

**ADMINISTRATIVE ORDER NO. 58-23-07**  
**of the**  
**Traffic Engineer of Public Works Maintenance's Traffic Operations Team**  
**of the City of Eugene**

**CONCERNING ON-STREET PARKING ON WEST 13<sup>TH</sup> AVENUE**

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

**A.** Under the provisions of Chapter IV, Section 16 of the Eugene Charter of 2002, the City Manager is designated as the administrative head of the City and is specifically authorized to enforce all ordinances of the City. In addition, EC 5.040 authorizes the City Manager or the Manager's designee to "establish, maintain, remove, or alter . . . parking areas and time limitations, including the form of permissible parking" and to "impose conditions upon which the streets and other public property may be used for parking." EC 5.055 sets forth the criteria the City Manager or the City Manager's designee should consider when taking administrative action authorized by EC 5.040.

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

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

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

**E.** For purposes of public health, safety, and welfare, it is necessary to remove and modify parking on a portion of W 13th Avenue.

**F.** In making the decision, I have considered all the applicable criteria set forth in EC 5.055. The following findings support my decision to limit parking in this area to commercial vehicles only between the hours of 7:00 p.m. and 6:00 a.m.

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

- i. Classification – The portion of W 13th Avenue between Ocean Street and the eastern terminus as shown in Exhibit A is classified as a major collector street with a speed limit of 25 miles per hour. The street segment is approximately 44 feet wide with parking both sides of the street, allowing approximately 30 feet of roadway for two-way travel in an industrial business area. One short sidewalk segment exists starting at approximately 219 feet east of the intersection between W 13<sup>th</sup> Avenue and Ocean Street, extending east to approximately 364 feet east of the same intersection. There are no bike lanes.
- ii. Vehicle Crashes - There were no motor vehicle crashes reported between 2007 and 2020 on the portion of W 13th Avenue between Ocean Street and the eastern terminus.

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

There are no such standards, limitations or rules that apply.

*(c) Other recognized traffic control standards.*

The City will apply the Manual on Uniform Traffic Control Devices for size, type and location for sign installation.

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

The City's 2035 Transportation System Plan does not include any policies that specifically relate to the provision or removal of on-street parking in industrial areas. Roadway and Parking Policy No. 1 a "Complete Streets Policy," is to "Design, construct, maintain, and operate all streets to provide comprehensive and integrated transportation networks that serve people of all ages and abilities, promote commerce, and support the comprehensive land use plan's vision for growth and development in a responsible and efficient manner. A "complete street" allows safe travel for automobiles and emergency responders, bicycles, walking, transit, and freight. In addition to fulfilling a street's basic transportation functions and providing access to properties, streets and sidewalks should be designed to be attractive, safe, accessible, sustainable, and healthy components of the City's environment." Limiting parking to only the parking needed to ensure a transportation network that allows safe travel for automobiles and emergency responders, bicycles, walking, transit, and—importantly for this commercial / industrial area—freight is consistent with this policy.

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

The use of the City's public ways for parking is regulated at the local level. EC 5.040(1)(h)(5) and EC 5.040(1)(p) establish authority to manage parking.

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

Removal and modification of parking allowances on W 13th Avenue is needed for more efficient use of the roadway by ensuring adequate clearance for truck and traffic access to and from adjacent industrial uses.

*(g) The use of abutting property.*

The abutting land use is industrial and zoned Mixed-Use Employment.

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

- i. By Ordinance No. 20181, the City Council adopted the Street Classification Map that designated W 13th Avenue as a major collector. By Resolution 4608, the City Council adopted the Design Standards and Guidelines for Eugene Streets, Sidewalks, Bikeways and Access Ways. Parking is an optional feature on streets.
- ii. There is one short sidewalk segment on the south side of the street. This order will not impact, and may improve, accessibility of use by pedestrians.

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

- i. The portion of W 13th Avenue between Ocean Street and the eastern terminus as shown in Exhibit A is classified as a major collector street with a speed limit of 25 miles per hour. The street segment is approximately 44 feet wide with parking both sides of the street, allowing approximately 30 feet of roadway for two-way travel in an industrial business area. One short sidewalk segment exists starting at approximately 219 feet east of the intersection between W 13<sup>th</sup> Avenue and Ocean Street, extending east to approximately 364 feet east of the same intersection. There are no bike lanes.
- ii. The abutting properties on both sides of the street segment include one-story industrial buildings with asphalt surface and gravel surface parking lots.

*(j) Emergencies.*

- i. Emergency service vehicles are accommodated through bi-directional travel on W 13th Avenue. Removal and modification of parking will provide additional room for travel and deployment of emergency vehicles.
- ii. W 13th Avenue is not designated as an emergency ice or snow removal route.

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

Extended on-street parking taking place in this area has resulted in unsafe vehicle passage and turning clearance areas for the commercial uses.

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

There are no special events of community interest that occur on the portion of W 13th Avenue as shown in Exhibit A.

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

No construction is currently taking place on the portion of W 13th Avenue as shown in Exhibit A. The order will not impede, and may improve, access for the purpose of construction.

*(n) When establishing conditions upon the use of parking in the public way and city-owned parking facilities:*

*(1) Applicable and appropriate time limits;*

EC 5.135(1) prohibits the storage of a motor vehicle or personal property on the street for more than 72 hours. There are no additional time limits proposed for this area where parking is to be allowed (except as described at the end of this order and noted in Exhibit A).

EC 5.040 authorizes the City Manager or the Manager's designee to take administrative action establishing parking area time limitations, including the form of permissible parking, and imposing conditions upon which the streets and other public property may be used for parking. Notwithstanding any other administrative action to the contrary, the portions of the streets described below and depicted on the map attached as Exhibit A to this Order shall allow commercial vehicle only parking.

*(2) The vehicle type and purpose;*

Parking for commercial vehicles supports the intended land use.

*(3) The relative, seasonal and special event demands for parking spaces within the areas of the requested parking;*

This Order is not a response to a request for new / additional parking spaces.

*(4) The other public uses for the property;*

The area holds industrial businesses and the public parking areas are intended to serve that use.

*(5) The location and physical characteristics of the parking area or facility;*

Existing parking includes six (6) surface lots belonging to adjacent businesses and on-street parking on both sides of the street.

*(6) The demand for operating revenues, the costs of operations and enforcement;*

- i. Removal and modification of parking is not anticipated to significantly impact operating revenues.
- ii. Parking Fund financial instability means that there are limited staff resources available to enforce parking time limits. The Parking Fund is currently receiving one-time funds

to support enforcement in this area. If resources are not available for enforcement, then the parking restrictions may be revisited.

- (7) *The use of parking regulations to promote city adopted goals and policies;*  
Removal and modification of parking is consistent with City-adopted goals and policies.
- (8) *Abuse by applicants of any parking-related permits;*  
Not applicable.
- (9) *The impact on nearby commercial uses;*  
Removal and modification of parking supports adjacent industrial uses by ensuring the parking and adjacent travel lanes are available, as needed, to support the industrial uses.
- (10) *The ease of enforcing the provisions of this chapter; and*
  - i. City staff prefer to establish parking time limits rather than prohibit parking entirely. However, Parking Fund financial instability means that there are limited staff resources available to enforce parking time limits. The Parking Fund is currently receiving one-time funds to support enforcement in this area. If resources are not available for enforcement, then the parking restrictions may be revisited.
  - ii. Prohibiting parking on portions of the street and establishing commercial parking only on portions of the street would be necessary until funding and resources are available at an undetermined time in the future to enforce parking with time limits. If resources are not available for enforcement, then the parking restrictions may be revisited.
- (11) *The availability of other parking spaces.*
  - i. Parking is available on adjacent private property.
  - ii. Commercial vehicle parking will remain available on the street.

**On the basis of these findings, I order that:** Parking on W 13<sup>th</sup> Avenue between Ocean Street and the eastern terminus shown in Exhibit A to this Order shall be restricted to commercial parking related to a commercial use on the adjacent property, and only in the red areas of W 13th Avenue. This is more specifically described as follows:

- a. Only commercial parking shall be permitted at all times on the north side of W 13th Avenue from approximately 81 feet east of Ocean Street, extending approximately 200 feet east; and
- b. Only commercial parking shall be permitted at all times on the south side of W 13<sup>th</sup> Avenue from approximately 31 feet east of Ocean Street, continuing approximately 269 feet east.

No parking of any kind shall be permitted on the red areas shown in Exhibit A at any time that are not addressed in sections a or b above.

Dated and effective this 17<sup>th</sup> day of April, 2023.



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

