The current base fine amount for this violation is \$250 with a maximum fine of \$1,000.
- Selling or Furnishing Alcohol to Certain Persons Prohibited (EC 4.110 (1&2))  
The current base fine amount for this violation is \$375 with a maximum fine of \$5,000.
- Noise Disturbance – Prohibited (EC 4.080)  
The current base fine amount for this violation is \$375 with a maximum fine of \$500.
- Noise Disturbance – Repeat and Failure to Cease (EC 4.081)  
The current base fine amount for this violation is \$775 with a maximum fine of \$1,500.

### **Related Goals/Policies**

Eugene Municipal Court Base Fine Schedule

### **Costs and Potential Resources**

- Costs to increase the Base Fine Schedule are negligible and should not present any barriers.
- Alcohol and noise related offenses do not represent a large portion of the City's revenue and it is unlikely that there will be significant funds to help offset other program costs.

### **Issues to Consider**

- Base fine schedule changes must be approved by the Eugene Municipal Court Presiding Judge. The Presiding Judge is always conscience of an individual's ability to pay a fine and only reluctantly increases fines if the change could result in a financial deterrent for a person.
- Base Fines are established to modify behavior and not intended to generate revenue.

### **Measuring Effectiveness**

Statistical data is readily available from the court. The number of alcohol related fines imposed could be tracked and compared to prior years.

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### Enhance Police Resources

#### **Problem Description**

The living habits of college age youth make them vulnerable targets for criminals. Crimes against property are common in the campus area neighborhoods, with the West University Neighborhood experiencing far more of this activity than other areas. Disturbingly, incidents of physical and sexual assault are also on the rise. In addition, loud parties attended by binge drinking youth at specific locations, as well as roving bands of inebriated young people coming to and from parties, trespass on private property, and commit acts of vandalism and other illegal acts that call for a sustained law enforcement response to maintain a semblance of safety for all residents. Insufficient resources require that the Police Department prioritize how it responds to calls of service. Understandably, the department is unable to respond effectively to many less serious crimes that comprise a large part of the criminal activity in campus area neighborhoods. It has become necessary to pay staff overtime to provide sporadic coverage in the area, which is a practice that is not entirely effective or sustainable. The experience of other town and gown communities has shown that a strong law enforcement presence is a key component of an effective program that addresses criminal hotspots around campuses and the community impacts from a culture of binge drinking and partying. An increased police presence in the area would deter criminal behavior and address some of the nuisance behaviors that make residents feel unsafe.

#### **Strategy Description**

- Secure funding for the equivalent of five additional officers and one sergeant to maintain an effective law enforcement presence in the campus area neighborhoods.
- Achieve efficiencies by targeting peak periods of activity and investing in a proactive media campaign that promotes behaviors that reduce residents' vulnerability and puts them on notice that existing laws will be strictly enforced. Other communities have found that aggressive, well-publicized enforcement can reduce the number of incidents that require a response over time.
- If this approach is to be implemented, the processes will need to be set in motion to secure the necessary funding for the new team of officers. Once funding has been secured, the timeline necessary to hire the additional officers will take between 12 and 18 months.

#### **Related Goals/Policies**

West University Task Force recommendations (June 2003):

Consistent/Enhanced Police Presence – Increased police presence in the neighborhood would deter criminal behavior and address some of the nuisance behaviors that make residents feel unsafe.

#### **Costs and Potential Resources**

The costs for a team of officers will be approximately \$630,000 per year. In addition to the ongoing yearly costs, the establishment of this team will require approximately \$250,000 in one-time cost, which covers three vehicles and outfits the new officers with equipment. The cost of creating a new patrol team for this purpose will be the primary barrier to this strategy.

#### **Issues to Consider**

One concern is that the creation of this patrol team becomes the end-all answer for the problems faced in this area. It is essential that the problem continues to be pursued as a community-issue, not simply as a law enforcement issue.

#### **Measuring Effectiveness**

The primary measure of the effectiveness of the new team will be the overall crime rate of the area, and police calls for service.

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## Regulate Party Bus Impacts

### Problem Description

Party buses offer young adults (and others) a fun way to travel about town and between destinations, often with amenities such as full bars and entertainment systems. On the one hand, these services provide relatively safe transportation for those who could be under the influence of alcohol. Party bus operators also work to prevent underage drinking, adhere to traffic safety standards, and prevent fights. They are used in a variety of situations, from transporting friends to reunions to taking a group to a football game and celebrating birthdays. However, some services impact neighborhood livability by collecting and discharging intoxicated passengers in residential areas and traveling through these areas with disruptive sounds and lights. Party buses advertise as having “huge” sound systems, lights including strobes and lasers, and dance poles.

### Strategy Description

- Contact party bus operators to learn more about company practices and commitments to minimizing negative impacts in residential areas. Note: Neighbors indicate that they have tried this approach to minimize negative impacts without success.
- Explore potential regulatory approaches, such as addition of simple standards to Eugene Code to control passenger discharge and restrict noise and lights in residential areas.

### Costs and Potential Resources

- Primary cost is staff time to engage party bus operators in dialogue and develop regulatory options. This could be done within existing resources, but might have a six- to 12-month timeframe given other work program priorities. Coordination with Planning and Development, Building and Permit Services, is required.
- If a regulatory route is chosen, some resistance is expected – primarily from operators but possibly from some patrons as well. It could be important to describe impacts and demonstrate that possible solutions will not impair the ability to continue providing the service.

### Issues to Consider

- Eugene, with the City of Springfield, licenses public passenger vehicle companies and certifies drivers – services “for hire” such as shuttles and taxis. Party buses do not fall into this category. Because they transport seven or more with the fare based on a group rate rather than on an individual basis, they are considered a charter vehicle. Like airport/motel shuttles, and courtesy car and tour bus services, party buses do not fall under existing licensing requirements. They also do not fall under the City’s Uniform Business Practices which, while forgoing licensing, can set basic standards. Limousines, for instance, must register services and provide a uniformed driver and luxury amenities under the Uniform Business Practices.
- Any regulatory approach must be carefully tailored to align with existing local and state requirements, avoid unintended consequences for desirable business practices, and minimize costs to the City of Eugene and for businesses and their patrons.

### Next Steps

- Outreach to party bus operators would fall to Neighborhood Services staff, in collaboration with neighborhood associations. This would include a request to neighbors to collect information on fall 2011 impacts, with phone calls, interviews and/or meetings occurring February-April 2012.
- Building and Permit Services staff would be asked to investigate regulatory options in consultation with the City Attorney, Neighborhood Services and bus operators. This would occur in winter/spring 2012.



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**Measuring Effectiveness**

Neighbor collection of impact information would be required, although it is not expected that statistically valid or “hard analytics” would be available.

## University of Oregon Police Department - Jurisdiction in near campus neighborhoods

### **Problem Description**

Jurisdiction of illegal behavior related to quality of life issues in campus neighborhoods currently falls solely to the Eugene Police Department (EPD). The limited staff and financial resources of EPD can make this responsibility a low priority at times, especially when higher level crimes are being committed in other parts of the city.

### **Strategy Description**

Most universities the size of the UO have fully sworn police departments on campus with the same authority as their municipal counterparts. The process of gaining the authority for and establishing a UO Police Department (UOPD) is underway. Some communities have created districts outside of campus boundaries that allow university police to actively patrol and enforce laws in surrounding campus neighborhoods. The creation of a University Public Safety District is recommended to increase the number of law enforcement personnel available to address illegal behavior in campus neighborhoods and provide more capacity for EPD to deal with other situations throughout the community.

This is a multi-year process with the following steps:

- Senate Bill 405 was passed in the 2011 Oregon Legislative session authorizing Oregon public universities to establish fully sworn police departments.
- Receive permission from the Oregon State Board of Higher Education to become a fully sworn police department. This step is in process.
- Once permission is received, begin the process of hiring and training fully sworn police officers (approximately 5-7 years). UOPD officers will be trained to focus on student behavior issues in general. During this time period, some officers will serve in fully sworn capacities while others will continue to serve in public safety officer and non-sworn security officer roles.
- University leadership will determine the extent to which the UOPD will patrol and enforce off campus. An intergovernmental agreement or memorandum of understanding between EPD and UOPD would need to be established, which would include agreements about off campus patrols and enforcement.

### **Related Goals/Policies**

- UO Safe Campus Initiative
- West University Task Force recommendations (June 2003):  
Consistent/Enhanced Police Presence – Increased police presence in the neighborhood would deter criminal behavior and address some of the nuisance behaviors that make residents feel unsafe.

### **Costs and Potential Resources**

The cost to UO as the department transitions to a fully sworn police department is being budgeted for and is not significant. The number of department employees will not change significantly. Training for officers will be funded in the same manner as all other police officers in the state. Costs of jointly patrolling and enforcing a University Public Safety District with EPD are unknown, pending what an IGA or MOU would encompass.

### **Issues to Consider**

- Barriers to the establishment of a campus police department include limited student opposition based on perceived cost and if or what weapons officers would be allowed to carry. The issue of weapons is also a concern of some community members.
- Barriers to UOPD officers having authority off campus include issues of department capacity, university leadership decision as to the appropriateness of such activity and results of agreements established with the EPD.

### **Measuring Effectiveness:**

After a UOPD is established and off campus jurisdiction is granted, a variety of crime and contact statistics will be employed to measure effectiveness.

**Modify University of Oregon Student Code of Conduct****Problem Description**

The UO Code of Conduct covers inappropriate and illegal behavior by students on campus. When students are involved in illegal behavior off campus, the Code of Conduct applies only if the student is connected to an incident involving physical violence. Under very limited circumstances, the current Student Conduct Code does extend off campus but not to the degree necessary to address the noise, property upkeep, and other good neighbor related concerns of those who live around students. Many universities of similar size and community composition have codes of conduct that include off campus behavior.

**Strategy Description**

The implemented strategy would require the university to include students who have received municipal citations for a variety of neighborhood livability infractions (open container, furnishing alcohol to a minor, noise ordinance violations, etc.) to go through the UO code of conduct process as well as the municipal court process.

Modifying the UO Code of Conduct is a multi-year process. The Student Conduct and Community Standards Committee must agree to changes and then recommend them to the University of Oregon Senate for its approval. University leadership would need to agree to the change and a significant campaign would need to take place to convince those involved in this process that this change is warranted.

**Related Goals/Policies**

West University Task Force Report, 2003

Modify Student Code of Conduct – Consider modifying the student conduct code to include punitive measures against students involved with serious criminal conduct, such as rioting, off campus.

**Costs and Potential Resources**

- The UO has a very small unit of staff (one full time staff, one – two work study students/interns) administering all aspects of the Code of Conduct. In contrast, the University of Colorado, which includes off campus incidents in the Code of Conduct, employs 12 staff just to deal with off campus issues. It is estimated that the UO would need to add a minimum of two more full-time staff and another support staff. Estimated cost for personnel would be at least \$200,000/year.
- Linking the Code of Conduct to off campus behavior is considered a best practice by many universities the size of the University of Oregon. The experience of these institutions could serve as a resource for the University of Oregon.

**Issues to Consider**

- The politics of adding off campus incidents to the Code of Conduct are complex. There is little support from students or faculty for this initiative, and the process for approving this strategy includes both constituents.
- Lack of current municipal police resources focused on neighborhood livability issues mean that only a small number of students are cited for such infractions therefore, not that many students would go through the Code of Conduct process. This might change if the Department of Public Safety starts enforcing off campus.
- The Police Department and Municipal Court would need to add procedures to identify offenders as university students.

**Measuring Effectiveness**

The recidivism of students in the municipal court process and Code of Conduct process could be measured. What would be harder to quantify would be the number of students dissuaded from engaging in illegal behaviors in the first place.

## Crime Prevention through Environmental Design (CPTED)

### **Problem Description**

Burglaries, car break-ins, and late night disruptive behavior are three of the chronic problems in the university area neighborhoods. Significant contributing factors include:

- The high percentage of renters who often fail to secure their homes, cars or other property adequately.
- The high percentage of young adult residents, including those who party late into the night and demonstrate a lack of consideration for neighbors.
- A high percentage of temporary residents who lack a stake in the neighborhood or an awareness of who belongs in the neighborhood.
- A significant amount of substandard rental housing, with inadequate locks on windows and doors.
- Predictably empty housing during school breaks, which makes for easy burglary targets.
- More recently, violent behavior, possibly gang affiliated, primarily late in the evening.

Each of these would be affected in different ways by different strategies. Basic Crime Prevention Through Environmental Design (CPTED) measures might help, but mostly as applied to individual homes and cars. Advanced CPTED measures focus on building social connectivity and are more applicable to neighborhood or community changes.

### **Strategy Description**

- Identify information and effective delivery methods that need to be conveyed to potential victims of crime. The evidence that we need this is that crimes keep occurring that might have been preventable if basic crime prevention measures had been implemented.
- Identify information and effective delivery methods that need to be conveyed to potential late night partiers. The evidence that we need this is that nuisance partying keeps occurring that might have been preventable if offenders had been convinced to behave in a more courteous fashion, either out of respect or out of fear of consequences.
- Identify areas that lack a central social gathering space within each neighborhood, or where they do exist identify ways to boost their viability for bringing residents together. The more residents meet each other, the more likely they are to demonstrate mutual respect and look out for each other's welfare.
- Look for ways to encourage and empower residents to report suspicious activity, as well as criminal activity.
- Determine ways to reach and convince more landlords to raise the CPTED and hardware security standards for their units. We've had limited success in soliciting requests for security inspections and advice.
- Determine ways to reach and convince more students to take security measures when they leave their homes unsupervised, as well as when their homes are left open to unscreened visitors (such as when one roommate throws a party).
- Identify locations where criminals can hide or where criminal behavior is hard to see. This might lead to suggested changes in physical design of a space, location of dumpsters, level and type of lighting, placement of windows or cameras, or design of fences, and could involve public or private property.
- Evaluate existing codes related to lighting, screening, etc., that may be contributing to the creation of unsafe spaces, and recommend changes.

### **Related Goals/Policies**

- Growth Management Policy 9: Mitigate the impacts of new and/or higher density housing, infill, and redevelopment on neighborhoods through design standards, open space and housing maintenance programs, and continuing historic preservation and neighborhood planning programs.
- West University Task Force recommendations (June 2003):  
More and/or improved lighting – provide additional lighting fixtures in the area on both public and private property.

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**Costs and Potential Resources**

- Costs for a CPTED evaluation are low, requiring only staff hours to complete.
- Costs to the City for implementation of CPTED recommendations would be low, as a large portion of the necessary changes would be on private property. Potential costs incurred by the City of Eugene could be low to medium depending on the outcome of the evaluation.

**Issues to Consider**

Potential barriers should be low, as most environmental fixes to private and public property should be relatively low-cost. There is the potential for push-back from property owners unwilling to participate.

**Measuring Effectiveness**

Effectiveness of this strategy can be measured over time through the analysis of crime statistics for the neighborhoods, such as the number of burglaries that occurred through open doors and windows or the number of “suspicious conditions, vehicles or people” calls received.

## Countermeasures for Traffic Sign Vandalism

### **Problem Description**

Traffic sign vandalism has become a problem across the country and poses significant costs to local governments responsible for maintaining them. The problem is typically more acute in neighborhoods adjacent to colleges or universities as signs are seen as an attractive part of young adult décor. Costs are not limited to those associated with maintenance and replacement of signs, posts and hardware. While none have been documented in Eugene, accidents caused by traffic sign vandalism have occurred in other communities. Once local entities determine the need for a traffic sign, they have a duty to install and maintain it in a reasonably safe condition.

### **Strategy Description**

Other communities' experience has shown that no one action provides a solution to this problem. It is proposed that the following countermeasures be evaluated for their potential to have a positive impact on the problem in the campus area neighborhoods and that those cost-effective elements deemed appropriate to our local context be implemented as resources allow:

- Consider expanding the use of products and installation techniques that minimize opportunity or make it more difficult to vandalize a sign. Measures may include increasing sign heights and use of double signs, battens, double supports, theft resistant hardware and anti-twist devices. [The City switched to a more vandal-resistant cantilever bracket for street signs about five years ago and staff is evaluating the use of metal versus wood posts.]
- Consider changes to local laws to enhance enforcement and prosecution efforts (i.e., increasing penalties and fines for sign vandalism.)
- Change public perception about the costs and potential dangers of sign vandalism through aggressive media campaigns.
- Consider the use of community volunteers to provide supplemental street name stenciling on sign posts or curbs.

### **Costs and Potential Resources**

- Additional funding would be needed to shift to more vandal-resistant materials and installation methods.
- Additional staffing would be needed if the objective was to address the backlog of missing street signs.
- There is likely to be resistance to providing additional resources towards enforcement and prosecution given competing priorities and the cost-effectiveness of sign replacement.
- Costs for a media campaign or recruitment and use of volunteers are considered low. There may be an opportunity to expand the concept of neighborhood graffiti and litter patrols to include street name stenciling on posts and curbs.

### **Issues to Consider**

- The city maintains an inventory of all signs (+ 30,000, including 9,810 street name signs). An annual night time inspection is done to verify existing non-street name signs are in good repair. Any sign not in good condition is replaced. Signs that are dirty or tagged may be cleaned rather than replaced. Currently 2.5 FTE are budgeted for sign maintenance. The annual program cost is \$341,268.
- In addition to the annual inspection, the City keeps records of all reports of missing, damaged or worn out signs and the actions taken.
- Existing practice is to replace those signs which most directly impact public safety, like stop or yield signs, as soon as reports they are missing are made. Staff is available or on call for those most critical signs 24/7. Other signs are prioritized and replaced or repaired as staff and resources allow with required regulatory signs taking precedence over directional, advisory and street name signs.
- Sign replacement work is somewhat seasonal. In the summer, the sign crew focuses on striping and pavement markings. In March of 2010, 801 signs were cleaned, repaired or replaced. In August of 2010, only 128 were done.

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- Replacing traffic signs may be more cost-effective than relying on enhanced enforcement and prosecution for vandalism or theft. Depending on the type of sign, total replacement cost, including staff time, ranges between \$75 and \$100.

**Measuring Effectiveness**

The number of signs repaired or replaced due to vandalism as countermeasures are implemented will give a sense of the effectiveness of this approach over time.

## **Safe Party Initiative (“Balance the Party”)**

### **Problem Description**

Parties and activity associated with athletic events held in near campus neighborhoods can result in high-risk drinking, noise, violence, property damage, drunk driving, and other reckless behaviors that affect neighborhood livability and the safety of students and neighbors.

### **Strategy Description:**

The University of Oregon proposes an educational safe party initiative named “Balance the Party.” The strategy aims to create safer party environments by building a closer sense of community between students and neighbors, promoting safety at parties and athletics events (football games), and increasing enforcement of alcohol-related laws and policies. Intervention components may include:

- Electronic and media communications to educate students on being responsible party hosts and understanding related liability and laws as well as strategies for reducing high-risk drinking and violence.
- Student led peer trainings about responsible partying.
- Neighborhood volunteer assistance in setting expectations about responsible partying through educational networks and hosting of alcohol-free block party events.
- Collaboration with the Oregon Liquor Control Commission and law enforcement to assess sale of alcohol at nearby campus outlets to determine trends and distribute responsible party information at points of sale.
- Education and information about new conduct and tailgating polices near Autzen stadium would be distributed, and educational efforts would be implemented regarding high-risk in the greater community on game days.

### **Related Goals/Policies**

- West University Task Force recommendations (June 2003):  
Keg lists and knock and talks – OLCC and police department visit residences where kegs of beer will be consumed to convey party hosts’ responsibilities.  
Provide educational information with kegs – distribute a pamphlet to purchasers of kegs describing people’s rights and responsibilities as they pertain to hosting a party.
- UO Healthy Campus Initiative

### **Costs and Potential Resources**

- Costs of the initiative to the UO would include the development of educational materials and staff time (\$50,000) and program costs for related events and outreach with students and neighbors (\$10 -20,000).
- The UO would search for grant funding to cover costs for implementation.
- Staff costs regarding OLCC/law enforcement support may also be incurred.

### **Issues to Consider**

Barriers could include availability of staff time to dedicate to this project, cooperation of OLCC, law enforcement, UO Athletics, neighbors, and student buy-in.

### **Measuring Effectiveness**

Effectiveness could be measured by conducting student surveys, studying trends regarding alcohol sold at outlets/restaurants/bars, etc. As with most strategies, pinpointing the effectiveness of one particular strategy over others also implemented may be difficult.



**Good Neighbor Strategy****Problem Description**

There are often distinct differences in expectations around acceptable behaviors between long- and short-term residents in campus area neighborhoods, particularly those still dominated by single family homes. The former may hope that each new batch of neighbors will be quiet and respectful, while the latter may see their new independence and proximity to campus as a license to party with abandon. The likelihood for respect and peaceful coexistence is enhanced if social connections can be built between these different types of neighbors through face to face interactions and sharing of perspective, expectations and information.

The UO currently coordinates the collection of university and city materials that encourage student and long term neighbors to develop positive relationships, tips for partying legally, renter rights and responsibilities, and how to avoid being a victim of crime. These materials are distributed at the annual Community Welcome and the Off Campus Housing Fair events, distributed to neighborhood leaders via Neighborhood Services packets and at meetings and are available online via the Office of Government and Community Relations and Office of the Dean of Students websites.

These materials don't always make it into the hands of neighbors or necessarily reflect the view or needs of all neighbors. There is not universal agreement on content and distribution remains a challenge. Neighbors have suggested a number of ways to enhance these efforts.

**Strategy Description**

- Assess information available that promotes good neighbor behavior and understanding of applicable laws and ordinances. Use this information to develop downloadable PDFs to:
  - Use as handouts or scripts when meeting renters in the neighborhood.
  - Develop a version for students living in dense conditions so that they know their rights in respect to noise violations and strategies for talking to neighbors as well as contacting landlords and/or the police.
  - Provide an information fact sheet that includes city code that is good to know for off-campus students and encourage students to meet their neighbors for safety and neighborly reasons. Make this information available on each neighborhood association webpage for use by neighborhood groups, police, city councilors or others.
- Promote information exchange between neighbors, including phone numbers and the neighborhoods' experience with past renters at residences that have been a source of problems.
- Leave information at address locations that are the source of a complaint for behavior problems, regardless of whether or not citations are issued, that includes relevant ordinance(s) and fines.
- Solicit help of landlords in getting neighbors together to build relationships and inform new residents of the noise ordinance, garbage service, home care responsibility, etc.
- Publish an article in the Rental Owners Association newsletter about the "meet & greet" approach to promoting respect and harmony in the neighborhood.
- Collaborate with the university and students in producing a video that promotes good neighbor behavior and understanding.

**Costs and Potential Resources**

- While requiring significant investment in time, primarily of landlords and neighborhood volunteers, this strategy is low cost and has the potential to be an effective, efficient means of creating a livable neighborhood.
- Neighborhood association meetings, newsletters and web pages provide opportunities to assist with promotion. The Rental Owners Association is also a resource to help promote this approach.

**Issues to Consider**

- Ineffective and inconsistent enforcement of City code discourages neighbors from wanting to invest the time in promoting good neighbor behavior. For this approach to be sustained, long-term residents need to feel that the City is doing its part to encourage livability.
- This strategy is most likely to be effective in less dense, mixed neighborhoods where different types of neighbors coexist. It may not be as effective for large apartment complexes where standards for good neighbor behavior may be different and problems are less likely to get reported. In addition, areas where single family homes abut multi-family complexes might need to rely more heavily upon other strategies including vigorous enforcement of city code.

**Measuring Effectiveness**

Quantifying the effectiveness of this strategy is difficult. While it may be impossible to show a direct correlation between these efforts and improved neighborhood livability, evidence in the form of a reduction in calls for service related to noise and alcohol complaints and other personal, property and behavioral crimes could be an indication of its effectiveness.

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### Establish a Home Ownership and Investment Program

#### **Problem Description**

In campus area neighborhoods there is a strong incentive to convert single-family, owner-occupied homes to rental properties. While a mix of single and multi-family homes and long-term and transient residents can add vitality to an area, the livability and stability of a neighborhood can deteriorate as the proportion of rental property grows and is followed by disinvestment or disinterest by committed property owners. Once the cycle starts, it can gain momentum and be difficult to arrest as long-term residents grow tired of the worsening conditions and put their homes up for sale.

#### **Strategy Description**

To combat this problem, a number of communities around the country have initiated programs to promote home ownership and investment in the neighborhoods adjacent to their campuses. A common goal is elevating the appeal of the university to recruit talented faculty, staff and students by offering them affordable, stable, safe and convenient neighborhoods in which to live. The following provides a summary of common elements of home ownership programs:

- Resources for purchasing assistance (forgivable or low-to-no interest loans for down payment assistance or closing costs, preferred lenders with discounted fees and mortgage rates, home ownership counseling, etc.), maintenance (low interest loans for interior and exterior improvements) and for maintaining owner occupancy (financial incentives to provide first right of refusal option to the program partnership to purchase a home for resale to another owner occupant).
- Collaborations between universities and community partners to create development corporations that actively acquire, rehabilitate, and sell exclusively to first-time homebuyers within the targeted areas.
- Program eligibility extended to all university employees after a probationary period. Some programs have income eligibility requirements. Loans are often forgiven if the recipient resides in the home for a designated period of time.
- Strong university leadership and key partnerships with municipalities, financial institutions and non-profit organizations (community development corporations).

#### **Related Goals/Policies**

- Growth Management Policy 4: Improve the appearance of buildings and landscapes.
- Metro Plan Policy A.25:  
Conserve the metropolitan area's supply of existing affordable housing and increase the stability and quality of older residential neighborhoods through measures such as revitalization; code enforcement; appropriate zoning; rehabilitation programs; relocation of existing structures; traffic calming; parking requirements; or public safety considerations.
- West University Refinement Plan – Land Use, Housing and Commerce  
Policy #10: The City and the neighborhood groups will encourage and promote owner occupancy in the plan area.  
Proposal #16: Ownership should be promoted through creative ownership mechanisms such as cooperatives, a home purchase program for renters, and condominiums.
- West University Task Force recommendations (June 2003):  
Promote Longer-Term Residency – provide economic incentives for improving the quality of housing stock to attract long-term residents, create a different mixture of neighbors and a greater sense of stability and investment in the neighborhood.

#### **Costs and Potential Resources**

- A home ownership program requires a significant sustained resource investment. For example, the UniverCity Neighborhood Partnership, involving Iowa City and the University of Iowa, began in 2009 with a \$1 million state grant and a \$200,000 investment from the university.

- This approach is being used effectively by many universities, including University of Iowa, Ohio State University, the University of Wisconsin-Milwaukee, the University of Minnesota and the University of Pennsylvania. The experience in these communities could serve as a model for Eugene.

**Issues to Consider**

Potential barriers to implementation of this strategy include securing the necessary leadership commitments and the significant resources needed (money and staffing).

**Measuring Effectiveness**

Quantifying progress could easily be tracked in terms of the number of homes acquired or rehabilitated. Changes in owner occupancy rates over time would provide insight into this strategy's overall impact on the problem.

## Neighborhood Livability Working Group

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### Graffiti, Garbage and Litter Abatement

#### **Problem Description**

The condition of a neighborhood and its surrounding streets, parks, etc. shows residents the level of care and monitoring that goes on. Disrespectful and/or criminal behavior is more likely to occur in a neighborhood where garbage and broken bottles are neglected, over-flowing dumpsters are ubiquitous, vandalism is unrepaired, and graffiti is common.

#### **Strategy Description**

- Organize volunteer Litter/Graffiti Patrols through school, civic, religious, or neighborhood groups. Groups pick up stray litter, provide door knocker information to problematic houses, and contact the property owner or email the city for enforcement of graffiti and land use nuisances.
- While graffiti abatement is currently the responsibility of the property owner (this includes individuals, city, and utilities) consideration should be given to the City contracting to have graffiti removed in a timely and consistent manner on both private and public land.

#### **Related Goals/Policies**

This initiative would support the Police Department's graffiti documentation and removal efforts. It is also consistent with code provisions related to zoning and nuisance violations.

#### **Costs and Potential Resources**

- Costs for implementing this strategy are low as they rely primarily on volunteers to do the work. However, funding to support a private contractor for graffiti removal would add additional costs to the strategy.
- Garbage haulers may provide discounted rates for dumpsters and hauling fees for neighborhood cleanups.
- Amazon Neighbors Graffiti/Litter Patrol could serve as a model to other neighborhoods or groups interested in this approach. The work of this group was shown to be effective with only a few people regularly involved over the span of a year. The level of garbage decreased in general as the culture changed, and the prompt and thorough removal of graffiti curbed additional tagging.
- The University of Oregon, public schools, neighborhoods and other service groups are potential sources of volunteers.
- The City's Neighborhood Matching Grant program could provide seed money to support a local volunteer effort.
- Coordinate neighborhood cleanup efforts with the University of Oregon's end of the school year Move-out Recycling Event.
- Use existing events, such as the Police Department's Prevention Convention to recruit volunteers, provide education and graffiti reporting resources.

#### **Issues to Consider**

- A significant barrier is the common perspective that litter and garbage are someone else's responsibility (i.e. the garbage company, the property manager, the criminal doing community service).
- Neighborhood garbage/litter removal efforts can be overwhelmed by the large amounts of garbage generated by students moving out at the end of the semester. There simply is not enough dumpster capacity to handle the load.

#### **Measuring Effectiveness**

The number of graffiti and zoning and nuisance violations reported over time in those neighborhoods with active Litter/Graffiti Patrols.

## Evaluate continued need for MUPTe in the campus area neighborhoods

### Problem Description

A contributing factor to the negative behaviors and impacts experienced in the campus area neighborhoods is the sheer number of young adults living in proximity to one another. These neighborhoods also serve as a draw for other youth from the rest of our community and from neighboring communities who are looking to party. For years, development in this area has responded to demand and favored multi-family apartment living designed to serve this demographic.

In 2003, the West University Task Force recommended that the Multiple Unit Property Tax Exemption (MUPTe) program be expanded to include the West University area in hopes that it would improve the quality of the housing stock and attract both long-term residents and a healthy mix of neighbors. The boundary was revised in 2004 to extend east of High to Kincaid and south from 17<sup>th</sup> Avenue. Since that time seven projects with a total of 133 units (409 bedrooms) have been completed within the expanded area. Two additional projects totaling 75 units (133 bedrooms) have been approved but not yet completed. Demographic trends in this area indicate that MUPTe did little to encourage longer-term residency or different age cohorts to move into the neighborhood.

### Strategy Description

Review the role MUPTe may have had in the campus area with consideration of the role the program has had in contributing to various impacts to neighborhood livability.

### Related Goals/Policies

- Growth Management Policy 6: Increase density of new housing development while maintaining the character and livability of individual neighborhoods.
- Growth Management Policy 9: Mitigate the impacts of new and/or higher density housing, infill, and redevelopment on neighborhoods through design standards, open space and housing maintenance programs, and continuing historic preservation and neighborhood planning programs.
- Metro Plan Policy A.25:  
Conserve the metropolitan area's supply of existing affordable housing and increase the stability and quality of older residential neighborhoods through measures such as revitalization, code enforcement, appropriate zoning, rehabilitation programs, relocation of existing structures, traffic calming, parking requirements, or public safety considerations.
- West University Refinement Plan – Land Use, Housing and Commerce  
Policy #10: The City and the neighborhood groups will encourage and promote owner occupancy in the plan area.  
Policy #11: The City and the neighborhood shall study ways to encourage a variety or mix of structure types providing both owner and rental opportunities and appealing to a diverse population.
- West University Task Force recommendations (June 2003):  
Promote Longer-Term Residency - provide economic incentives for improving the quality of housing stock to attract long-term residents, create a different mixture of neighbors, and a greater sense of stability and investment in the neighborhood.
- Envision Eugene Pillar: Protect, Repair and Enhance Neighborhood Livability  
[Note: An evaluation of MUPET is underway in the context of Envision Eugene. Council has expressed interest in reviewing the MUPTe boundaries. Additional Council work sessions are planned in the fall to discuss priority areas for the program and future action.]

### Costs and Resources

Reevaluating the MUPTe boundary is underway so this strategy is not anticipated to add costs to the City.

### Issues to Consider

- Some resistance may come from those wanting to continue dense development in the West University area or those believing the tax exemption is necessary for higher quality projects.

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- Currently, MUPTE requires that developers involve the neighborhood association, which provides some input into the project. In the absence of MUPTE, there may still be projects built in the neighborhoods and developers will have no obligation to involve the neighbors. Is there a way that MUPTE could be altered to help address neighborhood concerns and achieve some of the unrealized goals of the neighborhood?
- The discussion of MUPTE is much broader than the W. University area. It is one of the major tools that has been identified to implement Envision Eugene strategies, specifically addressing a desire to meet our 20-year housing needs in large part with infill focused along/around major commercial corridors. Clearly, parts of the W. University neighborhood may not fit into this “commercial corridor” definition. However, there may be some areas that should at least be analyzed for MUPTE consideration.
- The following stakeholder perspectives represent individual member concerns regarding this strategy:
  - Current design standards for MUPTE projects are insufficient to guarantee quality projects that would be attractive to long-term residents or for owner occupancy.
  - Providing extended tax breaks for MUPTE projects given current community needs is not appropriate. Consider taxing MUPTE projects based on the value of the existing improvement at the time of the application.

### **Measuring Effectiveness**

The number of multi-family residential units constructed pre- and post- MUPTE boundary revision within the West University area. However, many other factors affect housing construction should be acknowledged, and firm conclusions about development trends may not be possible.

## Neighborhood-based Planning

### **Problem Description**

While the West University neighborhood has already transitioned to one of low owner occupancy and high density, this pattern has been spreading to the edges of adjacent neighborhoods in recent years. This situation has created the need for neighborhood-level planning that is responsive to the unique challenges now facing other campus area neighborhoods. The pattern and design of development in this area contributes to negative impacts and requires consideration of strategies related to planning and land use to address livability.

Multi-family developments are regulated by the number of units they include, which does not give a true sense of the number of individuals that will be housed together. Current projects in the vicinity of the University of Oregon include fewer studio or one bedroom units in favor of a more profitable mix of three, four, five and even six bedroom apartments. In addition, there can be distinct differences in impacts associated with traditional multi-family versus high occupancy multi-family housing that caters primarily to students. Currently, the City's land use code does not recognize these differences and treats all multi-family housing alike.

Another issue of concern is that the current land use code provides exemptions for open space requirements for projects that meet a target percentage of allowable density. This serves to remove an important amenity for high density projects that congregate large groups of people with no places to gather and socialize. This results in groups of young adults spilling out into sidewalks and streets with noise and other behaviors impacting neighbors. This emphasis on dense living also puts pressure on converting open space to driveways and parking reducing this amenity even further.

An additional design issue involves screening garbage receptacles and recycling containers and the poorly lit spaces around and between buildings. The combination of hidden spaces and low light provides areas where criminal behavior can take place out of sight.

### **Strategy Description**

The actions listed below have been identified by neighborhood representatives as priority planning and land use strategies to improve impacts to livability. A number of them have also been identified in past or ongoing planning processes (identified in parenthesis) as important to addressing development impacts to livability.

- Complete area planning for the university-area neighborhoods that addresses the interface between the university, high density housing and surrounding neighborhoods. (Envision Eugene)
- Revise code to address the deficiency of open space in multi-family developments. (Infill Compatibility Standards)
- Change the way density for multi-family housing is calculated so that it more actually reflects the number of residents. (Infill Compatibility Standards)
- Strengthen standards regulating parking in set-backs and open space. (Infill Compatibility Standards)
- Provide different definitions for traditional multi-family and high occupancy unrelated adult housing that recognize the distinct difference of housing that caters primarily to young adult (typically university student) renters. Providing this distinction in the code could allow for development of standards that addresses the unique impacts created by high occupancy housing.
- Review existing codes related to lighting and fencing and identify areas where changes could improve security and public safety.

### **Related Goals/Policies**

- Metro Plan Policy 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.
- Metro Plan Policy A.23:



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

- Infill Compatibility Task Team recommendations
- Envision Eugene Pillar: Protect, Repair and Enhance Neighborhood Livability

### **Costs and Potential Resources**

- A number of these strategies that will require staff analysis and potential revision of the land use code are not anticipated to add costs to the City. Costs for implementing area planning will be high and take re-prioritization of Planning Division staffing and resources. Refinement and special area plans include extensive research, analysis and public input processes adding to their cost.

### **Issues to Consider**

- The Planning Division will be the lead on researching and implementing changes to the land use code and developing area plans. The City Council recently initiated code amendments related to Infill Compatibility Standards, and a couple of the items specifically mentioned above will be addressed through this effort (open space requirements, parking in setbacks). Area planning for the neighborhoods adjacent to the university is slated to begin immediately following local adoption of Envision Eugene. The remaining proposed actions can be addressed as part of the area planning process.
- Some resistance to these proposals may come from those wanting to continue dense development in the area under existing rules.

### **Measuring Effectiveness**

Quantifying the effectiveness of any one land use strategy is difficult. Considering any one strategy in isolation is unlikely to prove useful. Understanding the impacts of multiple strategies over time via qualitative methods (i.e. feedback from neighborhood residents) could provide insights into how code changes and planning documents have affected livability.

## APPENDICES

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## Appendix A: Catalogue of Negative Behaviors and Impacts

### Introduction:

***We take as fundamental rights already protected by law, that all residents of the city and the city's neighborhoods shall be entitled to the safe and peaceful enjoyment of their residences and that their property shall be respected; that public behavior shall be consistent with these rights.***

This paper is written to categorize and explain some of the negative behaviors and impacts of living in proximity to the University of Oregon and LCC where a concentration of young people are living for the first time on their own. Near off-campus neighborhoods such as West University, South University, Fairmount, and Amazon feel most acutely the effects of student residents.

The neighborhoods vary greatly in the intensity of negative incidents. Negative incidents of all kinds are more common and intense in the West University. South University has a mixed demographic and complaints by homeowners about student renters focus on parties, vandalism, and parking. In Fairmount the student population is growing and with it the attendant problems. Amazon has a large and growing population of students. In all neighborhoods there is a mix of underclassmen & graduate students.

Each year there is a large housing transition that reconstitutes the neighborhood with new student neighbors. One of the benefits that students receive by living in an area with long-term residents is a safer and quieter environment. This year the West University Neighborhood (WU) saw a crime wave over the winter break when the majority of residents were not home.

	2009	2009	2009			2008			2008
	Person	Property	Behavior	Total crime	Per Capita Crime	Population	Density Sq mi	Sq Mi.	Median Age
WU	118	1023	1123	2264	0.50	4559	9836	0.46	22
Fairmont	22	287	87	396	0.12	3188	1725	1.85	37
SUNA	17	212	106	335	0.11	3131	7136	0.44	26
Harlow	80	518	217	815	0.07	11759	2580	4.56	35
Bethel*	144	614	426	1184	0.05	22622	1951	11.60	37
Amazon	6	29	19	54	0.03	1923	3243	0.59	34
Laurel									
Hill	1	9	16	26	0.02	1104	743	1.49	32
SE*	22	107	88	217	0.02	13368	1930	6.93	40

\* Two outlying neighborhoods chosen at random

2009 Data from: [http://www.eugene-or.gov/portal/server.pt/gateway/PTARGS\\_0\\_2\\_358118\\_0\\_0\\_18/icapar2an.pdf](http://www.eugene-or.gov/portal/server.pt/gateway/PTARGS_0_2_358118_0_0_18/icapar2an.pdf)

2008 Data from: <http://www.city-data.com>

A study of statistical information for 2010 shows that out of the 1,886 calls for service reported as noise violations in the entire Eugene jurisdiction 37% were in West University (WUN) or South University (SUNA) neighborhoods. This data is a conservative estimate as it does not include noise complaint calls for service entered as “beat information” due to a lack of willing complainant, specific address or clarity as to whether the activity rises to the level of a violation. There were 48 *additional* calls titled “disorderly party”, and 70% of those (33) were in WUN and SUNA. A “disorderly party” is a larger party where the complainant is reporting violence, breaking bottles, etc., and in general, the noise impacts a large number of neighbors.

In the same period 54 first response notices were issued to 21 residences that involved gatherings of 25 or more people and two or more noise or alcohol citations issued. Enforcement results in notification of property owner that violation occurred and puts person responsible for the gathering, in charge of the premises and/or the owner (only when present), on notice that they may be held liable for expenses related to a second response within 90 day time period of up to \$1,500. However, residents are creative in avoiding the fine, as it is rare that the same tenants will come to the door on the second response.

**Behaviors with negative impacts addressed in this paper:**

**A. Property, Personal & Behavior Crimes & Issues**

1. Noise-related
2. Related to Personal Safety (violent crimes, fighting, intimidation, sexual assault, robbery)
3. Related to Property (theft, vandalism, trespass, graffiti, removal of public signs)
4. Traffic (illegal parking, DUI, speeding)

**B. Zoning/Land Use Issues**

1. Property Upkeep (incl. not limited to: garbage removal, lawn care, home maintenance, litter)
2. Parking
3. Zoning Violations
4. Exodus of Long-Term Neighbors

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**A. Property, Personal & Behavioral Crimes**

***1. Noise-related behaviors***

In general, this category covers intrusive noise that occurs at night or arises from activities that do not have a socially productive purpose.

In a close-packed urban environment residents and guests must all respect the need to minimize noise intrusions on others at all times of the day and night. However, by convention, a limited level of intrusive noise is tolerated during the day for productive activities, such as property improvements or maintenance.

The West University neighborhood and the South University neighborhood on 19th Ave. between Hilyard and University St. have the greatest density of student population designated as R-3 and R-4, so great that young people merely being on the street and active in party mode have a significant impact on the neighborhood. Here parties sometimes find a location in a house, but more often the problems of drunkenness and noise find their way on to the street. Groups of young people often rove aimlessly in search of some party, already very drunk.

In the R1-zoned areas (single family residential) of SUNA, Amazon and Fairmount neighborhoods there are many student rentals, owned often by landlords from out of town. If the ratio of single-family residences to student rentals is sufficiently high (about 2 to 1), vigilant neighbors can keep the parties under control by talking frankly with their renter neighbors and, where necessary, calling the police. However, as young people rove from the R-3/4 areas into the R-1 they often disrupt the peace with their yelling, etc.

The narrative descriptions throughout the catalog were gathered from emails, listservs, neighborhood association meetings, and from the 2009 Neighborhood Survey; while most of the examples are taken from South University Neighbors, these narratives could be reproduced by any of the near off-campus areas.

**a. Loud parties at specific locations (music, shouting or other noise) disturb peace of nearby residents:**

Young residents of the neighborhood often have parties. As long as they have no impact on their neighbors, they are welcomed as part of the social fabric of the neighborhood. However, they often cause disruptive noise late at night. Small, private parties often grow quickly as guests phone and text spontaneous invitations to their friends. The crowd spills out into the yard becoming increasing agitated and disruptive.

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A report of a party at Agate and 24th:

“Party with rapid surge of people arriving on foot or by automobile starting around 11 p.m. Saturday night, July 31st 2010....Partying was concentrated in the house’s converted garage (full of people, with garage door open and sound carrying to outside and to neighborhood), in the main portion of residence, in the front yard, and on the back porch on north side of house-- all of this was going on at once. At the maximum size I observed, it looked like about 50-60 people. The issue was the noise the partiers generated with their voices: speaking loudly enough to hear clearly from inside my house, a lot of whooping, loud laughter, yelling to people as they arrived, yelling to people for whatever reason. The noise was sufficiently disturbing and annoying that there was no reason to try to go to sleep. I live on the opposite side of the street and three houses down. At about 1:45 a.m., there was a brief sound of a police car siren, then people came streaming out of the house running. I heard one man yelling at some other people, saying, “don’t (expletive) run! They’ll arrest you if you’re running!””

**b. Roving bands of people coming to and from parties shout in the streets, drink in public, urinate and throw litter in the neighborhood:**

As a party culture gets established in a neighborhood, young people are attracted even though they may have no direct acquaintance in the neighborhood. They come for the scene. Moreover, as parties grow out of control, the host may try to bring the party to an end. The guests then wander out on to the streets carrying their noise into the R-1 parts of the neighborhood. Finally, in some areas, for example, at the corner of Alder and 19th and throughout the West University neighborhood, the density of young people and the building designs have conspired to make the street the principal area of congregating.

“On Friday night I made three calls to the EPD. The first at about 10 PM addressed a mob (about 30) of large drunk loud-mouth guys passing my house going East on 19th. As they passed they totally destroyed the safety alert barricade my neighbor had placed on his sidewalk to keep people from crossing newly poured sections. My second call about 11PM was about tenants at the Indigo who were all out on their ground-level patios spurring on all the drunks .... staggering up and down 19th.”

“ I am noticing many more cars parking on our street and on Kincaid with groups of kids walking towards Hilyard and/or 19th pretty much every weekend.”

“No news, but a bit of comic relief (of a sort). I came out of my house one evening to find about 14 kids on the sidewalk and one student about ten feet onto my property, peeing on the bushes. I had been coming out to walk the dog, so I was surprised by the whole scene (though it’s not uncommon). I have to confess, my challenge to the young man was a bit intemperante, and he responded with “what’s your problem?” I said, “you’re on my property and peeing on my bush, that’s my problem!” The kid said, “that’s no reason to be disrespecting me!” I told him to shove off in no uncertain terms, and he said “You should talk to people with respect, that’s no way to talk to anybody.” Perhaps his friends recognized the absurdity of the situation, because they came (open containers in hand) and led him away, in the direction of 19th street and the parties. Just one of the many adventures that now come with the territory.”

"The neighborhood is increasingly a UO party scene. UO does not seem to have any code of conduct. The use of alcohol is staggering."

**2. Related to personal safety (violent crimes, fighting, intimidation, sexual assault, robbery)**

There are a number of crimes and threats to personal safety. According to EPD, young people are more vulnerable to crimes against the person. In addition, many long-term or older residents are too intimidated to confront partying young people, especially drunk young men, even the day after the incidents have occurred. People are reporting that areas near campus don't feel safe. Other issues brought up by neighbors are more specifically threatening and disconcerting in addition to the real crime that is occurring (see pg. 1):

"A neighbor in Amazon reported his experience in asking several drunken male & female party-goers to be quiet while leaving the party. Three of the young men told the older neighbor off, pushed him over, and then violently kicked him while he was on the ground. Fortunately, the girls started yelling at their friends to stop and the young men stopped, jumped into their cars, and sped away."

"Just after dark I was walking home and about 10 yards ahead of me were four young men, very likely students. They didn't seem drunk, just walking along. I heard one of them say, "let's kick the shit out of this guy." I was the only guy around, so it had to be me. Again, I heard: "hey, let's kick the shit out of this guy." One of the others said "what for?" It was fairly dark, but I glared back at them. I reached my neighbor's gate, and that was that. I felt wary and agitated that the possibility of random violence was proposed. I was in no way provocative; it was just an opportunity knocks kind of thing. There will be more of this in the future I fear. Where should I park my baseball bat?"

A neighbor reported in January 2010 about a longstanding problem concerning a house of very aggressive and disruptive young men: "As most of you know there has been continued problems (noise, parking etc.) associated with certain houses. On Friday night they once again had a party with people leaving at 3:00 am loudly, slamming car doors and threatening to "Get Their Gun". I along with other neighbors called this into EPD on Friday night and because of the threat of a gun they did show up along with a large fire truck."

"I live very near many fraternities, who year after year, are known to be responsible for sexual assaults, violence and general harassment and aggression in the neighborhood. I believe the University should address these issues for safety reasons."

### **3. Related to Property**

#### **a. Theft & Burglary**

Theft is a common problem as it is throughout Eugene, but none more so than the West University neighborhood with the highest theft rate of near-campus neighborhoods.

"Windows of vehicles parked on street are broken into on a regular basis."

"Safety is a big issue; I would love to feel more comfortable walking and biking around the campus area. I also feel that my car is never safe parked next to my house."

"Lots of petty crime and undesirables walking about, stealing bikes, etc."

"My car was broken into twice in one week as a result of thefts ... more patrols, or some sort of implied presence, to deter crime."

"There are too many crimes against property such as car window bashing and bike theft. The police respond most swiftly and in numbers to underage drinking, which I believe is a misguided priority."

#### **b. Vandalism and Graffiti**

The property damage arising from parties is different from more serious property crimes. Nevertheless, vandalism and graffiti can cause financial harm and degrade neighborhood livability. Issues include broken fences, litter, vandalized street trees, graffiti, and of course the now almost extinct street signs throughout the neighborhoods in proximity to the UO.

The condition of a neighborhood and its surrounding streets, parks, etc. shows residents the level of care and monitoring that goes on. In a neighborhood where garbage & broken bottles are neglected, vandalism is

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unrepaired, and graffiti is left scrawled, disrespectful and/or criminal behavior is more likely to occur in or around these areas. Studies have shown that once the "first window" is broken, the incidence of vandalism increases. Graffiti tagging seems to be surging and is on the rise particularly in our West University neighborhood where it isn't being quickly abated and properly removed.

"I wanted to alert you all to what happened at our corner (E. 20th and Kincaid) last night. There were hoards of young people (probably students) out late last night making noise and roaming in bands around the neighborhood. One of the groups removed the stop sign (the entire post) at our corner. We only discovered this in the am today, when, after returning from an early morning class, we saw a car whiz through the intersection without stopping. I honked and then realized that there was no stop sign. Eugene City public works department was glad when I called because they had found the stop sign at Hilyard and 20th and had no idea where it came from. (This has happened before, although in the past, the sign was left lying on the ground at the site.) This is the kind of vandalism that could literally cause someone to be killed or maimed. How can we get this across to the perpetrators?"

#### c. Trespass

Trespass seems to be on the rise particularly in neighborhoods where a lot of returnable bottles and items of value are thrown in the trash. Trespass may start out as "looking for returnables" but end up with a bike stolen or some other vandalism occurring.

"I rode home late at night after being in studio to find 3 men standing in my driveway near my bike shed. I was too scared to say anything so instead of putting my bike away I went into the house with my bike. I didn't call the police because I was afraid these people might retaliate. They eventually went away. When I've seen individuals here before they were looking for returnables in the neighbors recycling, perhaps that's what they were doing that night."

"I was awoken at 3 a.m. by a man crying in my yard who had set up his 'camp' under my bedroom window. I called the police who came to tell the individual to leave--when I said that I wasn't willing to press charges (I didn't want the guy to go to jail or have to fill anything out), the police left and the man stayed for at least another half an hour, drinking beer and crying. It was awful and I feel unsafe."

"Drunken students are showing up everywhere, broken bottles in the streets and on the sidewalks, trash thrown in our yard, people urinating and defecating in our yard."

#### 4. Related to Traffic & Safety (speeding, unsafe driving, DUII)

Many neighbors have indicated that speeding and failure to obey stop signs and even traffic lights is becoming more prevalent in the neighborhood. As density is increased these behaviors are more acutely felt by long-term residents who are asking for more traffic calming through police presence or physical devices in order to feel safe. People driving to or from parties or after games have always been a safety issue in the neighborhoods throughout Eugene. This is especially problematic with young people experimenting with alcohol and limits.

"With the traffic increasing because of the many new multi-level student complexes, and the way many of the students drive (running stop signs, driving too fast, etc.), taking unnecessary risks, blowing horns, etc. we need something to be done."

"Agate Street has a significant speeding problem. The speed limit is 25 and cars regularly drive 35-40mph. It is dangerous to cyclists on the street and to anyone trying to cross the street."

"Being a pedestrian and driver is becoming dangerous on our streets. Come and observe!"

"There needs to be a light at 19th and Alder for safe bicycle and pedestrian crossing."

"Ours is a residential street but used as a major N-S route for university students...some BARREL down the street making it scary for me with two toddlers. Our street is not monitored enough for speed and it is unsafe for my children to ride bikes."

## **B. Zoning & Land Use Issues**

### **1. Property Upkeep**

A significant number of rental houses are neglected by both the landlords and tenants unaware or uncaring of how it reflects on the neighborhood. Landlord neglect is a problem with unkempt lawns, lack of regular maintenance inside and out, and this sends a message to renters that it is okay to neglect the general neighborhood standards. Moreover, often times a nice home or new apartment complex will have trash cans sitting out with trash blowing around the yard and street for days on end. Often if a party occurs, the obvious signs in the yard - trash, cigarette butts, and bottles up and down the street and in the neighboring yards - are neglected by the neighbor who threw the party.

"It would also be nice if the U of O cleaned up our neighborhood after home football games and when students move out and leave behind lots of trash. I'm sort of tired of carrying home empty bottles of Mad Dog and other cheap alcohol when I walk my dog in the morning!"

"As far as appearance the students tend to park on lawns and do not keep up the property (the single resident homes) they rent. They leave garbage cans out on the street constantly."

"Homes converted to student housing has resulted in heavy impact of new, temporary residents oblivious to this being a neighborhood of people needing to maintain decent standards regarding noise, care of property and adjoining areas."

"Many students trash their rentals."

"Landlords could be encouraged to take more pride in their properties - new paint, garbage clean-up, landscaping, etc."

"I feel that the ongoing changes of students and the lack of expectation for the rental agencies to maintain their properties is a major concern to the neighborhood. I get tired of teaching new neighbors to not be feral."

### **2. Parking/Density Issues**

The neighborhoods adjacent to the UO have an abundance of parking issues arising out of the increased density and continued expectation of parking for all. There is no lack of public outcry about this matter, which deal with both the zoning and transportation systems.

"Our neighborhood is expected to carry more than its fair share of increased density and parking for the U of O with very little help from the U of O or the City of Eugene."

"When I say on street parking, I want it reduced and I want more focus placed on biking including on street bike parking. Cars are the past, we need to start making smarter investments in our future. We need to discourage car use of in state and out of state students alike and promote biking and walking, fixing sidewalks as well."

"Tickets should be given to every car parked in a yard or across a sidewalk to maintain a basic aesthetic respect for place."



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"Our historical home has no driveway or garage, so we are forced to park on the street. We are old, so it's becoming more difficult to walk distances with groceries and other packages. "

### 3. Zoning Violations

#### a. Code Violations for Profit

R-1 zoned areas in close proximity to the UO are being compromised by owners wanting to profit from additional units. Though Eugene Code allows for ADU's & SDU's only when the owner occupies one of the units on the lot, the Code is frequently flouted and not enforced with effective penalties. For example, some non-duplex lots have three or more buildings on the property rented separately. The R-1 areas are degraded with quasi-legal buildings which strain the current infrastructure and quality of R-1 (e.g., pricing out owner occupancy in favor of illegal infill, alley-ways not designed to handle day-to-day traffic, increased automobile traffic, increased density, decreased open-space between houses for gardening & usual R-1 spacing, solar set-back issues, incompatible design).

"I have lived in the Amazon neighborhood since 1991 and have made substantial investments in the neighborhood as a landlord (who cares for and maintains properties). There are a multitude of instances of construction in our neighborhood that have in essence turned our neighborhood into R-2 zoning with some moves into R-3. Without effective enforcement, we will continue to have permitted and non-permitted non-compliance creating an uneven zoning in our neighborhood."

"In the low-density residential, developers are building barn-sized houses clearly with the intent to circumvent the allowed maximum size of a dwelling unit, so they can rent these large structures out to six or more renters per single-family property. These buildings block out light and views for next-door properties and concentrate transient residents in a neighborhood built with infrastructure for single-family homes. The zoning code should better regulate building mass and scale; the city should assertively enforce its building code for number of unrelated people residing in a dwelling unit. In the high-density residential, developers are building apartment buildings that are larger than any existing buildings, that fill the entire lot within the property lines, and that extend skyward so close to each other that they wall off any view of the sky and the natural surroundings for residents on the other side of the street or for pedestrians. The city should amend the land use code to regulate building mass and scale so as to require stepped back upper floors (stepped back from the street), and to incentivize development that has upper stories that are not as wide as lower stories so as to allow glimpses of the sky behind the buildings."

"We also need increased enforcement of code already in the City's Land Use Code."

#### b. Need for transition between R-11 & Higher Density Zoning and design standards for new buildings in R-11

Many neighbors are seeing the development of housing that is profitable for the investor but not for the long-term livability of the neighborhood. Neighboring houses are affected by shoddy construction and massive height differentials.

"Zoning and design standards need to be addressed before the S. University neighborhood starts looking like W. University (another lovely historic residential neighborhood that is now being ruined by the removal of single family houses in favor of out-of-scale multi-family buildings.)"

"Hilyard should be rezoned to multi-family NOW. The homes on this street are an eyesore and nuisance to those who live near them. Multi-family here, but no further east, would provide a buffer to the R-1 nearby. Building heights should be sensible, along the lines of the MiCAP recommendations."

"High density development north of 19th has no transition zone to the single family area to the south."

"Though we support the idea of infill, building permits are issued for "single family" homes that are actually rental quads--ugly buildings that are erected as cheaply as possible and are incredibly ugly eyesores. We had always hoped that we would live out our retirement in our home, but noisy students and difficult parking may force us out."

#### **4. Exodus of long-term residents**

While there may seem to be conflict between the younger and older neighbors, overall this reality of mixed-neighborhoods is a major benefit to the public institutions. It is not the clash of young vs. old but the impact of illegal behaviors gone unchecked that creates a climate where long-term neighbors become frustrated enough to move-out because of the on-going transition and training needed to curtail illegal behaviors with little backing by student conduct codes and city resources. Long-term neighbors, regularly burdened with "parenting" and policing their young neighbors, get tired of maintaining the community standards and move out. It is the neighborhoods with higher owner/renter ratios that show less crime per capita, whereas neighborhoods that have seen owner occupied numbers reduced, have become costly burdens to the police. High crime negatively impacts the reputation of the University. Parents want neighborhoods to be as safe as possible for their children who may be living on their own for the first time.

A neighbor on the City of Eugene infill standards committee helping set standards for the city writes that "increased numbers of non-owner occupied properties in the neighborhood can have a negative and discouraging impact on owner occupants as maintenance suffers when owner-occupancy declines, neighboring properties are negatively affected by inappropriate social behaviors and the cycle perpetuates itself to the point where no one wants to live there for the long term."

"This is an awesome neighborhood with stately old homes, modest family residences, and student rentals. It is already fairly dense with all the student properties. Don't allow it to be ruined by poorly conceived and regulated infill and redevelopment. We don't want or need another West University Neighborhood!!!"

"I do not at all feel that the city of Eugene is managing the historic neighborhoods bordering the UO in a positive way. The West University neighborhood is now a student ghetto. If SUNA becomes overrun with student housing (usually poorly maintained, lack of respect for neighbors, safety and noise issues), then all of a sudden another close-in, walkable, ecofriendly, interesting neighborhood is gone. We are UO faculty and love this neighborhood, but also want a decent quality of life. If we are forced to move out to McMansion land because SUNA is all students, then we might as well go live/teach in Austin, Madison, or some other college town. It is a huge issue that the city of Eugene and the UO need to partner on. In the future, more people, not fewer, will want close-in homes, and our energy situation will require it. Let's plan for that future now by supporting smart development and management of these close-in neighborhoods. Thanks for listening."

"When my 9 year old described the rules of beer pong to me after watching a neighborhood party, I really became concerned...I generally like the mix of owners, renters, more established folks, and younger families, although things have definitely gotten worse in terms of neighborhood behavior in the last few years."

"Our neighborhood is rapidly becoming a student neighborhood just like West University neighborhood. Families and older people are leaving because the students are so disrespectful and noisy. We've lived in our home for 22 years. We don't want to leave and turn it over to students. We like a diverse neighborhood with people of all ages, but with the noise and mess they make, we're very much wanting to move."

## Neighborhood Livability Working Group

## Appendix B: Neighborhood Characteristics – Population Housing, Land Use and Crime

Total Population	Total Population		
	2000	2010	% Change
Amazon Neighbors	1,920	2,055	7.0%
Fairmount Neighbors	2,899	3,049	5.2%
South University Neighborhood	3,741	3,639	-2.7%
West University Neighbors	5,500	6,748	22.7%

Source: Neighborhood Analysis 2000, Census 2010

2010 Age	Under 18		18-24 Years		25-34 Years		35 and up	
	#	%	#	%	#	%	#	%
Amazon Neighbors	218	10.6%	725	35.3%	272	13.2%	840	40.9%
Fairmount Neighbors	474	15.5%	751	24.6%	390	12.8%	1434	47.0%
South University Neighborhood	248	6.8%	2388	65.6%	329	9.0%	674	18.5%
West University Neighbors	56	0.8%	5675	84.1%	593	8.8%	424	6.3%

Source: Neighborhood Analysis 2000, Census 2010, SF1, Table p12

2011 Residential Land Uses	Duplex	Multi-Family	Group Quarters	Single Family Residential
Amazon Neighbors	84	38	1	790
Fairmount Neighbors	49	327	78	1,007
South University Neighborhood	95	1,025	55	556
West University Neighbors	182	2,977	38	207

Source: City of Eugene GIS 8/29/11  
Land use code designated for each address point

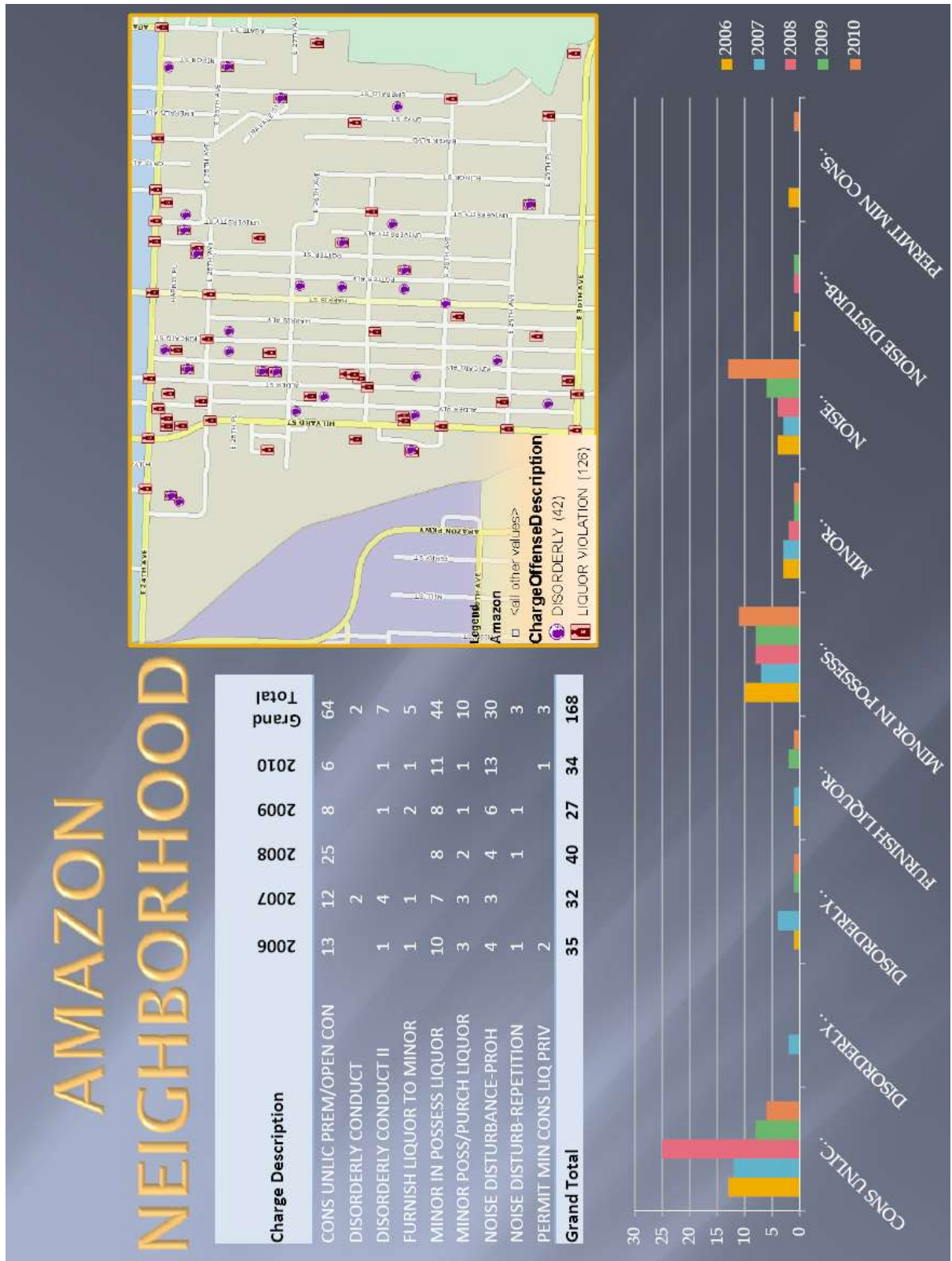
2010 Housing Units	Total	Renter Occupied		Owner Occupied	
		#	%	#	%
Amazon Neighbors	829	442	53	387	47
Fairmount Neighbors	1,268	566	45	702	55
South University Neighborhood	1,569	1,250	80	319	20
West University Neighbors	2,930	2,907	99	23	1

Source: Census 2010, SF1, Table H4

2010 Crime Cases	Total Crime		Personal Crime		Property Crime		Behavior Crime	
	#	%	#	%	#	%	#	%
Amazon Neighbors	43	0.3%	7	0.5%	24	0.3%	12	0.2%
Fairmount Neighbors	253	1.7%	24	1.7%	178	2.6%	51	0.8%
South University Neighborhood	345	2.3%	15	1.1%	159	2.3%	171	2.6%
West University Neighbors	2,289	15.2%	121	8.7%	767	11.1%	1,401	20.9%
Eugene	15,013	100.0%	1,396	100.0%	6,928	100.0%	6,689	100.0%

Source: Eugene Police Department Annual Person/Property/Behavior with Crime Subgroups for Neighborhoods 2010

Appendix C: Noise, Disorderly Conduct and Alcohol-related Violations

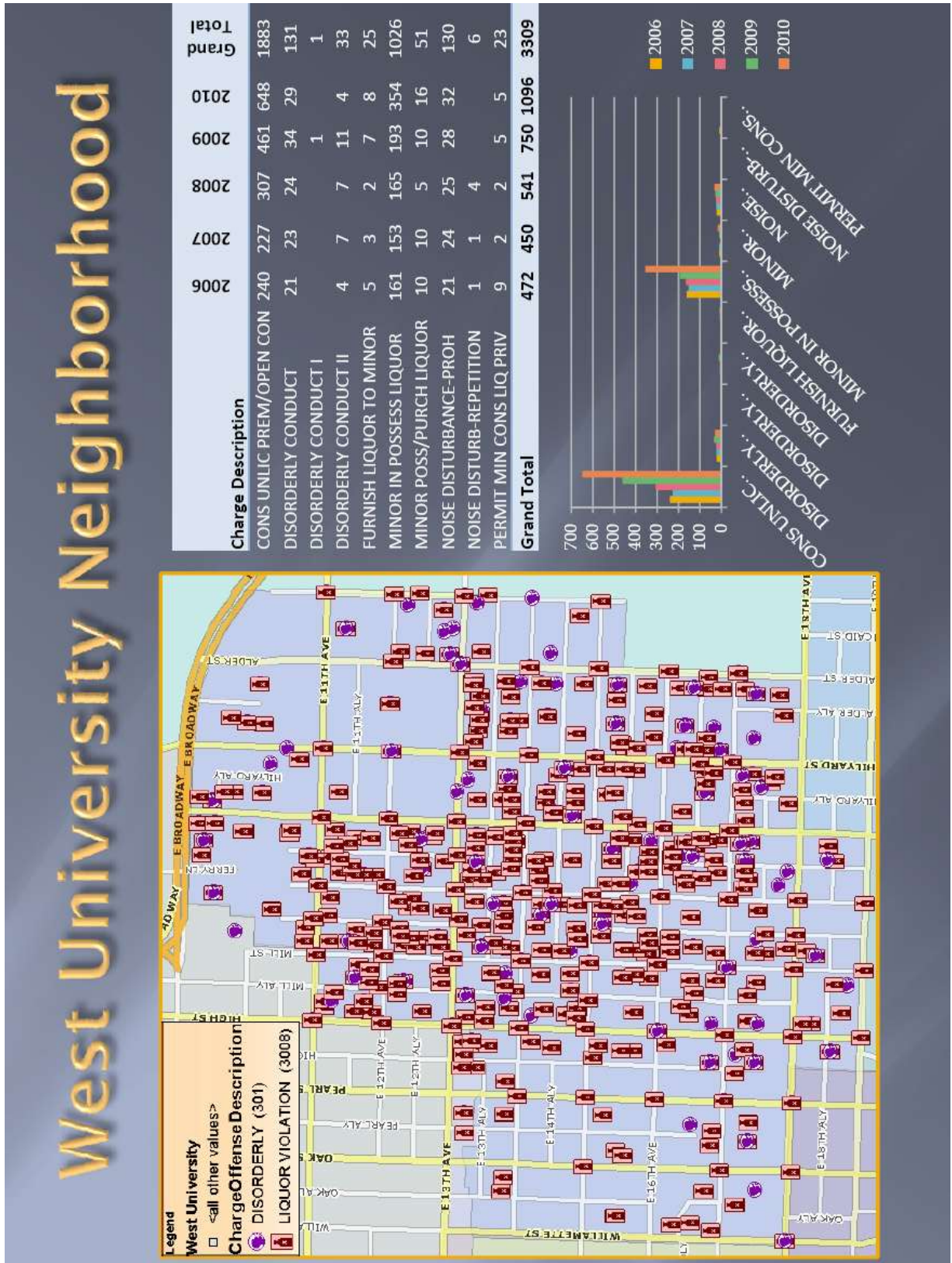


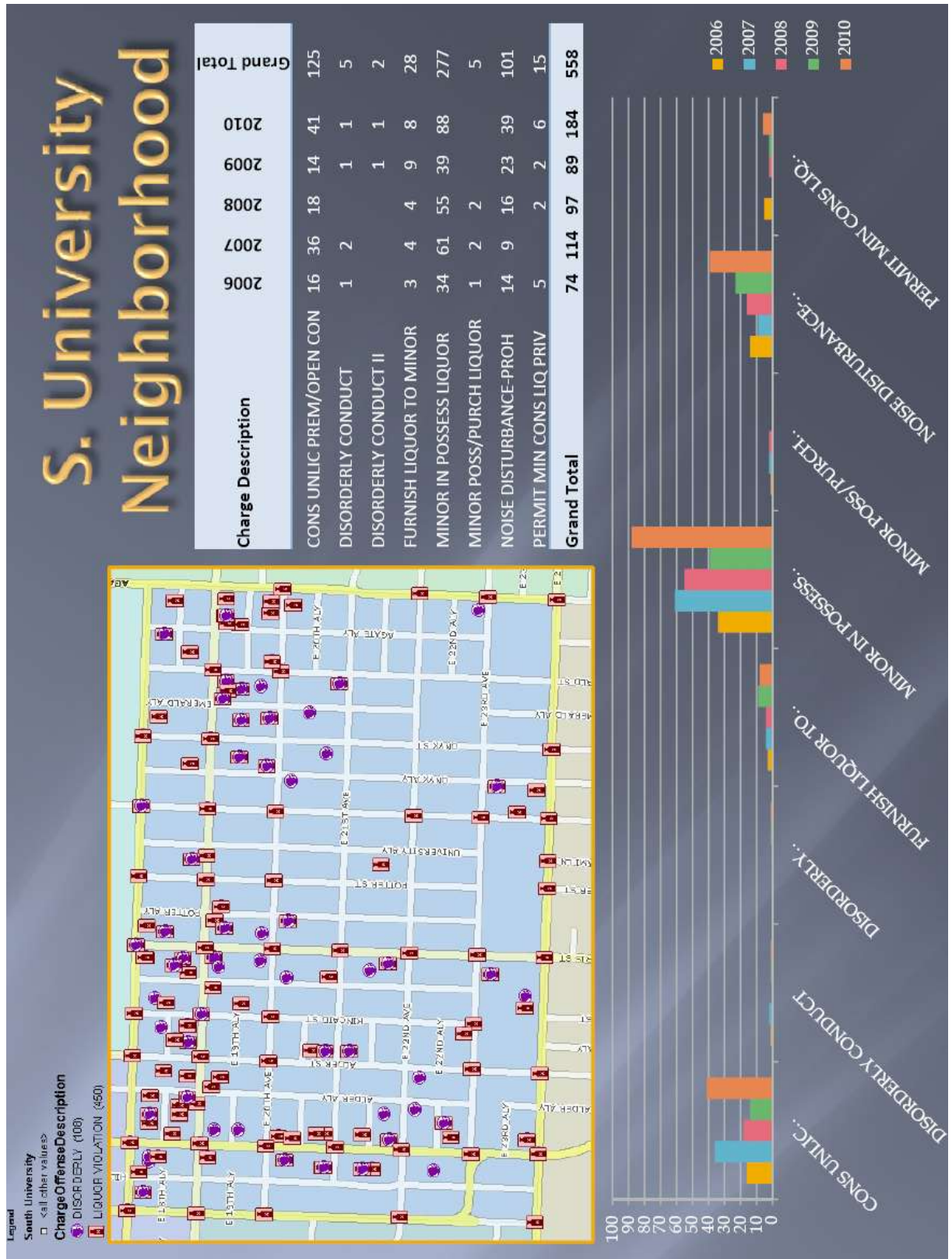
# Fairmount Neighborhood



Charge Description	2006	2007	2008	2009	2010	Grand Total
ALLOW MINOR CONS LIQUOR				1		1
CONS UNLIC PREM/OPEN CON	12	12	9	11	8	52
DISORDERLY CONDUCT	2		4	1	5	12
DISORDERLY CONDUCT II	1			2	2	5
FURNISH LIQUOR TO MINOR	1	2	1	2	2	8
MINOR IN POSSESS LIQUOR	8	18	11	7	11	55
MINOR POSS/PURCH LIQUOR	1	4	3		1	9
NOISE DISTURBANCE -PROH	4	4	5	8	12	33
PERMIT MIN CONS LIQ PRIV	1				2	3
<b>Grand Total</b>	<b>30</b>	<b>40</b>	<b>33</b>	<b>31</b>	<b>44</b>	<b>178</b>









# Neighborhood Comparison

	ALLOW MINOR CONS LIQUOR	CONS UNLIC PREM/OPEN CON	DISORDERLY CONDUCT	DISORDERLY CONDUCT I	DISORDERLY CONDUCT II	FURNISH LIQUOR TO MINOR	MINOR IN POSSESS LIQUOR	MINOR POSS/PURCH LIQUOR	NOISE DISTURBANCE-PROH	NOISE DISTURB-REPETITION	PERMIT MIN CONS LIQ PRIV	Grand Total
<b>2006</b>	281	24	6	10	213	15	43	2	17	611		
Amazon	13	1	1	10	3	4	1	2	35			
Fairmount	12	2	1	8	1	4	1	1	30			
S. University	16	1	3	34	1	14	5	74				
W. University	240	21	4	161	10	21	1	9	472			
<b>2007</b>	287	27	11	239	19	40	1	2	636			
Amazon	12	2	4	7	3	3	3	32				
Fairmount	12	2	2	18	4	4	4	40				
S. University	36	2	4	61	2	9	9	114				
W. University	227	23	7	153	10	24	1	2	450			
<b>2008</b>	359	28	7	239	12	50	5	4	711			
Amazon	25	4	1	8	2	4	1	40				
Fairmount	9	4	1	11	3	5	3	33				
S. University	18	4	4	55	2	16	2	97				
W. University	307	24	7	165	5	25	4	541				
<b>2009</b>	494	36	1	247	11	65	1	7	897			
Amazon	8	2	1	8	1	6	1	27				
Fairmount	11	1	2	7	2	8	1	31				
Suniversity	14	1	1	39	9	23	2	89				
Wuniversity	461	34	11	193	10	28	5	750				
<b>2010</b>	703	35	8	464	18	96	14	1358				
Amazon	6	1	1	11	1	13	1	34				
Fairmount	8	5	2	11	1	12	2	44				
Suniversity	41	1	1	88	8	39	6	184				
Wuniversity	648	29	4	354	16	32	5	1096				
<b>Grand Total</b>	<b>1</b>	<b>2124</b>	<b>150</b>	<b>1</b>	<b>47</b>	<b>66</b>	<b>1402</b>	<b>75</b>	<b>294</b>	<b>9</b>	<b>44</b>	<b>4213</b>

### Appendix D: Anticipated Effectiveness Matrix

**Neighborhood Livability Working Group  
Anticipated Effectiveness Matrix**

Strategy	Anticipated Level of Effectiveness*																	
	Property, Personal & Behavior Crimes & Issues					Land Use Issues					Zoning/Nuisance							
	"Livability" (noise, public urination, drunkenness, vandalism, litter, property crime)			Personal Safety (violence, assault, robbery)		Traffic Safety (speeding, DUI)		Development Impacts (out of character/scale, density of student-oriented housing)			Parking (illegal parking, competition for parking)		Violations (landscape, junk, vehicle storage, garbage, number of occupants)					
Effectiveness Score:	1	2	3	1	2	3	1	2	3	1	2	3	1	2	3			
Social Host Ordinance	16	2	1	6	11	2	2	5	12	1	2	16	1	3	14	5	7	7
Increase fines for alcohol and noise related offenses	14	4	1	4	8	6	5	6	8	1	1	17	3	4	11	7	5	7
Enhanced police resources	16	3	0	17	2	0	12	3	3	1	2	16	4	3	11	7	3	9
Fines for tenants	10	5	4	9	3	7	9	3	7	0	2	17	3	4	11	2	5	12
UO Campus Police	14	5	0	14	5	0	9	5	5	0	2	17	3	3	12	5	2	12
Modify student code of conduct	11	7	1	5	4	9	5	6	8	1	1	17	1	1	16	1	3	15
Regulate party buses	9	7	3	2	7	9	2	4	13	0	3	16	0	4	14	0	3	16
Good neighbor strategy	6	7	6	2	4	12	2	6	11	1	2	14	1	8	9	1	10	8
Crime Prevention Through Environmental Design analysis	7	10	2	5	12	2	1	6	12	2	8	9	4	6	9	5	5	9
Safe Party Initiative	3	10	6	1	8	8	0	9	10	0	2	17	0	4	14	0	5	14
Strengthen rental agreements	9	5	4	4	3	12	0	0	19	3	3	13	2	4	12	4	7	8
Modify/expand the Rental Housing Program	8	5	5	4	0	15	1	2	16	3	5	11	4	6	9	9	5	5
Encourage home ownership and upkeep	8	6	5	8	4	7	1	6	12	10	7	2	5	7	6	9	7	3
Graffiti and litter abatement	7	10	2	1	5	13	0	2	17	0	6	13	0	5	13	10	5	4
Evaluate MJJTE	6	8	5	3	2	14	1	3	15	7	9	2	5	10	4	3	7	9
Open space requirement in multi-family developments	6	7	6	3	7	9	0	5	14	9	7	1	2	7	9	4	6	9
Change calculation of density for multi-family housing	7	6	6	2	4	13	0	4	15	6	8	4	7	9	3	5	9	5
Define different types of multi-family housing	6	7	6	2	2	15	0	1	18	10	6	2	5	10	4	2	8	9
Update lighting and fencing codes	8	5	6	9	8	2	1	3	15	4	9	5	2	4	12	6	6	7
Standards for parking in set-backs and open space	6	5	8	3	3	13	2	3	14	6	8	5	11	7	1	3	9	7
Neighborhood-based planning	11	5	3	4	3	12	1	6	12	10	5	3	8	7	4	7	7	5
Vandal resistant street signage	7	9	3	2	7	11	10	7	2	0	3	16	4	4	11	4	2	13

\*Anticipated Level of Effectiveness = the degree to which a strategy is likely to reduce a negative behavior or impact

For each strategy assign one of the following for each behavior or impact:

- 1 - This strategy will be highly effective, produce measurable results and should be a priority.
- 2 - Strategy will have some positive impacts but it is not a solution by itself.
- 3 - This strategy is unlikely to make any noticeable difference.

### Analysis of Results

Criteria: 2/3 of those participating (min. 13 individuals) gave the strategy a "1" or "2" for at least one negative behaviors/impacts (Grey cells in the matrix).

Italics indicate strategies that also were considered a "1" or "2" for at least one negative behavior/impact in both Property, Personal & Behavior Crimes and Land Use Issues categories.

\*\*Strategies that received the lowest level of support (13 votes) for only one behavior/impact.

### Property, Personal & Behavior Crimes & Issues

Strategy	# behaviors/impacts met per criteria
Enhanced police resources	3
UO Campus Police	3
Social Host Ordinance	2
Crime Prevention Through Environmental Design analysis	2
Vandal resistant street signage	2
<i>Update lighting and fencing codes</i>	2
Fines for tenants	1
Increase fines for alcohol and noise related offenses	1
Modify Student Code of Conduct	1
Regulate party buses	1
**Good Neighbor strategy	1
**Safe Party Initiative	1
Strengthen rental agreements	1
<i>Modify/expand the Rental Housing Program</i>	1
<i>Encourage home ownership and upkeep</i>	1
<i>Graffiti and litter abatement</i>	1
<i>Evaluate MUPTC</i>	1
<i>Open space requirement in multi-family developments</i>	1
<i>Change calculation of density for multi-family housing</i>	1
<i>Define different types of multi-family housing</i>	1
<i>Neighborhood-based planning</i>	1

**Land Use Issues**

<b>Strategy</b>	<b># behaviors/impacts met per criteria</b>
Change calculation of density for multi-family housing	3
Neighborhood-based planning	3
Encourage home ownership and upkeep	2
Standards for parking in set-backs and open space	2
Evaluate MUPTE	2
Define different types of multi-family housing	2
Rental dwelling license program	1
Graffiti and litter abatement	1
Open space requirement in multi-family developments	1
Update lighting and fencing codes	1

**Members completing the exercise (19):****COE:**

K. Osborn  
K. Dixon  
M. Kinnison  
R. Stronach

**UO:**

G. Rikhoff  
K. Hyatt  
E. Rinne  
P. Shang  
S. Eyster

**Property Owner/Mgr:**

S. Pritchard  
J. Straub  
J. Anderson  
G. Anslow  
M. Cauthorn

**Students:**

S. McGraw  
K. Lange

**Neighbors:**

M. Wilson  
C. Jacobs  
D. Sonnichsen



UNIVERSITY OF OREGON

Cover Memo for University of Oregon Student Code of Conduct

Date: June 17, 2015

To: Mayor & City Council

From: Karen Hyatt, Director of Local Community and Neighborhood Relations, University of Oregon

Subject: University of Oregon (UO) Student Code of Conduct

In September 2014, the UO Board of Trustees approved changes to the UO Student Code of Conduct addressing student conduct off-campus (page 6, section IV, (2) (b) (A)). These changes had been considered by the Student Conduct and Community Standards Committee (which includes student representatives), the University Senate, and the President. The changes include the ability of the Office of Student Conduct and Community Standards (SCCS) to respond to off-campus student behaviors that are a violation of the student conduct code and adversely and significantly affect the living or learning environment. The changes are designed to align with practices that focus on the educational purpose of the Student Conduct Code.

The revised Student Code of Conduct allows the code to be applied off campus to any behavior that it could be applied on campus. In terms of behaviors that affect neighborhood livability, students may be sanctioned for illegal activity for which they are warned or cited by a law enforcement agency (including the Oregon Liquor Control Commission), including disorderly conduct, prohibited noise, and unruly gathering.

The University is working closely with our partners at the City and in the surrounding neighborhoods to help ensure students and neighbor understand how the code applies of campus and the process for reporting a complaint. Community members should call the Eugene Police Department if an illegal behavior is occurring involving students and then report the incident to the University via the complaint line at [goodneighbor@uoregon.edu](mailto:goodneighbor@uoregon.edu).

If you have any questions, please feel free to call me at 541-346-5351 or email me at [khyatt@uoregon.edu](mailto:khyatt@uoregon.edu).

**GOVERNMENT AND COMMUNITY RELATIONS**

1292 University of Oregon, Eugene OR 97403-1292 T (541) 346-5020 F (541) 346-6251 <http://www.uoregon.edu>

*An equal-opportunity, affirmative-action institution committed to cultural diversity and compliance with the Americans with Disabilities Act*

## UNIVERSITY OF OREGON STUDENT CONDUCT CODE

All revisions to Student Conduct Code procedures, including but not limited to jurisdictional revisions, shall apply retroactively to pending Student Conduct complaints, filed on or after September 11, 2014

### Section 1: Student Conduct Policies

#### I. Mission

1. The primary mission of the Student Conduct Code is to set forth the community standards and procedures necessary to maintain and protect an environment conducive to learning and in keeping with the educational objectives of the University of Oregon. Founded upon the principle of freedom of thought and expression, an environment conducive to learning is one that preserves the freedom to learn -- where academic standards are strictly upheld and where the rights, safety, dignity and worth of every individual are respected.
2. Learning is a process defined by the exchange of ideas and the advancement of knowledge. As such, learning entails a community of scholars united by their participation in, and commitment to, intellectual exchange. The University is, first and foremost such a community. Learning also involves reflecting on decisions and improving decision-making in the future. By establishing the standards of this community, the Student Conduct Code serves not just as a disciplinary system, but also as a part of the educational system. Hence, a corollary mission of the Student Conduct Code is to teach students to live and act responsibly in a community setting, with respect for the rights of other students and members of that community, and for the property, common resources, code of conduct, and laws associated with that community, and to encourage the development of good decision-making and personal integrity.
3. Students are simultaneously members of the University community and the broader community (e.g. city, state, nation, and world). The Student Conduct Code, and the processes of its administration and enforcement, is directed specifically toward maintaining the standards of the University community. Within its jurisdiction the University may impose disciplinary sanctions against students or student organizations when their conduct materially interferes with the educational objectives of the University or university community member.

#### II. Definitions

For purposes of the Student Conduct Code,

(1) "Academic Misconduct" means the violation of university policies involving academic integrity.

Examples include, but are not limited to:

(a) Intentional tampering with grades, resubmitting assignments for more than one class without the permission of the professor; and

(b) Intentionally taking part in obtaining or distributing any part of a test that has not been administered;

(c) Cheating, as defined in this code

(d) Plagiarism, as defined in this code

(e) Knowingly furnishing false information to a University Official; and

(f) Fabrication, as defined in this code

- (2) “Accused Student” means any student accused of violating the Student Conduct Code.
- (3) “Cheating” means any act of deception by which a student misrepresents or misleadingly demonstrates that the student has mastered information on an academic exercise that the student has not mastered. Examples include but are not limited to:
- (a) Giving or receiving unauthorized help in an academic exercise;
  - (b) Use of sources or resources beyond those authorized by the instructor in writing papers, preparing reports, solving problems, or carrying out other assignments;
  - (c) Acquisition, without permission, of tests or other academic material belonging to a member of the University faculty or staff; and
  - (d) Engaging in any behavior specifically prohibited by a faculty member in the course syllabus or class discussion.
- (4) “Community Standards Administrator” means the University official, as designated on a case-by-case basis by the Director of Student Conduct and Community Standards, authorized to impose sanctions upon any student found to have violated the Student Conduct Code.
- (5) “Community Standards/ Student Conduct Committee” means the Committee established pursuant to this Code, comprised of persons appointed by the President with the responsibility for formulating, approving or recommending changes related to the Student Conduct Program.
- (6) “Complainant” means any person who submits a complaint alleging that a student violated the Student Conduct Code. The Complainant need not be a person who was the target or victim of the alleged violation.
- (7) “Contacting” has its common meaning. It includes, but is not limited to, communicating with or remaining in the physical presence of the other person.
- (8) “Contact of a Sexual Nature” for purposes of Sexual Misconduct in the Student Conduct Code means the touching of the genitalia, anus, buttocks or breasts of a person or causing such person to touch the genitalia, anus, buttocks or breasts of another.
- (9) “Contempt” means disregard of, or disobedience to, the rules or orders of any process under this Code or an interruption of its proceedings by disorderly behavior or insolent language in a way or place that disturbs the proceedings or ignores the authority of the tribunal.
- (10) “Director of Student Conduct and Community Standards” is the person designated by the University Senate, Board of Trustees and University President or designee to be responsible for the administration of the Student Code.
- (11) “Drug” means a controlled substance or its immediate precursor classified in Schedules I through V under the federal Controlled Substances Act, 21 U.S.C.811 to 812 or as defined in ORS475.005 or modified in ORS475.035.
- (12) “Explicit Consent” for purposes of Sexual Misconduct in the Student Conduct Code means voluntary, non-coerced and clear communication indicating a willingness to engage in a particular act. “Explicit consent” includes an affirmative verbal response or voluntary acts unmistakable in their meaning.
- (13) “Fabrication” means the intentional use of information that the author has invented when the student states or implies otherwise, or the falsification of research or other findings with the intent to deceive.
- (14) “Faculty Member” means a person hired by the University to conduct classroom, research or teaching activities or who is otherwise considered by the University to be a member of its faculty, including officers of instruction, officers of research and officers of administration.
- (15) “Gambling” means an activity in which a person stakes or risks something of value upon the outcome of a contest of chance or a future contingent event not under the control or influence of the person, upon an agreement or understanding that the person or someone else will receive something of

value in the event of a certain outcome. "Gambling" does not include those activities expressly excluded by ORS167.117.

(16) "Harassment" means

- (a) Intentionally subjecting a person to offensive physical contact;
- (b) Unreasonable insults, gestures, or abusive words, in the immediate presence, and directed to, another person that may reasonably cause emotional distress or provoke a violent response (including but not limited to electronic mail, conventional mail, social media and telephone) except to the extent such insults, gestures or abusive words are protected expression; or
- (c) Other types of prohibited discrimination, discriminatory harassment, and sexual harassment as defined by law.

(17) "Hazing" means any initiation rites, on or off campus, involving any intentional action or situation that a reasonable person would foresee as causing mental or physical discomfort, embarrassment, or ridicule. Individual acceptance of or acquiescence to any activity that occurs during an initiation rite does not affect a determination of whether the activity constitutes hazing. Activities and situations that may occur as part of hazing include, but are not limited to:

- (a) Sleep deprivation or causing excessive fatigue;
- (b) Physical or psychological shock;
- (c) Public stunts or jokes;
- (d) Compelled ingestion of any substance;
- (e) Degrading or humiliating games or activities;
- (f) Activities that have an adverse effect on academic progress;
- (g) Forced servitude;
- (h) Activities which are not consistent with the parent organization's rules and regulations; or
- (i) Other activities which violate Federal, State, or local laws.

(18) "Institution" means the University of Oregon and all of its undergraduate, graduate and professional schools, divisions, activities and programs and may be used interchangeably with "University."

(19) "May" is used in the permissive sense.

(20) "Mental Disorder" for purposes of Sexual Misconduct in the Student Conduct Code means that a person suffers from a mental disease or disorder that renders that person incapable of appraising the nature of the conduct of another person.

(21) "Mental Incapacitation" for purposes of Sexual Misconduct in the Student Conduct Code means that a person is rendered incapable of appraising or controlling one's own conduct at the time of the alleged offense because of the influence of a controlled or intoxicating substance or because of any act committed upon the person without consent.

(22) "Member of the University Community" includes any person who is a student, faculty member, University official or any person employed by the University.

(23) "Penetration" for purposes of Sexual Misconduct in the Student Conduct Code means any degree of insertion, however slight, of the penis or any object into the vagina or anus, or the penis into the mouth.

(24) "Physical Helplessness" for purposes of Sexual Misconduct in the Student Conduct Code means that a person is unconscious or for any other reason is physically unable to communicate unwillingness to engage in an act.

(25) "Plagiarism" means using the ideas or writings of another as one's own. It includes, but is not limited to:

- (a) The use, by paraphrase or direct quotation, of the published or unpublished work of another person without full and clear acknowledgement; and
- (b) The unacknowledged use of materials prepared by another person or agency engaged in the



selling of term papers or other academic materials.

(26) "Policy" means the written regulations of the University. Examples of where written policies may be found include, but are not limited to:

- (a) The Student Conduct Code;
- (b) Residence Life Contract;
- (c) Information posted by the University on its web pages;
- (d) Computer Acceptable Use Policy;
- (e) Living Group Alcohol policy;
- (f) Greek Social Policy;
- (g) Graduate/Undergraduate Catalog;
- (h) Student Handbook; and
- (i) University and Oregon University System Oregon Administrative Rules.

(27) "President" means the University President.

(28) "Shall" and "will" are used in the imperative sense.

(29) "Sexual Misconduct" means:

(a) Unwanted Penetration is Penetration of another person, or causing the Penetration of another person, when one:

(A) Does not first obtain Explicit Consent from that person; or

(B) Knows or should have known the person was incapable of explicit consent by reason of Mental Disorder, Mental Incapacitation, or Physical Helplessness.

(b) Nonconsensual personal contact occurs when a student subjects another person to contact of a sexual nature when a reasonable person would know that such contact would cause emotional distress:

(A) Without having first obtained Explicit Consent; or

(B) When he or she knows or should have known the person was incapable of explicit consent by reason of Mental Disorder, Mental Incapacitation, or Physical Helplessness.

(c) Sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature that interferes with work or academic performance because it has created an intimidating, hostile, or degrading environment and would have such an effect on a reasonable person of the alleged complainant's status when the conduct is unwelcome and sufficiently severe or pervasive that it deprives that person of benefits of the University's educational environment.

(d) A single episode of behavior that meets (a), (b), or (c) can be sufficient for a finding of sexual misconduct

(30) "Student" means any person who has student status pursuant to Section IV (Jurisdiction) of this code.

(31) "Student Organization" means any group of University of Oregon students meeting criteria for group recognition established by the University.

(32) "University" means the University of Oregon and all of its undergraduate, graduate and professional schools, divisions, activities and programs and may be used interchangeably with "institution."

(33) "University Appeals Board" means the person or persons authorized by this Code to consider an appeal from the outcome of an administrative conference

(34) "University Official" means a person having assigned University responsibilities who is performing their University assignment.

(35) "University Premises" includes all land, buildings or grounds owned, leased, operated, controlled or supervised by the University including adjacent sidewalks and streets.

(36) “University Sponsored Activity” means any activity, including activities sponsored or organized by recognized student organizations, on or off University premises that is directly initiated or supervised by the University.

(37) “Unwanted Contact” means repeated or persistent contact or attempts to contact another person when the contacting person knows or should know that the contact is unwanted by the other person; and

- (a) The contact would cause a reasonable person fear of physical harm; or
- (b) The contacting person knows or should know that the contact substantially impairs the other person’s ability to perform the activities of daily life.

### **III. Delegations and Authority**

**The Board of Trustees of the University of Oregon delegates authority for administering this Code and the Student Conduct program as provided below:**

(1) The Director of Student Conduct and Community Standards shall develop policies for the administration of the student conduct system and procedural that are consistent with provisions of the Student Conduct Code.

(a.) Consistent with this code the Vice President for Student Life’s designee may serve ad hoc in place of the Director of Student Conduct and Community Standards.

(2) The Student Conduct Committee shall be responsible for recommending to the Board of Trustees of the University of Oregon policy or administrative changes in any aspect of the Student Conduct Program.

(a) The Committee shall be appointed by the President and shall consist of four faculty members to be recommended by the Committee on Committees and four student members to be recommended by the ASUO. Faculty and student members shall serve staggered, two-year terms and may be reappointed, up to three consecutive terms, or a maximum of six consecutive years. The President may appoint temporary members to assure full Committee membership during summer session or at such other times as are necessary.

(b) The Director of Residence Life or designee, the Director of Student Conduct and Community Standards and the Director of the Office of Student Advocacy shall be non-voting, ex-officio members of the-Student Conduct Committee.

(3) Sub-delegation of Authority to alternative processes and hearing officers.

(a) With the consent of the President of the University, the Community Standards Committee may sub-delegate jurisdiction to handle violations of the Student Conduct Code to University officials, committees or alternative processes. In all instances such sub-delegation shall be defined by the Committee in terms of specific jurisdiction, enforceable regulations, and maximum disciplinary sanctions that may be imposed.

(b) Subject to approval by the President, the Community Standards Committee sub-delegates to the Interfraternity Council, Panhellenic Council, Club Sports Executive Committee, and Residence Hall Association the authority to formulate:

- (A) Regulations governing the conduct of their respective organization members;
- (B) Hearing procedures and administrative practices to be followed by their respective process;
- (C) Disciplinary sanctions exclusive of expulsion, suspension, eviction or negative notation on transcript appropriate to the enforcement of their respective regulations; and
- (D) Procedures for publication and notification to affected students of such regulations, hearing procedures and disciplinary sanctions.

(c) All such regulations, hearing procedures, and disciplinary sanctions shall be reduced to writing and

approved by the Student Conduct Committee prior to implementation.

(d) The authority granted to alternative processes and their respective governing bodies is conditional and may be withdrawn at any time by the Community Standards Committee when a is either unable or unwilling to assume its responsibilities as part of the University's Student Conduct Program.

#### **IV. Jurisdiction**

**Jurisdiction describes where and when the Student Conduct Code applies.**

(1) Jurisdiction over types of actions and events. The Student Conduct Code applies to actions by Students that materially interfere with:

- (a) An educational opportunity of a University community member;
- (b) The health and safety of any person;
- (c) The maintenance or protection of University property or personal property located on campus;
- (d) University record keeping;
- (e) University living accommodations and other services; or
- (f) University sponsorship or supervision of non-classroom activities such as lectures, concerts, athletic events and social functions.

(2) Jurisdictional boundaries.

(a) On-Campus. The Student Conduct Code routinely applies to actions which occur on University Premises or at a University Sponsored Activity.

(b) Off-Campus. The University extends jurisdiction without exception to off-campus sexual misconduct that consists of unwanted penetration or non-consensual personal contact as defined in Section 1, II (29) of this code. The University shall have discretion to extend jurisdiction over conduct that occurs other than on University Premises or at a University Sponsored Activity. In determining whether or not to extend jurisdiction, the University will consider its ability to gather information, including testimony of witnesses. The University may extend jurisdiction if the alleged conduct would have violated the Student Code of Conduct if the conduct had occurred on campus; and:

- (A) Adversely and significantly affects the learning or living environment; or
- (B) Involved violence or produced a reasonable fear of physical harm; or
- (C) Involved academic work or any records, documents, or identifications of the University.

(3) Student Status. An individual's status as a "student" is established by:

- (a) An application for admission, housing, financial aid, or any other service provided by the University which requires student status;
- (b) Registration for one or more credit hours; or
- (c) Enrollment in a special non-credit program approved by the University.

(4) Jurisdiction over non-enrolled students. Jurisdiction is maintained between periods of enrollment unless the accused individual's official record in the Office of the Registrar shows a complete withdrawal prior to the expiration of the published deadline for registration for the succeeding period of enrollment. For students enrolled in the spring term, jurisdiction is maintained until the expiration on the published deadline for registration for the succeeding fall term.

(a) If a student withdraws from the University after a Student Conduct complaint has been initiated, the University will maintain jurisdiction over the conduct matter until it is fully processed.

(b) Allegations of sexual misconduct, academic dishonesty or fraudulently obtaining a degree may be filed at any time, whether or not the student is currently enrolled or registered.

(5) The University has jurisdiction to address all conduct that would have violated the terms of the Student Conduct Code while the student was enrolled, if the conduct occurred from the date the Student is admitted to the University until the Student graduates or otherwise completely withdraws from the University, as described above, even if the conduct is not discovered until after the student completely withdraws or graduates.

(6) Allegations of sexual misconduct, academic dishonesty or fraudulently obtaining a degree may be considered at any time regardless when the alleged misconduct occurred.

(7) Students may be accountable both to civil and criminal authorities and to the University for behavior that constitute violations of the law and the Student Conduct Code. Since the action of civil and criminal authorities is independent from University action, the University may decide whether to initiate or consider an alleged violation of the Student Conduct Code while criminal charges are pending or before they are filed or after they are resolved.

## V. Student Conduct Code Violations

**The following conduct violates the community standards that are essential to the core educational mission of the University of Oregon and subjects a Student or Student Organization to sanctions under the Student Conduct Code: (see Section 1, I for definitions)**

(1) Standards Relative to Academic and Personal Integrity. Integrity is a bedrock value of the University community and includes respect for open and honest intellectual exchange as well as respect for University records and for the Student Conduct Code itself. The following conduct violates standards of academic integrity:

- (a) Cheating
- (b) Fabrication
- (c) Plagiarism;
- (d) Academic misconduct
- (e) Intentionally furnishing false information to a University Official;
- (f) Forgery, alteration or unauthorized use of University documents, records, keys student identification, keycards or services;
- (g) Creation or distribution of false identification;
- (h) Failure to comply with the terms of any sanction imposed in accordance with the Student Conduct Code; or
- (i) Contempt of adjudicative proceedings including impairing or interrupting the due course of proceedings in the presence of any- process created under this Code. Adjudication of contempt and imposition of sanctions may be imposed summarily consistent with procedures outlined in this code

**(2) Standards Relative to Respect for Property and for Shared University Resources. The following conduct violates standards of respect for property and shared University resources:**

(a) Engaging in behavior that could reasonably be foreseen to cause disruption of, obstruction of, or interference with the process of instruction, research, administration, student discipline, or any other service or activity provided or sponsored by the University;

(b) Damage, destruction, theft, or unauthorized use of property located on the University campus or property owned or controlled by the University;

(c) Unauthorized entry into or use of University property or University-recognized living units, facilities, residence halls, equipment, or resources;

(d) Disorderly conduct (including that resulting from the use of alcohol), unreasonable noise, or conduct that results in unreasonable annoyance;

(e) Failure to comply with the reasonable directions of public officials acting in performance of their duties on University Premises or at a University Sponsored Activity when such conduct poses a danger to personal safety or property or obstructs or impairs educational or other Institutional activities;

(f) Violation of University Policy on the acceptable use of computing and network resources. Unacceptable uses of computing resources include, but are not limited to:

(A) Use of electronic forums to violate other sections of the Student Conduct Code;

(B) Sharing of accounts or computer lab passes;

(C) Violation of electronic privacy;

(D) Interference with computer use or operations;

(E) Commercial or illegal use of electronic or computer resources;

(F) Violation of copyright law; or

(G) Threats, abuse or Harassment, as defined in this code made or transmitted via electronic forums, social media platforms or electronic mail.

**(3) Standards Relative to the Rights of Individuals and to the Welfare of the University Community. An environment conducive to learning is one where the rights, safety, dignity and worth of every individual are respected. The following conduct endangers such an environment, and threatens the welfare of the University community as a whole:**

(a) Physical contact that endangers, threatens, or harms the health or safety of any person or behavior that causes a reasonable person to fear such contact;

(b) Hazing, as defined in this code

(c) Possession, use, or threatened use of a weapon, ammunition, or any object or substance used as a weapon on University Premises or at a University Sponsored Activity unless expressly authorized by law or University Policy. A concealed weapons permit does not constitute authorization;

(d) Unauthorized possession, use, or threatened use of dangerous chemical or biological substances or explosives;

(e) Tampering with fire-fighting equipment, turning in a false alarm, or engaging in conduct that constitutes a significant fire hazard;

(f) Harassment, as defined in this code because of another person's race, ethnicity, color, gender, gender identification, national origin, age, religion, marital status, disability, veteran status, sexual orientation, or for other reasons, including but not limited to harassment prohibited by University Policy.

(g) Unwanted Contact, as defined in this code

(h) Sexual Misconduct as defined in this code;

(A) Sexual gratification or pleasure of any party involved is not relevant to a determination of whether Sexual Misconduct occurred.

(B) A violation of provisions of the alcohol or drug policy in the Student Conduct Code does not

affect a person's ability to file a complaint regarding another person's Sexual Misconduct on the same occasion.

(C) Consent to one form of sexual activity does not automatically operate as explicit consent to any other form sexual activity. A "no" always means that explicit consent is not present, whereas a "yes" to one act at one time does not mean "yes" to other acts or to the same act at other times. Voluntarily making oneself incapacitated does not mean one is giving explicit consent to any form of sexual activity.

(j) Prohibited alcohol use, which includes:

(A) Possession or consumption of alcohol by those under 21 years of age on University Premises or at a University Sponsored Activity;

(B) Furnishing of alcohol to a person under 21 years of age; or

(C) Consumption of an alcoholic beverage by a person at least 21 years of age or furnishing of an alcoholic beverage by or to a person at least 21 years of age, except in such areas and at such times as the University authorizes.

(k) Prohibited drug use, which includes:

(A) Manufacture, processing, distribution, or cultivation of a Drug, including but not limited to marijuana or narcotics, on University Premises or at a University Sponsored Activity, except as expressly permitted by both State and Federal law;

(B) Sale of a Drug, including but not limited to marijuana or narcotics, on University Premises or at a University Sponsored Activity; or

(C) Possession of a Drug, including but not limited to marijuana or narcotics, on University Premises or at a University Sponsored Activity except as expressly permitted by law.

(l) Lewd or indecent conduct on University Premises or at a University Sponsored Activity. Lewd or indecent conduct includes, but is not limited to, any unauthorized use of electronic or other devices to make an audio or video record that would be an invasion of privacy pursuant to ORS163.700. This includes, but is not limited to, surreptitiously taking pictures of another person in a gym, locker room, or restroom.

(m) Gambling, as defined and prohibited in ORS167.108 to 167.164 except as authorized by ORS464.270 to 464.530.

## VI. Sanctions

**The University utilizes an educational sanctioning model; administrators will make every attempt to provide an educational sanction that will help a student to make better choices in the future. The educational sanction applied will become progressively more demanding if the student repeats violations, demonstrating that learning has not taken place. An accumulation of a variety of violations including sexual assault may result in severe sanctions such as suspension, expulsion or negative notation on a transcript. Academic dishonesty and violations affecting the health, safety and well being of anyone are deemed the most severe and may result, upon the first violation, in a negative notation being placed on a transcript, suspension, or expulsion.**

(1) Forms of Sanctions

(a) Expulsion. Student status is severed permanently. A Student who has been expelled from the University shall not be permitted to participate in any University Sponsored Activity or allowed to reside on University Premises.

(b) Suspension.

(A) Individual Suspension. Student status is severed for a specified period. A student who has been

suspended from the University shall not be permitted to participate in any University Sponsored Activity or allowed to reside on University Premises during the period the student is suspended.

(B) Group Suspension. A Student Organization loses University recognition and all privileges associated with such recognition for a specified period. Imposition of this sanction against the ASUO or a recognized Student Organization requires approval by the Vice President for Student Life's designee

(c) Negative Notation on Transcript. Entry of the fact of violation on the Student's permanent academic record as the sole or an additional sanction may be imposed at the discretion of the administrator. After the expiration of the period of time, if any, set by the hearing officer, the notation shall be removed upon the request of the Student or former Student.

(d) Revocation of Degree. An academic degree previously awarded by the University may be revoked if it was obtained by fraud or a significant part of the work submitted in fulfillment of, and indispensable to, the requirements for such degree constitutes Plagiarism. The Academic Requirements Committee may, upon appeal of a University graduate subjected to degree revocation, stipulate the requirements for obtaining a degree.

(e) Grade Penalty. A Student admitting Academic Misconduct or found responsible for Academic Misconduct is subject to a grade penalty as determined by the instructor in the course in which the violation occurred.

(f) Disciplinary Probation. In lieu of another sanction, a period of probation may be imposed during which any violations of the Student Conduct Code will result in more serious sanctions than might be otherwise imposed. A Student or Student Organization on probation may or may not lose designated privileges during the period of probation. During the time on probation, a Student or Student Organization may, by demonstrating good conduct, avoid additional sanctions. Imposition of this sanction against the ASUO or an ASUO-recognized group requires approval by the Vice President for Student Life's designee

(g) Restitution. The Student or Student Organization is required to replace or restore damaged, stolen, or misappropriated property.

(h) Educational Activity. The Student or Student Organization is required to complete a project or activity designed to help the Student or Student Organization understand why the behavior was inappropriate and encourage future compliance with the Student Conduct Code. The educational activity is designed to correspond to the severity and nature of the violation and to clarify the impact of that behavior on Members of the University Community. Educational activities may include, but are not limited to, assessments of substance abuse and other behaviors, community service, workshops, papers and similar assignments. Community service, papers, and similar assignments will not be used for cases of unwanted penetration or nonconsensual physical contact.

(i) Loss of Privileges. The Student or Student Organization is denied specified privileges normally associated with Student Status or recognized Student Organization status, such as participation in or sponsorship of University activities, use of University facilities or services, or living in University-owned or supervised housing. Imposition of this sanction against the ASUO an ASUO-recognized group requires approval by the Vice President of Student Life's designee.

(j) Conduct Reprimand. The Student or Student Organization is given written notice that the conduct engaged in is inconsistent with University standards and expectations and informed that future violations of the Student Conduct Code may result in the imposition of more serious sanctions.

(k) Suspended Sanction. The execution of any sanction authorized under the Student Conduct Code may be suspended. When suspending a sanction, a time limit for the suspension period shall be designated, and subsequent violations of the Student Conduct Code that will terminate the suspension and result in the imposition of the original sanction shall be specified. In the absence of any such

violation, the original sanction shall be deemed completed at the end of the suspension period.

(2) Medical Leave. Actions taken pursuant to University policies on medical leave shall not be deemed disciplinary sanctions within the meaning of the Student Conduct Code.

(3) Failure to complete a sanction will be handled pursuant to Processes found in this code.

## **Section 2: Student Rights**

**Procedural fairness is basic to the proper enforcement of all University regulations. Accordingly, no disciplinary action shall be initiated or sanction imposed against a Student or Student Organization until they have been notified in writing of the complaints against them and their rights under this Code, and given the opportunity to be heard. Complainants shall also be accorded certain accommodations, as provided below.**

(1) Regulations and disciplinary sanctions affecting the conduct of all Students shall be based on general principles of equal treatment.

(2) The Director of Student Conduct and Community Standards shall insure that the best interests of Students and Student Organizations are served, regardless of whether disciplinary action is taken, by making full use of appropriate medical, counseling and other professional services at the University, or if necessary by making referrals to community resources. For purposes of this Division, the Director may authorize another staff member to carry out any of the Director's responsibilities unless expressly prohibited from doing so.

(3) Students shall have an opportunity to participate in the formulation of all regulations and policies pertaining to the Student Conduct Code at the University of Oregon.

(4) All University regulations and policies pertaining to student discipline shall be published, distributed, or posted in such a manner as to furnish adequate notice of their contents to Students or Student Organizations.

(5) Students accused of violations of the Student Conduct Code can expect the following procedural protections:

- (a) To be informed of the complaint and alleged misconduct upon which the complaint is based;
- (b) To appear before the Director of Community Standards or their designee in an administrative conference, as outlined at in this code.
- (c) To be allowed reasonable time to prepare for the conference.
- (d) To be informed of the information upon which a complaint is based and accorded an opportunity to offer a relevant response;
- (e) To propose relevant witnesses and submit suggested questions to the Director
- (f) To be assured of confidentiality, in accordance with the terms of the federal Family Educational Rights and Privacy Act and Oregon law.
- (g) To request that any person conducting a disciplinary conference be disqualified on the ground of personal bias.
- (h) To be considered not responsible for the alleged conduct until proven responsible by a preponderance of the information.
- (i) To have an adviser of their choice present at the conference provided that the advisor's schedule does not unreasonably delay the conference. The director shall determine what constitutes an "unreasonable" delay.



(6) A student accusing another student of a violation of the Student Conduct Code can expect the following procedural accommodations:

- (a) To be allowed reasonable time to prepare for any participation in the conference;
- (b) To be accorded the opportunity to offer a relevant response to any assertions made;
- (c) To propose relevant witnesses and submit suggested questions to the Director;
- (d) To be assured of confidentiality, in accordance with the terms of the federal Family Educational Rights and Privacy Act and Oregon law;
- (e) To request that any person conducting a disciplinary conference be disqualified on the ground of personal bias;
- (f) To be protected against retaliation for filing a complaint;
- (g) To have an advisor of their choice present at the conference provided that the advisor's schedule does not unreasonably delay the proceeding. The Director shall determine what constitutes an "unreasonable" delay;
- (h) Upon request in the case of sexual misconduct, to be present in a separate room instead of the same room as the accused student.

### **Section 3: Administration of the Student Conduct Process**

#### **I. Administrative Policies**

**This section of the code designates who is in control of the Conduct Process, and how the code and cases are administered.**

(1) Disciplinary Records and Files. Case referrals will result in the development of a disciplinary file in the name of the accused student. If the Student is found not responsible for the complaints, the disciplinary file will become void.

(a) Voided files will be so marked and shall not result in a disciplinary record. Voided files will normally be destroyed after one year. Where a Student files a conduct complaint against another Student, a file shall be created for both Students.

(b) Disciplinary records may be voided by the Director of Conduct and Community Standards for good cause, upon written petition from the student. Factors to be considered in review of such petitions shall include:

- (A) The conduct of the Student subsequent to the violation; and
- (B) The nature of the violation and the severity of any damage, injury, or harm resulting from it.

(2) Student Conduct Reports.

(a) The Community Standards Committee shall require from University officials, hearings boards, referees, committees and tribunals periodic written reports of the disposition of all student conduct cases dealt with under their jurisdiction. The Committee shall examine such reports for consistency with

existing policies and, when necessary, review the reports with the appropriate officials or tribunals.

(b) At the end of each academic year, the Committee shall submit to the Board of Trustees President, University Senate, Deans, Department Heads, the ASUO President, and the Office of Student Advocacy, a written report covering the entire Student Conduct Program, including an evaluation of the existing rules, policies, and enforcement procedures. This report shall also detail all Code revisions approved during the previous year and shall be available to any person upon request.

(3) Director of Student Conduct and Community Standards.

(a) The President of the University shall designate a Director of Student Conduct and Community Standards who shall have primary responsibility for administering the Student Conduct Program and coordinating the activities of all University officials, hearing officers, referees, committees, or tribunals that are concerned with the Community Standards Program.

(b) The Director shall be responsible to the Student Conduct Committee for maintaining complete records pertaining to the activities of the Community Standards Program. Those records shall include a summary of the business of the Community Standards Committee and a report of the disposition of each disciplinary case handled by any person or group authorized to impose disciplinary sanctions in the name of the University. For record keeping purposes, the Director may prescribe reporting procedures to be followed, in addition to those in paragraph (2) above by those authorized to impose disciplinary sanctions.

(c) The Director shall serve as non-voting Secretary of the Community Standards Committee and as advisor to all individuals and groups authorized to impose disciplinary sanctions. The Director shall serve as a non-voting, ex-officio member of the Residence Hall Governance Committee and of the residence hall Peer Judicial Board.

(d) The Director shall be responsible for gathering and presenting to the Student Conduct Committee the reports required by this code.

(4) Student Conduct Code Adoption, Amendment and Revision.

(a) Code establishment. Upon approval by the Board of Trustees of the University of Oregon, this Student Conduct Code becomes effective and supersedes all previous regulations and policies pertaining to student discipline at the University of Oregon.

(b) Code Amendment. This Code may be amended by the Board of Trustees of the University of Oregon, consistent with the Policy on Retention and Delegation of Authority upon consultation with the president, faculty, and students.

(c) Code Revision. This Code shall be continuously reviewed in its entirety to make sure it is consistent with best practices.

## II. Student Conduct Procedures

**This section of the code describes the process that the Student Conduct office adheres to following an alleged violation of the code.**

(1) Complaint. Any Member of the University Community or the public may file a complaint against a Student (or non-enrolled student as defined in this code) for a violation of the Student Conduct Code. A complaint shall be prepared in writing and directed to the Director of Student Conduct and Community Standards. Any complaint should be submitted as soon as possible after the alleged violation takes place, preferably within one year. Jurisdiction is determined pursuant to Section 1 of this code. The

longer one waits to file a complaint the less information is likely to be available for the hearing, therefore it is important to file a complaint as soon as possible. Once the Office of Community Standards receives a complaint, the Office has 60 days to send written notice to the accused Student of the complaint, unless for good cause an extension of six months is provided in writing by the Vice President for Student Life's designee

(2) Notice. Upon receiving a complaint or notice that a Student may have violated the Student Conduct Code, the Director of Student Conduct and Community Standards shall serve a written notice upon the Student, either by electronic mail or by mailing to the latest address of the Student on file at the Office of the Registrar of the University, or, if necessary, by registered or certified mail or by personal service. A status update on the case shall be sent to the member of the university community who filed the complaint. Such notice shall inform the student of:

- (a) The alleged Code violation;
- (b) The opportunity for the student to meet with the Director for purposes of discussing the options for disposition of the case;
- (c) The Student's right to assistance. At an administrative conference with the Director (or their designee or before the Appeals Board, of the Vice President for Student Life's designee, if applicable, a Student may, but need not represent his or her own interests, or be assisted by someone including but not limited to one of the following representatives:
  - (A) The Office of Student Advocacy;
  - (B) Another Student;
  - (C) A member of the faculty or administration;
  - (D) An attorney
- (d) The requirement to respond within 7 calendar days to arrange a meeting with the hearing officer. The hearing officer will proceed as provided below if the Student does not arrange to meet or fails to meet with the hearing officer as arranged.

(e) To the extent the University provides free legal representation to students who are party to student conduct proceedings, it will ensure that free legal representation is equally available to student respondents and student complainants.

(3) Response: If after receiving notice, pursuant to this rule, the Student does not arrange to meet with the Director within 7 days or if the Student arranges to meet with the Director but does not attend such a meeting, the Director of Student Conduct and Community Standards may take any of the actions specified in this code for disposition of the case without consultation with or agreement by the Student.

4. With the consent of an Accused Student, the Director of Student Conduct and Community Standards may defer proceedings for alleged minor violations of this Code for a period not to exceed ninety days. Pending complaints may be withdrawn thereafter at the discretion of the Director of Student Conduct and Community Standards or designee.

### III. Administrative Conferences

**This section of the code outlines the rights that an accused student holds during the Conduct procedures, including rights relating to the student's mental capacity and any mental disorder the from which the student may suffer.**

(1) Complainants, witnesses, and accused students may have an advisor, as defined this code, present during any interviews with the Director of Student Conduct and Community Standards, or designee, and any other conduct proceeding.

(2) Students accused of violations will have an administrative conference with the Director of Student Conduct and Community Standards, or designee. The following procedural protections are provided to accused students in administrative conferences:

(a) Reasonable access to the case file prior to and during the conference, except to the extent access to such material is prohibited by law. The case file may contain materials that are considered "education records" pursuant to the Family Educational Rights and Privacy Act (FERPA) of 1974, as amended and personal notes of University staff members and complainants. Access to these materials may be prohibited by law. Otherwise, to the extent allowed by law, copies of the case file will be provided upon request.

(b) An opportunity to respond to all information provided and to ask the Director or designee hearing the case to contact relevant and necessary witnesses.

(c) The right to have the case referred outside the Office of Community Standards if the Student can articulate a reasonable basis from which to conclude that the Office of Community Standards is biased for some reason that would prevent the student from receiving a fair hearing by the office. Such cases are referred to the Vice President for Student Life's designee.

(3) In cases where the Director of Student Conduct and Community Standards concludes that a Student accused of any offense under the Student Conduct Code lacks the mental capacity to respond to the complaint, the Director shall stay the proceeding until such time that the Director concludes that the Student may adequately respond. A stay granted pursuant to this section shall not in any manner preclude a proceeding for medical leave under OAR Chapter 571, Division 23. If the student has been accused of Academic Misconduct, no academic sanction may be imposed during a stay granted pursuant to this section, but the faculty member for the coursework out of which the complaint of Academic Misconduct arose shall request the Registrar to assign a grade of "I" until the disciplinary proceeding has been completed.

(4) No sanctions shall be imposed against a Student who acknowledges engaging in the specific conduct alleged and who submits a written statement from a Student Health Center psychiatrist or a Counseling Center psychologist stating that, as a result of mental disorder at the time of the offense, the Student did not appreciate the wrongfulness of the conduct or could not conform his or her behavior to the requirements of the Code. The Student may submit any other supplemental information pertinent to his or her mental condition to the Director of Student Conduct and Community Standards. If, based upon all information received, the Director decides that the conduct of the Student resulted from mental disorder, the Director shall seek professional assistance and advice, and, if appropriate and legally authorized, consult with the Student's parent or guardian or take other measures to assure a fair disposition of the case. If the Student has been accused of Academic Misconduct, the faculty member for the coursework in which the Academic Misconduct took place shall assign an appropriate grade.

(5) Administrative conferences regarding Sexual Misconduct will generally be complete within 60 days of the receipt of the complaint; however, the 60 day period may be extended for good cause including but not limited to situations where the complexity of the investigation, the number of witnesses identified, or the volume of information which needs to be gathered and reviewed necessitates more time.

#### **IV. Appeals**

**The University Appeals Board (Appeals Board) is the final appeals body within the Student Conduct Program. The Appeals Board shall be responsible for reviewing substantive or procedural appeals from the decisions issued following an administrative conference.**

(1) A decision reached through an administrative conference may be appealed by the Accused Student or Complainant(s) within fourteen calendar days of the decision. Such appeals shall be in writing, state the basis for the appeal and be delivered to the Office of Student Conduct and Community Standards. All appeals of cases involving sexual misconduct will be heard directly and exclusively by the Vice President for Student Life's designee; all other appeals will be heard by the Appeals Board.

(a) An Accused Student who does not attend the administrative conference may appeal only to show with direct information that the Accused Student did not receive notice of the conference.

(b) A Complainant(s) who fails to attend any requested meetings with the Director or fails to present information in a format approved by the Director may appeal only to show with direct information that the Complainant did not receive notice of the hearing.

(2) Except as the Appeals Board or the Vice President for Student Life's designee determines necessary to explain the basis of new information, an appeal is limited to a review of the verbatim record of the administrative conference and supporting documents:

(a) To determine if the administrative conference was conducted fairly in light of the complaint made and information presented and in conformity with procedures required in this Code, giving the Complainant a reasonable opportunity to present information, and giving the Accused Student reasonable notice and an opportunity to prepare and to respond to the allegations. A deviation from procedures required by this Code will not be a basis for sustaining an appeal unless significant prejudice results;

(b) To determine whether the decision reached regarding the Accused Student was based on substantial information, that is, whether there were facts that, if believed by the Director or designee were sufficient to establish that a violation of the Code occurred;

(c) To determine whether the sanction(s) imposed were commensurate with violation;

(d) To consider new information sufficient to alter a decision or other relevant facts not brought out in the original hearing only if such information or facts were not known to the person appealing at the time of the hearing.

(3) No decision of may be overruled by the Appeals Board except through an affirmative vote of a majority of the Appeals Board members present. If the Appeals Board or the Vice President for Student Life's designee overrules a decision in whole or in part, it may:

(a) Modify the decision or sanction; or

(b) Remand for further proceeding.

## **V. University Appeals Board**

**The University Appeals Board is one option that the student has to have their case reviewed. This section of the code outlines how the members of the Appeals Board are chosen.**

(1) The University Appeals Board (Appeals Board) is the final appeals body within the Student Conduct Program. As set forth in this code, the Appeals Board shall be responsible for reviewing substantive or procedural appeals from the decisions of all administrative conferences in cases except those involving sexual misconduct which shall be appealed directly to the Vice President for Student Life's designee.

(2) Membership. The Appeals Board shall consist of three faculty members, recommended by the

Committee on Committees of the University Senate, and three student members, recommended by the ASUO. Board members shall be appointed by the President and serve for one-year terms. They may be reappointed, but no member may serve for more than two consecutive terms. Temporary members may be appointed to assure full Appeals Board membership during summer session or at such other times as are necessary. The President shall designate one of the members as pro tempore chair of the Appeals Board.

(3) The Appeals Board will elect its permanent chair at its first meeting. A quorum shall consist of two students and two faculty members. The Appeals Board shall establish its own rules of procedure.

## **VI. Imposition of Sanctions, Adjudication of Contempt and Failure to Complete Assigned Sanctions**

**[This section of the code designates who has authority to impose a sanction, and outlines the responsibility of the student regarding the sanctions.]**

(1) A University Official or Student Organization that determines that an Accused Student violated the Student Conduct Code may impose sanctions authorized by this Code unless otherwise expressly limited. Sanctions are subject to appeal pursuant to this code-

(2) A University Official responsible for making a determination if a student has violated this Code may declare a Student participant in contempt of adjudicative proceedings pursuant to this code and impose sanctions without complying with the procedures otherwise required in this Code. Adjudication of contempt and sanctions imposed are subject to appeal pursuant to this code. Imposition of sanction and the circumstances that gave rise to it shall be reported to the Director of Conduct and Community Standards.

(3) Failure to complete assigned sanctions. The University will use the procedures established by this section to enforce the timely completion of disciplinary sanctions issued under the Student Conduct Code.

(a) A Student who is found responsible for a Student Conduct Code violation and who receives a sanction will be informed orally by the Office of Student Conduct and Community Standards of the consequences of failing to complete the sanction. The Office of Student Conduct and Community Standards will also inform the student in writing of the consequences of failing to complete the sanction as part of the decision letter sent to the Student.

(b) If a Student fails to complete the disciplinary sanction by the assigned deadline, the Office of Student Conduct and Community Standards will send the Student a letter that states:

(A) The Student has five class days after the assigned deadline to provide verification to the Office of Student Conduct and Community Standards that the assigned sanction has been completed or the Student's record ability to register for classes, drop classes, or change grade options will be placed on hold;

(B) Once the Student's record is on hold, the hold will not be removed until the Office of Student Conduct and Community Standards has received verification that the Student has completed the sanction; and

(C) The Student is responsible for ensuring that the Office of Student Conduct and Community Standards receives verification of completion of the sanction.

(c) When a hold is placed on a Student's record, the Office of Student Conduct and Community Standards will inform the Student in a letter that the hold has been placed, the consequences of the hold, and the actions required to have the hold removed.

(d) The hold will be removed immediately once the Student provides verification of completion of the

sanction.

(e) A Student who is unable to register because the student has not completed a sanction may seek a waiver from the Office of Student Conduct and Community Standards. The Office of Student Conduct and Community Standards will grant a waiver, allowing the student to register, provided the Student agrees the Student's registration may be cancelled immediately and the hold reinstated if the Student has not completed the sanction by a deadline set by the Office of Student Conduct and Community Standards, in its sole discretion.

#### **Section 4: Academic Misconduct Procedures**

**[This section of the code describes the process between the student suspected of misconduct and the University Official before the case is referred to the office of Student Conduct and Community Standards]**

(1) Notice. Upon the discovery of suspected Academic Misconduct, as defined in this code, the University Official with responsibility for the academic matter or the faculty member in whose course the incident occurred shall promptly notify the Student of the incident. This notice shall include a discussion of the option of having the case referred directly to the Director of Student Conduct and Community Standards.

(2) If a Student admits to Academic Misconduct in a course, the faculty member shall impose an appropriate academic sanction up to and including a grade of "N" or "F" and report the incident to the Office of Student Conduct and Community Standards. Written notice of the sanction or resolution without sanction shall be given the Student. If, in the judgment of the faculty member, further disciplinary action is warranted, the report to the Director of Student Conduct and Community Standards shall so indicate. The Student may appeal the academic sanction to the faculty member's department head and, ultimately, to the dean of the college or school in which the incident originated.

(3) If a Student admits to Academic Misconduct in a situation other than a course, the responsible University Official may determine and implement an appropriate response and report the incident to the Office of Student Conduct and Community Standards. Written notice of the sanction or resolution without sanction shall be given the Student. If, in the judgment of the University Official, further disciplinary action is warranted, the report to the Director of Student Conduct and Community Standards shall so indicate. The Student may appeal the academic sanction to the University Official's department head or director.

(4) If a faculty member or University Official and a Student cannot agree as to whether Academic Misconduct has occurred, the University Official or faculty member will, not later than fourteen calendar days during which the University is in session after the date the faculty member or University Official notifies the Student, make a written referral of the case to the Office of Student Conduct and Community Standards for resolution. The case will then be conducted in accordance with the procedures established in this Code.

(a) If there is a finding that the Student engaged in Academic Misconduct in a class, in addition to sanctions imposed through the regular student conduct procedures, the faculty member will assign an appropriate grade.

(b) If there is a finding that the Student did not engage in Academic Misconduct, no academic sanction may be imposed.

(5) Reporting Academic Misconduct. Regardless of the method of resolution, University Officials, including faculty members are required to file a written report of any Academic Misconduct with the Director of Student Conduct and Community Standards. These reports shall be treated as confidential

and maintained consistent with the Student Records Policy, 571-020-0100 et seq.

(6) Withdrawing from a Course.

(a) If a Student's Academic Misconduct in a course results in an academic sanction, the student will not be permitted to drop or withdraw from the course, or to change the course's grading option, and shall be reinstated in the course in if they have dropped or withdrawn.

(b) If a Student's Academic Misconduct does not result in an academic sanction, the Student may withdraw from the course or change the course's grading option at the later of:

(A) Expiration of the withdrawal deadline for the course;

(B) Expiration of the deadline for changing grade options; or

(C) Five business days after the student receives notification of the decision or termination of Student Conduct Code proceedings without sanction.

(c) In the event the Student is found not responsible for Academic Misconduct and the Student no longer feels comfortable returning to the class, the Office of Student Conduct and Community Standards will assist the student to attempt to remove the "w" from the transcript.

### **Section 5: Alternative Dispute Resolution**

**Consistent with the primary mission of the Code to establish community standards and procedures that promote an environment conducive to learning by upholding academic standards and by respecting community members, alternative dispute resolution provides an opportunity for individuals affected by violations or alleged violations of this Code to resolve disciplinary matters among themselves, with or without findings of responsibility. Students who participate in a method of alternative dispute resolution and successfully fulfill their obligations may, upon completion of their obligations, have their student conduct record regarding the matter voided.**

(1) Mediation. Mediation is encouraged as an alternative means to resolve allegations of Student Conduct Code violations, where appropriate, except for sexual misconduct involving unwanted penetration or nonconsensual personal contact as set out in this code which shall not be subject to mediation. The Director of Student Conduct and Community Standards will inform Complainants and Accused Students about the availability of mediation resources. The Director, in the exercise of the Director's sole discretion, may, except in cases of alleged Academic and Sexual Misconduct, decline to process a complaint until the parties make a reasonable attempt to achieve a mediated resolution.

(a) To be binding under this Code, any mediated resolution must be approved by the Director of Student Conduct and Community Standards. Any agreement will be enforced by the Office of Student Conduct and Community Standards.

(b) Procedures for Alternative Dispute Resolution. Students wishing to pursue mediation shall notify the Director of Student Conduct and Community Standards within fourteen calendar days of receiving written notice of the violation pursuant to this code.

(c) The Director of Student Conduct and Community Standards may determine if an Accused Student must acknowledge responsibility as a condition of the Director's approval of a mediation option. If the Director requires an Accused Student to acknowledge responsibility as a condition to approving the mediation, the Director will not proceed until the Accused Student has provided the Director with that acknowledgement.

(d) The Director of Student Conduct will determine whether others affected by the alleged violation are willing to participate in mediation. Parties agreeing to mediation must sign a waiver allowing the Director to receive information from the mediator regarding the progress of the mediation.



(e) Once the necessary parties agree, the Director of Student Conduct and Community Standards will approve a mediator and set a date for a report from the mediator regarding progress. If the Director, in the Director's sole discretion, determines that mediation is unlikely to be successful, the Director may inform the necessary parties and initiate other procedures.

(2) Restorative Justice. Restorative Justice serves primarily as a diversion program for Accused Students who have acknowledged responsibility for a Code violation and who wish to remedy the effects of the violation.

(a) The Director of Student Conduct and Community Standards will consider approving Restorative Justice in the following circumstances:

(A) The Accused Student acknowledges responsibility for a the Code violation;

(B) There are clearly identifiable negative impacts on either individuals or the community resulting from the violation; and

(C) The Accused Student and those impacted by the incident agree to participate in Restorative Justice.

(b) A Restorative Justice outcome shall not be binding unless approved by the Director of Student Conduct and Community Standards. An agreement reached through Restorative Justice will be enforced by the Office of Student Conduct and Community Standards.

(3) The Director of Student Conduct and Community Standards may initiate procedures to make a determination of responsibility or, in the Director's discretion, to proceed pursuant to this code. If an Accused Student who participates in alternative dispute resolution fails to fulfill an obligation or otherwise fails to comply with the approved resolution.

(4) Upon timely completion of a student's obligation arising from alternative dispute resolution, a student may provide to the Director of Student Conduct and Community Standards documentation of completion. If the Director of Student Conduct and Community Standards concludes the student fulfilled the student's obligation in a timely fashion, Director of Student Conduct and Community Standards will remove information regarding the violation from the student's record.

## **Section 6: Emergency Action**

**This section of the code describes the rights of the Director of Student Conduct and Community Standards to take Emergency action regarding the accused student when it is necessary to secure the health or safety of any persons.**

(1) The Director of Student Conduct and Community Standards or his or her designee may take emergency action regarding a Student when immediately necessary to secure the health or safety of any persons and there is an alleged violation of the Student Conduct Code.

(2) Emergency Action includes, but is not limited to:

(a) Immediate withdrawal of the Student from the University;

(b) Restrictions on the Student's presence on University Premises or at University Sponsored Activities.

(c) Placing a hold on a student's record that will prevent registration would prevent the student from obtaining an official copy of the student's transcript.

(3) The Director of Student Conduct and Community Standards may request that the Student secure a medical and psychological evaluation through the Student Health Center or at another facility at the Student's own expense. The evaluation may be used to determine the appropriateness of withdrawing the emergency action.

(4) When the emergency action takes place, the Director of Student Conduct and Community Standards or designee will:

- (a) Inform the Student and Complainant, if applicable, of the reason for the emergency action;
- (b) Give the Student and Complainant, if applicable, the opportunity to explain why emergency action should or should not be taken;
- (c) Inform the Student and Complainant, if applicable, that a preliminary hearing will take place according to the procedures in this section and that the Student will be informed of its time, place, and date; and
- (d) Inform the Student and Complainant, if applicable, of the possible restrictions that may be imposed prior to an administrative conference.

(5) The preliminary hearing shall take place within two business days of the emergency action. At this hearing the Student shall have a full opportunity to demonstrate to the Director of Conduct and Community Standards that emergency action is not necessary pursuant to Paragraph (1). The Student may be represented by a student advocate or other counsel. The Director will also consult with the Complainant, if applicable, who may also be represented by a student advocate or other counsel, during any consultation.

(a) Based on the reasonable evaluation of the information presented at the preliminary hearing, the Director of Student Conduct and Community Standards shall notify the Student within 24 hours of the decision to:

- (A) Dissolve the emergency action and take no further action;
- (B) Dissolve the emergency action but proceed to an administrative conference; or
- (C) Sustain or modify the emergency action until such time as a resolution is researched following an administrative conference.

(6) An emergency action shall be reviewed by Vice President for Student Life's Designee at the request of the Student no sooner than the next working day after the preliminary hearing. The review shall provide an opportunity for the Student to explain why an emergency action need no longer be imposed. Subsequent review of the same emergency action may be requested no more frequently than every ten days.

(7) If emergency restrictions on a Student's housing or enrollment are removed, the Student will not be assessed any fees for reinstatement.

## **Section 7: Student Conduct Process for Student Organizations**

**When members of a Student Organization act together in a way that violates University Student Conduct Code, the Student Organization is expected to hold its members responsible for those violations.**

(1) When a potential violation of the Student Conduct Code by a Student Organization comes to the University's attention, the Office of Student Conduct and Community Standards may review the incident to determine the appropriate process for resolution. Generally, the University will expect a Student Organization to hold itself accountable for the acts of its members when those acts are related to the

Student Organization's activities.

(a) The Student Organization or its governing body will notify the Office of Student Conduct and Community Standards and keep it informed at all stages of the process.

(b) The University, through the Office of Student Conduct and Community Standards, reserves the right to take immediate jurisdiction at its discretion. The student organization or governing body may still hold its members accountable in the situation, but must do so in conjunction with the Office of Student Conduct and Community Standards.

(2) If sufficient action is not taken in a timely manner by the student organization to correct a violation of University standards, individuals may file grievances with the appropriate governing body, or, if none exists, with the Office of Student Conduct and Community Standards.

(3) If, in the judgment of the Vice President of Student Life's designee, sufficient action is not taken in a timely manner by the governing body, the case will be referred to the Office of Student Conduct and Community Standards.

(4) In deciding whether the group is responsible for the violation, the University will consider whether the following factors are present:

- (a) The violation arises out of a group-sponsored, organized, financed, or endorsed event;
- (b) The organization provides the impetus for the violation;
- (c) The violation occurs on the premises owned or operated by the group;
- (d) A group leader has knowledge of the violation being likely to occur before it occurs and fails to take corrective action; or
- (e) A pattern of individual violations is found to have existed without proper and appropriate group control, remedy, or sanction



An aerial photograph of a city at dusk. The city lights are visible, and the mountains in the background are partially shrouded in mist. The sky is a mix of blue and orange from the setting sun.

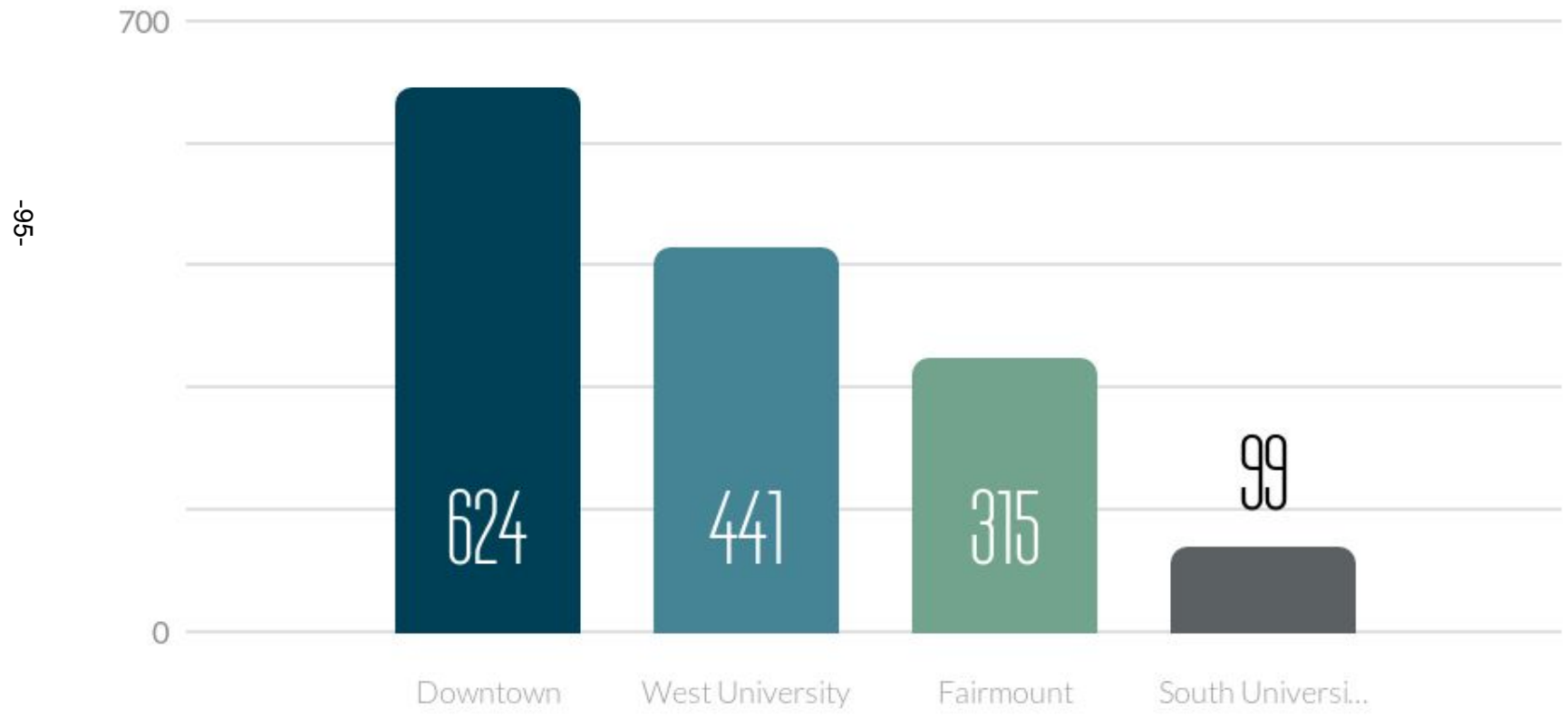
# RENTAL UNIT HOUSING & LIVABILITY

July 27, 2015

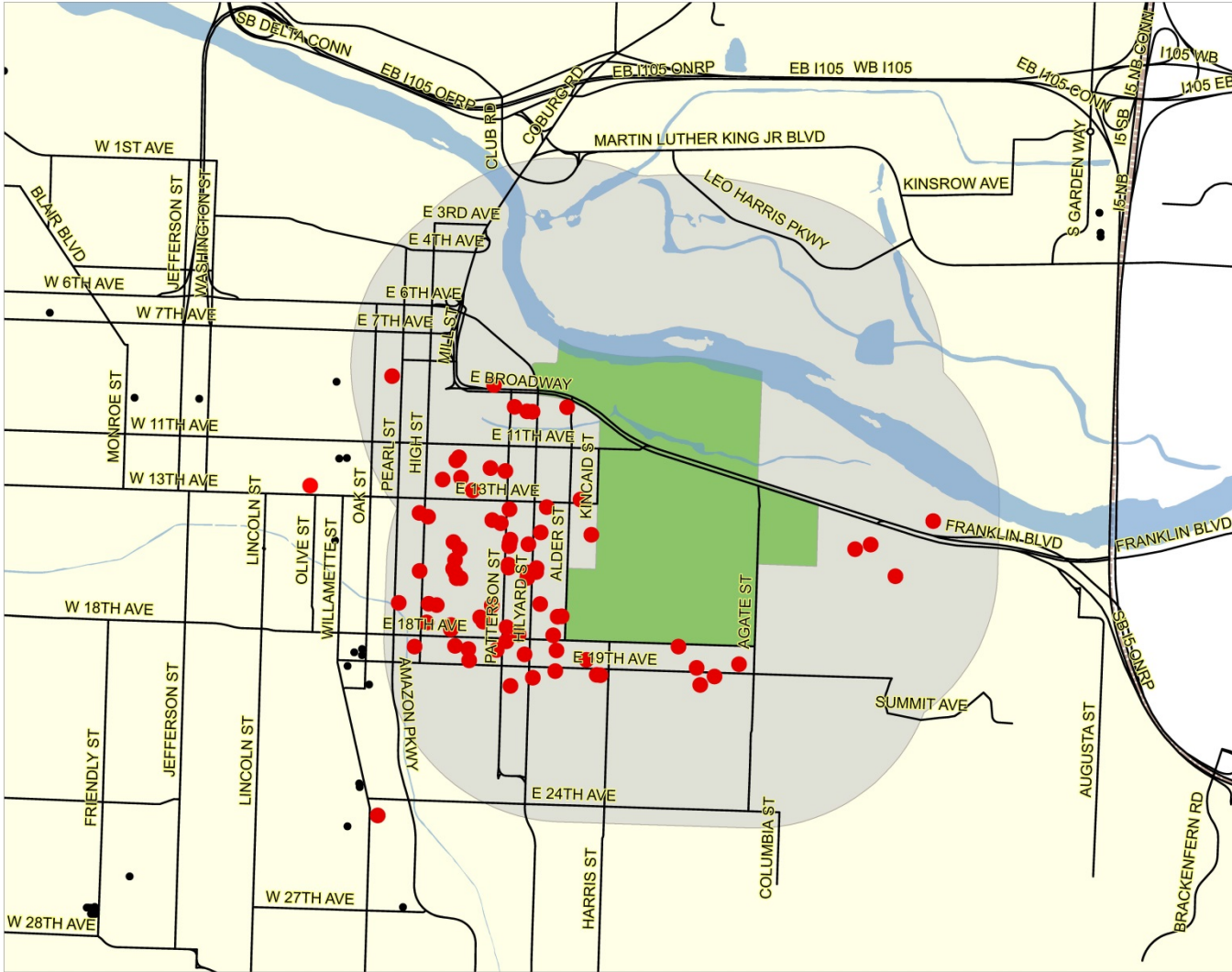


# 2011 Neighborhood Livability Working Group Report

# Multi-Family Units Near UO 2010-2014



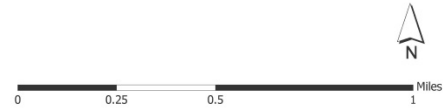
# TRG Discussion Map - Student Housing



Multi-Family  
Non-Phased and Phased Permits  
[EE\_Issue\_year] >= 2009

- Considered Student Housing
- NOT Considered Student Housing

- Major Streets
- Water Bodies
- UO
- Half mile buffer



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





United States

**Community Strategies Reviewed**

- Aurora**
- Boulder**
- Bloomington**
- Corvallis**
- Duluth**
- Fort Collins**
- Iowa City**
- Madison**
- St. Paul**
- Tallahassee**

Item B.

# SIMILAR COMMUNITIES

- **Similar issues & strategies**
- **Town & Gown - Good Neighbor Programs**
- **Social Host & Noise Ordinances**
- **Incentives for properties with few calls, steeper penalties for those with more (chronic nuisance)**
- **Local Agent rules**

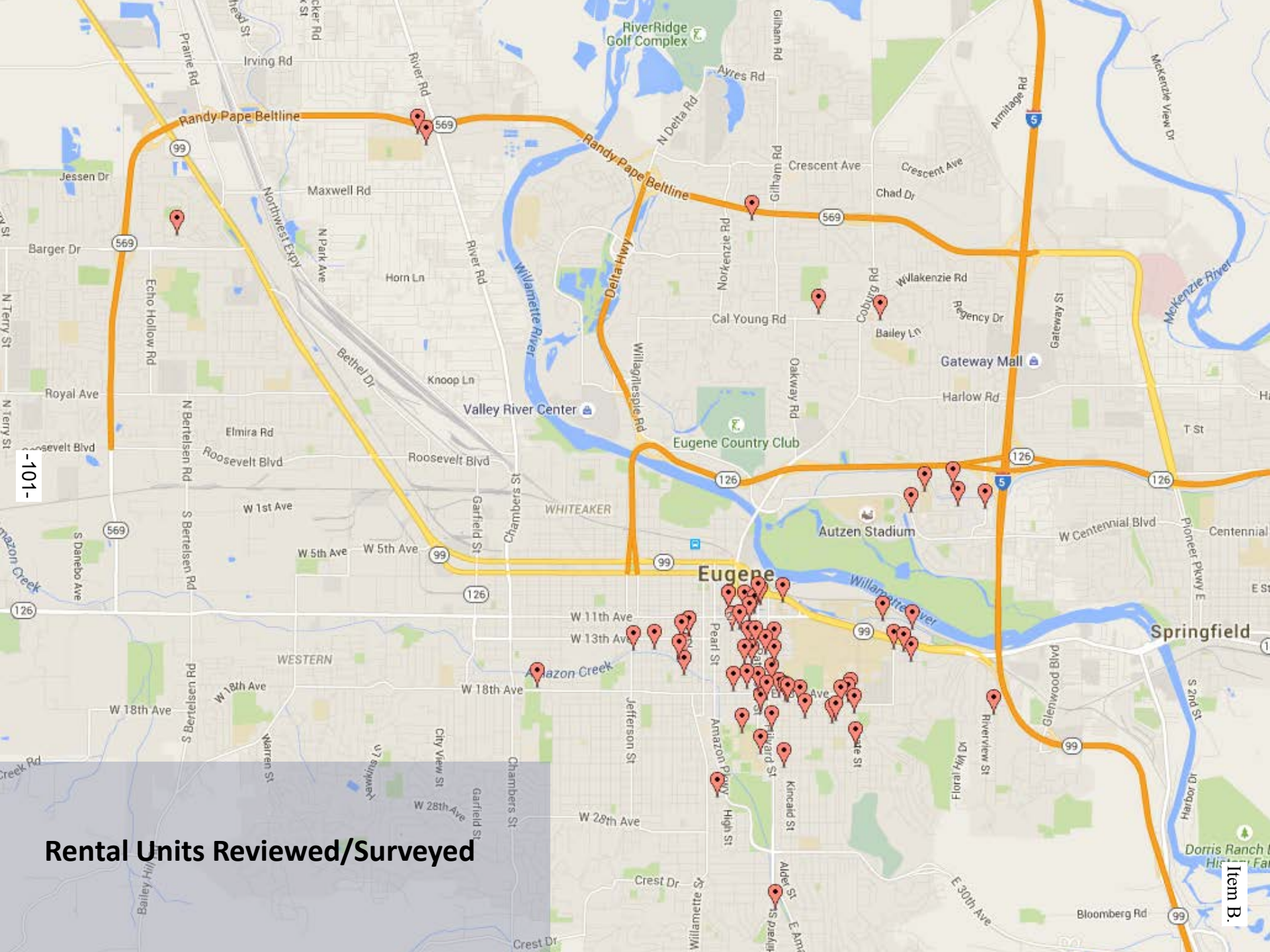
# WHAT'S BEEN DONE

- **Unruly Gathering Ordinance**
- **UO Code of Conduct extended off campus**
- **EPD Rental Property Program**
- **EPD Party Patrols**
- **UO CommUniversity Program**
- **UO Alcohol EDU Program and Staff**
- **Rental Housing Code**
- **Thunder Cans Campaign**

# RECENT ANALYSIS - FEB 2015

- Livability-related service calls (noise and disorderly parties)
- Unruly Gathering citations
- Property Management types

-100-

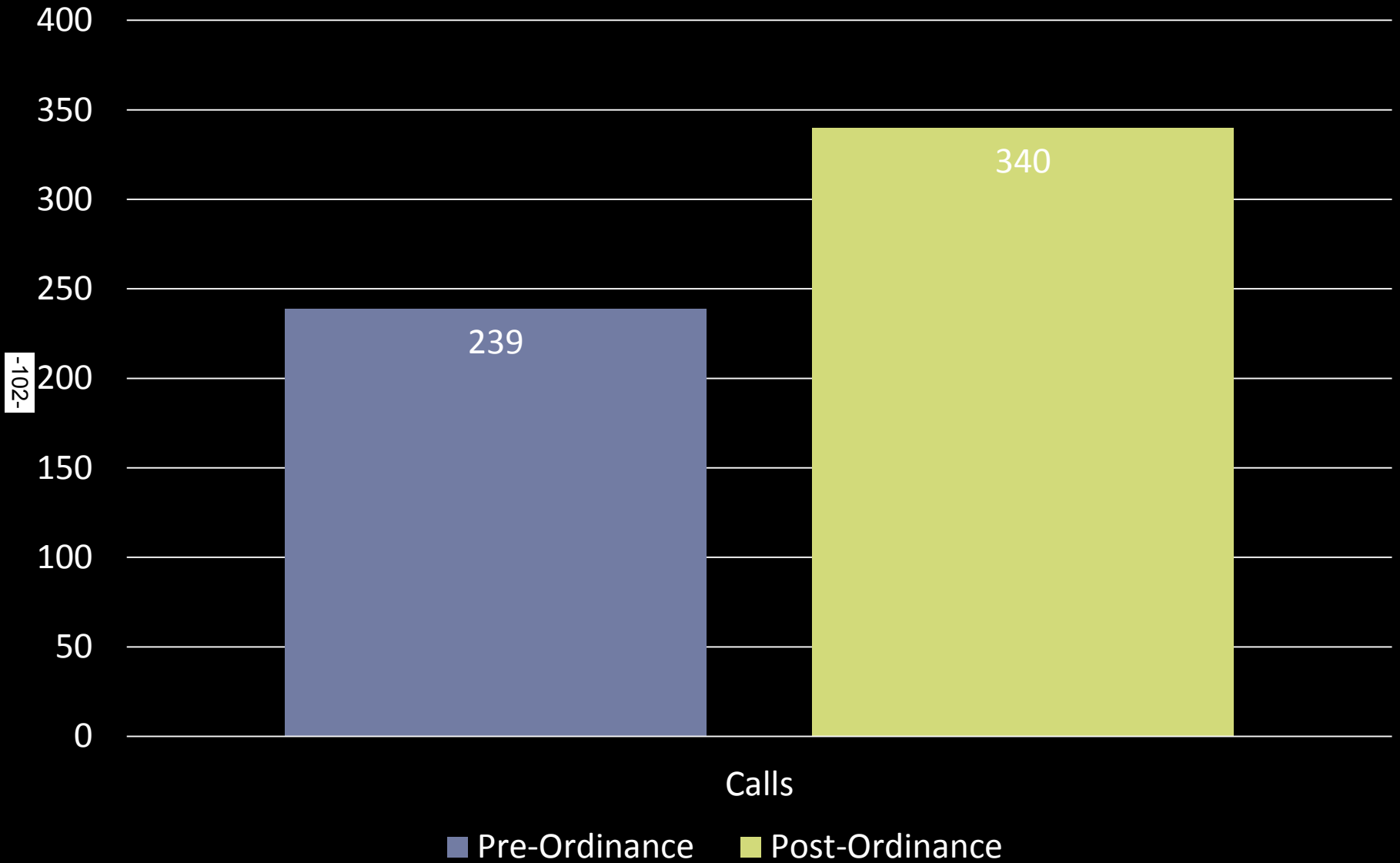


-101-

**Rental Units Reviewed/Surveyed**

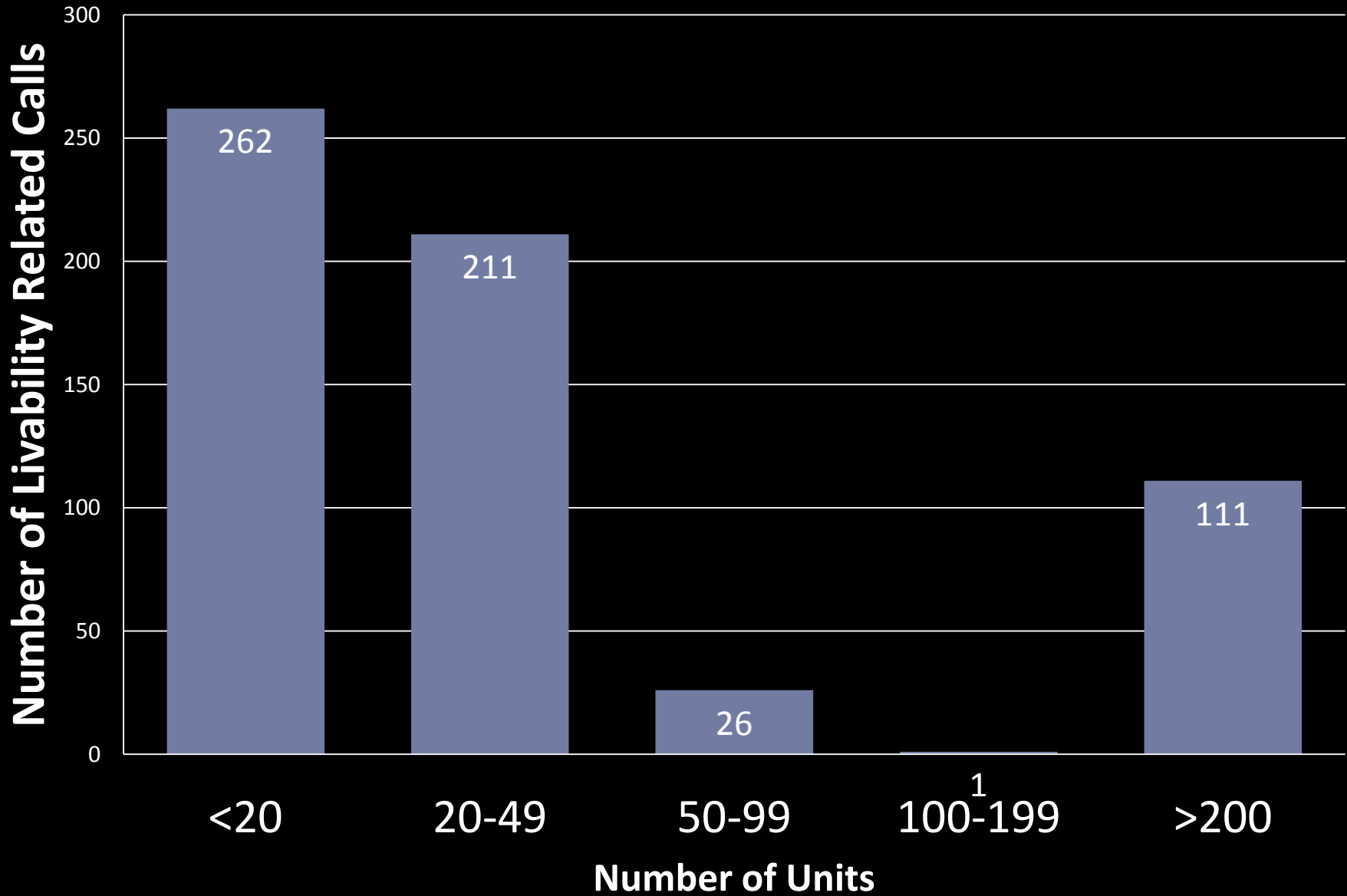
Item B.

# Calls for Livability-Related Service at Properties Near UO



-102-

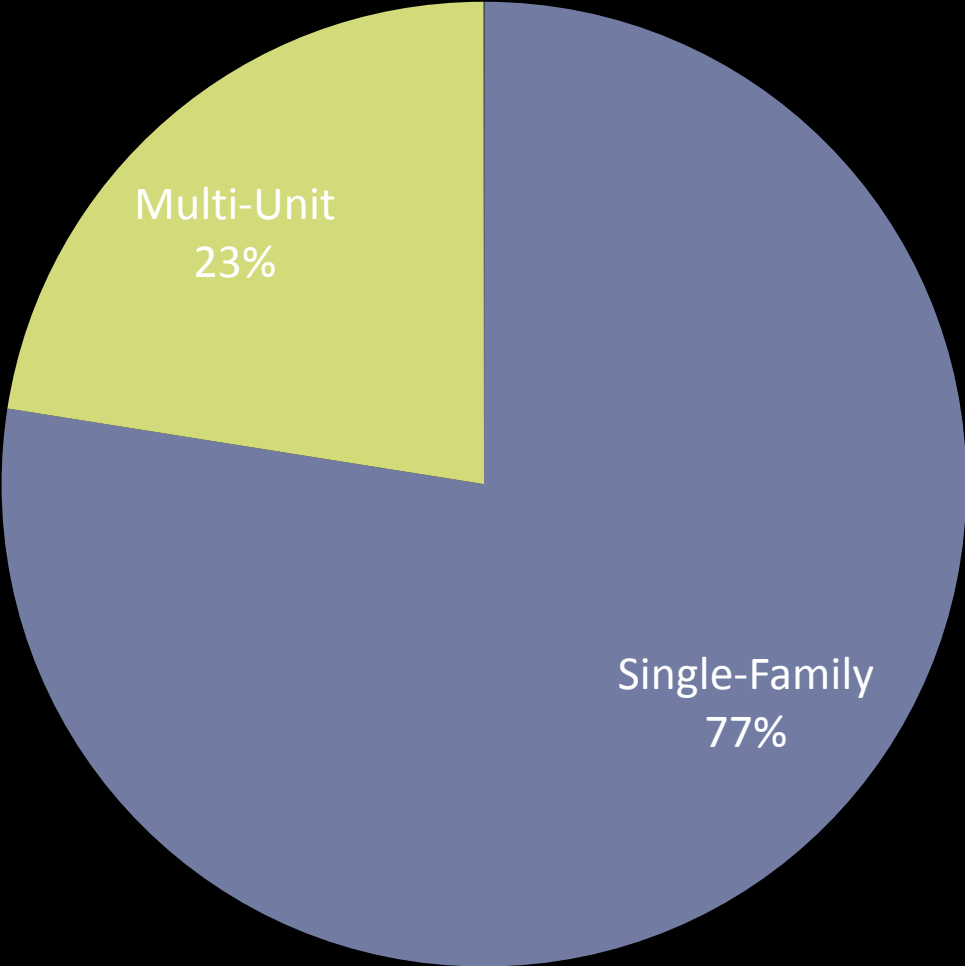
# Multi-Unit Management by Number of Units



-103-

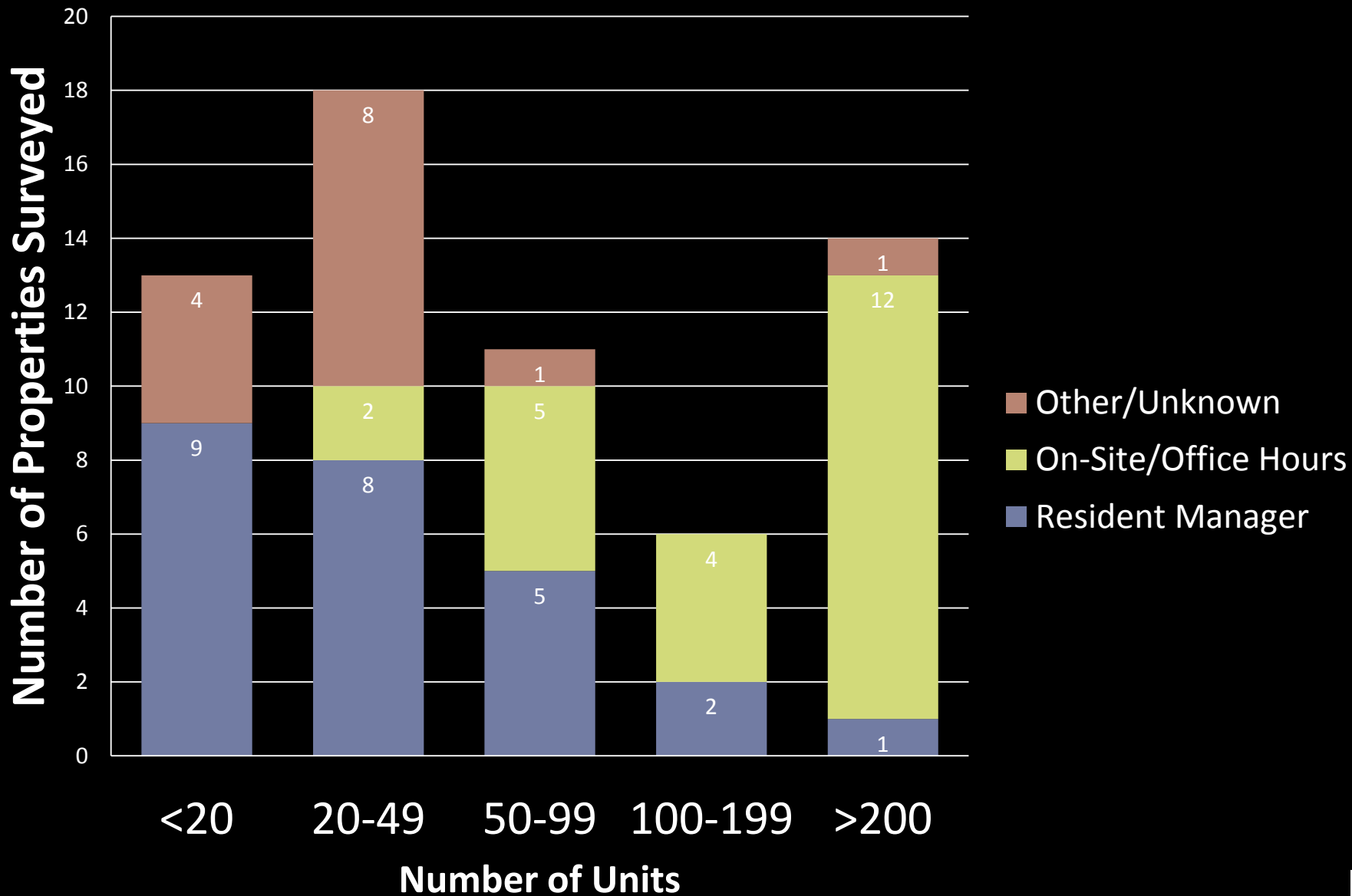
Item B.

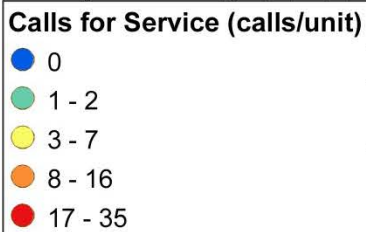
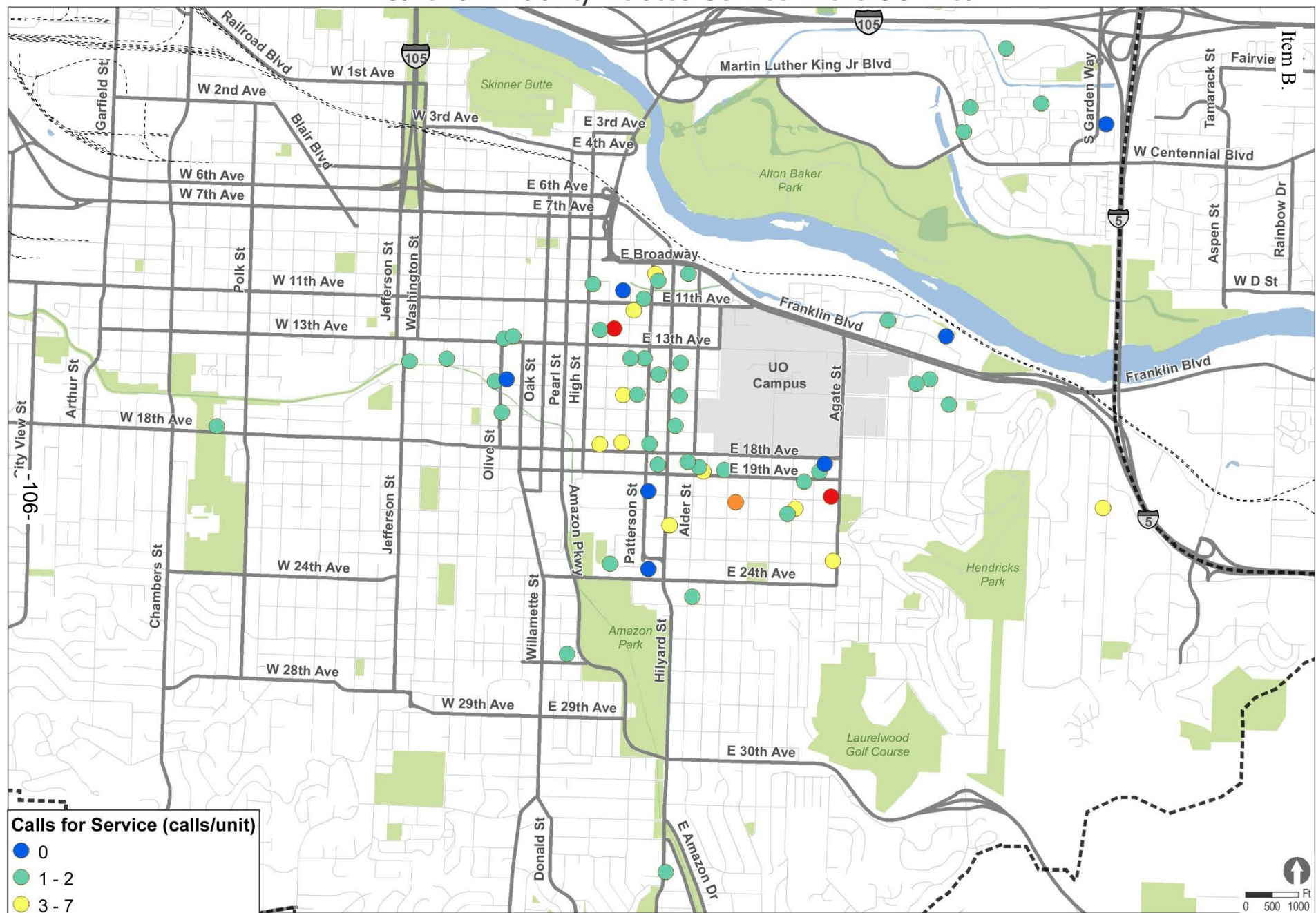
# Social Host Ordinance Citations





# Multi-Unit Management by Number of Units





■ Eugene UGB    - - - Railroads

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



# POSSIBLE NEXT STEPS

- **Consider Local Agent via the Rental Housing Code Program**
- **Explore Chronic Nuisance Code or similar provision**

# QUESTIONS & DISCUSSION

Item B.

An aerial photograph of a city, likely Eugene, Oregon, showing a dense urban area with various buildings and green spaces. In the background, there are rolling hills and mountains under a cloudy sky. The foreground is dominated by a thick forest of evergreen trees.

**Rental Unit Management & Livability**

-108-

# EUGENE CITY COUNCIL

## AGENDA ITEM SUMMARY



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### Ceremonial Matters

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Meeting Date: July 27, 2015  
Department: City Manager's Office  
*www.eugene-or.gov*

Agenda Item Number: 1  
Staff Contact: Beth Forrest  
Contact Telephone Number: 541-682-5882

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#### **ISSUE STATEMENT**

This item is to acknowledge awards and achievements and inform the public of proclamations signed by the Mayor. No action is required by the City Council.

#### **BACKGROUND**

At its 1997 fall process session, the council agreed to include a monthly agenda item entitled "Ceremonial Matters." From time to time, the Mayor is asked to sign proclamations or acknowledge awards received, which serve to encourage and educate the community about important issues and events.

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

This is an information item only.

#### **ATTACHMENTS**

None.

#### **FOR MORE INFORMATION**

Staff Contact: Beth Forrest  
Telephone: 541-682-5882  
Staff E-Mail: [beth.l.forrest@ci.eugene.or.us](mailto:beth.l.forrest@ci.eugene.or.us)



# EUGENE CITY COUNCIL

## AGENDA ITEM SUMMARY



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### Public Forum

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Meeting Date: July 27, 2015  
Department: City Manager's Office  
[www.eugene-or.gov](http://www.eugene-or.gov)

Agenda Item Number: 2  
Staff Contact: Beth Forrest  
Contact Telephone Number: 541-682-5882

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#### **ISSUE STATEMENT**

This segment allows citizens the opportunity to express opinions and provide information to the council. Testimony presented during the Public Forum should be on City-related issues and should not address items which have already been heard by a Hearings Official, or are on the present agenda as a public hearing item.

#### **SUGGESTED MOTION**

No action is required; this is an informational item only.

#### **FOR MORE INFORMATION**

Staff Contact: Beth Forrest  
Telephone: 541-682-5882  
Staff E-Mail: [beth.l.forrest@ci.eugene.or.us](mailto:beth.l.forrest@ci.eugene.or.us)





# EUGENE CITY COUNCIL AGENDA ITEM SUMMARY



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## Approval of City Council Minutes

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Meeting Date: July 27, 2015  
Department: City Manager's Office  
[www.eugene-or.gov](http://www.eugene-or.gov)

Agenda Item Number: 3A  
Staff Contact: Kris Bloch  
Contact Telephone Number: 541-682-8497

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### ISSUE STATEMENT

This is a routine item to approve City Council minutes.

### SUGGESTED MOTION

Move to approve the minutes of the July 1, 2015, Emergency Meeting, July 8, 2015, Work Session, July 13, 2015, Work Session and Meeting, July 20, 2015, Work Session, and July 22, 2015, Work Session.

### ATTACHMENTS

- A. Minutes of July 1, 2015, Emergency Meeting
- B. Minutes of July 8, 2015, Work Session
- C. Minutes of July 13, 2015, Work Session and Regular Meeting
- D. Minutes of July 20, 2015, Work Session
- E. Minutes of July 22, 2015, Work Session

### FOR MORE INFORMATION

Staff Contact: Kris Bloch  
Telephone: 541-682-8497  
Staff E-Mail: [kris.d.bloch@ci.eugene.or.us](mailto:kris.d.bloch@ci.eugene.or.us)



## ATTACHMENT A

## MINUTES

**Eugene City Council  
Harris Hall, 125 East 8<sup>th</sup> Avenue  
Eugene, Oregon 97401**

**July 1, 2015  
12:00 p.m.**

**Councilors Present:** George Brown, Betty Taylor, *Alan Zelenka via phone*, George Poling, Mike Clark, Greg Evans, *Claire Syrett via phone*, Chris Pryor

Mayor Piercy opened the July 1, 2015, City Council Emergency Meeting [pursuant to ORS 192.640(3)].

**A. PUBLIC HEARING AND POSSIBLE ACTION: An Ordinance Prohibiting The Use Of Fireworks Without a Permit Within The City Limits In 2015; Declaring An Emergency; And Providing For An Immediate Effective Date.**

1. Aaron Taylor – Opposed ban; could be financially devastating to vendors; print safety information.
2. Ruth Duemler – Supported ban; fire can happen quickly and dry brush needs to be removed.
3. Link Smith – Said outright ban will push people to forest land and fire danger is already high.
4. Chris Cheeh – Opposed ban; enforcement would be complicated especially in Santa Clara area.
5. Roxanne Watson – Supported ban; need to think of potential loss of life and property.
6. Jonathon Fargher – Opposed ban; illegal fireworks pose greatest danger; educate the public.
7. Mark Robinowitz – Supported ban; fireworks create big risk and fires will spread fast.

Council discussion:

- General support expressed for partial ban in South Hills as this area has the highest concentration of fire fuel and most challenging topography.
- A full ban would increase danger in outlying areas.
- Public safety emphasis should be on enforcement of illegal fireworks.
- Greater public communication effort needed.
- Explore the designation of safe zones at which to light legal fireworks.

Mayor Piercy determined that no councilors were opposed to taking immediate action on the proposed ordinance and advised that two-thirds of the council would need to vote in the affirmative in order to have an immediate effective date.

**MOTION AND VOTE:** Councilor Evans, seconded by Councilor Taylor, moved to adopt the South Hills version of Council Bill 5147, an ordinance prohibiting the use of fireworks.

**PASSED 8:0**

**MOTION AND VOTE:** Councilor Evans, seconded by Councilor Taylor, moved that the council approve the use of up to \$10,000 of Council contingency for additional enforcement efforts related to unlawful use of fireworks. **PASSED 8:0**

The meeting adjourned at 1:01 p.m.

Respectfully submitted,

Chuck Crockett  
Deputy City Recorder



**ATTACHMENT B****MINUTES**

**Eugene City Council  
Harris Hall, 125 East 8<sup>th</sup> Avenue  
Eugene, Oregon 97401**

**July 8, 2015  
12:00 p.m.**

**Councilors Present:** George Brown, Betty Taylor, Alan Zelenka, George Poling, Mike Clark, Greg Evans, Claire Syrett, Chris Pryor

Mayor Piercy opened the July 8, 2015, City Council work session.

**A. WORK SESSION: Multi-Unit Property Tax Exemption (MUPTE) Program Revisions**

**MOTION (including friendly amendments):** Councilor Brown, seconded by Councilor Taylor, moved to direct the City Manager to revise the MUPTE ordinance so that before any area, other than within the Downtown Plan, east of Charnelton Street, becomes eligible for MUPTE projects, the City Council must have adopted amendment(s) to the MUPTE program requiring that a percentage of the units in an approved MUPTE project must be workforce housing or that the developer must make commensurate "in-lieu of" payments to the City that are based on workforce housing rental rates, and that any such payments will be dedicated to a workforce housing fund. The council may expand the boundaries covered by sections 2.945 through 2.947 of this code to include one or more of the areas listed in this subsection (b) by adopting or amending, and having the Oregon Department of Land Conservation and Development acknowledge, refinement plan policies that specifically provide for multiple-family and mixed use projects within that area. The areas that the council may approve pursuant to this subsection are: Mid-town; South Willamette; West 11th; 6th/7th Trainsong Highway 99 Corridor; Valley River Center commercial area; North Franklin; South River Road; Mid-River Road; North River Road; South Coburg Road; Mid-Coburg Road; and North Coburg Road. Review Panel Technical Professionals should be six professionals, including a human rights professional and splitting the environmental/public health professional group into two separate representatives.

**MOTION TO AMEND:** Councilor Clark, seconded by Councilor Poling, moved to amend by adding the words "in lieu of the workforce housing requirement east of Charnelton, the owner shall pay to the city 10% of the total property tax exemption and that any such payments will be dedicated to a workforce housing fund."

**MOTION AND VOTE:** Councilor Clark, seconded by Councilor Evans, moved to extend the meeting 10 minutes. **PASSED 8:0**

**VOTE ON MOTION TO AMEND: PASSED 6:2**, Councilors Taylor and Pryor opposed.

**MOTION TO AMEND AND VOTE:** Councilor Brown, seconded by Councilor Zelenka, moved to amend the fee from 10 percent to 15percent. **FAILED 3:5**, Councilors Brown, Taylor and Zelenka in favor.

**VOTE ON MAIN MOTION AS AMENDED: PASSED 7:1**, Councilor Pryor opposed.

Item 3.A.

**MOTION AND VOTE:** Councilor Zelenka, seconded by Councilor Syrett, moved to adjust the affordable housing fee amount to equal to 10 percent for projects with a capital cost less than \$15 million, and 15 percent for projects with a capital cost \$15 million or more.

**FAILED 4:5,** Councilors Brown, Taylor, Zelenka and Syrett in favor. Mayor broke the tie in opposition.

The meeting adjourned at 1:45 p.m.

Respectfully submitted,

Chuck Crockett  
Deputy City Recorder

## MINUTES

Eugene City Council  
Harris Hall, 125 East 8<sup>th</sup> Avenue  
Eugene, Oregon 97401

July 13, 2015  
5:30 p.m.

**Councilors Present:** George Brown, Betty Taylor, Alan Zelenka, George Poling, Mike Clark, Greg Evans  
Claire Syrett, Chris Pryor

Mayor Piercy called the July 13, 2015, City Council work session to order.

**A. WORK SESSION: Library Local Option Levy**

Library, Recreation Cultural Services Director Renee Grube and Library Services Director Connie Bennett gave a PowerPoint presentation discussing the Library of the Future and details on the library levy recommendation.

Council discussion:

- Clarity of goals in the proposal is great; well-planned proposal.
- There is strong public support for the restoration of lost library hours.
- Proposal contains enough safeguards that allow flexibility on the measure.

**MOTION AND VOTE:** Councilor Syrett, seconded by Councilor Evans, moved to adopt the resolution attached as Attachment A. **PASSED 8:0**

**B. ACTION: An Ordinance Concerning Multiple-Unit Property Tax Exemptions**

City Attorney Glenn Klein and Community Development Manager Denny Braud led the council in a discussion on the proposed Multiple-Unit Property Tax Exemption ordinance.

Council discussion:

- Opposed to MUPTE; everybody should have to pay taxes.
- Clawback provisions in ordinance should be as strong as possible.
- Proposed changes allow City to move forward with goal of getting more people downtown.
- Need to be broad and flexible in defining workforce housing.

**MOTION:** Councilor Zelenka, seconded by Councilor Syrett, moved to adopt the version of the ordinance with Councilor Zelenka's proposed amendments.

**MOTION TO SUBSTITUTE AND VOTE:** Councilor Clark, seconded by Councilor Poling, moved to substitute for the original redline version of the ordinance. **PASSED 5:3**, Councilors Brown, Taylor and Syrett opposed.

**MOTION TO AMEND AND VOTE:** Councilor Brown, seconded by Councilor Clark, moved to amend section 2.946 subsection 2h by adding the tax as shown below to leave the decision of what constitutes workforce housing to future code amendments. **FAILED 3:5**, Councilors Brown, Taylor and Zelenka in support.

**MOTION AND VOTE:** Councilor Brown, seconded by Councilor Zelenka, moved to delete the sentence at the end of paragraph 3 on page 9, subsection 3 that says alternatively the owner may comply with the requirement to include not less than 30% of the units. **FAILED 3:5**, Councilors Brown, Taylor and Zelenka in support.

**CALL THE QUESTION AND VOTE:** Councilor Pryor, seconded by Councilor Poling, called the question. **PASSED 6:2**, Councilors Brown and Zelenka opposed.

**VOTE ON MAIN MOTION AS AMENDED: PASSED 7:1**, Councilor Taylor opposed.

**MOTION AND VOTE:** Councilor Clark, seconded by Councilor Pryor, moved to schedule a work session as soon as practicable after break to discuss workforce housing and its definition.

**PASSED 7:1**, Councilor Taylor opposed.

The work session adjourned at 7:07 p.m.

Respectfully submitted,

Chuck Crockett  
Deputy City Recorder



## MINUTES

**Eugene City Council  
Harris Hall, 125 East 8<sup>th</sup> Avenue  
Eugene, Oregon 97401**

**July 13, 2015  
7:30 p.m.**

**Councilors Present:** George Brown, Betty Taylor, Alan Zelenka, George Poling, Mike Clark, Greg Evans  
Claire Syrett, Chris Pryor

Mayor Piercy opened the July 13, 2015, City Council meeting.

**1. PLEDGE OF ALLEGIANCE TO THE FLAG and READING OF THE DECLARATION OF INDEPENDENCE**

In honor of Independence Day on July 4, Matti Cone, President of the UO Veterans and Family Student Association, and Bryan Boender, local attorney-at-law and member of the Veterans Memorial Association, read the Declaration of Independence and led the Pledge of Allegiance to the Flag.

**2. CEREMONIAL MATTERS**

The Mayor recognized the Sheldon High School varsity baseball team for winning the 2015 Oregon State 6A baseball title.

**3. PUBLIC FORUM**

1. Richard Herman – supported the affordable housing project in Santa Clara.
2. Steve Bade – gave an update on the Bicycle Pedestrian Advisory Council (BPAC).
3. Adrienne De Florio – stated the importance of 4<sup>th</sup> Amendment.

**3. CONSENT CALENDAR**

**MOTION AND VOTE:** Councilor Syrett, seconded by Councilor Evans, moved to approve the items on the Consent Calendar. **PASSED 8:0**

**4. PUBLIC HEARING: An Ordinance Concerning Land Use Code Maintenance and Amending Sections 9.0500, 9.1060, 9.2160, 9.2740, 9.3115, 9.3210, 9.3310, 9.3510, 9.3810, 9.3910, 9.4260, 9.5200, 9.6105, 9.6410, 9.6610, 9.7315, 9.7335, 9.7415, 9.7455, 9.7505, 9.7520, 9.7560, 9.7655, 9.8400, 9.8405, and 9.8855 of the Eugene Code, 1971 (City File CA 15-2)**

1. Michael Reeder – supported the proposed amendments, especially the parking amendments.

**5. WORK SESSION: City Hall**

Design and Construction Manager Mike Penwell and the City Hall Rebuild team gave an update on the demolition process and showed a PowerPoint on the schematic design concepts.

Council discussion:

- Design should be something that lasts and a legacy for the future.
- Simplicity of layout appreciated; creates public space public can easily navigate.
- Transparency aspect and openness to street very exciting; captures Eugene vibe.
- Appreciate that design is within the financial means of the City.
- No sense that building is uniquely Eugene; more history needs to be incorporated.
- Should be a net-zero energy building; calculate cost to get this accomplished.
- Concerns about safety and vulnerability of staff and public should be addressed.

**7. ACTION: Crest Drive Traffic Island**

**MOTION AND VOTE:** Councilor Taylor, seconded by Councilor Evans, moved to direct the City Manager to remove the traffic circle island at Crest and Lincoln, install a speed table down the hill from that location, and to bring back a plan for funding the approximately \$25,000 cost. **PASSED 7:1**, Councilor Clark opposed.

Council discussion:

- Concern expressed about council getting involved in service issues.
- Current configuration is dangerous; removal of island widely supported.

The meeting adjourned at 8:56p.m.

Respectfully submitted,

Chuck Crockett  
Deputy City Recorder

## ATTACHMENT D

## MINUTES

**Eugene City Council  
Harris Hall, 125 East 8<sup>th</sup> Avenue  
Eugene, Oregon 97401**

**July 20, 2015  
5:30 p.m.**

**Councilors Present:** *George Brown via phone*, Betty Taylor, Alan Zelenka, George Poling, Mike Clark, Greg Evans, Claire Syrett, Chris Pryor

Mayor Piercy opened the July 20, 2015, City Council work session.

**A. WORK SESSION: Envision Eugene Housing Update**

City Manager Jon Ruiz and Planning Director Robin Hostick gave an update on the process to-date and answered previously submitted questions.

Council discussion:

- Impact of climate refugees on population will be significant; should be considered in decision-making process.
- Support expressed for work to occur on urban reserve planning while deliberations on the urban growth boundary continue.
- Population forecasts and other factors constantly change; hybrid plan is a good compromise that allows progress.
- Public participation/input on hybrid plan is needed; decision is being made in haste.
- Community and council dialog about Envision Eugene has been going on for years; time to move forward.
- Proposed plan provides a way to make Envision Eugene a reality.

**MOTION TO AMEND AND VOTE:** Councilor Syrett, seconded by Councilor Evans, moved to direct the City Manager to prepare an urban growth boundary adoption package and to take the other actions that are part of the “Hybrid Option” as described in the AIS. **PASSED 6:2**, Councilors Brown and Taylor opposed.

**B. WORK SESSION: Regional Prosperity Update**

Community Development Manager Denny Braud and Economic Development Planner Anne Fifield gave a PowerPoint presentation on local regional prosperity efforts since issuance of the 2010 Regional Prosperity Economic Development Plan.

Council discussion:

- Appreciate all the hard work that has been put into this; very energizing for the community.
- Community has made great progress; more Eugene-specific focus needed.
- There is a significant need to measure gross domestic product.
- Success of fiber optics project is exciting; identify ways to expand its scope.
- Progress on raising local wages won't happen without intervention/cooperation from state legislature and voters.
- Detailed information on breakdown of living wage jobs in the community requested.
- Education is fundamental to economic development; greater support needed.

Item 3.A.

The meeting adjourned at 7:11 p.m.

Respectfully submitted,

Chuck Crockett  
Deputy City Recorder

## ATTACHMENT E

## MINUTES

**Eugene City Council  
Harris Hall, 125 East 8<sup>th</sup> Avenue  
Eugene, Oregon 97401**

**July 22, 2015  
12:00 p.m.**

**Councilors Present:** George Brown via phone, Betty Taylor, Alan Zelenka, George Poling, Mike Clark, Claire Syrett, Chris Pryor

**Councilors Absent:** Greg Evans

Mayor Piercy opened the July 22, 2015, City Council work session.

**A. EXECUTIVE SESSION: Pursuant to ORS 192.660 (2)(i)**

The Eugene City Council met in executive session pursuant to ORS 192.660 (2)(i)

**B. WORK SESSION: City Manager Annual Performance Review**

Human Resources Director Alana Holmes and Human Resources Manager Keri Beraldo led the Council in a discussion on the City Manager's annual performance review.

Council discussion:

- City Manager is doing an excellent job; his leadership and collaborative skills are appreciated.
- Concern expressed about staffing levels and the impact on workload, and quality of work.
- City Manager successfully navigated difficult conversations; more TBL focus needed.
- Potential for better flow of information to council
- City Manager is the right person for the job.
- Improvement needed in how meetings are scheduled; too much time lapses between meetings on important topics.

**C. WORK SESSION: Report to City Council from Civilian Review Board and Police Auditor**

Police Auditor Mark Gissiner gave a PowerPoint presentation highlighting the statistics provided in the 2014 Police Auditor Annual Report.

Council discussion:

- Concern expressed about emerging gap in mental health services; should be a priority.
- Police Auditor's Office and the services it provides makes the Eugene Police Department better.
- Civilian Review Board meetings should be recorded/televised, with the exception of personnel discussions.
- A more in-depth policy discussion on mental health funding is needed.

The meeting adjourned at 1:30 p.m.

Respectfully submitted,

Chuck Crockett  
Deputy City Recorder

MINUTES – Eugene City Council  
Work Session

July 22, 2015

Page 1



# EUGENE CITY COUNCIL

## AGENDA ITEM SUMMARY



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### Approval of Tentative Working Agenda

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Meeting Date: July 27, 2015  
Department: City Manager's Office  
[www.eugene-or.gov](http://www.eugene-or.gov)

Agenda Item Number: 3B  
Staff Contact: Beth Forrest  
Contact Telephone Number: 541-682-5882

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#### **ISSUE STATEMENT**

This is a routine item to approve City Council Tentative Working Agenda.

#### **BACKGROUND**

On July 31, 2000, the City Council held a process session and discussed the Operating Agreements. Section 2, notes in part that, "The City Manager shall recommend monthly to the council which items should be placed on the council agenda. This recommendation shall be placed on the consent calendar at the regular City Council meetings (regular meetings are those meetings held on the second and fourth Monday of each month in the Council Chamber). If the recommendation contained in the consent calendar is approved, the items shall be brought before the council on a future agenda. If there are concerns about an item, the item may be pulled from the consent calendar at the request of any councilor or the Mayor. A vote shall occur to determine if the item should be included as future council business." Scheduling of this item is in accordance with the Council Operating Agreements.

#### **RELATED CITY POLICIES**

There are no policy issues related to this item.

#### **COUNCIL OPTIONS**

The council may choose to approve, amend or not approve the tentative agenda.

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

Staff has no recommendation on this item.

#### **SUGGESTED MOTION**

Move to approve the items on the Tentative Working Agenda.

**ATTACHMENTS**

A. Tentative Working Agenda

**FOR MORE INFORMATION**

Staff Contact: Beth Forrest  
Telephone: 541-682-5882  
Staff E-Mail: beth.l.forrest@ci.eugene.or.us



# EUGENE CITY COUNCIL TENTATIVE WORKING AGENDA

July 22, 2015

<b>JULY 27</b>	<b>MONDAY</b>
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<b>5:30 p.m.</b>	<b>Council Work Session</b>	
<b>Harris Hall</b>	<b>Expected Absences:</b>	
A. WS: Rental Unit Management and Livability		45 mins - PDD/Medary

<b>7:30 p.m.</b>	<b>Council Meeting</b>	
<b>Harris Hall</b>	<b>Expected Absences:</b>	
1. Ceremonial Matters - EPD Accreditation		
2. Public Forum		
3. Consent Calendar		
a. Approval of City Council Minutes		CS/Bloch
b. Approval of Tentative Working Agenda		CS/Forrest
c. Appointment of CRB Representative to Police Commission		PA/Gissiner
4. Action: Ordinance on Land Use Code Amendments – Code Maintenance		PDD/Hansen
5. Action: Motions Relating to Production of a Voters' Pamphlet for November Election		CS/Forrest
6. Action: Appointment to Whilamut Natural Area Citizen Planning Committee		PW/Cary-Hobbs

<b>JULY 29</b>	<b>WEDNESDAY</b>
----------------	------------------

<b>Noon</b>	<b>Council Work Session</b>	
<b>Harris Hall</b>	<b>Expected Absences:</b>	
A. WS: Workshop Follow-Up – Economic Prosperity		45 mins – CS/Ruiz
B. WS: Workshop Follow-Up – Homelessness		45 mins – CS/Ruiz

COUNCIL BREAK: JULY 30 , 2015 – SEPTEMBER 14, 2015

<b>SEPTEMBER 14</b>	<b>MONDAY</b>
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<b>5:30 p.m.</b>	<b>Council Work Session</b>	
<b>Harris Hall</b>	<b>Expected Absences:</b>	
A. Committee Reports: PC, SWEDCO, Lane Workforce, LTD/EmX, OMPOC, McKenzie Watershed		
B. WS: Human Rights Commission Annual Report and Work Plan		30 mins – CS/Kinnison
C. WS: Sustainability Commission Annual Report and Work Plan		30 mins – CS/O'Sullivan

<b>7:30 p.m.</b>	<b>Council Meeting</b>	
<b>Harris Hall</b>	<b>Expected Absences:</b>	
1. Public Forum		
2. Consent Calendar		
a. Approval of City Council Minutes		CS/Bloch
b. Approval of Tentative Working Agenda		CS/Forrest
c. Amendment to Neighborhood Organization Recognition Policy and Model Charter		CS/Kane

<b>SEPTEMBER 16</b>	<b>WEDNESDAY</b>
---------------------	------------------

<b>Noon</b>	<b>Council Work Session</b>	
<b>Harris Hall</b>	<b>Expected Absences:</b>	
A. WS: Bethel Economic Development		45 mins – PDD/Nelson
B. WS:		

<b>SEPTEMBER 21</b>	<b>MONDAY</b>
---------------------	---------------

<b>7:30 p.m.</b>	<b>Council Public Hearing</b>	
<b>Harris Hall</b>	<b>Expected Absences:</b>	
1. PH: Ordinance on Rest-Haven Memorial Park Metro Plan Amendment & Zone Change Request		PDD/O'Donnell

A=action; PH=public hearing; WS=work session

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# EUGENE CITY COUNCIL TENTATIVE WORKING AGENDA

July 22, 2015

<b>SEPTEMBER 23</b>	<b>WEDNESDAY</b>
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<b>Noon</b>	<b>Council Work Session</b>	
<b>Harris Hall</b>	<b>Expected Absences:</b>	
A. WS: Process Session		90 mins - CS

<b>SEPTEMBER 28</b>	<b>MONDAY</b>
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<b>5:30 p.m.</b>	<b>Council Work Session</b>	
<b>Harris Hall</b>	<b>Expected Absences:</b>	
A. Joint Meeting with LTD: Update on MovingAhead Corridor Screening		60 mins – PW/Henry
B. Committee Reports and Items of Interest		

<b>7:30 p.m.</b>	<b>Council Meeting</b>	
<b>Harris Hall</b>	<b>Expected Absences:</b>	
1. Public Forum		
2. Consent Calendar		
a. Approval of City Council Minutes		CS/Bloch
b. Approval of Tentative Working Agenda		CS/Forrest

<b>SEPTEMBER 30</b>	<b>WEDNESDAY</b>
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<b>Noon</b>	<b>Council Work Session</b>	
<b>Harris Hall</b>	<b>Expected Absences:</b>	
A. WS: Climate Recovery Ordinance Update		60 mins – CS/O'Sullivan
B. WS:		

<b>OCTOBER 12</b>	<b>MONDAY</b>
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<b>5:30 p.m.</b>	<b>Council Work Session</b>	
<b>Harris Hall</b>	<b>Expected Absences:</b>	
A. Committee Reports and Items of Interest: HRC, SC, HSC, LCOG, MPC, PSCC		30 mins
B. WS: Update on MovingAhead Corridor Screening		45 mins – PW/Henry

<b>7:30 p.m.</b>	<b>Council Meeting</b>	
<b>Harris Hall</b>	<b>Expected Absences:</b>	
1. Public Forum		
2. Consent Calendar		
a. Approval of City Council Minutes		CS/Bloch
b. Approval of Tentative Working Agenda		CS/Forrest
c. Authorization for EWEB Water Bonds		CS/Cutsogeorge

<b>OCTOBER 14</b>	<b>WEDNESDAY</b>
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<b>Noon</b>	<b>Council Work Session</b>	
<b>Harris Hall</b>	<b>Expected Absences: Piercy</b>	
A. WS: Stormwater Program Update		45 mins – PW/Schoening
B. WS:		

<b>OCTOBER 19</b>	<b>MONDAY</b>
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<b>7:30 p.m.</b>	<b>Council Public Hearing</b>
<b>Harris Hall</b>	<b>Expected Absences:</b>
1. PH:	

<b>OCTOBER 21</b>	<b>WEDNESDAY</b>
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<b>Noon</b>	<b>Council Work Session</b>
<b>Harris Hall</b>	<b>Expected Absences:</b>
A. WS:	
B. WS:	

A=action; PH=public hearing; WS=work session

# EUGENE CITY COUNCIL TENTATIVE WORKING AGENDA

July 22, 2015

<b>OCTOBER 26</b>	<b>MONDAY</b>
<b>5:30 p.m.</b> <b>Harris Hall</b>	<b>Council Work Session</b> <b>Expected Absences:</b> A. Committee Reports and Items of Interest from Mayor, City Council and City Manager B. WS:
	30 mins
<b>7:30 p.m.</b> <b>Harris Hall</b>	<b>Council Meeting</b> <b>Expected Absences:</b> 1. Public Forum 2. Consent Calendar a. Approval of City Council Minutes b. Approval of Tentative Working Agenda
	CS/Bloch CS/Forrest
<b>OCTOBER 28</b>	<b>WEDNESDAY</b>
<b>Noon</b> <b>Harris Hall</b>	<b>Council Work Session</b> <b>Expected Absences:</b> A. WS: B. WS:
<b>NOVEMBER 9</b>	<b>MONDAY</b>
<b>5:30 p.m.</b> <b>Harris Hall</b>	<b>Council Work Session</b> <b>Expected Absences:</b> A. Committee Reports: LWP, Chamber of Commerce, HPB, LRAPA, MWMC B. WS:
	30 mins
<b>7:30 p.m.</b> <b>Harris Hall</b>	<b>Council Meeting</b> <b>Expected Absences:</b> 1. Pledge of Allegiance to the Flag (Veterans Day) 2. Public Forum 3. Consent Calendar a. Approval of City Council Minutes b. Approval of Tentative Working Agenda
	CS/Bloch CS/Forrest
<b>NOVEMBER 16</b>	<b>MONDAY</b>
<b>7:30 p.m.</b> <b>Harris Hall</b>	<b>Council Public Hearing</b> <b>Expected Absences:</b> 1. PH:
<b>NOVEMBER 18</b>	<b>WEDNESDAY</b>
<b>Noon</b> <b>Harris Hall</b>	<b>Council Work Session</b> <b>Expected Absences:</b> A. WS: B. WS:
<b>NOVEMBER 23</b>	<b>WEDNESDAY</b>
<b>5:30 p.m.</b> <b>Harris Hall</b>	<b>Council Work Session</b> <b>Expected Absences:</b> A. Committee Reports and Items of Interest from Mayor, City Council and City Manager B. WS:
	30 mins

A=action; PH=public hearing; WS=work session

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# EUGENE CITY COUNCIL TENTATIVE WORKING AGENDA

July 22, 2015

**7:30 p.m. Council Meeting**  
**Harris Hall Expected Absences:**

1. Public Forum
2. Consent Calendar
  - a. Approval of City Council Minutes
  - b. Approval of Tentative Working Agenda

CS/Bloch  
CS/Forrest

<b>NOVEMBER 25</b>	<b>WEDNESDAY</b>
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**Noon Council Work Session**  
**Harris Hall Expected Absences:**

- A. WS:
- B. WS:

<b>DECEMBER 9</b>	<b>WEDNESDAY</b>
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**Noon Council Work Session**  
**Harris Hall Expected Absences:**

- A. WS:
- B. WS:

<b>DECEMBER 14</b>	<b>MONDAY</b>
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**5:30 p.m. Council Work Session**  
**Harris Hall Expected Absences:**

- A. Committee Reports: PC, South Willamette EDC, LTD/EmX, OMPOC, McKenzie Watershed
- B. WS:

**7:30 p.m. Council Meeting**  
**Harris Hall Expected Absences:**

1. Public Forum
2. Consent Calendar
  - a. Approval of City Council Minutes
  - b. Approval of Tentative Working Agenda
3. PH and Action: Supplemental Budget #1

CS/Bloch  
CS/Forrest  
CS/Miller

<b>DECEMBER 16</b>	<b>WEDNESDAY</b>
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**Noon Council Work Session**  
**Harris Hall Expected Absences:**

- A. WS:
- B. WS:

**ON THE RADAR**

Work Session Polls/Council Requests	Status
1. Fireworks (Taylor).....	fall 2015

# EUGENE CITY COUNCIL

## AGENDA ITEM SUMMARY




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### Appointment of Civilian Review Board Representative to Police Commission

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Meeting Date: July 27, 2015  
 Department: Police Auditor  
[www.eugene-or.gov](http://www.eugene-or.gov)

Agenda Item Number: 3C  
 Staff Contact: Mark Gissiner  
 Contact Telephone Number: 541-682-5005

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#### **ISSUE STATEMENT**

This item is to propose the approval of Civilian Review Board member, Steven McIntire, Esq., to serve jointly on the Civilian Review Board and the Police Commission.

#### **BACKGROUND**

Council Ordinance Number 20374 (adopted on December 19, 2006), Section 2.246 (2), authorizes the Civilian Review Board to nominate one of its members to serve jointly on the Civilian Review Board and the Police Commission. This nomination is subject to the approval or rejection by the City Council. At the July 14, 2015, meeting of the Civilian Review Board, its members unanimously voted Steven McIntire to serve in this role.

#### **RELATED CITY POLICIES**

The Civilian Review Board serves as an advisory body to the City Council and the Police Auditor. This is consistent with the principles of community policing and government accountability. The Civilian Review Board may develop policy recommendations and this appointment to the Police Commission will give the Civilian Review Board an opportunity to communicate policy recommendations for the Police Department.

The Civilian Review Board voted unanimously to recommend Mr. McIntire to perform these functions.

#### **COUNCIL OPTIONS**

The City Council may approve the appointment of Steven McIntire as the Civilian Review Board representative to the Police Commission or decline to approve this appointment.

#### **AUDITOR'S RECOMMENDATION**

The Auditor recommends the appointment of Steven McIntire to serve jointly on the Civilian Review Board and Police Commission.

**SUGGESTED MOTION**

Move to appoint Steven McIntire as representative from the Civilian Review Board to the Police Commission.

**ATTACHMENTS**

None

**FOR MORE INFORMATION**

Staff Contact: Mark Gissiner

Telephone: 541-682-5005

Staff E-Mail: [mark.a.gissiner@ci.eugene.or.us](mailto:mark.a.gissiner@ci.eugene.or.us)

# EUGENE CITY COUNCIL

## AGENDA ITEM SUMMARY




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Action: An Ordinance Concerning Land Use Code Maintenance and Amending Sections 9.0500, 9.1060, 9.2160, 9.2740, 9.3115, 9.3210, 9.3310, 9.3510, 9.3810, 9.3910, 9.4260, 9.5200, 9.6105, 9.6410, 9.6610, 9.7315, 9.7335, 9.7415, 9.7455, 9.7505, 9.7520, 9.7560, 9.7655, 9.8400, 9.8405, and 9.8855 of the Eugene Code, 1971 (City File CA 15-2)

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Meeting Date: July 27, 2015  
 Department: Planning & Development  
[www.eugene-or.gov](http://www.eugene-or.gov)

Agenda Item Number: 4  
 Staff Contact: Alissa Hansen  
 Contact Telephone Number: 541-682-5508

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### ISSUE STATEMENT

The City Council is asked take action on land use code amendments related to maintenance of the code.

### BACKGROUND

In recognition of the need to regularly improve the land use code, one of the strategies in Envision Eugene under Pillar 7 (Provide for adaptable, flexible and collaborative implementation) calls for the City to continually evaluate and regularly adjust regulations through a collaborative, ongoing code improvement program. The goal of this strategy is to create an ongoing program to improve the land use code through a collaborative process. Amendments are intended to range from discrete legal or corrective revisions that improve the administration of the code to broader or more comprehensive changes to ensure that regulations remain in alignment with the community's vision described in Envision Eugene.

As a pilot to the code improvement program, earlier this year, the City Council initiated land use code amendments that focus on code maintenance. This set includes a small number of discrete amendments that address corrective or legal issues which, if left unaddressed, pose a challenge in the administration of the land use code. To ensure that the code maintenance amendments remain manageable within existing resources, the amendments do not address policy issues or topics associated with other Planning Division work program items.

Corrective amendments are intended to fix errors or conflicts by removing obsolete language, adding language that was inadvertently omitted, or correcting code references without changing policy or intent. Legal amendments respond to changes in state law (such as revisions to Oregon Revised Statutes) to remove conflicts between provisions in the code and newer state regulations.

A summary of the amendments is provided in Attachment A, and the proposed ordinance is provided as Attachment B.

The Planning Commission held a public hearing on June 2, 2015, to consider the amendments. No testimony regarding the amendments was provided at, or prior to, the public hearing. Immediately following the hearing, the Planning Commission voted unanimously (6-0) to recommend approval of the land use code amendments as proposed. The City Council held a public hearing on July 13, 2015, to consider the amendments. At the public hearing, one person spoke in support of the amendments and specifically for the correction to the Downtown and West University Automobile Parking Exempt Areas map.

A complete set of record materials are available for review on line at [www.eugene-or.gov/codeamendments](http://www.eugene-or.gov/codeamendments).

#### **RELATED CITY POLICIES**

Findings addressing consistency with related City policies, including provisions of the Metro Plan, are included as an exhibit to the proposed ordinance (Exhibit B of Attachment B).

#### **COUNCIL 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**

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

#### **SUGGESTED MOTION**

Move to approve the ordinance as provided in Attachment B.

#### **ATTACHMENTS**

- A. Summary of Code Maintenance Amendments
- B. Draft Ordinance

#### **FOR MORE INFORMATION**

Staff Contact: Alissa Hansen  
Telephone: 541-682-6508  
Staff E-Mail: [alissa.h.hansen@ci.eugene.or.us](mailto:alissa.h.hansen@ci.eugene.or.us)



Land Use Code Maintenance 2015

Summary of Amendments - July 2015

-137-

		Issue	Proposed Amendment (additions in <i>bold italic</i> and deletions in <del>strikethrough</del> )															
Corrective	1	<i>Parking Exempt Map:</i> The boundary of the West University Automobile Parking Exempt Area was inadvertently changed during approval of the package of code amendments to adopt the Downtown Riverfront Special Area zone for the EWEB property (which included a change to the Downtown Automobile Parking Exempt Area). The West University Automobile Parking Exempt Area boundary should be corrected to reflect the originally adopted boundary.	<p><b>Map 9.6410(4)(a) Downtown and West University Automobile Parking Exempt Areas</b></p> <p>See attached maps:                      Map A shows the original map prior to the Downtown Riverfront amendments (As adopted per Ordinance No. 20235)                      Map B shows the map adopted as part of Downtown Riverfront amendments with the incorrect boundary for West University. (As adopted per Ordinance No. <del>20235</del>)                      Map C shows the corrected boundary for West University.</p>															
	2	<i>Exemptions to Sign Standards:</i> An incorrect section of the Fire Code is referenced when describing the exemption for building addresses. It reads Fire Code 901.4.4 and it should be corrected to 505.1.	<p><b>9.6610 Exemptions to Sign Standards.</b></p> <p><b>(2)</b> Except as provided in subsection (3) of this section, the following signs are exempt from the requirements of EC 9.6600 through 9.6680, and are exempt from the requirement to obtain a sign permit if they are located on private property outside of vision clearance areas:</p> <p><u>Addresses.</u> Number and street name of any size. (Addresses are regulated per EC 8.005(21) <u>Numbering of Structures and Premises</u> and Fire Code 901.4.4 <del>Premise Identification</del>. <b>505.1 Address Identification</b>)</p>															
	3	<i>Appeal Standing:</i> The appeal procedures sets out the parties who can file an appeal (i.e., those who have standing) of a hearings official or Historic Review Board decision. Current code language does not include those who participated <u>orally</u> and who did not submit written comments. The code should be revised to correct this omission and reflect that any participant in the hearing process should have the ability to file an appeal.	<p><b>9.7655 Filing of Appeal of Hearings Official or Historic Review Board Initial Decision.</b></p> <p><b>(1)</b> Within 12 days of the date of the mailing of the decision of the hearings official or historic review board, the decision may be appealed to the planning commission as specified in Table 9.7055 Applications and Review Authorities by the following:</p> <ul style="list-style-type: none"> <li>(a) Applicant.</li> <li>(b) Owner of the subject property.</li> <li>(c) Neighborhood group officially recognized by the city that includes the area of the subject property.</li> <li>(d) Any person who submitted written comments in regard to the original application.</li> <li><b>(e) Any person who provided oral testimony in regard to the original application at the public hearing.</b></li> </ul>															
	4	<i>Process for Zone Changes:</i> For zone changes processed concurrently with Metro Plan amendments, the code references the procedures for Type IV and V applications. Since Metro Plan Amendments follow a separate process (as opposed to the Type IV or V application process), reference to that specific process should be added to correct the omission.	<p><b>9.1060 Changes in Zone Boundaries and Overlay Zone Boundaries.</b> Changes in zone boundaries or overlay zone boundaries shall be processed pursuant to the Type III Application Procedures (EC 9.7300 - 9.7340) or, if processed concurrently with a refinement plan, <del>or code amendment, Type IV Application Procedures (EC 9.7400 - 9.7455).</del> <b>or Metro Plan amendment shall follow the applicable procedure for each type of amendment.</b> Decisions shall be based on the criteria contained in EC 9.8865 <u>Zone Change Approval Criteria</u></p> <p><b>9.4260 Procedure for Applying the /ND Nodal Development Overlay Zone.</b> Rezoning to apply the /ND overlay zone concurrent with a Metro Plan diagram amendment to apply the /ND Nodal Development designation shall be processed as a <del>Type V application as provided in EC 9.7500 through EC 9.7560 Type V Application Procedures</del> <b>consistent with the Metro Plan Amendment Procedures as provided in EC 9.7700 through 9.7730.</b> Except as provided in <del>EC 9.7840</del> <b>EC 9.7820(3)</b>, rezoning to apply the /ND overlay zone to property shown as ND Nodal Development on the Metro Plan diagram shall be processed as a Type III application as provided in EC 9.7300 through EC 9.7340 Type III Application Procedures. Proceedings to apply the /ND overlay zone may be initiated only by the city council.</p> <table border="1" style="margin-left: auto; margin-right: auto;"> <thead> <tr> <th colspan="2" style="text-align: center;">Table 9.7505 Type V Application Requirements and Criteria</th> </tr> <tr> <th style="text-align: left;">Type V Applications</th> <th style="text-align: left;">Beginning Reference</th> </tr> </thead> <tbody> <tr> <td>Land Use Code Amendments</td> <td>EC 9.8060</td> </tr> <tr> <td>Refinement Plan Amendments to policies and/or maps that are not limited to a specific site</td> <td>EC 9.8421</td> </tr> <tr> <td>Refinement Plan Adoption or Update</td> <td>EC 9.8421</td> </tr> <tr> <td>Zone Change concurrent with a Code Amendment</td> <td>EC 9.8850</td> </tr> <tr> <td>Special Area Zone Establishment or Amendment</td> <td>EC 9.3000</td> </tr> <tr> <td><del>Zone Change to apply the /ND Overlay Zone to Nodal Development Areas concurrent with a Metro Plan diagram amendment to apply the ND Nodal Development designation</del></td> <td><del>EC 9.4260</del></td> </tr> </tbody> </table>	Table 9.7505 Type V Application Requirements and Criteria		Type V Applications	Beginning Reference	Land Use Code Amendments	EC 9.8060	Refinement Plan Amendments to policies and/or maps that are not limited to a specific site	EC 9.8421	Refinement Plan Adoption or Update	EC 9.8421	Zone Change concurrent with a Code Amendment	EC 9.8850	Special Area Zone Establishment or Amendment	EC 9.3000	<del>Zone Change to apply the /ND Overlay Zone to Nodal Development Areas concurrent with a Metro Plan diagram amendment to apply the ND Nodal Development designation</del>
Table 9.7505 Type V Application Requirements and Criteria																		
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Item 4.

		<p><b>9.8855</b> <b>Applicability.</b> Changes in zoning, including the application of or change of an overlay zone or special area zone shall be processed as a Type III application as provided in EC 9.7300 through EC 9.7340 Type III Application Procedures, with the following exceptions:</p> <p>(3) The proposed zone change involves a concurrent amendment to the Metro Plan or a refinement plan, or the adoption of a new refinement plan, in which case the zone change shall be processed as a Type IV or Type V application as provided in EC 9.7400 through EC 9.7455 Type IV Application Procedures and EC 9.7500 through 9.7560 Type V Application Procedures.</p> <p>(4) <b>The proposed zone change involves a concurrent amendment to the Metro Plan, in which case the zone change shall be processed consistent with the Metro Plan Amendment Procedures as provided in EC 9.7700 through 9.7730.</b></p> <p>(4)(5) [Renummer remaining subsections . . . ]</p>		
<p>Legal</p>	<p><b>5</b> <i>Definition of a Legal Lot:</i> The definition of legal lot needs to be updated consistent with state law to include lots that were not lawfully established (for lots created prior to 2007) but could have complied with applicable land division time in effect when the land was sold, as provided for in state law. [ORS 92.176]</p>	<p><b>9.0500</b> <b>Definitions</b>  <b>Legal Lot.</b> A lot of record that has boundary lines that were established:</p> <p>(A) Through a partition or subdivision procedure, or</p> <p>(B) By a deed that was signed before April 2, 1962-, or</p> <p>(C) <b>Through approval of an application to validate a unit of land consistent with ORS 92.176.</b></p>		
	<p><b>6</b> <i>Day Care Allowances:</i> Day cares are allowed in residential and commercial zones. For day cares serving between 3 and 12 people, the use is listed in the land use code as permitted. For day cares serving 13 or more, a conditional use permit is required. State law was changed to establish a minimum number of 4 people to qualify as a day care and to require that certified day cares with up to 16 people must be allowed as permitted uses in residential and commercial zones. To resolve this inconsistency with state law, the threshold must be raised from 3 -12 people to 4-16 people in all residential and commercial zones where day care is listed as a permitted use, and from 13 to 17 people where day care is listed as a conditional use. The corresponding provisions for bicycle and motor vehicle parking standards that reference day care uses must also be revised for consistency. [ORS 329A.250(4), ORS 329A.280 and ORS 329A.440]</p>	<p><b>9.0500</b> <b>Definitions</b>  <b>Day Care.</b> Care or supervision of <del>3</del> <b>four</b> or more persons by a paid caregiver who is not the parent, guardian, or related by blood or marriage to the persons being served. Day care does not include boarding or temporary care or other support services for adult transitory persons.</p> <p><b>Table 9.2740 Residential Zone Land Uses and Permit Requirements</b>  <b>Table 9.2160 Commercial Zone Land Uses and Permit Requirements</b>  <b>Table 9.3115 S-CN Chase Node Special Area Zone Land Uses and Permit Requirements</b>  <b>Table 9.3210 S-DW Downtown Westside Special Area Zone Uses and Permit Requirements</b>  <b>Table 9.3310 S-E Elmira Road Special Area Zone Uses and Permit Requirements</b>  <b>EC 9.3510 S-HB Blair Boulevard Historic Commercial Special Area Zone Uses (2) Areas Designated for Neighborhood Commercial.</b>  <b>Table 9.3810 S-RN Royal Node Special Area Zone Land Uses and Permit Requirements</b>  <b>Table 9.3910 S-W Whiteaker Special Area Zone Uses and Permit Requirements</b>  <b>Table 9.6105(5) Minimum Required Bicycle Parking Spaces</b>  <b>Table 9.6410 Required Off-Street Motor Vehicle Parking</b></p> <p><i>In each of the above referenced tables (which identify permitted and conditionally allowed uses), reference to the use of Day Care to be revised as follows:</i></p> <table border="1" data-bbox="1044 1237 1631 1300"> <tr> <td>Day Care (<del>3 to 12</del> <b>4 to 16</b> people served)</td> </tr> <tr> <td>Day Care (<del>13-17</del> or more people served)</td> </tr> </table> <p><b>9.5200</b> <b>Day Care, Small (<del>3-12</del> <b>4 to 16</b> people served) Standards.</b> These standards apply to small, (<del>3-12</del> <b>4 to 16</b> people served) day care operations in residential zones where the Land Uses and Permit Requirements Table for the applicable zone indicates that the use(s) “permitted subject to zone verification and EC 9.5000 to 9.5850.”</p> <p>(1) In addition to the standard required parking for other uses on the property, 1 off-street parking space is required per each outside employee.</p> <p>(2) Education programs offered as a primary activity or specialized training in activities such as dance, drama, music or religion shall be limited to preschool children.</p> <p>(3) At least 1 of the business owners of a day care service serving <del>3-12</del> <b>4 to 16</b> people in R-1 and R-2 zones shall reside in the building.</p> <p>(4) No overnight care permitted without a conditional use permit.</p>	Day Care ( <del>3 to 12</del> <b>4 to 16</b> people served)	Day Care ( <del>13-17</del> or more people served)
Day Care ( <del>3 to 12</del> <b>4 to 16</b> people served)				
Day Care ( <del>13-17</del> or more people served)				
	<p><b>7</b> <i>Notice Requirements:</i> The public hearing notice procedures for Type III, IV and V applications require notice to be mailed to the State Department of Land Conservation and Development at least 45 days prior to the planning commission public hearing and describes what must be included in that notice. Notice of decision is required to be mailed 5 days after a decision is rendered.</p>	<p><b>Type III Application Procedures</b></p> <p><b>9.7315</b> <b>Public Hearing Notice.</b></p> <p>(1) When required by state law, at least <del>45</del> <b>35</b> days prior to the public hearing, the city shall <del>mail</del> <b>submit</b> notice to the state <b>Oregon</b> Department of Land Conservation and Development that includes the <del>proposed map change and the date of the hearing</del> <b>information required by state law.</b></p> <p><b>9.7335</b> <b>Notice of Decision.</b></p> <p>(1) Within 5 days after the hearings official or historic review board renders a decision, notice of the decision shall be mailed to the following:</p> <p>(a) Applicant.</p>		

State law recently changed to require a 35 day notice for the initial notice and 20 days for the notice of decision, to allow for electronic submittal (in addition to mail submittal) and to clarify submittal requirements. The applicable code sections need to be updated accordingly. [ORS 197.610 and OAR 660-018-0020]

- (b) Owner of the subject property.
  - (c) Neighborhood group or community organization officially recognized by the city that includes the area of the subject property.
  - (d) Any group or individual who provided written or oral testimony prior to the close of the public comment period.
  - (e) For Willamette Greenway permits, to the Oregon Department of Transportation.
- (2) The notice shall include the following:
- (a) A summary of the decision.
  - (b) An explanation of the appeal rights.
- (3) **Within 20 days of the decision, when required by state law, the city shall submit written notice to the Oregon Department of Land Conservation and Development that includes the information required by state law.**  
[Renumber remaining subsections]

**Type IV Application Procedures**

**9.7415 Public Hearing Notice.**

- (1) In the case of a refinement plan amendment, at least ~~45~~ **35** days prior to the planning commission public hearing the city shall ~~mail~~ **submit** written notice to the State **Oregon** Department of Land Conservation and Development that includes the ~~text of the proposed amendment, any proposed change to the zoning map to be considered concurrently with a refinement plan amendment (unless notice is not required by state law), and the date of the planning commission hearing~~ **information required by state law.**

**9.7455 Notice of Decision.**

- (1) Within 5 days of the decision, written notice of the decision shall be mailed to all of the following:
- (a) Applicant.
  - (b) Any person who has submitted written or oral testimony in a timely manner during the city council hearing procedures.
  - (c) Any person who requested notice of the city council's decision.
  - ~~(d) In the case of a refinement plan amendment, the Oregon Department of Land Conservation and Development.~~
- (2) The notice shall:
- (a) Summarize the decision of the city council.
  - (b) Explain the appeal rights.
  - ~~(c) In case of a notice being provided to the Oregon Department of Land Conservation and Development, the notice shall also contain the text of the amendment and findings, and it must specify any substantial changes from the proposed text previously sent under EC 9.7440(1), state the date of the decision, include a certificate of mailing containing a statement signed by the person mailing the notice indicating the date the notice was deposited in the mail, and list the place where and the time when the adopted text may be reviewed.~~
- (3) **Within 20 days of the decision, the city shall submit written notice of a refinement plan amendment to the Oregon Department of Land Conservation and Development that includes the information required by state law.**
- (4) Responsibility and procedures for mailing the notice described in this section may be established by administrative rule of the city manager pursuant to section 2.019 of this code.

**Type V Application Procedures**

**9.7520 Public Hearing Notice.**

- (1) At least ~~45~~ **35** days prior to the planning commission public hearing, the city shall ~~mail~~ **submit** written notice to the State **Oregon** Department of Land Conservation and Development that includes the ~~text of the proposed amendment, any proposed change to the zoning map to be considered concurrently with a code amendment (unless notice is not required by state law), and the date of the planning commission hearing~~ **information required by state law.**

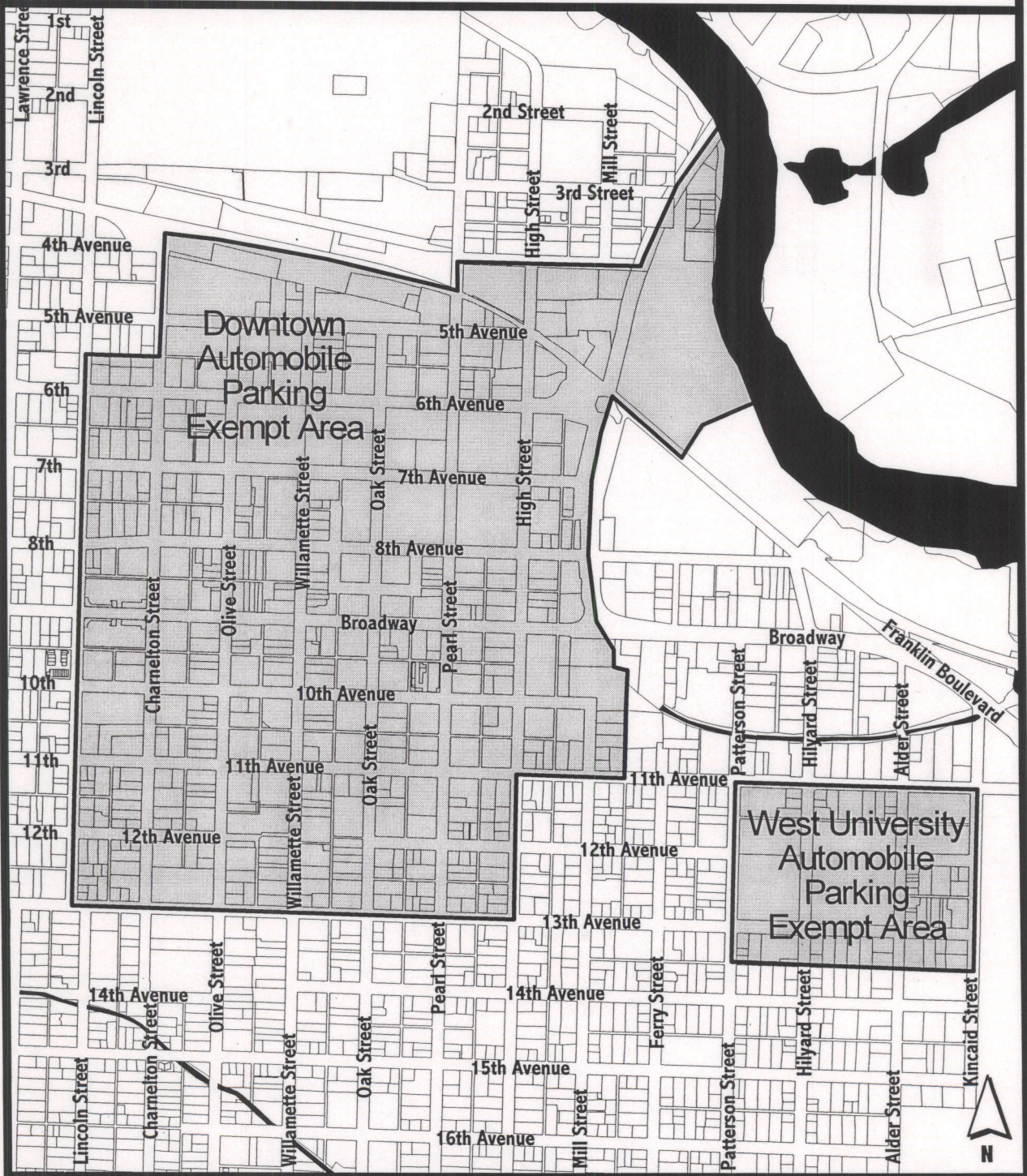
**9.7560 Notice of Decision.**

- (1) Within 5 days of the decision, written notice of the decision shall be mailed to all of the following:
- (a) Any person who provided oral or written testimony in a timely manner during the city council hearing procedures.
  - (b) Any person who requested notice of the city council's decision.
  - ~~(c) The Oregon Department of Land Conservation and Development.~~
- (2) The notice shall summarize the decision of the city council and state the date of the decision.
- (3) **Within 20 days of the decision, the city shall submit written notice** ~~The notice to the Oregon Department of Land Conservation and Development must contain the text of the amendment and findings, and it must specify any substantial changes from the proposed text, if any, previously sent under EC 9.7520(1), state the date of the decision, include a certificate of mailing containing a statement signed by the person mailing the notice indicating the date the notice was deposited in the mail, and list the place where and the time when the adopted text may be reviewed~~ **that includes the information required by state law.**

	<p><b>8</b> <i>Property Line Adjustments:</i> The code provides that removal of a line that was platted through a partition or subdivision cannot be processed through a property line adjustment; removal of such a line would require a replat. State law has changed to allow removal of a property line without requiring a replat. For consistency with state law, the code needs to be revised to remove this provision. [ORS 92.010(12) and ORS 92.190(3)]</p>	<p><b>9.8400</b> <b><u>Purpose of Property Line Adjustment.</u></b> Sections 9.8400 through 9.8420 provide an expedited process for the review of property line adjustments. A property line adjustment is the relocation of a single boundary line or the removal of <del>non-platted</del> <b>boundary</b> lines between two legal lots. Property line adjustments shall be considered in accordance with the Type I application procedures contained in EC 9.7100 <u>General Overview of Type I Application Procedures.</u></p> <p><b>9.8405</b> <b><u>Applicability of Property Line Adjustment Applications.</u></b></p> <p><b>(1)</b> A property line adjustment application is applicable to changes to the property lines of adjoining properties when all of the following exist:</p> <p>(a) <del>A property line proposed for removal is not platted in a partition or subdivision plat.</del>  <i>[Renumber remaining subsections . . .]</i></p>
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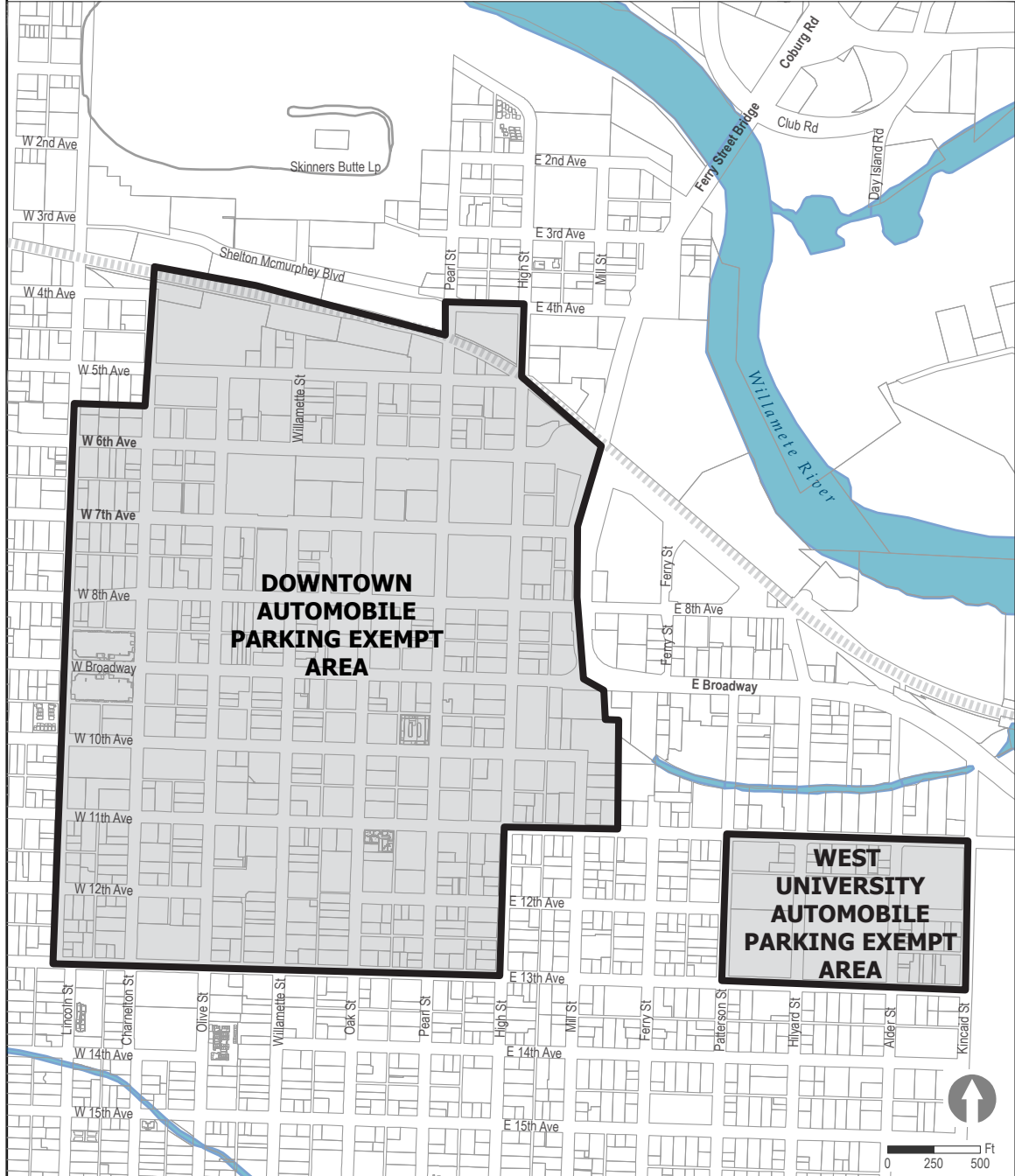
# Map 9.6410(4)(a)

## Downtown And West University Automobile Parking Exempt Areas



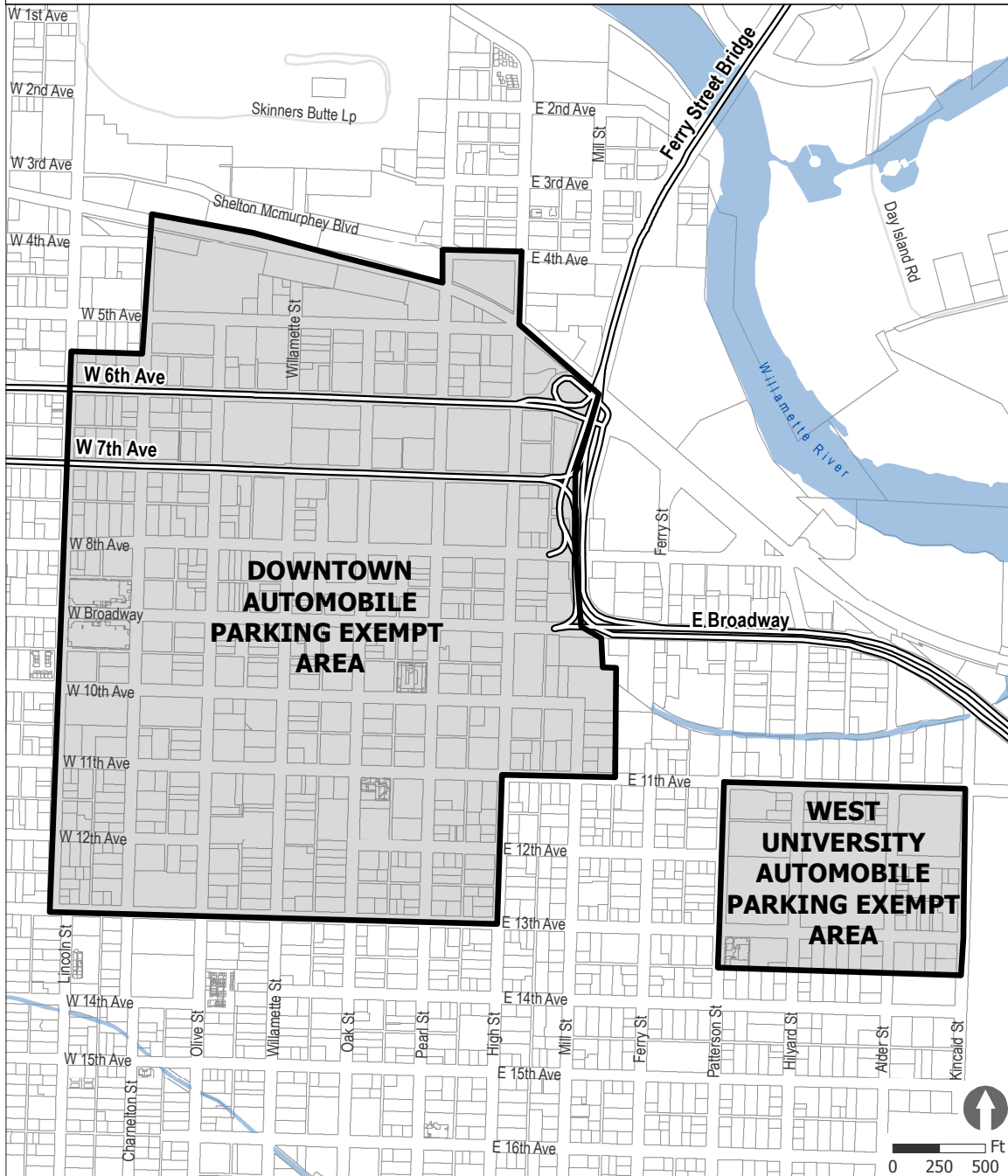
# Map 9.6410(4)(a)

## Downtown and West University Automobile Parking Exempt Areas



map date: 4/9/13

# Map 9.6410(4)(a) Downtown and West University Automobile Parking Exempt Areas



4/17/15

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

**AN ORDINANCE CONCERNING LAND USE CODE MAINTENANCE AND AMENDING SECTIONS 9.0500, 9.1060, 9.2160, 9.2740, 9.3115, 9.3210, 9.3310, 9.3510, 9.3810, 9.3910, 9.4260, 9.5200, 9.6105, 9.6410, 9.6610, 9.7315, 9.7335, 9.7415, 9.7455, 9.7505, 9.7520, 9.7560, 9.7655, 9.8400, 9.8405, AND 9.8855 OF THE EUGENE CODE, 1971.**

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

**Section 1.** The definitions of “Day Care” and “Legal Lot” 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:

**Day Care.** Care or supervision of [3] **four** or more persons by a paid caregiver who is not the parent, guardian, or related by blood or marriage to the persons being served. Day care does not include boarding or temporary care or other support services for adult transitory persons.

**Legal Lot.** A lot of record that has boundary lines that were established:

- (A) Through a partition or subdivision procedure, [or]
- (B) By a deed that was signed before April 2, 1962[;], **or**
- (C) ***Through approval of an application to validate a unit of land consistent with ORS 92.176.***

**Section 2.** Section 9.1060 of the Eugene Code, 1971, is amended to provide as follows:

**9.1060** **Changes in Zone Boundaries and Overlay Zone Boundaries.** Changes in zone boundaries or overlay zone boundaries shall be processed pursuant to the Type III Application Procedures (EC 9.7300 - 9.7340) or, if processed concurrently with a refinement plan, [or] code [amendment, Type IV Application Procedures (EC 9.7400 – 9.7455)] ***or Metro Plan amendment shall follow the applicable procedure for each type of amendment.*** Decisions shall be based on the criteria contained in EC 9.8865 Zone Change Approval Criteria.

**Section 3.** The “Day Care” entries in the Residential section of Table 9.2160 of the Eugene Code, 1971, are amended to provide as follows:



<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>GO</b>
<b>Residential</b>				
<b>Assisted Care &amp; Day Care (Residences Providing Special Services, Treatment or Supervision)</b>				
Day Care ( <del>[3 to 12]</del> <b>4 to 16</b> people served)	P	P	P	P
Day Care ( <del>[13]</del> <b>17</b> or more people served)	C	P	P	P

**Section 4.** The “Day Care” entries in the Residential section of Table 9.2740 of the Eugene Code, 1971, are amended to provide as follows:

<b>Table 9.2740 Residential Zone Land Uses and Permit Requirements</b>					
	<b>R-1</b>	<b>R-1.5</b>	<b>R-2</b>	<b>R-3</b>	<b>R-4</b>
<b>Residential</b>					
<b>Assisted Care &amp; Day Care (Residences Providing Special Services, Treatment or Supervision)</b>					
Day Care ( <del>[3 to 12]</del> <b>4 to 16</b> people served) (See EC 9.5200)	S		S	S	S
Day Care ( <del>[13]</del> <b>17</b> or more people served)	C		C	C	C

**Section 5.** The “Day Care” entries in the Residential section of Table 9.3115 of the Eugene Code, 1971, are amended to provide as follows:

<b>Table 9.3115 S-CN Chase Node Special Area Zone Land Uses and Permit Requirements</b>			
<b>Land Use Type</b>	<b>C</b>	<b>HDR/MU</b>	<b>HDR</b>
<b>Residential</b>			
<b>Assisted Living &amp; Day Care (Residences Providing Special Services, Treatment or Supervision)</b>			
Day Care ( <del>[3 to 12]</del> <b>4 to 16</b> people served) (See EC 9.5200)	S	S	S
Day Care ( <del>[13]</del> <b>17</b> or more people served)	C	C	C

**Section 6.** The “Day Care” entries in the Residential section of Table 9.3210 of the Eugene Code, 1971, are amended to provide as follows:

<b>Table 9.3210 S-DW Downtown Westside Special Area Zone Uses and Permit Requirements</b>	
	<b>S-DW</b>
<b>Residential</b>	
<b>Assisted Care and Day Care</b>	
Day Care ( <del>[3 to 12]</del> <b>4 to 16</b> people served) (See EC 9.5200)	S
Day Care ( <del>[13]</del> <b>17</b> or more people served)	C

**Section 7.** The “Day Care” entries in the Residential section of Table 9.3310 of the Eugene Code, 1971, are amended to provide as follows:

<b>Table 9.3310 S-E Elmira Road Special Area Zone Uses and Permit Requirements</b>	
	<b>S-E</b>
<b>Residential</b>	
<b>Assisted Care &amp; Day Care (Residences Providing Special Services, Treatment or Supervision)</b>	
Day Care ( <del>[3 to 12]</del> <b>4 to 16</b> people served) (See EC 9.5200)	P
Day Care ( <del>[13]</del> <b>17</b> or more people served)	C

**Section 8.** Subsection (2)(b)19. of Section 9.3510 of the Eugene Code, 1971, is amended to provide as follows:

**9.3510 S-HB Blair Boulevard Historic Commercial Special Area Zone Uses.** The S-HB zone designation is based on the area’s association with the city’s working class and the mix of residential, commercial and light industrial uses within the zone. The S-HB zone is the commercial core of the residential districts located to the east and west of the zone. The Whiteaker Plan Land Use Diagram reflects four underlying land use designations for this zone of residential, commercial, mixed use, and parks. Uses permitted within the S-HB zone are as follows:

**(2) Areas Designated for Neighborhood Commercial.**

- (b) Notwithstanding subparagraph (a) of this subsection, the following uses are permitted:
  - 19. Day care(~~[3 to 12]~~ **4 to 16** people served).

**Section 9.** The “Day Care” entries in the Residential section of Table 9.3810 of the Eugene Code, 1971, are amended to provide as follows:

<b>Table 9.3810 S-RN Royal Node Special Area Zone Land Uses and Permit Requirements</b>					
	LDR	MDR	RMU	CMU	MSC
<b>Residential</b>					
<b>Assisted Living &amp; Day Care (Residences Providing Special Services, Treatment or Supervision)</b>					
Day Care ( <del>[3 to 12]</del> <b>4 to 16</b> people served) (See EC 9.5200)	S	S	P	P	P
Day Care ( <del>[13]</del> <b>17</b> or more people served)	C	C	C	C	C

**Section 10.** The “Day Care” entries in the Residential section of Table 9.3910 of the Eugene Code, 1971, are amended to provide as follows:

<b>Table 9.3910 S-W Whiteaker Special Area Zone Uses and Permit Requirements</b>	
	<b>S-W</b>
<b>Residential</b>	
Assisted Care & Day Care (Residences Providing Special Services, Treatment or Supervision)	
Day Care ( <del>[3 to 12]</del> <b>4 to 16</b> people served) (See EC 9.5200)	S
Day Care ( <del>[13]</del> <b>17</b> or more people served)	P

**Section 11.** Section 9.4260 of the Eugene Code, 1971, is amended to provide as follows:

- 9.4260 Procedure for Applying the /ND Nodal Development Overlay Zone.** Rezoning to apply the /ND overlay zone concurrent with a Metro Plan diagram amendment to apply the /ND Nodal Development designation shall be processed ~~[as a Type V application as provided in EC 9.7500 through EC 9.7560 Type V Application Procedures]~~ **consistent with the Metro Plan Amendment Procedures as provided in EC 9.7700 through 9.7730.** Except as provided in EC ~~[9.7810]~~ **9.7820(3)**, rezoning to apply the /ND overlay zone to property shown as ND Nodal Development on the Metro Plan diagram shall be processed as a Type III application as provided in EC 9.7300 through EC 9.7340 Type III Application Procedures. Proceedings to apply the /ND overlay zone may be initiated only by the city council.

**Section 12.** Section 9.5200 of the Eugene Code, 1971, is amended to provide as follows:

- 9.5200 Day Care, Small (~~[3-12]~~ **4 to 16** people served) Standards.** These standards apply to small, (~~[3 to 12]~~ **4 to 16** people served) day care operations in residential zones where the Land Uses and Permit Requirements Table for the applicable zone indicates that the use(s) “permitted subject to zone verification and EC 9.5000 to 9.5850.
- (1) In addition to the standard required parking for other uses on the property, 1 off-street parking space is required per each outside employee.
  - (2) Education programs offered as a primary activity or specialized training in activities such as dance, drama, music or religion shall be limited to preschool children.
  - (3) At least 1 of the business owners of a day care service serving ~~[3-12]~~ **4 to 16** people in R-1 and R-2 zones shall reside in the building.
  - (4) No overnight care permitted without a conditional use permit.

**Section 13.** The “Day Care” entries in the Residential section of Table 9.6105(5) of the Eugene Code, 1971, are amended to provide as follows:

<b>Table 9.6105(5) Minimum Required Bicycle Parking Spaces</b>		
<b>Uses</b>	<b>Required Bicycle Parking</b> (Minimum 4 bicycle spaces required unless -0- is indicated.)	<b>Type and % of Bicycle Parking</b>
<b>Residential</b>		
<b>Assisted Care &amp; Day Care</b>		
-- Day Care ( <del>[3 to 12]</del> <b>4 to 16</b> people served)	-0-	NA
-- Day Care ( <del>[13]</del> <b>17</b> or more people served)	1 per 10 employees	100% long term

**Section 14.** The “Day Care” entries in the Residential section of Table 9.6410 of the Eugene Code, 1971, are amended to provide as follows:

<b>Table 9.6410 Required Off-Street Motor Vehicle Parking</b>	
<b>Uses</b>	<b>Minimum Number of Required Off-Street Parking Spaces</b>
<b>Residential</b>	
<b>Assisted Care &amp; Day Care</b>	
-- Day Care ( <del>[3 to 12]</del> <b>4 to 16</b> people served)	.9 for each employee not living in home on site at the same time.
-- Day Care ( <del>[13]</del> <b>17</b> or more people served)	.9 for each employee not living in home on site at the same time.

**Section 15.** Map 9.6410(4)(a) is amended as shown on Exhibit A attached to this Ordinance.

**Section 16.** The entry for “Addresses” in subsection (2) of Section 9.6610 of the Eugene Code, 1971, is amended to provide as follows:

**9.6610 Exemptions to Sign Standards.**

(2) Except as provided in subsection (3) of this section, the following signs are exempt from the requirements of EC 9.6600 through 9.6680, and are exempt from the requirement to obtain a sign permit if they are located on private property outside of vision clearance areas:

Addresses. Number and street name of any size. (Addresses are regulated per EC 8.005(21) Numbering of Structures and Premises and Fire Code ~~[901.4.4 Premise Identification]~~ **505.1 Address Identification.**)

**Section 17.** Subsection (1) of Section 9.7315 of the Eugene Code, 1971, is amended to provide as follows:

**9.7315 Public Hearing Notice.**

- (1) When required by state law, at least ~~[45]~~ **35** days prior to the public hearing, the city shall ~~[mail]~~ **submit written** notice to the ~~[state]~~ **Oregon** Department of Land Conservation and Development that includes the ~~[proposed map change and the date of the hearing]~~ **information required by state law.**

**Section 18.** Section 9.7335 of the Eugene Code, 1971, is amended to provide as follows:

**9.7335 Notice of Decision.**

- (1) Within 5 days after the hearings official or historic review board renders a decision, notice of the decision shall be mailed to the following:
- Applicant.
  - Owner of the subject property.
  - Neighborhood group or community organization officially recognized by the city that includes the area of the subject property.
  - Any group or individual who provided written or oral testimony prior to the close of the public comment period.
  - For Willamette Greenway permits, to the Oregon Department of Transportation.
- (2) The notice shall include the following:
- A summary of the decision.
  - An explanation of the appeal rights.
- (3) ***Within 20 days of the decision, when required by state law, the city shall submit written notice to the Oregon Department of Land Conservation and Development that includes the information required by state law.***
- (34) Responsibility and procedures for mailing the notice described in this section may be established by administrative rule of the city manager pursuant to section 2.019 of this code.
- (45) Unless appealed pursuant to EC 9.7655 Filing of Appeal of Hearings Official or Historic Review Board Initial Decision, the decision is final on the 13<sup>th</sup> day after notice of the decision is mailed.

**Section 19.** Subsection (1) of Section 9.7415 of the Eugene Code, 1971, is amended to provide as follows:

**9.7415 Public Hearing Notice.**

- (1) In the case of a refinement plan amendment, at least ~~[45]~~ **35** days prior to the planning commission public hearing the city shall ~~[mail]~~ **submit** written notice to the ~~[State]~~ **Oregon** Department of Land Conservation and Development that includes the ~~[text of the proposed amendment, any proposed change to the zoning map to be considered concurrently with a refinement plan amendment (unless notice is not required by state law), and the date of the planning commission hearing]~~ **information required by state law.**

**Section 20.** Section 9.7455 of the Eugene Code, 1971, is amended to provide as follows:

**9.7455 Notice of Decision.**

- (1) Within 5 days of the decision, written notice of the decision shall be mailed to all of the following:
  - (a) Applicant.
  - (b) Any person who has submitted written or oral testimony in a timely manner during the city council hearing procedures.
  - (c) Any person who requested notice of the city council's decision.
  - ~~[(d) In the case of a refinement plan amendment, the Oregon Department of Land Conservation and Development.]~~
- (2) The notice shall:
  - (a) Summarize the decision of the city council.
  - (b) Explain the appeal rights.
  - ~~[(c) In case of a notice being provided to the Oregon Department of Land Conservation and Development, the notice shall also contain the text of the amendment and findings, and it must specify any substantial changes from the proposed text previously sent under EC 9.7440(1), state the date of the decision, include a certificate of mailing containing a statement signed by the person mailing the notice indicating the date the notice was deposited in the mail, and list the place where and the time when the adopted text may be reviewed.]~~
- (3) ***Within 20 days of the decision, the city shall submit written notice of a refinement plan amendment to the Oregon Department of Land Conservation and Development that includes the information required by state law.***
- (34) Responsibility and procedures for mailing the notice described in this section may be established by administrative rule of the city manager pursuant to section 2.019 of this code.

**Section 21.** Table 9.7505 of the Eugene Code, 1971, is amended to provide as follows:

**9.7505 Type V Application Requirements and Criteria Reference.** The following applications are reviewed under the Type V review process according to the requirements and criteria set forth for each application as reflected in the beginning reference column in Table 9.7505:

<b>Table 9.7505 Type V Application Requirements and Criteria</b>	
<b>Type V Applications</b>	<b>Beginning Reference</b>
Land Use Code Amendments	EC 9.8060
Refinement Plan Amendments to policies and/or maps that are not limited to a specific site	EC 9.8421
Refinement Plan Adoption or Update	EC 9.8421
Zone Change concurrent with a Code Amendment	EC 9.8850
Special Area Zone Establishment or Amendment	EC 9.3000
<del>[Zone Change to apply the /ND Overlay Zone to Nodal Development Areas concurrent with a Metro Plan diagram amendment to apply the ND Nodal Development designation]</del>	<del>[EC 9.4260]</del>

**Section 22.** Subsection (1) of Section 9.7520 of the Eugene Code, 1971, is amended to provide as follows:

**9.7520 Public Hearing Notice.**

- (1) At least ~~[45]~~ **35** days prior to the planning commission public hearing, the city shall ~~[mail]~~ **submit** written notice to the ~~[State]~~ **Oregon** Department of Land Conservation and Development that includes the ~~[text of the proposed amendment, any proposed change to the zoning map to be considered concurrently with a code amendment (unless notice is not required by state law), and the date of the planning commission hearing]~~ **information required by state law.**

**Section 23.** Section 9.7560 of the Eugene Code, 1971, is amended to provide as follows:

**9.7560 Notice of Decision.**

- (1) Within 5 days of the decision, written notice of the decision shall be mailed to all of the following:
- (a) Any person who provided oral or written testimony in a timely manner during the city council hearing procedures.
  - (b) Any person who requested notice of the city council's decision.
  - ~~[(c) The Oregon Department of Land Conservation and Development.]~~
- (2) The notice shall summarize the decision of the city council and state the date of the decision.
- (3) ~~[The notice]~~ **Within 20 days of the decision, the city shall submit written notice** to the Oregon Department of Land Conservation and Development ~~[must contain the text of the amendment and findings, and it must specify any substantial changes from the proposed text, if any, previously sent under EC 9.7520(1), state the date of the decision, include a certificate of mailing containing a statement signed by the person mailing the notice indicating the date the notice was deposited in the mail, and list the place where and the time when the adopted text may be reviewed]~~ **that includes the information required by state law.**
- (4) Responsibility and procedures for mailing the notice described in this section may be established by administrative rule of the city manager pursuant to section 2.019 of this code.

**Section 24.** Subsection (1) of Section 9.7655 of the Eugene Code, 1971, is amended to provide as follows:

**9.7655 Filing of Appeal of Hearings Official or Historic Review Board Initial Decision.**

- (1) Within 12 days of the date of the mailing of the decision of the hearings official or historic review board, the decision may be appealed to the planning commission as specified in Table 9.7055 Applications and Review Authorities by the following:
- (a) Applicant.
  - (b) Owner of the subject property.
  - (c) Neighborhood group officially recognized by the city that includes the

- area of the subject property.
- (d) Any person who submitted written comments in regard to the original application.
- (e) ***Any person who provided oral testimony in regard to the original application at the public hearing.***

**Section 25.** Section 9.8400 of the Eugene Code, 1971, is amended to provide as follows:

**9.8400** **Purpose of Property Line Adjustment.** Sections 9.8400 through 9.8420 provide an expedited process for the review of property line adjustments. A property line adjustment is the relocation of a single boundary line or the removal of ~~[non-platted]~~ ***boundary*** lines between two legal lots. Property line adjustments shall be considered in accordance with the Type I application procedures contained in EC 9.7100 General Overview of Type I Application Procedures.

**Section 26.** Subsection (1) of Section 9.8405 of the Eugene Code, 1971, is amended to provide as follows:

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

- (1) A property line adjustment application is applicable to changes to the property lines of adjoining properties when all of the following exist:
  - ~~[(a) A property line proposed for removal is not platted in a partition or subdivision plat.]~~
  - (ba) A property line proposed for adjustment will not result in an increase in the number of parcels or lots.
  - (eb) A property line proposed for adjustment will not create more than 2 property line adjustments to any of the boundaries of an individual lot or parcel within a calendar year. This subsection does not apply to proposed property line adjustments undertaken by or on behalf of a governmental entity that affect the ability to preserve, manage, or expand park, open space, or natural resource areas.
  - (dc) The adjustment will result in less than a 200% change in the size of the lot or parcel. This subsection does not apply to proposed property line adjustments undertaken by or on behalf of a governmental entity that affect the ability to preserve, manage, or expand park, open space, or natural resource areas.

**Section 27.** Section 9.8855 of the Eugene Code, 1971, is amended to provide as follows:

**9.8855** **Applicability.** Changes in zoning, including the application of or change of an overlay zone or special area zone shall be processed as a Type III application as provided in EC 9.7300 through EC 9.7340 Type III Application Procedures, with the following exceptions:

- (1) The proposed zone change would apply the /ND Nodal Development Overlay Zone, in which case the zone change shall be processed as described in EC 9.4260.
- (2) The proposed zone change involves an annexation request that qualifies for



- (3) an automatic change in zoning, as provided in EC 9.7810 Changes in Zoning. The proposed zone change involves a concurrent amendment to [~~the Metro Plan or~~] a refinement plan[;] or the adoption of a new refinement plan[;], in which case the zone change shall be processed as a Type IV or Type V application as provided in EC 9.7400 through EC 9.7455 Type IV Application Procedures and EC 9.7500 through 9.7560 Type V Application Procedures.
- (4) ***The proposed zone change involves a concurrent amendment of the Metro Plan, in which case the zone change shall be processed consistent with the Metro Plan Amendment Procedures as provided in EC 9.7700 through 9.7730.***
- (45) The proposed zone change is processed concurrently with an amendment to this land use code; in which case, the zone change shall be processed as a Type V application as provided for in EC 9.7500 through EC 9.7560 Type V Application Procedures.
- (56) The proposed zone change is to remove the *MWR* Water Resources Conservation Overlay Zone, in which case the zone change shall be processed as described in EC 9.4960.
- (67) The proposed zone change is to remove the *MWQ* Water Quality Overlay Zone, in which case the zone change shall be processed as described in EC 9.4786.

**Section 28.** The findings set forth in Exhibit B attached to this Ordinance are adopted as findings in support of this Ordinance.

**Section 29.** 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 30.** 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.

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**Section 31.** 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 July, 2015

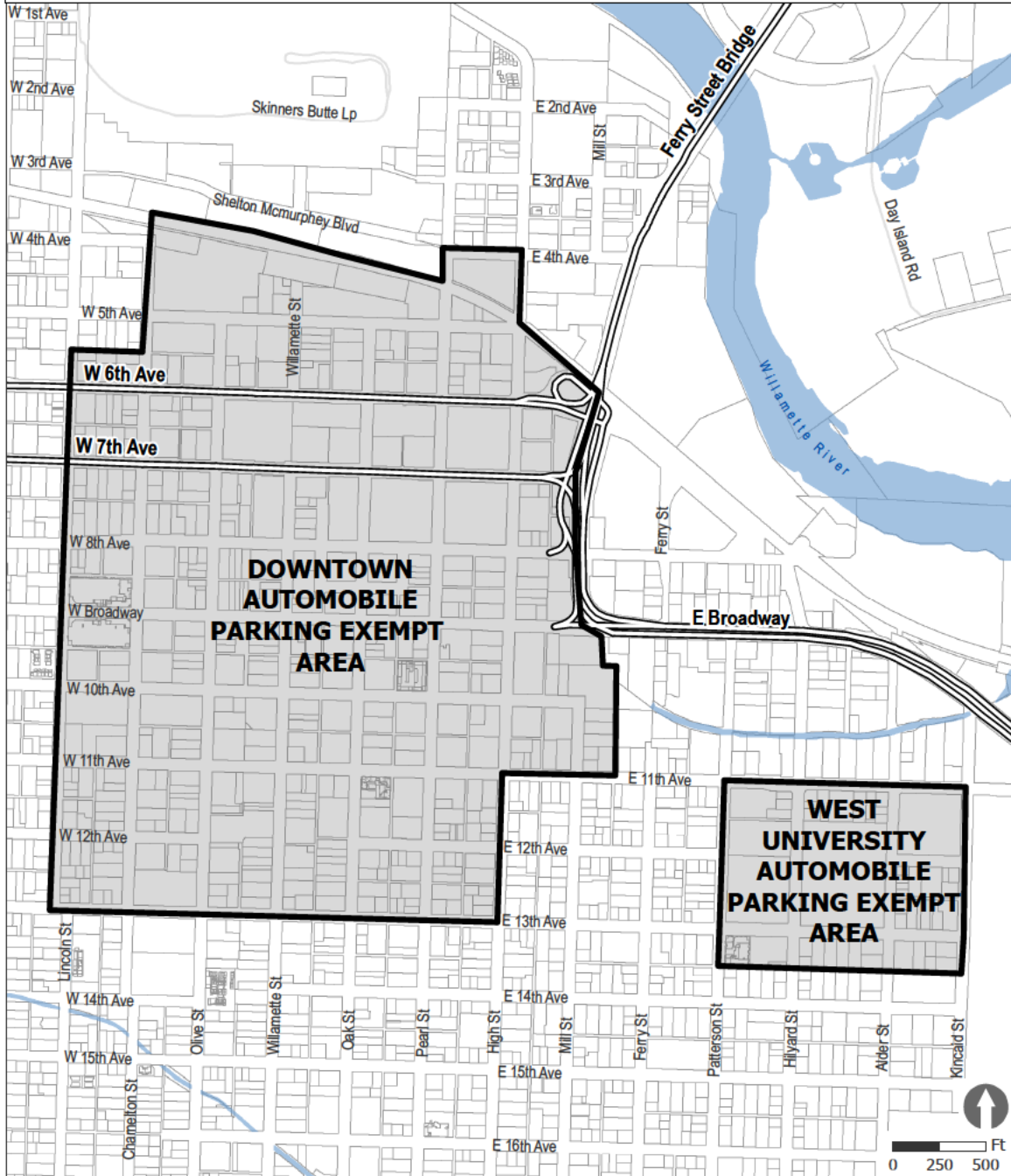
\_\_\_ day of July, 2015

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

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

# Map 9.6410(4)(a)

## Downtown and West University Automobile Parking Exempt Areas



4/17/15

## Exhibit B

### Findings

#### Land Use Code Maintenance (City File CA 15-2)

##### **Findings**

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.

A Notice of Proposed Amendment was filed with the Oregon Department of Land Conservation and Development on April 28, 2015. A public hearing was held before the Planning Commission on June 2, 2015. Consistent with code requirements, the Planning Commission public hearing on the proposal was duly noticed to all neighborhood organizations in Eugene, community groups and individuals who have requested notice. In addition, notice of the public hearing was also published in the Register Guard. A public hearing is scheduled before the City Council for July 13, 2015. Public notice of the City Council hearing was mailed and posted consistent with Eugene Code requirements. Information concerning the proposed amendments and the dates of the public hearings were posted on the City of Eugene websites.

These processes afford ample opportunity for citizen involvement consistent with Goal 1. Therefore, the 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.*

Eugene's 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 the Oregon 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.

## Exhibit B

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.*

*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, landslides, 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.*

## Exhibit B

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.*

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. 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 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. 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*

## Exhibit B

*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 amendments do not change the functional classification of a transportation facility, change the standards implementing a functional classification system or degrade the performance of a facility otherwise projected to not meet performance standards. Therefore, the amendments do not have a significant effect under (a), (b) or (c). 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.

*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.***

The amendments do not include any change in adopted land use designations or policy, nor does it change any requirements in the City's land use code concerning compliance with the Metro Plan and applicable refinement plans. There are no policies or other applicable provisions in the Metro Plan or adopted refinement plans that specifically serve as mandatory approval criteria in this instance or otherwise limit the expiration period for approved land use applications. Therefore, the amendments comply with the above criterion.

**(3) *The amendment is consistent with EC 9.3020 Criteria for Establishment of an S Special Area Zone, in***

Item 4.

## Exhibit B

***the case of establishment of a special area zone.***

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



# EUGENE CITY COUNCIL

## AGENDA ITEM SUMMARY




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Action: Approval of Motions Relating to the November 3, 2015, Election

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Meeting Date: July 27, 2015  
 Department: City Manager's Office  
[www.eugene-or.gov](http://www.eugene-or.gov)

Agenda Item Number: 5  
 Staff Contact: Beth Forrest  
 Contact Telephone Number: 541-682-5882

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### ISSUE STATEMENT

The purpose of this item is to solicit council direction on items related to the November 3, 2015 election.

### BACKGROUND

On July 13, 2015, the City Council adopted a resolution referring to the voters a library local option levy. There are several decisions related to the election for council to consider.

**Voters' Pamphlet:** Eugene Code requires the City Manager to publish and distribute a local voters' pamphlet for elections in which a city measure is on the ballot. The time required for printing a pamphlet and preparing it for mailing are set by production schedules of mailing services and commercial printers. Pamphlet content and deadlines for its preparation and mailing are established by Eugene Code 2.993 through 2.997. To meet these deadlines, council action is needed at the July 27 meeting.

Production of a voters' pamphlet is not a regularly budgeted item and thus requires a request for additional funds. Production costs, including mailing, for the voters' pamphlets the past few years have averaged between \$20,000 and \$25,000. Taking into account increased costs for postage and labor, staff estimates that this pamphlet will cost approximately \$25,000.

**Information Tabloid:** In some past elections, council has directed staff to prepare a neutral information tabloid. The tabloid contains more information than what would be included in the voters' pamphlet. Costs for publishing this information will vary depending on the size of the publication and the distribution costs. An estimate for such a tabloid is approximately \$20,000.

**Election Costs:** Council should also be aware that the City must pay a portion of the cost of holding the election. This cost will depend on what else is on the ballot. Initial estimates are that the cost will be in the \$40,000 range. However, if the Eugene measure is the only measure on the ballot, that cost could increase to approximately \$80,000.

### **RELATED CITY POLICIES**

EC 2.993 (2) requires the city manager to publish and distribute a local voters' pamphlet for elections in which a city measure is on the ballot.

EC 2.996 (1)(b) establishes that for City Council-referred measures, the argument in favor and the rebuttal to the opposition argument are to be prepared by one or more of the councilors who voted in favor of the measure.

### **COUNCIL OPTIONS**

1. The council may approve motions to produce and expend funds on a voters' pamphlet and appoint councilors to a proponent committee.
2. The council may determine that Eugene Code provisions notwithstanding, the impacts of implementing a local option levy are not substantial enough to warrant the expense of preparation and distribution of a voters' pamphlet.
3. Council may approve a motion to prepare a neutral information tabloid, or council may determine to not proceed with preparation of such a tabloid.

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

The City Manager recommends approval of the motions to produce and pay for a voters' pamphlet, to appoint members of the proponent committee and to produce a neutral informational tabloid for voters.

### **SUGGESTED MOTIONS**

- A. Move to direct the City Manager to publish and distribute a local voters' pamphlet for the special election scheduled for November 3, 2015, on a ballot measure concerning a library local option levy.
- B. Move to appoint Councilors \_\_\_\_\_, \_\_\_\_\_, and \_\_\_\_\_ to the voters' pamphlet proponent committee for the Library Local Option Levy.
- C. Move to direct the City Manager to prepare a neutral information tabloid concerning a library local option levy.
- D. Move to direct the City Manager to include on a supplemental budget sufficient appropriation offset by General Fund contingency and the Reserve for Revenue Shortfall to produce that voters' pamphlet, produce a neutral information tabloid and pay for the City's share of election costs.

### **ATTACHMENTS**

None.

**FOR MORE INFORMATION**

Staff Contact: Beth Forrest, City Recorder  
Telephone: 541-682-5882  
Staff E-Mail: beth.l.forrest@ci.eugene.or.us



# EUGENE CITY COUNCIL

## AGENDA ITEM SUMMARY




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### Interim Appointment to the Citizen Planning Committee of the Whilamut Natural Area of Alton Baker Park

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Meeting Date: July 27, 2015  
 Department: Public Works - Parks & Open Space  
[www.eugene-or.gov](http://www.eugene-or.gov)

Agenda Item Number: 6  
 Staff Contact: Jesse Cary-Hobbs  
 Contact Telephone Number: 541-682-4826

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#### **ISSUE STATEMENT**

This is an action item requesting the City Council to appoint two members to two current vacancies on the Citizen Planning Committee of the Whilamut Natural Area of Alton Baker Park (CPC).

#### **BACKGROUND**

The CPC is a 15-member intergovernmental committee formed to develop, and then monitor implementation of, the East Alton Baker Park Plan in consultation with Willamalane Park and Recreation District and City of Eugene Parks and Open Space Division. Ten members are appointed by the Eugene City Council; five by the Willamalane Park and Recreation District Board. The entirety of East Alton Baker Park was renamed the Whilamut Natural Area in 2002, at the initiation of the CPC.

CPC member Deveron Musgrave recently took a paid position with the City of Eugene. Because the CPC's bylaws prohibit City employees from being members, Ms. Musgrave resigned from the committee mid-term and the City Manager's Office opened a special recruitment period which ended on June 30, 2015. Three valid applications were received. Mayor Piercy interviewed two applicants on July 23, 2015. A third candidate failed to appear for an interview.

On July 20, 2015, Peter Rodda resigned from the Whilamut CPC for health reasons. Because the special recruitment had been held to replace Ms. Musgrave, there were three applicants available and the Mayor was able to interview two.

#### **RELATED CITY POLICIES**

The CPC serves as an advisory body to the City of Eugene Parks and Open Space Division and the Willamalane Parks and Recreation Board on activities and policies relating to implementation of the East Alton Baker Park Plan.

**COUNCIL OPTIONS**

1. Appoint new members to the CPC for two unexpired terms, one ending on June 30, 2016, and a second term ending June 30, 2017.
2. Open a new recruitment period and seek additional candidates for these positions.

**CITY MANAGER'S RECOMMENDATION**

The City Manager has no recommendation on this item; the appointments are made by the council.

**SUGGESTED MOTION**

Move to appoint \_\_\_\_\_ to the Citizen Planning Committee of the Whilamut Natural Area of Alton Baker Park for an unexpired term ending on June 30, 2016.

Move to appoint \_\_\_\_\_ the Citizen Planning Committee of the Whilamut Natural Area of Alton Baker Park for an unexpired term ending on June 30, 2017.

**ATTACHMENTS**

- A. Applications
- B. CPC Chair email indicating committee recommendation

**FOR MORE INFORMATION**

Staff Contact: Jesse Cary-Hobbs  
Telephone: 541-682-4826  
Staff E-Mail: [jesse.a.cary-hobbs@ci.eugene.or.us](mailto:jesse.a.cary-hobbs@ci.eugene.or.us)



# Interested Applicants

InterestedApplicants

7/13/2015 10:55:40 AM

## Whilamut Natural Area Citizen Planning Committee

Name **Nancy J. Bray**  
 Address **2155 Monroe St.**  
**Eugene OR 97405**  
 Occupation **English Language Learner Specialist**  
 Business Address **1200 Highway 99 N.**  
**Eugene OR 97402**

### Optional Information

Gender **F** Age **56-65** Ethnicity **White/European American**

Additional Languages spoken

### Education / Training

**B.A. in Elementary Education, M.S. in Curriculum and Instruction**  
**Endorsements in Special Education, Reading and Language Arts, and English for Speakers of Other Languages**

### Community Service / Volunteer

**From 2009-2013 I worked part-time at UO College of Education. I was a member of the University Senate and the Organizing Committee for United Academics. I am a member of CALC and Kids on the Border Committee.**

Evening Phone **541-302-9074** Day Phone **541-302-9074**  
 Do You Live within the City Limits? **Y** If so how long? **64 years**  
 Ward **1** Neighborhood **Friendly Area Neighbors**  
 Employer **Lane Education Service District**  
 Fax E-Mail **braynj@gmail.com**  
 How did you learn of this vacancy? **Friend**

Disability **N** Description

### Job Experience

**I retired from Springfield School District in 2009, after 20 years as a Reading Specialist and 12 years teaching and coordinating the English Language Learner (ELL) Program. I currently work part-time as ELL Specialist at Lane ESD.**

### Personal Experience

**I have been an educator for many years. In addition to the jobs described above, I was also Lane County Migrant Education Program Director for five years and coordinated the Migrant Summer School for seven years.**

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## Interested Applicants

InterestedApplicants

7/13/2015 10:55:40 AM

### Personal Interest

**My family has been in Eugene since my great-grandparents moved here in 1900. I am working with Nearby Nature on a history of Alton Baker Park since the Bray family had a farm there. I am interested in the cultural and natural history of the area.**

### Contribution

**As a life-long citizen of Eugene with some family history in the Alton Baker Park area, I was very happy when the Whilamut Natural Area was formed and the Talking Stones were placed. As a member of the Committee, I hope to help promote the value of this natural and cultural area to Eugene/Springfield citizens.**





## Interested Applicants

InterestedApplicants

7/13/2015 10:55:40 AM

1 Have you been a frequent visitor to the Whilamut Natural Area? What do you most enjoy about the park?

**I am a frequent visitor to the Whilamut Natural Area. I enjoy identifying wildflowers and birds; walking, biking and canoeing; and appreciating the natural beauty of the area.**

2 The Citizen Planning Committee (CPC) meets as a full committee on a quarterly basis and all members are expected to attend. There are additional opportunities for involvement which include subcommittees which focus on specific park issues and volunteer work parties in the park. Would you be able or willing to participate in these additional activities?

**Yes, I would be able and willing to participate in additional activities.**

3 Describe your top three interest areas or issues regarding the Whilamut Natural Area of Alton Baker Park.

**I have read the East Alton Baker Park Plan and I support its Vision and Goals. My top areas of interest are to preserve and enhance the natural and cultural history of the area, to encourage educational programs, and to encourage the use of the recreational activities that the Natural Area provides.**

4 The CPC works with the City of Eugene, Willamalane Park and Recreation District and other organizations. What specific strengths and attributes can you contribute to the CPC?

**I have had a lot of experience working with diverse stakeholders, in my jobs in Springfield School District, the UO College of Education and Lane Education Service District. I enjoy working with people, I am a good listener and I have good organizational skills. I have specifically worked with Willamalane Park and Recreation District in the early years of the Martin Luther King Celebration in Springfield.**

5 Please cite an example in which a wide range of opinions surfaced within a group to which you belonged, and your role in bringing divergent sides toward resolution.

**I was privileged to be given the opportunity to design and implement the English Language Learner Program in Springfield District. There were many issues that had to be addressed, ranging from federal and state mandates; the perspectives of administrators, teachers and staff in the district; and the needs of ELL students and families. The program we worked together to create is highly regarded in the state. I was awarded Springfield Teacher of the Year in 2009 for my work in this area.**



# Interested Applicants

InterestedApplicants

7/13/2015 10:55:40 AM

## Whilamut Natural Area Citizen Planning Committee

Name **Christine (Chris) A. Miles**

Address **1543 Happy Lane**

**Eugene OR 97401**

Occupation **Retired from PeaceHealth**

Business Address

Evening Phone **541.915.8983** Day Phone **541.915.8983**

Do You Live within the City Limits? **Y** If so how long? **19 yrs 10 mos**

Ward **5** Neighborhood **Cal Young Neighborhood**

Employer

Fax E-Mail **chris.miles1@comcast.net**

How did you learn of this vacancy? **Web Site**

### Optional Information

Gender **F** Age **56-65** Ethnicity **White/European American**

Disability **N** Description

Additional Languages spoken

### Education / Training

**Masters Healthcare Administration, Univ. of Minnesota 1990 / Certificate: Mental Health Services Management, Univ. of Washington, 1985 / BS Community Serv/ce/Public Affairs, University of Oregon 1980 Certificate: Gerontology, Univ. of Oregon, 1980**

### Job Experience

**Administrative roles with PeaceHealth 1994-2014  
Regional Director, Oregon Heart and Vascular Institute 1994 - 2000  
Operations Director, PeaceHealth Medical Group 2000 - 2007**

### Community Service / Volunteer

**Planned Parenthood Board of Directors: Chair 1999-2000, Member 1996-2002 / American Heart Association 1996-2000 / Member/donor: Native Plant Society of OR, Audubon Society, McKenzie River Trust, Cascade Raptor Center, Etc.**

### Personal Experience

**Lifelong enjoyment of outdoors and concern for environment and wildlife.**

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## Interested Applicants

InterestedApplicants

7/13/2015 10:55:40 AM

### Personal Interest

**I retired from an administrative career in September 2014, and after a period of enjoying doing 'nothing', I am ready to volunteer in support of our community and environment.**

### Contribution

**I am a fit with this role as I am a collaborative positive person who enjoys doing whatever needs to be done. I would like to apply my skills to community service specifically supporting citizens' positive experience/developing love of nature and habitat preservation.**



## Interested Applicants

InterestedApplicants

7/13/2015 10:55:40 AM

1 Have you been a frequent visitor to the Whilamut Natural Area? What do you most enjoy about the park?

**Every morning my husband and I walk our big black dog daily in either the Whilamut Natural Area or Dorris Ranch. We feel privileged to live in this community with these incredible parks. We access the Whilamut Natural Area from Lot 9 by Autzen Stadium, the parking lot by the Science Factory, and from Aspen Street in Springfield. I enjoy the Whilamut Natural Area's trail system, public art under the I-5 canal bridge and the markers along the trails. I enjoy watching birds. I enjoy the varied terrain including open space, canal trails, the big pond, and trails through the woods and old orchards. I enjoy sharing the trails with runners and the role the natural area plays in creating a positive Track Town USA experience for our out of town runner guests. Oddly, I also enjoy picking up litter and carry plastic bags for this purpose whenever and wherever we walk our dog.**

2 The Citizen Planning Committee (CPC) meets as a full committee on a quarterly basis and all members are expected to attend. There are additional opportunities for involvement which include subcommittees which focus on specific park issues and volunteer work parties in the park. Would you be able or willing to participate in these additional activities?

**Yes and I would hope to match my skills with a subcommittee need as determined by the CPC Chair person.**

3 Describe your top three interest areas or issues regarding the Whilamut Natural Area of Alton Baker Park.

1. **Preservation of wildlife habitat / natural environment albeit post landfill etc.**
2. **Community education re importance of natural areas (specifically this one)**
3. **Invasive species removal**

4 The CPC works with the City of Eugene, Willamalane Park and Recreation District and other organizations. What specific strengths and attributes can you contribute to the CPC?

**Good verbal and written communication skills, well organized, good writer, physically strong and like physical labor, 'get-r-done' attitude, good sense of humor, like people, public speaking and presentation experience, financial management, problem solving, like to work in background in support of others, would rather be outside than inside, 'team player', like to do whatever needs to be done / adds value**

5 Please cite an example in which a wide range of opinions surfaced within a group to which you belonged, and your role in bringing divergent sides toward resolution.

**Worked in administrative leadership role with physicians (smart people with strong personalities) for years - daily interactions involving conflict management and problem resolution. One recent example: interpersonal conflict among physicians on compensation related work team, I gently interrupted disagreement, framed issues or variables in the conversation, and asked each person to offer a preferred solution for the issue and then asked the group to raise hands for preferred solution to gauge how close to consensus or if need for leadership decision to move things along.**



# Interested Applicants

InterestedApplicants

7/13/2015 10:55:40 AM

## Whilamut Natural Area Citizen Planning Committee

Name **Erin M. Walker**

Evening Phone **541-654-1920** Day Phone **541-654-1920**

Address **75 Irving Road Apt D**

Do You Live within the City Limits? **Y** If so how long? **10years 3 months**

**Eugene OR 97404**

Ward **E-UGB** Neighborhood **Santa Clara Community Organization**

Occupation **Environmental Science student**

Employer **University of Oregon SSC**

Business Address **1225 University St**

Fax E-Mail **kyaltia@gmail.com**

**Eugene OR 97403**

How did you learn of this vacancy? **Web Site**

### Optional Information

Gender **F** Age **26-35** Ethnicity **White/European American**

Disability **N** Description

Additional Languages spoken

### Education / Training

**Bachelors of environmental science with a focus on biology. Coursework in botany, ecology, environmental change, geology, geography, native plants, archaeological botany, city planning, and many environmental issues.**

### Job Experience

**Community Outreach Coordinator for the Student Sustainability Coalition of University of Oregon for the past year. Intern for the city of Eugene Native plant nursery last summer.**

### Community Service / Volunteer

### Personal Experience

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## Interested Applicants

InterestedApplicants

7/13/2015 10:55:40 AM

**Environmental Issues Committee-University of Oregon  
Friends with Trees assistant planting leader  
Friends of Buford park restoration projects  
Mt Pisgah arboretum native plant nursery  
Zonta International member**

**Participated in a design charrette for the town of Cascade Locks, Oregon and am published in the city design document. Focus was on native and edible landscaping.**

Personal Interest

**I am very passionate about how we utilize our public spaces in the future, as I believe that Eugene can be a forerunner in the country for urban green design.**

Contribution

**I believe that my knowledge of botany and native plants combined with my experience in research and planning can be a great asset to the board. I would like to be a member so that I can help guide the city in making informed decisions in future design and use of its parks and open spaces.**

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## Interested Applicants

InterestedApplicants

7/13/2015 10:55:40 AM

1 Have you been a frequent visitor to the Whilamut Natural Area? What do you most enjoy about the park?

**Yes, my family and I frequent the Alton Baker Park area. We enjoy the plethora of native plants, fishing opportunities, and the wide array of open spaces that can be used for sports.**

2 The Citizen Planning Committee (CPC) meets as a full committee on a quarterly basis and all members are expected to attend. There are additional opportunities for involvement which include subcommittees which focus on specific park issues and volunteer work parties in the park. Would you be able or willing to participate in these additional activities?

**Yes**

3 Describe your top three interest areas or issues regarding the Whilamut Natural Area of Alton Baker Park.

**Native plant restoration**

**Invasive species removal**

**Conservation of undeveloped open spaces.**

4 The CPC works with the City of Eugene, Willamalane Park and Recreation District and other organizations. What specific strengths and attributes can you contribute to the CPC?

**I feel that I bring a very sound knowledge base of native and invasive plant species. I have also interned for the city of Eugene in its native plant nursery, so I am aware of the methods that are used to propagate species for active restoration projects. I am a passionate and driven individual, and I am able to communicate effectively to people who have had no experience in the sciences, researchers, scientists, and government personnel.**

5 Please cite an example in which a wide range of opinions surfaced within a group to which you belonged, and your role in bringing divergent sides toward resolution.

**As a board member of the student sustainability center we were responsible for dispersal of a \$35,000 grant fund for sustainability themed initiatives. There was one particular project that we were voting on that was a split vote, so I suggested that we all voice our reasons we were for or against funding the project. After everyone had said their piece, we voted again and we were still divided. I suggested that our boss be the deciding vote, as we could not come to an agreement. This was satisfactory to everyone and the issue was resolved.**





**ATTACHMENT B**

From: [lita@efn.org](mailto:lita@efn.org) [<mailto:lita@efn.org>]  
Sent: Friday, July 10, 2015 5:30 PM  
To: SYMOND Pamela S  
Cc: SONNICHSEN David (SMTP); RICHARDSON Philip S  
Subject: Re: CPC Applicant Recommendation

The CPC recommends that Nancy Bray be appointed to the open Eugene position, filling the unexpired term of Deveron Musgrave.

Thanks to the Eugene Parks and Open Space Division for presenting our recommendation to the mayor in a timely manner, with awareness that she may wish to interview each of the three applicants before seeing the CPC recommendation.

David Sonnichsen  
CPC chair

