

ADMINISTRATIVE ORDER NO. 58-23-31
of the
Traffic Engineer of Public Works Maintenance's Traffic Operations Team
of the City of Eugene

CONCERNING ON-STREET PARKING ON WEST 10TH 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 10th 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 some parking in this area to commercial vehicles only between the hours of 7:00 p.m. and 6:00 a.m., Monday through Sunday.

(a) Traffic engineering principles and traffic investigations.

- i. Classification – West 10th Avenue between Garfield Street and Hayes Street as shown in Exhibit A is classified as a local street with a speed limit of 20 miles per hour. The street segment is approximately 36 feet wide with parking both sides of the street, allowing approximately 22 feet of roadway for two-way travel in a mixed commercial and residential area. Sidewalks are present on the entire north side of the street segment. Sidewalks are present on the south side of the street segment: from the westernmost intersection with W 11th Avenue heading east approximately 300 feet. There are no bike lanes.
- ii. Vehicle Crashes - There were no motor vehicle crashes reported between 2007 and 2021 on the portion of W 10th Avenue between Garfield Street and Hayes Street.

(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 commercial / 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 10th Avenue is needed for more efficient use of the roadway by ensuring adequate clearance for truck and traffic access to and from adjacent commercial uses.

(g) The use of abutting property.

The abutting land use is mixed commercial and residential, zoned Special Area Zone.

(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 10th Avenue as a local street. 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 are sidewalks on the entire north side and a portion of the south side of the street segment. 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. West 10th Avenue between Garfield Street and Hayes Street as shown in Exhibit A is classified as a local street with a speed limit of 20 miles per hour. The street segment is approximately 36 feet wide with parking both sides of the street, allowing approximately 22 feet of roadway for two-way travel in a mixed commercial and residential area. Sidewalks are present on the entire north side of the street segment. Sidewalks are present on the south side of the street segment: from the westernmost intersection with W 11th Avenue heading east approximately 300 feet. There are no bike lanes.
- ii. The abutting properties on the northern side of the street segment include single-story residential and commercial buildings with asphalt surface parking lots and driveways. The southern side of the street segment includes single-story commercial buildings with an asphalt surface parking lot as well as one single-story residential property with a driveway.

(j) Emergencies.

- i. Emergency service vehicles are accommodated through bi-directional travel on W 10th Avenue. Removal and modification of parking will provide additional room for travel and deployment of emergency vehicles.
- ii. W 10th 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, as well as lack of vehicle parking turnover for general parking and commercial vehicle parking accessibility.

(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 10th 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 10th 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 parking only between the hours of 7:00 p.m. and 6:00 a.m., Monday through Sunday.

(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 is zoned Special Area and the public parking areas are intended to serve the mixture of commercial and residential uses there.

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

Existing parking includes two surface lots belonging to adjacent businesses, on-street parking on both sides of the street, and three residential driveways.

(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. The City of Eugene’s 23/25 Biennium Budget provides ongoing resources to fund enforcement services. 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 commercial uses by ensuring the parking and adjacent travel lanes are available, as needed, to support the commercial uses.
- (10) *The ease of enforcing the provisions of this chapter; and*
The City of Eugene’s 23/25 Biennium Budget provides ongoing resources to fund enforcement services. 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 10th Avenue between Garfield Street and Hayes Street 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 10th Avenue between the hours of 7:00 p.m. and 6:00 a.m.; and no parking at any time in the yellow areas of Exhibit A. This is more specifically described as follows:

- a. Commercial vehicle parking only shall be permitted between the hours of 7:00 p.m. and 6:00 a.m., Monday through Sunday, on the north side of W 10th Avenue between Garfield Street and Hayes Street beginning from approximately 100 feet east of Garfield Street, continuing east to approximately 160 feet west of Hayes Street;
- b. Commercial vehicle parking only shall be permitted between the hours of 7:00 p.m. and 6:00 a.m., Monday through Sunday, on the south side of W 10th Avenue between Garfield Street and Hayes Street beginning from approximately 132 feet east of Garfield Street, continuing east to approximately 87 feet west of Hayes Street; and
- c. No parking of any kind shall be permitted in the yellow areas shown in Exhibit A attached to this Order.

Dated and effective this 6th day of July, 2023.



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

