

EUGENE CITY COUNCIL AGENDA ITEM SUMMARY



Work Session: Infill Compatibility Standards Recommendations

Meeting Date: November 9, 2009
Department: Planning and Development
www.eugene-or.gov

Agenda Item Number: B
Staff Contact: Terri Harding
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ISSUE STATEMENT

This work session is an opportunity for the City Council to receive a project update on Infill Compatibility Standards (ICS), and to prepare for the council hearing scheduled for November 16, on the first round of recommendations.

BACKGROUND

In response to City Council direction to address residential infill compatibility, a task team of neighborhood representatives and professional developers, designers, and housing advocates was created and met monthly from November 2007, to September 2009. As a result of their almost two years of research, public outreach, proposal development and refinement, the task team ultimately passed 17 recommendations. Attachment A shows the implementation timeline for all of the recommendations. In August 2009, the Planning Commission directed three items to proceed to the public hearing phase: Special Area Zone – Jefferson Westside, Building Height, and Parking Strategies. Additionally, on October 12th, while considering action on the Minor Code Amendment Remand Ordinances, the council directed staff to bring the ICS Parking Recommendations for final council action by December 14, 2009. The Planning Commission held public hearings on October 20th, and deliberated on the proposals on October 26th. Draft ordinances and associated maps reflecting the Planning Commission's recommendations are attached as Attachments B, C, and D.

Special Area Zone-Jefferson Westside (Attachment B)

The purpose of this special zone is to provide for more compatible infill development by limiting the number of dwellings per lot, lowering allowable building heights, and establishing new development requirements related to roof form, setbacks, parking, and open space in areas currently zoned R-2, while still achieving housing densities within the medium density range. The Jefferson-Far West and Westside Refinement Plans are also proposed to be amended to include references to the new zone.

Building Height (Attachment C)

The purpose of these regulations is to provide for greater infill compatibility in neighborhoods west and south of the University of Oregon by lowering building height limits and providing a gradual transition in building height to single family areas, while still allowing buildings in high-density (R-3 and R-4) zones to meet the City's density targets and accommodate additional residents. Allowable building height is proposed to be reduced in the R-3 zone from 50 feet to 35 feet, and in the R-4 zone from 120 feet to 35, 50, 75, or 90 feet, depending on location and size of the development site. If

adopted, these regulations will replace those recently reinstated as part of the City's MiCAP (Minor Code Amendments) process.

Parking Strategies (Attachment D)

The purpose of this package of regulations is to improve the compatibility of new multi-family development by tying parking requirements directly to the unique needs of certain types of development.

The proposed regulations will affect property near the University of Oregon as follows:

- require more off-street parking for apartments with three or more bedrooms
- allow tandem (one behind the other) parking to count toward the minimum off-street parking requirements
- amend the West University Refinement Plan (Policy 3A) regarding parking for consistency with the new code

The proposed regulations will affect property city-wide as follows:

- require less parking for low-income, senior and disabled housing developments
- clarify the City's requirements for off-site parking leases
- adjust dimensional standards for parking spaces along alleys to allow for more backup space

In addition to the above, the Planning Commission directed staff to prepare a code language option that would allow parking space reductions for multiple-family developments utilizing a shared car program in the University area. One such option is included as Attachment E.

RELATED CITY POLICIES

- The City Council has included infill standards and opportunity siting as priority items on the Planning Division Work Program.
- The Growth Management Policies, in particular 1, 2, 6, and 9, speak to issues of infill and compatibility.

COUNCIL OPTIONS

No formal action is required at this time. The purpose of this work session is to prepare for the council hearing scheduled for November 16, on the first round of ICS recommendations.

CITY MANAGER'S RECOMMENDATION

No action is required on this item at this time. Therefore, no recommendations are offered by the City Manager at this time.

SUGGESTED MOTION

No action is required on this item at this time. Therefore, no motions are offered by the City Manager at this time.

ATTACHMENTS

- A. Implementation Timeline
- B. Special Area Zone Jefferson Westside: Draft Ordinance
- C. Building Height: Draft Ordinance
- D. Parking Strategies: Draft Ordinance
- E. Car-Sharing Code Language Option

FOR MORE INFORMATION

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ICS Implementation Timeline - 10/14/09														
	2009 July	August	Sept	Oct	Nov	Dec	January 2010	Feb	Mar	Apr	May	June	July	August
Round One														
1 Special Area Zone Jefferson Westside			PC Update	PC Hrg	PC Action	CC Action	Implementation	Implementation						
2 Building Height		Working Group	PC Update	PC Hrg	CC Action	CC Action	Implementation	Implementation						
3 CC&Rs			Working Group	Working Group	PC Update	Implementation								
4 Enforcement					Implementation									
5 Parking Strategies			PC Update	Working Group	Working Group	Implementation								
6 Conservation Areas				PC Hrg	Working Group	CC Action	Implementation							
7 R-3/R-4 Parking			PC Update	Working Group	PC Action	Working Group	PC Update	PC Hrg	PC Action	PC Action	PC Action	CC Hrg	CC Action	Implementation
8 Needed Housing				Working Group	Working Group	Working Group	PC Update	PC Hrg	PC Action	PC Hrg	PC Action	CC Hrg	CC Action	Implementation
9 S-IW Concepts				Working Group	Working Group	Working Group	PC Update	PC Hrg	PC Action	PC Hrg	PC Action	CC Hrg	CC Action	Implementation
Round Two														
1 Cluster Development					Working Group	Working Group	PC Update	PC Hrg	PC Action	PC Action	PC Action	CC Hrg	CC Action	Implementation
2 Pre-Development Application					Working Group	Working Group	PC Update	PC Hrg	PC Action	PC Action	PC Action	CC Hrg	CC Action	Implementation
3 R-1 Infill				Working Group	Working Group	Working Group	PC Update	PC Hrg	PC Action	PC Hrg	PC Action	CC Hrg	CC Action	Implementation
4 Flag Lots				Working Group	Working Group	Working Group	PC Update	PC Hrg	PC Action	PC Hrg	PC Action	CC Hrg	CC Action	Implementation
5 Natural Resources Mapping				Working Group	Working Group	Working Group	PC Update	PC Hrg	PC Action	PC Hrg	PC Action	CC Hrg	CC Action	Implementation
Round Three														
1 Open Space/Outdoor Living Area			TT Action	PC Hrg	PC Direction	Working Group	PC Update	PC Update	PC Hrg	PC Hrg	PC Action	CC Hrg	CC Action	Implementation
2 Parking for Specialized Housing		TT Action	PC Update	Working Group	CC Hrg	CC Action	Implementation							
3 Multi-Family Defs, Density, Setbacks			TT Action	Working Group	PC Direction	Working Group	PC Update	PC Update	PC Hrg	PC Hrg	PC Action	CC Hrg	CC Action	Implementation

ORDINANCE NO. _____

AN ORDINANCE ESTABLISHING THE JEFFERSON-WESTSIDE SPECIAL AREA ZONE (S-JW); APPLYING THAT ZONE TO SPECIFIC PROPERTIES; AMENDING THE JEFFERSON-FAR WEST REFINEMENT PLAN; AMENDING THE WESTSIDE NEIGHBORHOOD PLAN; AMENDING SECTIONS 9.0500, 9.2161, 9.2170, 9.2171, 9.8030 AND 9.8865 OF THE EUGENE CODE, 1971; AND ADDING SECTIONS 9.3600, 9.3605, 9.3615, 9.3625, 9.3626, 9.3630, 9.3631 AND 9.3640 TO THAT CODE.

THE CITY OF EUGENE DOES ORDAIN AS FOLLOWS:

Section 1. Section 9.0500 of the Eugene Code, 1971, is amended by adding the definitions of “Driveway,” “Lot and Parcel,” “Lot Line,” “Residential Building,” and Street-Fronting Lot” and amending the definition for “Interior Lot Line” to provide as follows:

(Diagram references need to be inserted throughout)

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

Driveway. For purposes of the S-JW Jefferson Westside Special Area Zone provisions at EC 9.3600 through 9.3640, a surface area that is intended, prepared, or used for vehicle access to and about a lot.

Interior Lot Line. Any lot or parcel line that is not a front lot line. (See Figure 9.0500 Lot Lines, Lot Frontage, Lot Width, Lot Depth.) For purposes of the S-JW Jefferson Westside Special Area Zone provisions at EC 9.3600 through 9.3640, any portion of a lot line that does not abut a street or alley.

Lot and Parcel. For purposes of the S-JW Jefferson Westside Special Area Zone provisions at EC 9.3600 through 9.3640, “lot” and “parcel” are used interchangeably in all cases, and both terms mean a “Legal Lot,” as defined in EC 9.0500.

Lot Line. For purposes of the S-JW Jefferson Westside Special Area Zone provisions at EC 9.3600 through 9.3640, unless more specifically defined in those standards, a lot line is single lot line segment, or continuous series of connected lot line segments. (See EC 9.3631(1)(c).)

Residential Building. For purposes of the S-JW Jefferson Westside Special Area Zone provisions at EC 9.3600 through 9.3640, a building that contains one or more dwellings.

Street-Fronting Lot. For purposes of the S-JW Jefferson Westside Special Area Zone provisions at EC 9.3600 through 9.3640, a lot or parcel that abuts a

street for at least the minimum frontage length applicable to the lot as specified at EC 9.3630.

Section 2. Subsection (6) of Section 9.2161 of the Eugene Code, 1971, is amended to provide as follows:

9.2161 Special Use Limitations for Table 9.2160.

(6) Residential Use Limitation in C-1 and C-2. Except for the Downtown Plan Area, residential dwellings are allowed in the C-1 and C-2 zones if the ground floor of the structure is used for commercial or non-residential purposes according to Table 9.2161 Commercial Uses Requirements in Mixed-Use Residential Developments. Within the Downtown Plan Area as shown on Map 9.2161(6) Downtown Plan Map, residential dwellings are allowed in C-1 and C-2 zones and are not required to use the ground floor of the structure for commercial or non-residential purposes. ***For lots zoned C-1 within the S-JW Jefferson Westside Special Area Zone boundaries as shown on Figure 9.3605, the maximum number of dwellings per lot is specified at EC 9.3625(8) and 9.3626(1).***

Section 3. The “Minimum Front Yard Setback” entry, “Maximum Front Yard Setback” entry and “Minimum Interior Yard Setback” entry on Table 9.2170 of Section 9.2170 of the Eugene Code, 1971, are amended to provide:

9.2170 Commercial Zone Development Standards - General.

Table 9.2170 Commercial Zone Development Standards (See EC 9.2171 Special Development Standards for Table 9.2170.)					
	C-1	C-2	C-3	C-4	GO
Minimum Front Yard Setback (4) [(16)] (17)	10 feet	0 feet	0 feet	10 feet	10 feet
Maximum Front Yard Setback (5) [(16)] (17)	15 feet	15 feet	15 feet	None	15 feet
Minimum Interior Yard Setback (4) (6) (7) (16)	0 feet to 10 feet (6)	0 feet to 10 feet (6)	0 feet	0 feet to 10 feet (6)	0 feet to 10 feet (6)

Section 4. Section 9.2171 of the Eugene Code, 1971, is amended by renumbering subsection (16) to (17), and adding a new subsection (16) to provide:

9.2171 Special Commercial Zone Development Standards for Table 9.2170.

(16) For lots zoned C-1 within the S-JW Jefferson Westside Special Area Zone boundaries as shown on Figure 9.3605, setbacks from all portions of interior lot lines (as that term is defined for purposes of the S-JW Special Area Zone) shall be at least 10 feet from the interior lot line. In

addition, at a point that is 20 feet above grade, the setback shall slope at the rate of 10 inches vertically for every 12 inches horizontally (approximately 50 degrees from vertical) away from that lot line.

- (1617) Adjustments.** Except for the Downtown Plan Area as shown on Map 9.2161(6) Downtown Plan Map, adjustments to the minimum and maximum front yard setbacks in this section may be made, based on criteria at EC 9.8030(2) Setback Standards Adjustment. Within the Downtown Plan Area, adjustments to the minimum and maximum front yard setbacks in this section may be made, based on the criteria at EC 9.8030(16).

Section 5. Sections 9.3600, 9.3605, 9.3615, 9.3625, 9.3626, 9.3630, 9.3631, and 9.3640

of the Eugene Code, 1971, are added to provide:

S-JW Jefferson Westside Special Area Zone

9.3600 Purpose of S-JW Jefferson Westside Special Area Zone. The overarching purpose of the S-JW zone is to prevent residential infill that would significantly diminish, and to encourage residential infill that would enhance the stability, quality, positive character, livability and natural resources of the encompassed residential areas. More specifically, the purposes of this zone include:

- (1) Contribute to maintaining and strengthening a high quality urban core environment with compatible commercial and residential development so that people of a variety of incomes and household compositions will desire to live close to the city center and will be able to afford to do so.**
- (2) Protect and maintain these healthy, established, residential areas by ensuring compatible design for residential infill development in terms of lot patterns; uses; development intensity; building mass, scale, orientation and setbacks; open space; impacts of vehicle ownership and use; and other elements.**
- (3) Reinforce and complement positive development patterns identified through a community process conducted by the City-chartered neighborhood association that encompasses the S-JW zone.**
- (4) Accommodate future growth without eroding the areas' residential character and livability.**
- (5) Promote stability of the neighborhood community by maintaining a balanced mix of single-dwelling, duplex, and multi-dwelling residential development that contributes positively to the predominant residential patterns that arose as the neighborhood was built out. Prevent destabilization that would result from major residential redevelopment.**
- (6) Limit the density and intensity of permitted development to a level of development that does not fundamentally replace the essential character of the encompassed area (i.e., by redevelopment).**
- (7) Support the encompassed areas as transition areas between higher intensity residential and commercial land uses adjacent to the S-JW areas (e.g., along W. 13th Avenue and Willamette Streets to the north and east of the Jefferson neighborhood portion of the S-JW area) and lower intensity residential areas adjacent to S-JW areas (e.g., the R-1**

zoned areas to the east and south of the Jefferson portion of the S-JW area), in terms of density; building mass, scale, setbacks and facades; open space; and other elements.

- (8) *Promote a safe, hospitable and attractive environment for pedestrians and bicyclists, including individuals of all ages and abilities, particularly by establishing development standards that do not allow automobile use to reach levels that create hazards or disincentives to pedestrian and bicycle use on local streets and alleys;*
- (9) *Promote public safety by fostering a strong visual and social connection among living areas of dwellings that are close to one another, and between the living areas of dwellings and the public realm;*
- (10) *Provide for a range of dwelling types, tenures, density, sizes and costs, including by encouraging the preservation of existing small lots and small, relatively lower-cost, single-dwelling, detached homes, as well as by encouraging new, smaller and relatively lower-cost, detached, single-dwellings and duplexes;*
- (11) *Implement clear and objective standards that support the above purposes, while allowing for alternative discretionary standards to provide additional flexibility for compatible residential development.*

9.3605 *S-JW Jefferson Westside Special Area Zone Siting Requirements.* *In addition to the approval criteria at EC 9.8865 Zone Change Approval Criteria, to receive the S-JW Jefferson Westside Special Area Zone, the site must be included within the boundaries of the Jefferson Westside Special Area Zone depicted on Figure 9.3605 S-JW Jefferson Westside Special Area Zone boundaries.*

9.3615 *S-JW Jefferson Westside Special Area Zone Land Use and Permit Requirements and Special Use Limitations.* *The land use and permit requirements and special use limitations applicable in the S-JW Jefferson Westside Special Area Zone shall be those set out at EC 9.2740 and EC 9.2741 for uses in the R-2 zone, except the following uses listed on Table EC 9.2740 are prohibited in the S-JW Jefferson Westside Special Area Zone:*

- (1) *Correctional Facilities.*
- (2) *C-1 Neighborhood Commercial Zone permitted uses, unless such a use is specifically listed in another row on Table 9.2740 as an allowable use under the “R-2” column.*

9.3625 *S-JW Jefferson Westside Special Area Zone Development Standards.*

- (1) *Application of Standards and Adjustment.*
 - (a) *Application of Standards.* *In addition to the special use limitations in EC 9.3615 and the development standards in EC 9.3625 to 9.3640 and EC 9.5000 to 9.5850, the General Standards for All Development in EC 9.6000 through 9.6885 apply within this zone. In the event of a conflict between those general development standards and the development standards in EC 9.3625 to 9.3640, the provisions of EC 9.3625 to 9.3640 shall control.*
 - (b) *Adjustment.* *The development standards in subsections EC 9.3625(6) regarding driveway width and EC 9.3625(3)(a)2.b regarding primary vehicle access may be adjusted in accordance with EC 9.8030(26). For sites zoned S-JW Special Area Zone, these are the only standards that may be adjusted.*

- (2) **Roof Form.**
- (a) **All roof surfaces on residential buildings, other than as provided for porches and dormers in subsections (b) and (c) below, shall have a minimum slope of 6 inches vertically for every 12 inches horizontally, except:**
1. **A lesser roof pitch is permitted so long as the pitch is no less than the median roof pitch of all residential buildings located on those S-JW lots located within 300 feet of the subject lot. For purposes of determining the median roof pitch, each residential building's roof pitch shall be considered the roof pitch of the building's largest contiguous roof area.**
 2. **For a residential building that contains the only dwelling on a lot, a lesser roof pitch is permitted for up to 1,000 square feet of roof surface, so long as the area(s) of lesser pitch are no more than 15 feet above grade at any point.**
- (b) **Residential building porches are not required to have a sloped roof if the porch is:**
1. **Less than 100 square feet; or**
 2. **Located on a street-fronting lot that is not an alley access only lot and is on the rear (i.e., side opposite a street) of the residential building closest to the street.**
- (c) **Residential building dormers are not required to have a sloped roof if the dormer is:**
1. **Less than 10' wide, as measured at sidewalls or maximum roof opening, whichever is greater; or**
 2. **Located on a street-fronting lot that is not an alley access only lot and is on the rear (i.e., side opposite a street) of the residential building closest to the street.**
- (d) **Roof surfaces on garages and other buildings that are not residential buildings in the following categories shall have a minimum slope of 6 inches vertically for every 12 inches horizontally:**
1. **Buildings with over 200 square feet of floor area; and**
 2. **Buildings with over 100 square feet of floor area that have any part of the building over 12 feet high, as measured from grade.**
- (3) **Alley development standards.**
- (a) **Primary Vehicle Access. For the purposes of this section, "primary vehicle access" means the primary means by which inhabitants take vehicular access to a dwelling or on-site parking space(s) provided for a dwelling. Primary vehicle access is determined as follows:**
1. **On an alley access only lot, every dwelling's primary vehicle access is the alley.**
 2. **On a lot that is not an alley access only lot and that, consistent with access standards in the EC, could take vehicular access from an alley, a dwelling's primary vehicle access is:**
 - a. **The street, when there is only one dwelling on the lot.**
 - b. **When there are multiple dwellings on the lot, for each on-site parking space that complies with the standards**

applicable in the S-JW special area zone and that can only be accessed and exited via a street (i.e., cannot use the alley for entry or exit), one dwelling is considered to take primary vehicle access from the street. The remainder of the dwellings shall be considered to take primary vehicle access from the alley.

If there are one or more dwellings with the alley as primary vehicle access, the dwelling(s) closest to the alley shall be considered to have primary access from the alley. In cases where multiple dwellings are equidistant from the alley and not all of them take primary access from the alley, the property owner may designate which dwellings take primary access from the alley. The provisions in this subsection (3)(a)2.b. may be adjusted based on the criteria of EC 9.8030(26)(2).

- 3. On all lots not addressed in 1. or 2., above, all dwellings' primary vehicle access is the street.**
- (b) No more than one dwelling on the same development site may take primary vehicle access from an alley unless the site also abuts a street that the alley intersects.**
- (c) On any lot that contains one or more dwellings whose primary vehicle access is an alley, there must be at least an undivided 400 square-foot open space area (not including buildings, parking or driveways) abutting the alley. Except as provided in 4., below, the open space area:**
 - 1. shall abut the alley for at least 25% of the length of the lot line abutting the alley;**
 - 2. shall be a minimum of 10 feet in depth for the entire extent that the open space area abuts the alley; and**
 - 3. may include areas that are within setbacks.**
 - 4. The open space required in this subsection (c) may be placed behind parallel parking abutting the alley.**
- (d) For a dwelling whose primary vehicle access is an alley:**
 - 1. The dwelling may not have more than three bedrooms.**
 - 2. If the dwelling is in the residential building closest to the alley, then the dwelling shall include a main entrance that is visible from the alley (see Figure 9.3625(3)(d)2.) and meets one of the following conditions:**
 - a. Faces the alley;**
 - b. Faces the side of the lot and opens onto a covered porch that has a minimum of 30 square feet between a wall facing the alley and the alley; or**
 - c. Faces the side of the lot and meets all the following conditions:**
 - (1) The entrance opening is no more than 8 feet from the building façade facing the alley and nearest the alley.**
 - (2) The entrance provides direct resident access to a head-in parking area on the same side of building.**

- (3) *The entrance includes a covered porch of at least 20 square feet.*
 - (4) *The façade facing the alley includes windows that total at least 8 feet wide when measured at 5' above the floor of the first story and that have a minimum area of at least 20 square feet.*
 3. *One on-site parking space, accessible from the alley, per dwelling is required.*
 - (4) **Main Entrances.**
 - (a) *Except as provided in (c), below, on a street-fronting lot that is not an alley access only lot, the residential building closest to the street shall include a main entrance that meets one of the following conditions:*
 1. *Faces the street; or*
 2. *Faces the side of the lot and opens onto a covered porch that has a minimum of 30 square feet between a wall facing the street and the street.*
 - (b) *Except as provided in (c), below, on corner lots with more than one residential building, all residential buildings shall include a main entrance that meets the requirements of subsection (a).*
 - (c) *Notwithstanding (a) and (b), above, where three or more dwellings have ground-level entrances on two or more sides of a common courtyard that is open to a street for at least 20 feet, the dwellings' main entrances may face the courtyard. (See Figure 9.3625(4)(c))*
 - (5) **Garage Door Standards.**
 - (a) *Except for a garage accessed from an alley, only one garage door, with maximum width of 9 feet and maximum height of 8 feet, is allowed within 30 feet of any portion of a lot line that abuts a street.*
 - (b) *For a garage accessed from an alley, one garage door 18 feet wide and 8 feet high or 2 garage doors 9 feet wide and 8 feet high, are permitted.*
 - (6) **Driveway Standards. In lieu of any conflicting standards in EC 7.410 Driveways – Curb cut, the following standards shall apply:**
 - (a) **Street Access Driveway Curb Cuts and Width. Driveways that are accessed from a street must meet all the following requirements:**
 1. *Except as provided in (7), below, a lot shall have no more than one curb cut on each street that the lot abuts.*
 2. *The maximum curb cut width is limited to 14 feet where the driveway abuts the street, and the driveway must taper to no more than 12 feet within 3 feet of the street curb or edge.*
 3. *The maximum driveway width for a driveway that accesses a single-car garage is 12 feet.*
 4. *No portion of a driveway or parking area shall be wider than 12 feet within 30 feet of any portion of a lot line that abuts a street.*
 5. *For a driveway or parking area located within five feet of an existing driveway or parking area on an adjacent property under common ownership or within the same development site, the maximum total width of the two driveways and/or parking areas is 18 feet within 30 feet of any portion of a lot line that abuts a street.*

6. **The full width of impermeable surfaces and surfaces with permeable paved surfaces (such as parking areas or walkways) that are within one foot of a driveway shall be included in calculating the driveway width except that one private walkway, no wider than 4 feet within 5 feet of the driveway, may terminate at the driveway. (See Figure 9.3625(6)(a)6.)**
7. **Exception. For a duplex where both main entrances face the same street and the lot is not on the corner of two streets or the corner of a street and an alley, two curb cuts and driveways are allowed as long as both curb cuts and driveways meet all of the following conditions:**
 - a. **There must be at least 30 feet between the two curb cuts;**
 - b. **Each curb cut must be at least 5 feet from any curb cut on an adjacent lot;**
 - c. **The maximum curb cut width is limited to 11 feet where the driveway abuts the street, and the driveway must taper to no more than 9 feet within 3 feet of the street curb or edge; and**
 - d. **No portion of a driveway or parking area shall be wider than 9 feet within 30 feet of any portion of a lot line that abuts a street.**

(See Figure 9.3625(6)(a)7.)
- (b) **Alley-Access Driveway Width. The maximum driveway and/or parking area width is 18 feet within 30 feet of any portion of a lot line that abuts the alley.**
- (c) **Adjustment. The driveway width standards in this subsection (6) may be adjusted based on the criteria of EC 9.8030(26)(1).**
- (7) **Parking Standards.**
 - (a) **Except as provided in (3)(d)3. above, each dwelling shall have one on-street or on-site vehicle parking space for every three bedrooms, rounded up to the next whole number (i.e. a four-bedroom dwelling must have at least two parking spaces). For purposes of this subsection, each uninterrupted twenty feet of lot line that abuts a street right-of-way where parking is legal within the entirety of that twenty feet shall count as one on-street parking space. The twenty feet may not include any portion of a curb cut.**
 - (b) **No portion of a vehicle parking area may be located in the area defined by the Street Setback minimum standard (i.e., from which structures, other than permitted intrusions, are excluded) or between the street and the residential building façade that faces, and is closest to, the street. (See Figure 9.3625(7)(b)).**
- (8) **The following Table 9.3625 sets forth the S-JW Special Area Zone development standards, subject to the special development standards in EC 9.3626.**

Table 9.3625 S-JW Jefferson Westside Special Area Zone Development Standards (See EC 9.3626 Special Development Standards for Table 9.3625.)	
Density(1)	
Minimum Dwellings Per Lot	

Table 9.3625 S-JW Jefferson Westside Special Area Zone Development Standards (See EC 9.3626 Special Development Standards for Table 9.3625.)	
Lots less than 13,500 Square Feet	--
Lots 13,500 square feet and larger	1 dwelling per lot for every 6,750 square feet (fractional values are rounded down to the nearest whole number)
Maximum Dwellings Per Lot(1)	
Alley Access Only Lot	1 dwelling per lot
Lots less than 2,250 square feet	No additional dwellings after [date of adoption]
Lots between 2,250 and 4,499 square feet	1 dwelling per lot
Lots between 4,500 and 8,999 square feet	2 dwellings per lot
Lots 9,000 square feet and larger	1 dwelling per lot for every 4,500 square feet (fractional values are rounded down to the nearest whole number)
Maximum Building Height (2) (9)	
Minimum Building Setbacks (3) (4) (5) (9)	
Maximum Lot Coverage (6) (7)	50%
Maximum Vehicle Use Area (6)	20%
Common and Private Open Space (7)	
Fences (8)	
(Maximum Height Within Interior Yard Setbacks)	6 feet
(Maximum Height within Front Yard Setbacks)	42 inches

9.3626 Special Development Standards for Table 9.3625.

- (1) Density. For purposes of determining the maximum allowable dwellings on a lot:**
 - (a) A dwelling with five or fewer bedrooms that is the only dwelling on a street-abutting lot that is at least 4,500 square feet shall be counted as one dwelling.**
 - (b) Two dwellings that together have a total of six or fewer bedrooms, and that are the only dwellings located on a street-fronting lot that is at least 4,500 square feet, and where at least one residential building on the lot has a front facade that faces a street and is within the street maximum setback, shall be counted as two dwellings.**
 - (c) For cases not covered by sections (a) and (b), above, the dwelling count shall be the sum of the dwelling counts calculated under the following subsections:**
 - 1. The total dwelling count for all dwellings with three or fewer bedrooms shall be the number of dwellings,**
 - 2. The total dwelling count for all dwellings with four or more bedrooms shall be the total number of bedrooms in these dwellings divided by three. Fractional dwelling counts resulting from this calculation shall be rounded up to the next whole number, e.g. a total of seven bedrooms counts as three dwellings.**
 - (d) Dwelling counts shall be recalculated as part of the City's consideration of any new development proposing to increase the**

- number of dwellings or bedrooms on a lot. The proposed change shall not be permitted unless the new dwelling count will comply with all applicable standards in this section.*
- (e) *In addition to the Maximum Dwellings Per Lot allowed by Table 9.3625, one additional dwelling may be established on a lot that is between 9,000 square feet and 12,499 square feet, and up to two additional dwellings may be established on a lot that is 13,500 square feet or larger, so long as:

 - 1. *No residential building on the lot has more than two dwellings;*
 - 2. *No dwelling on the lot has more than three bedrooms; and*
 - 3. *No dwelling added to the lot after [date of adoption] or that is on a lot that has more than the number of dwellings allowed on the lot by Table 9.3625 has more than 800 square feet of living area or any point (other than chimney) higher than 18 feet.**
 - (f) *Multi-lot developments. A multi-lot development site is treated as one area for calculating allowable dwellings. (I.e., allowable dwellings are not the sum of individual lots' allowable dwellings). A multi-lot development site cannot include an alley access only lot or a lot less than 4,500 square feet.*
- (2) **Building Height.** (See Figure 9.3626(2)(3)(4)).
- (a) **Residential buildings.**
 - 1. *On a street-fronting lot that is not an alley access only lot, the maximum height of any part of a residential building within 60 feet of the lot line abutting the street is:

 - a. *For any section of a roof that has at least a 6:12 pitch (i.e. a slope of 6 inches vertically for every 12 inches horizontally) for the entire roof section: 30 feet.*
 - b. *Otherwise: 18 feet.*
 - c. *For a lot that meets the definition of "Street-fronting lot" with respect to more than one street, the 60 foot distance shall be measured from the shortest lot line that meets the requirements under the definition of "Street-fronting lot."**
 - 2. *The maximum height of any part of a residential building not covered under subsection 1., above, is 18 feet.*
 - 3. *Chimneys on residential buildings may exceed the maximum height limits by no more than 5 feet.*
- (See Figure 9.3626(2)(a)).
- (b) *The maximum height of any part of a garage or building that is not a-residential building is 15 feet.*
 - (c) *The height of any part of a structure shall be measured as its vertical distance above grade.*
- (3) **Alley and Street Setbacks.** (See Figure 9.3626(2)(3)(4)).
- (a) **Alley minimum setback.** *Except as provided under subsection (a)1., below, all buildings shall be set back a minimum of the distance specified in subsections 1. and 2., below, from any portion of a lot line that abuts an alley and from any alley right-of-way easement, whichever would result in a greater setback distance.*

1. **Residential buildings: 5 feet. All intrusions allowed by EC 9.6745 (“Setbacks-Intrusions Permitted”) and not explicitly prohibited by other provisions applicable in the S-JW Special Area Zone are allowed but no intrusion may penetrate more than two feet into the setback.**
 2. **Other structures: 2 feet. No intrusions are allowed.**
- (b) **Street setback.**
1. **Residential buildings.**
 - a. **Minimum setback shall be:**
 - (1) **15 feet from any portion of a lot line that abuts a street and from any street right-of-way easement, whichever would result in a greater setback distance; or**
 - (2) **The average setback distance to the widest portion of the front facades of the two nearest residential buildings, one on each adjacent property on the side of the subject property, that face the same street, but not less than 10 feet; or**
 - (3) **Where there are not two dwellings as described in (2), above, one half the sum of 15 feet plus the setback distance to the widest portion of the front facade of the nearest residential building on a different property that faces the same street, but not less than 10 feet**
 - (4) **All intrusions allowed by EC 9.6745 (“Setbacks-Intrusions Permitted”) and not explicitly prohibited by other provisions applicable in the S-JW Special Area Zone are allowed. No intrusion may penetrate closer than 10 feet from any portion of a lot line that abuts a street and from any street right-of-way easement.**
 - b. **Maximum setback on a street-fronting lot that is not an alley access only lot:**
 - (1) **At least one residential building on the lot must have at least 25 feet or 100 per cent, whichever is less, of its main facade width located within 30 feet of the portion(s) of a lot line that abuts the street or the easement that the main facade faces.**
 - (2) **The maximum front yard setback can be increased to one of the following measurements, but to no more than 35 feet:**
 - (A) **The average setback distance to the widest portion of the front facades of the two nearest residential buildings, one on each adjacent property on the side of the subject property, that face the same street; or**
 - (B) **Where there are not two such dwellings as described in (A), one half the sum of 30 feet plus the setback distance to the widest portion of the front facade of the nearest**

- residential building on a different property that faces the same street.**
- (3) **On a corner lot (i.e., a lot that has abuts two intersecting streets), the street minimum setback requirement may be reduced to 10 feet for no more than a 30-foot extent of one residential building on one of the streets, when that residential building meets the following conditions:**
- (A) **The residential building has a main entrance that meets the requirements in EC 9.3625(4) with respect to a different street and complies with the 15 foot minimum street setback requirement with respect to that street; and**
 - (B) **No dwelling in the residential building has a main entrance within the extent of the façade to which the 10 foot setback applies.**
2. **Garages and buildings that are not residential buildings shall meet the following minimum setback requirements:**
- a. **21 feet from any portion of a lot line that abuts a street and from any street right-of-way; and**
 - b. **On all lots except alley access only lots: 6 feet behind the street-facing façade, other than the façade of an attached garage, that is furthest from the street of the residential building closest to the street that the garage or non-residential building faces.**
- (c) **Special setback provisions may also apply, see EC 9.6750 Special Setback Standards.**
- (4) **Interior Yard Setbacks. (See Figure 9.3626(2)(3)(4)). For purposes of this subsection, “generally parallel” shall mean within 30 degrees of parallel, and the term “generally perpendicular” shall mean within 30 degrees of perpendicular. Except as provided in subsections (c) through (f) of this subsection:**
- (a) **For a street-fronting lot that is not an alley access only lot, for any portion of an interior lot line that is located within 60 feet of a lot line abutting a street and generally perpendicular to the side of the lot along which the interior lot line lies: The setback shall be at least 5 feet from the interior lot line and a minimum of 10 feet from structures on other lots. In addition, at a point that is 12 feet above grade, the setback shall slope at the rate of 10 inches vertically for every 12 inches horizontally (approximately 50 degrees from vertical) away from the lot line.**
 - (b) **Setbacks from all other portions of interior lot lines, not covered in subsection (a), shall be at least 5 feet from the interior lot line and a minimum of 10 feet from structures on other lots. In addition, at a point that is 8 feet above grade, the setback shall slope at the rate of 10 inches vertically for every 12 inches horizontally (approximately 50 degrees from vertical) away from the lot line.**
 - (c) **All intrusions allowed by EC 9.6745 (“Setbacks-Intrusions Permitted”) and not explicitly prohibited by other provisions applicable in the S-JW Special Area Zone are allowed, except that:**

1. **The maximum extent of allowable intrusions into the sloped portion of a setback shall be measured horizontally from the sloped plane of the setback.**
 2. **No wall or surface of a building that is an intrusion allowed under EC 9.6745(2) and that is over 20 square feet shall be closer than 10 feet to any residential building's wall or surface that is over 20 square feet on an adjacent property.**
- (d) **On a street-fronting lot that is not an alley access only lot, a residential building with a main roof that is gabled or hipped and has a ridgeline generally parallel to a lot line abutting the street may have a single gable or hipped portion on each side of the building intrude into the sloped portion of the interior yard setback, as long as the entire intrusion is within 60 feet of the respective lot line abutting the street and the maximum width of the part of the building that penetrates the sloped setback is 35 feet.**
- (e) **A residential building may have a maximum of 4 dormers, with a maximum of 2 dormers per side of the roof, that intrude into the sloped portion of an interior yard setback, as long as each dormer that intrudes on the setback meets all the following requirements:**
1. **Has at least 4 square feet of window(s) in the end (face) wall.**
 2. **Has a minimum setback of 7 feet from interior lot lines and is a minimum of 10 feet from structures on other lots.**
 3. **Maximum width.**
 - a. **There is no maximum width for a dormer that has an end (face) wall that does not face a street and is setback at least 30 feet from the nearest lot line segment the end wall faces.**
 - b. **The maximum width for all other dormers that intrude into the setback is 10 feet measured between the sidewalls or maximum roof opening, whichever is greater.**
 4. **The dormer's sidewalls (if any) are setback a minimum of 2 feet from the nearest generally parallel outer wall of the building to which the dormer is attached.**
- (f) **Exceptions.**
1. **Structures may intrude into the sloped portion of any interior yard setback as long as the lot owner secures and records in the office of the Lane County Recorder a maintenance access easement adjacent to intrusive side of the structure. The easement shall provide a 5-foot wide access the entire length of the intrusion and 5 feet beyond both ends, and require a 10-foot separation between buildings on separate lots. The easement shall be on a form provided by the city, shall be approved by city staff, and be subject to review and payment of a fee set by the city manager.**
 2. **Structures may intrude into an interior yard setback arising from a lot line between an alley access only lot and the lot between the alley access only lot and the street, as long as the property owner secures and records a maintenance access easement as described in 1, above.**
- (g) **Easements. Except where buildings abut or share a common wall,**

- the owner of a lot or parcel with an interior yard of less than 5 feet from the adjacent property line must secure and record in the office of the Lane County Recorder a maintenance access easement adjacent to that side of the building. The easement shall provide a 5-foot wide access the entire length of the building and 5 feet beyond both ends, and require a 10-foot separation between buildings on separate lots. The easement shall be on a form provided by the city, shall be approved by city staff, and be subject to a review and payment of a fee set by the city manager. There shall be no projection of building features into this easement.*
- (5) **Window Setback above First Floor.** *For purposes of this subsection, “generally parallel” shall mean within 30 degrees of parallel.*
 - (a) *Except as provided in (b), windows above the first floor shall be setback a minimum of 10 feet from interior lot lines.*
 - (b) *Windows that are within 60 feet of a lot line abutting the street of a street-fronting lot that is not an alley access only lot, and that are in a gable or hipped end of a residential building with a main roof ridgeline generally parallel to the respective lot line abutting the street, are excluded from the setback requirement in (a), above.*
 - (6) *The maximum area covered by paved and unpaved vehicle use areas including but not limited to driveways, on-site parking and turnarounds, is 20 percent of the total development site area.*
 - (7) **Common and Private Open Space.** *(See Figure 9.3626(7)).*
 - (a) *All developments of three or more dwellings (as calculated under EC 9.3626(1)) shall include common or private open space, or a combination thereof, that equals or exceeds the greater of the following two areas:*
 - 1. *20% of the development site area.*
 - 2. *25% of total living area.*
 - (b) *Any common open space intended to meet the requirements of this subsection (7) may include only those the areas listed under EC 9.5500(9)(a)(1) and (2). No indoor area may be counted as common open space.*
 - 1. *The minimum area for any common open space shall be 250 square feet.*
 - 2. *The boundaries of any area counted as common open space must be sufficient to encompass a square with 15 foot sides.*
 - (c) *Any private open space intended to meet the requirements of this subsection (7) shall be consistent with EC 9.5500(9)(b).*
 - (d) *An open space credit shall be allowed consistent with EC 9.5500(9)(c)2 for qualifying setback areas. The EC 9.5500(9)(c)1 credit for public parks is not allowed.*
 - (8) **Fences.**
 - (a) **Types.** *The type of fence (including walls or screens) used is subject to specific requirements stated in the landscape standards beginning at EC 9.6200 Purpose of Landscape Standards. The standards apply to walls, fences, and screens of all types including open, solid, wood, metal, wire, masonry or other material. Use of barbed wire and electric fencing is regulated in EC 6.010(d) Fences.*
 - (b) **Location and Heights.**
 - 1. *Fences up to 42 inches in height are permitted within the*

required front yard setback. For corner lots or double frontage lots, a fence between 42 inches and 6 feet in height is permitted within one of the two front yard setbacks, so long as for corner lots, this fence cannot extend past a line created by an extension of the front wall of the dwelling. (See Figure 9.2751(13)(b)1.)

2. Fences up to 6 feet in height are permitted within the required interior yard setback.
 3. The height of fences that are not located within the required setback areas is the same as the regular height limits of the zone.
 4. Fences must meet the standards in EC 9.6780 Vision Clearance Area.
- (9) **Maximum building height and minimum building setbacks may be modified with an approved planned unit development permit. (For planned unit development procedures refer to EC 9.7300 General Overview of Type III Application Procedures and for approval criteria refer to EC 9.8320 Tentative Planned Unit Development Approval Criteria - General.)**

9.3630 S-JW Jefferson Westside Special Area Zone Lot Standards. The following Table 9.3630 sets forth S-JW Jefferson Westside Special Area Zone lot standards, subject to the special standards in EC 9.3631.

Table 9.3630 S-JW Jefferson Westside Special Area Zone Lot Standards (See EC 9.3631 Special Standards for Table 9.3630.)	
Lot Area Minimum (1)	
Lots, except Small Lots, Alley Access Only Lots	4,500 square feet
Small Lots (2)	2,250 square feet or per Cluster Subdivision or PUD
Alley Access Only Lots (4)	2,250 square feet
Frontage Minimum (1)	
Interior Lot	45 feet
Corner Lot	45 feet
Lot Area Maximum (3)	13,500 square feet

9.3631 Special Standards for Table 9.3630.

- (1) (a) **Lot frontage requirements may be met by a lot that abuts a street or an alley continuously for the required length indicated in Table 9.3630.**
- (b) **A lot must be of sufficient size and/or have sufficient on-street parking to meet applicable vehicle parking requirements under EC 9.3625(3)(b)4 or EC 9.3625(7) for one dwelling, or all existing dwellings on the lot at the time the lot is created, whichever is greater.**
- (c) **Rectilinear shape. A lot line segment is a portion of the boundary line of a lot that is bounded on each end by an angle and that contains no angles within the line segment. (The point at which a straight line intersects a curved line is considered an angle.)**
 1. **All lot line segments must be straight lines and intersect at right angles (90 degrees).**

2. **Exceptions**
 - a. **Lot line segments may intersect at an angle between 85 and 95 degrees to the extent that will produce a lot with at least four sides and a lot boundary with fewer angles than could be accomplished using only right angles.**
 - b. **An angle between 45 and 135 degrees is allowed where a new lot line intersects a lot line segment that existed prior to [the date these standards were adopted] and the existing lot line segment did not intersect both its adjoining lot line segments at right angles.**
- (d) **A lot's boundaries must be sufficient to fully encompass a rectangle of the following size:**
 1. **Alley access only lots: 45'x35'**
 2. **Other lots: 45'x45'**

(See Figure 9.3631(1)(d)(e)).
- (e) **Minimum interior lot dimension. (See Figure 9.3631(1)(d)(e)). The minimum distance between any two non-intersecting lot line segments is 35 feet when measured by a straight line that does not begin or end at an intersection of any two lot line segments and that lies entirely within the lot's boundaries.**
- (f) **The Property Line Adjustment provisions at EC 9.8400 through 9.8420 are available within the S-JW zone only for adjustment of a portion of a lot line that existed in its current location as of [the date these standards are adopted]. Such lot lines may be adjusted by up to 5 feet, measured perpendicularly from the lot line's current location, and consistent with all other applicable lot standards. A Property Line Adjustment allowed under this section may be up to 10 feet if the adjustment is necessary to accommodate an encroachment that existed as of [the date these standards are adopted].**
- (g) **A lot must have the capacity for vehicular access from an alley or street consistent with access standards in the EC.**
- (h) **The creation of a new flag lot is prohibited in the S-JW Jefferson Westside Special Area Zone.**
- (2) **Other than an alley access only lot, a lot with an area of less than 4500 square feet:**
 - (a) **May be created only if:**
 1. **The original lot from which the small lot is created abutted a street for at least a continuous 45 feet and was at least 6,750 square feet prior to the creation of the small lot; and**
 2. **Shall not have an existing dwelling that has more than three bedrooms.**
 3. **Only one "small lot" may be created from any portion of a lot that exists as of [the date these standards are adopted].**
 - (b) **No new dwelling with more than three bedrooms is allowed on a small lot.**
- (3) **Exceptions to the maximum lot size shall be granted if any of the following is met:**
 - (a) **Existing physical circumstances such as topographically constrained lands, conservation easements, existing buildings, or utility easements prevent the ability to further divide the lot.**

- (b) *The lot exceeding the maximum lot size is intended to reserve a large lot for future land division with feasibility demonstrated by a conceptual buildout plan.*
- (c) *The subdivision achieves a minimum density of 9 units per net acre.*
- (d) *The exception will enable protection of natural resources.*
- (4) *An alley access only lot may be created only if:*
 - (a) *The original lot from which the alley access only lot is created abuts a street for at least a continuous 45 feet and is at least 6,750 square feet prior to the creation of the alley access only lot;*
 - (b) *Only one alley access only lot may be created from any portion of a lot that exists as of [the date these standards are adopted]; and*
 - (c) *A new alley access only lot must include the entire portion of the original lot's lot line that abuts the alley.*

9.3640 Non-conforming development.

- (1) *Existing development that does not meet the lot coverage or open space requirements at EC Table 9.3625, 9.3626(6) or (7) must be brought into conformance with the lot coverage and open space standards in those code sections only when any additional dwelling is created or the number of bedrooms in any dwelling is increased to four or more. However, no development may increase the extent of non-conformance.*
- (2) *Existing development that does not meet the driveway or parking requirements at EC 9.3625(3), (6) or (7) must be brought into conformance with those driveway and parking standards only when:*
 - (a) *An additional dwelling is created on the lot;*
 - (b) *The number of bedrooms in any dwelling on the lot is increased to four or more; or*
 - (c) *The proposed development would otherwise result in an increase in the extent of the existing driveway's or parking area's non-conformance.*
- (3) *A non-conforming driveway or parking area may be paved or re-paved to the extent of the driveway or parking area that existed as of [the date these standards are adopted] without having to be brought into conformance.*
- (4) *Legally established buildings and uses conforming to the residential net density requirements in the R-2 zone on December 7, 1994 are exempt from EC 9.1210 to 9.1230 Legal Nonconforming Situations, pertaining to nonconforming uses. This exemption is limited to development sites in the S-JW Jefferson Westside Special Area Zone on which residential buildings and uses existed, or in which a development permit or land use application was pending, on December 7, 1994. If such a building which is nonconforming as to minimum density is destroyed by fire or other causes beyond the control of the owner, the development site may be redeveloped with the previous number of dwelling unit(s) if completely rebuilt within 5 years. If not completely rebuilt within 5 years, the development site is subject to the density standards for the S-JW Jefferson Westside Special Area Zone.*

Section 6. Subsection (26) of Section 9.8030 of the Eugene Code, 1971, is added to

provide:

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

(26) S-JW Jefferson Westside Special Area Zone. The following standards applicable within the S-JW Jefferson Westside Special Area Zone may be adjusted upon a finding that the adjustment is consistent with the following criteria.

(1) Driveway width. An additional two feet of width is allowed for any portion of a driveway that takes access from a street based on the following criteria:

(a) The additional driveway width is necessary to avoid an unsafe condition, to comply with the requirements of EC 9.6420 (Parking Area Standards) or to provide reasonable maneuvering room around an obstacle that cannot be practicably relocated to a different location that would not create a driveway obstacle; and

(b) The additional area allowed under this adjustment is the minimum necessary to accomplish the objective under (1)(a), above.

(2) Means of primary vehicle access. A dwelling considered to have its primary vehicle access from the alley, according to EC 9.3625(3)(a)2.b., may be considered to have its primary vehicle access from the street if the applicant demonstrates that physical conditions or code standards preclude the establishment of vehicle parking on any part of the lot that could be accessed from the alley.

Section 7. Subsection (4) of Section 9.8865 of the Eugene Code, 1971, is amended by adding a new subsection (k) and relettering the subsequent subsections to provide:

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

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

(a) EC 9.2150 Commercial Zone Siting Requirements.

(b) EC 9.2430 Industrial Zone Siting Requirements.

(c) EC 9.2510 Natural Resource Zone Siting Requirements.

(d) EC 9.2610 Park, Recreation, and Open Space Siting Requirements.

(e) EC 9.2681 Public Land Zone Siting Requirements.

(f) EC 9.2735 Residential Zone Siting Requirements.

(g) EC 9.3055 S-C Chambers Special Area Zone Siting Requirements.

(h) EC 9.3105 S-CN Chase Node Special Area Zone Siting Requirements.

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

- (j) EC 9.3305 S-E Elmira Road Special Area Zone Siting Requirements.
- (k) **EC 9.3605 S-JW Jefferson Westside Special Area Zone Siting Requirements.**
- (kl) EC 9.3705 S-RP Riverfront Park Special Area Zone Siting Requirements.
- (lm) EC 9.3805 S-RN Royal Node Special Area Zone Siting Requirements.
- (mn) EC 9.3905 S-W Whiteaker Special Area Zone Siting Requirements.
- (no) EC 9.4205 /EC East Campus Overlay Zone Siting Requirements.
- (op) EC 9.4715 /WP Waterside Protection Overlay Zone Siting Requirements.
- (pq) EC 9.4776 /WQ Water Quality Overlay Zone Siting Requirements (only for the purposes of adding the overlay zone. See EC 9.4786.).
- (qr) EC 9.4915 /WR Water Resources Conservation Overlay Zone Siting Requirements (only for the purposes of adding the overlay zone. See EC 9.4960.).
- (rs) EC 9.4815 /WB Wetland Buffer Overlay Zone Siting Requirements.
- (st) An uncodified ordinance establishing a site specific S-H Historic Special Area Zone, a copy of which is maintained at the city's planning and development department.

Section 8. The Jefferson-Far West Refinement Plan is amended by adding the following policy under Area 16. East Medium-Density Residential Area:

Land Use Policies, Jefferson Area 16. East Medium Density Residential Area

This area shall be recognized as appropriate for application of the Special Area Zone-Jefferson-Westside (S-JW) as defined through the City's land use code. Within the S-JW boundaries set by the City Council, the S-JW zone shall be the only permissible zone. The S-JW zone is consistent with and implements the Medium Density Residential Metro & Refinement Plan designation within its boundaries.

Section 9. The Westside Neighborhood Plan is amended by adding the following Policy 5 to the Central Residential Area section of the Plan's Land Use Element:

Policy 5. The portion of the Central Residential Area that is east of Polk Street shall be recognized as appropriate for application of the Jefferson Westside Special Area Zone (S-JW) as defined through the City's land use code. Within the S-JW boundaries set by the City Council, the S-JW zone shall be the only permissible zone. The S-JW zone is consistent with and

implements the Medium Density Residential Metro Plan and Refinement Plan designation.

Section 10. Figures 9.3605, 9.3625(3)(d)2., 9.3625(4)(c), 9.3625(6)(a)6., 9.3625(6)(a)7., 9.3625(7)(b), 9.3626(2)(a), 9.3626(2)(3)(4), 9.3626(7), 9.3631(1)(d)(e) as referenced in this Ordinance, are attached hereto as Exhibit A and shall be numerically incorporated in Chapter 9 of the Eugene Code, 1971.

Section 11. The legislative findings attached as Exhibit B hereto are adopted in support of this Ordinance.

Section 12. 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.

Section 13. The City Recorder, at the request of, or with the consent of the City Attorney, is authorized to administratively correct any reference errors contained herein, or in other provisions of the Eugene Code, 1971, to the provisions added, amended or repealed herein.

Passed by the City Council this

___ day of _____, 2009

City Recorder

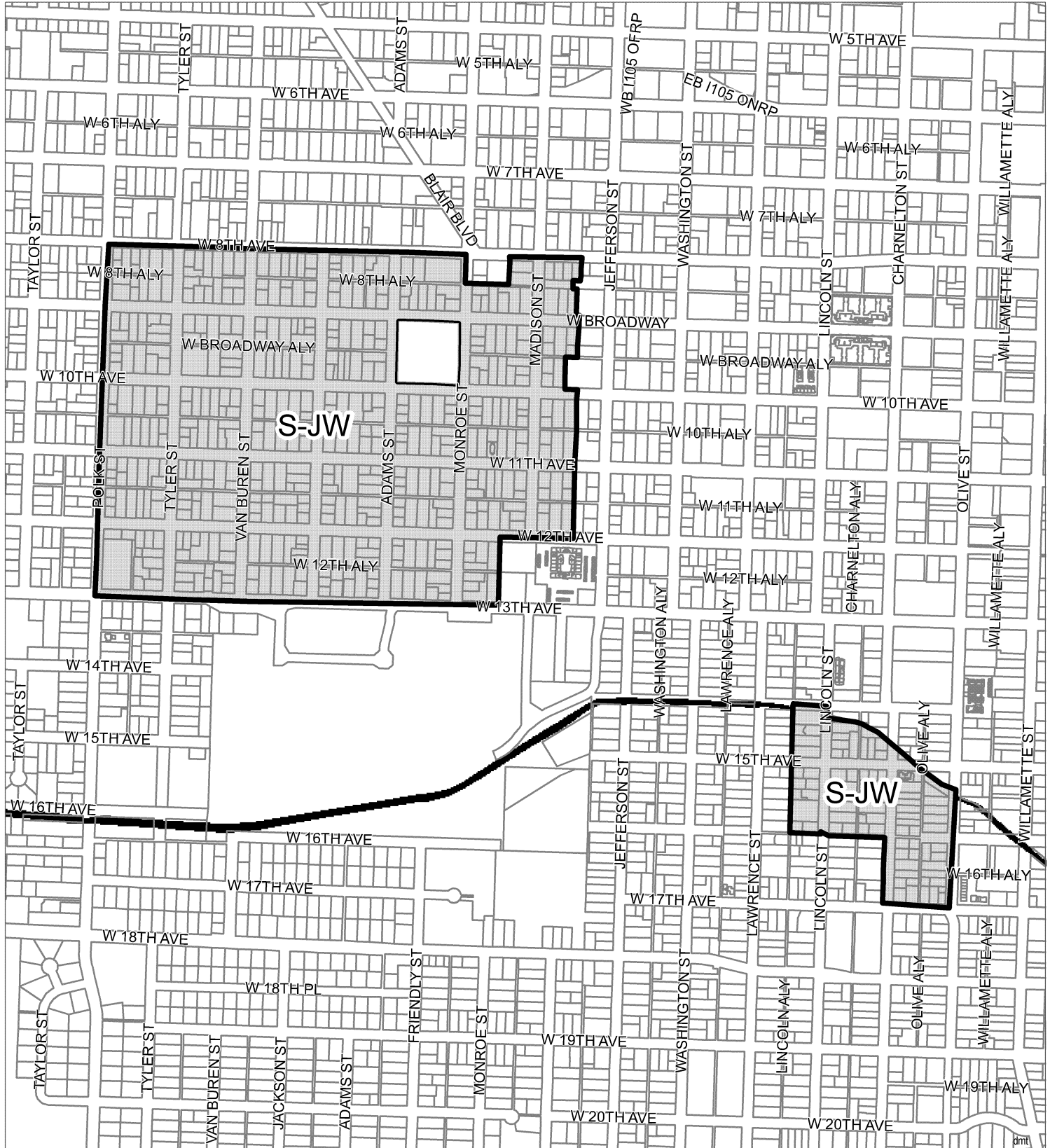
Approved by the Mayor this

___ day of _____, 2009

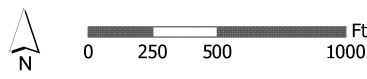
Mayor

Figure 9.3605

S-JW Jefferson Westside Special Area Zone Boundaries

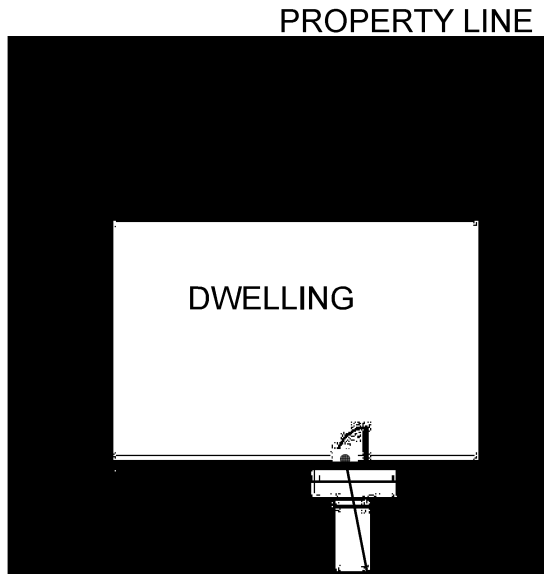


Zone Boundaries
 Taxlots
 Water Body



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

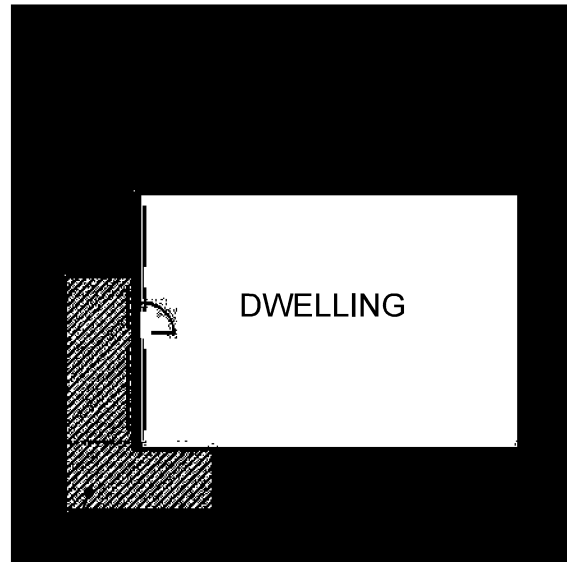
Alley Development Standards / Main Entrance Visibility 9.3625 (3)(d)2.



(a)

ALLEY

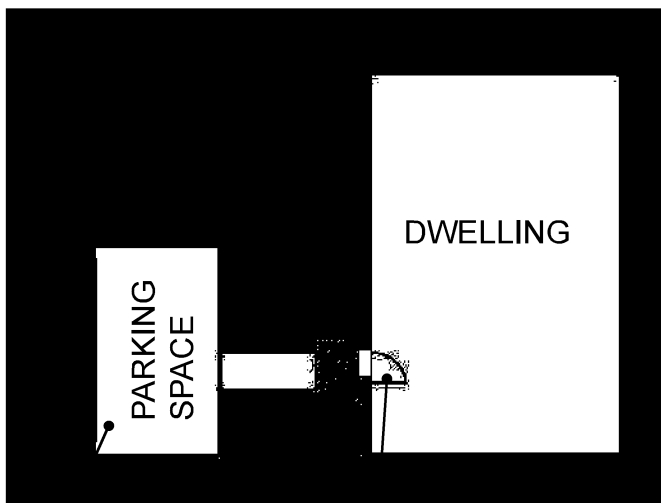
Entrance faces the alley.



(b)

ALLEY

Entrance faces the side of the lot and opens onto a **covered porch** with a minimum of 30 square feet between a wall facing the alley and the alley.



(c)

ALLEY

Dwelling entrance provides direct access to parking space

Entrance no more than 8' from facade facing alley

PLAN VIEW

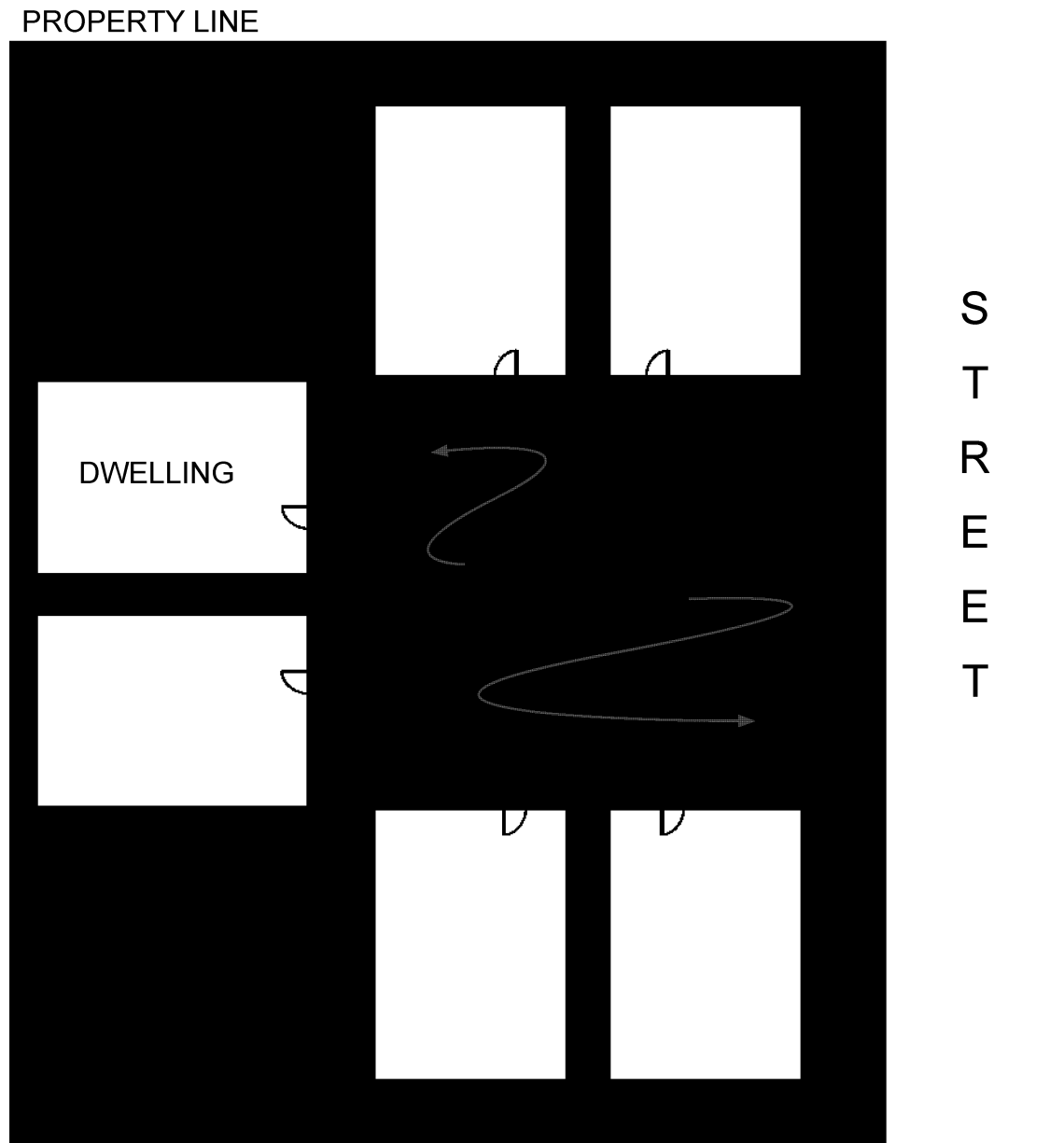


The facade facing the alley must include windows that total at least 8' in width, measured 5' above the floor of the first story, and that have a minimum area of at least 20 sq. ft.

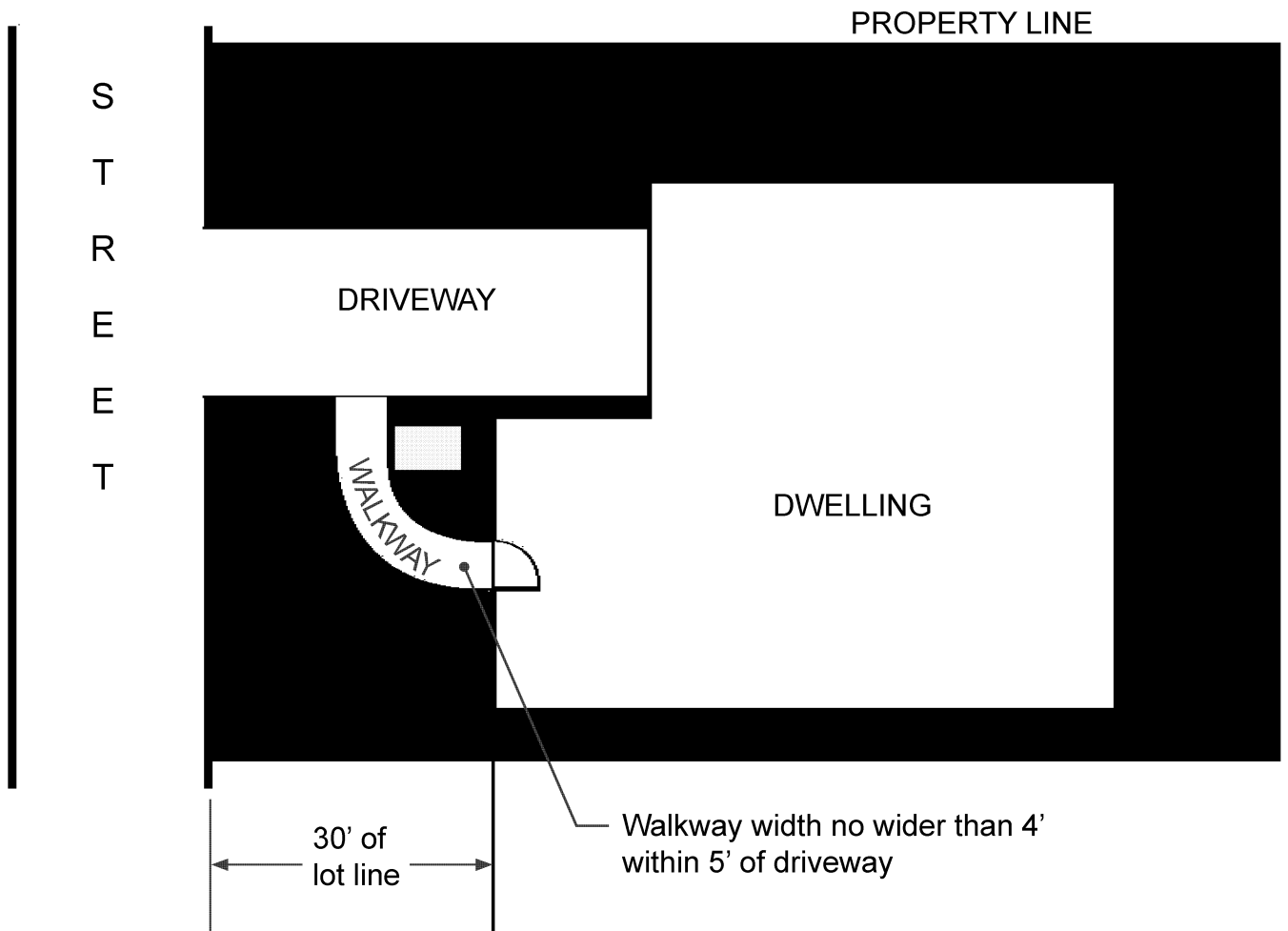
ELEVATION VIEW

Main Entrances 9.3625 (4)(c)

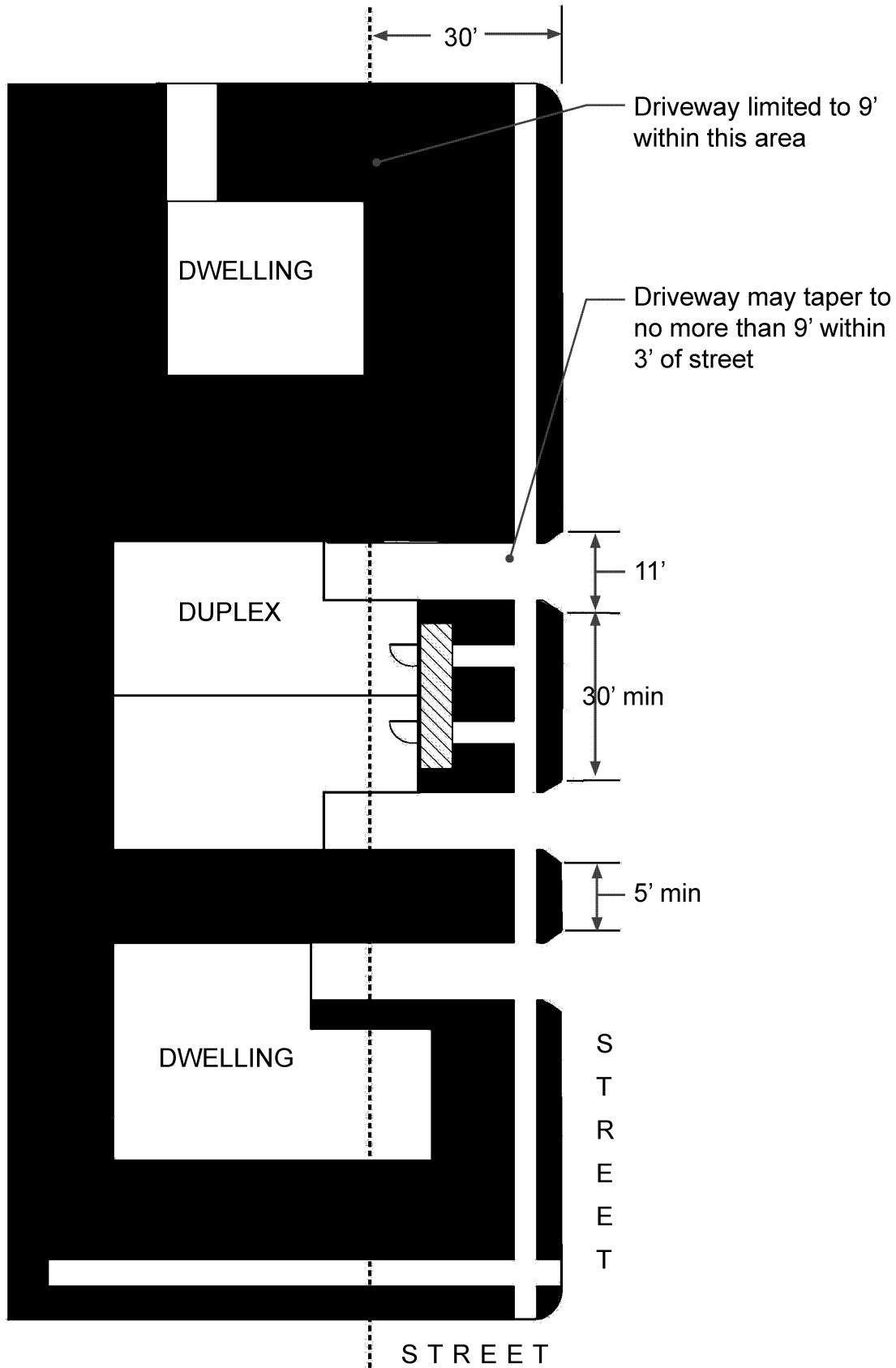
Where three or more dwellings have ground-level entrances on two or more sides of a common courtyard ***that is open to a street for at least 20 feet***, the dwellings' main entrances may face the courtyard.



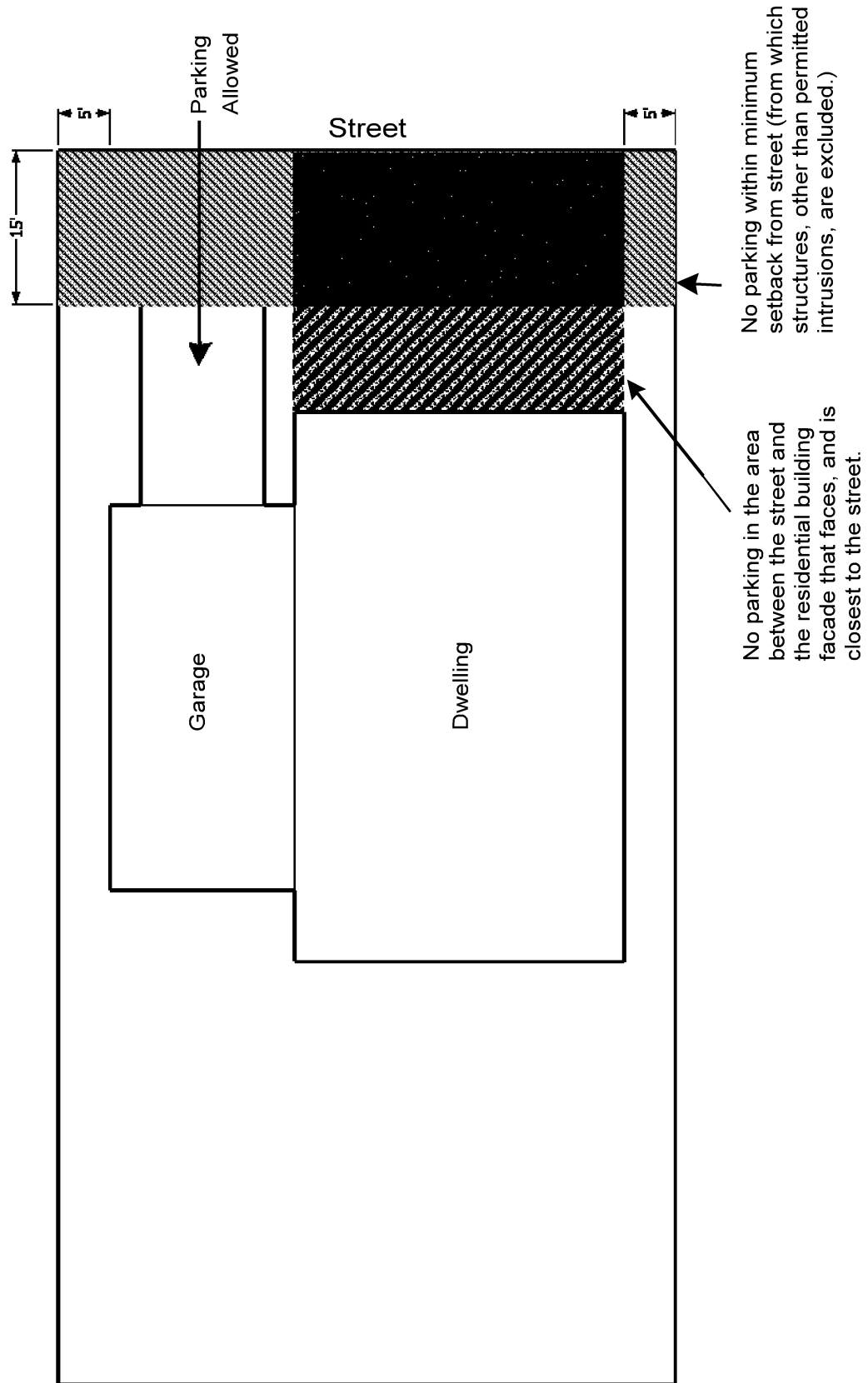
Driveway Standards 9.3625 (6)(a)6.



Driveway Curb-Cut *Exception* 9.3625(6)(a)7.

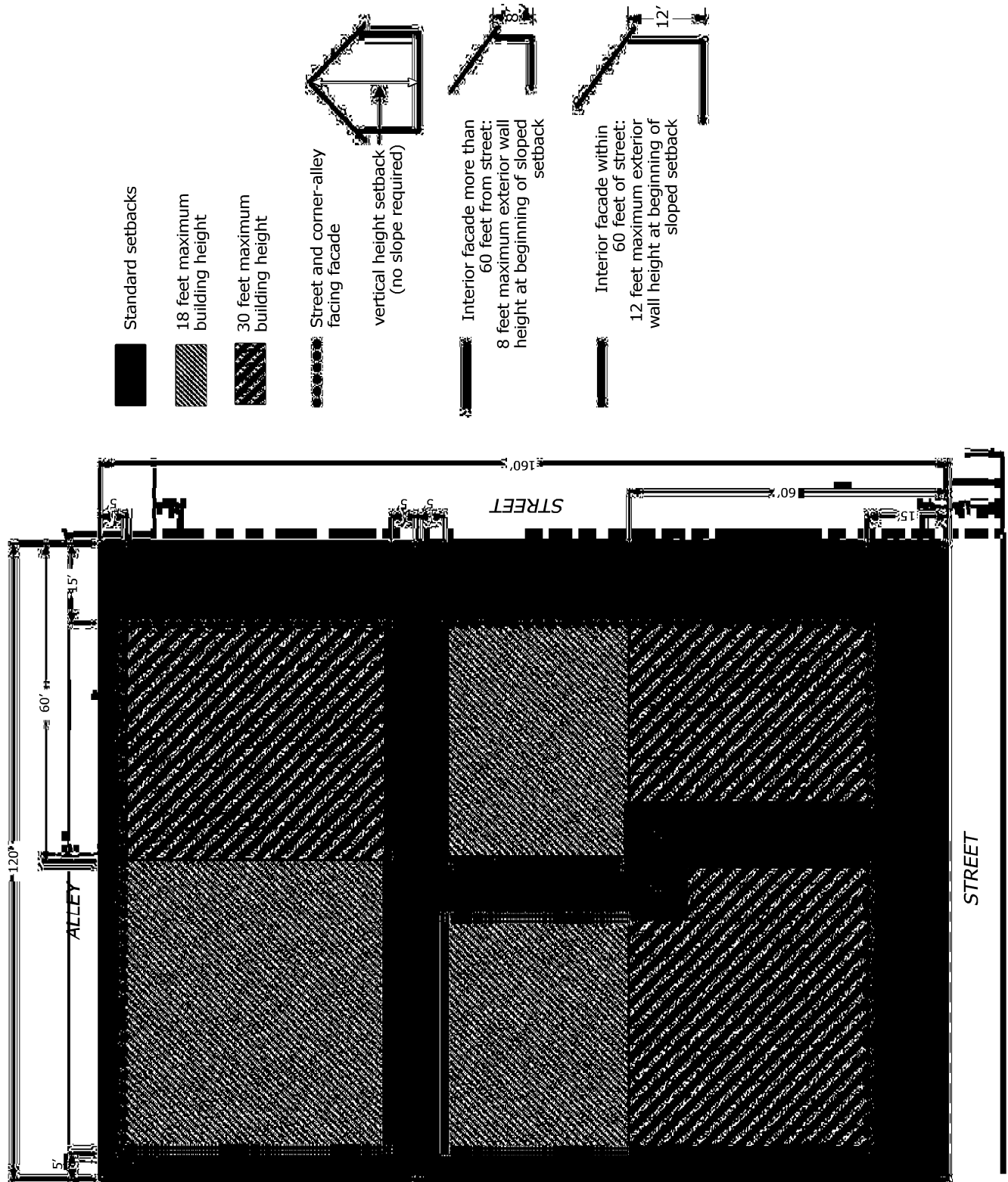


Vehicular (No) Parking Areas 9.3625 (7)(b)

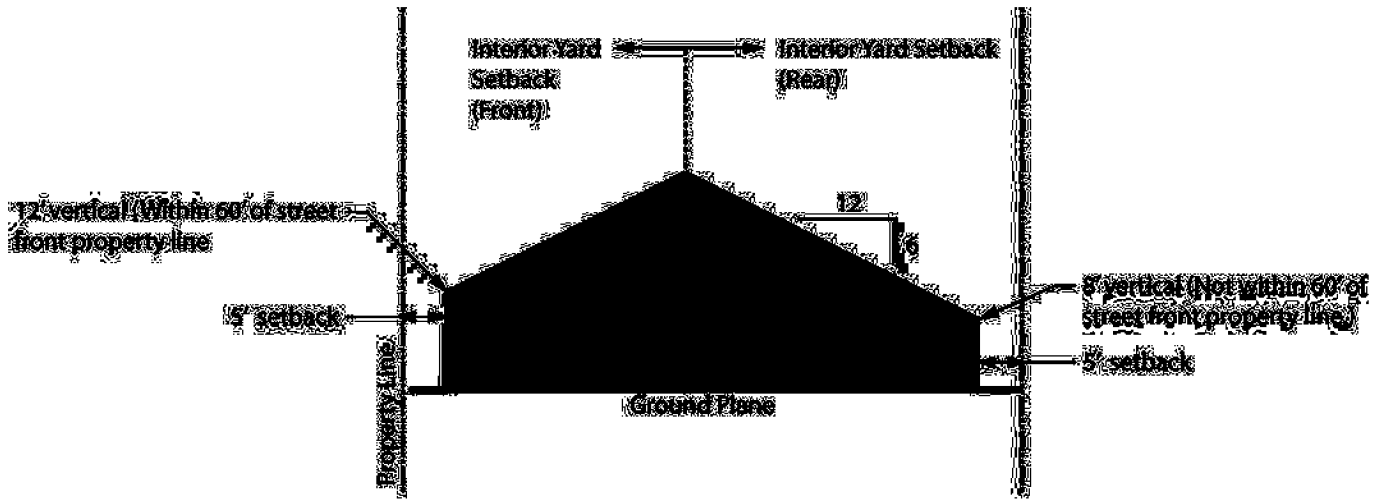


Building Heights / Residential

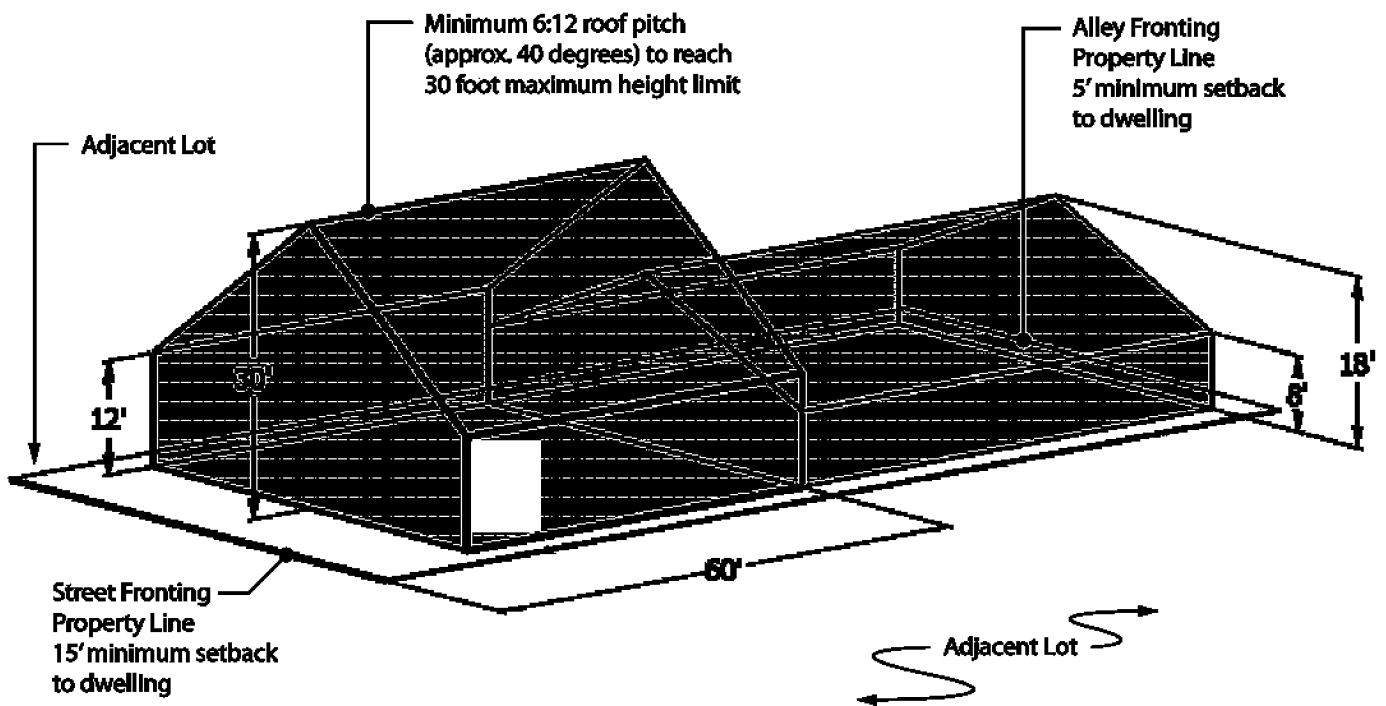
9.3626 (2)(a)



Setbacks & Building Heights 9.3626(2)(3)(4)

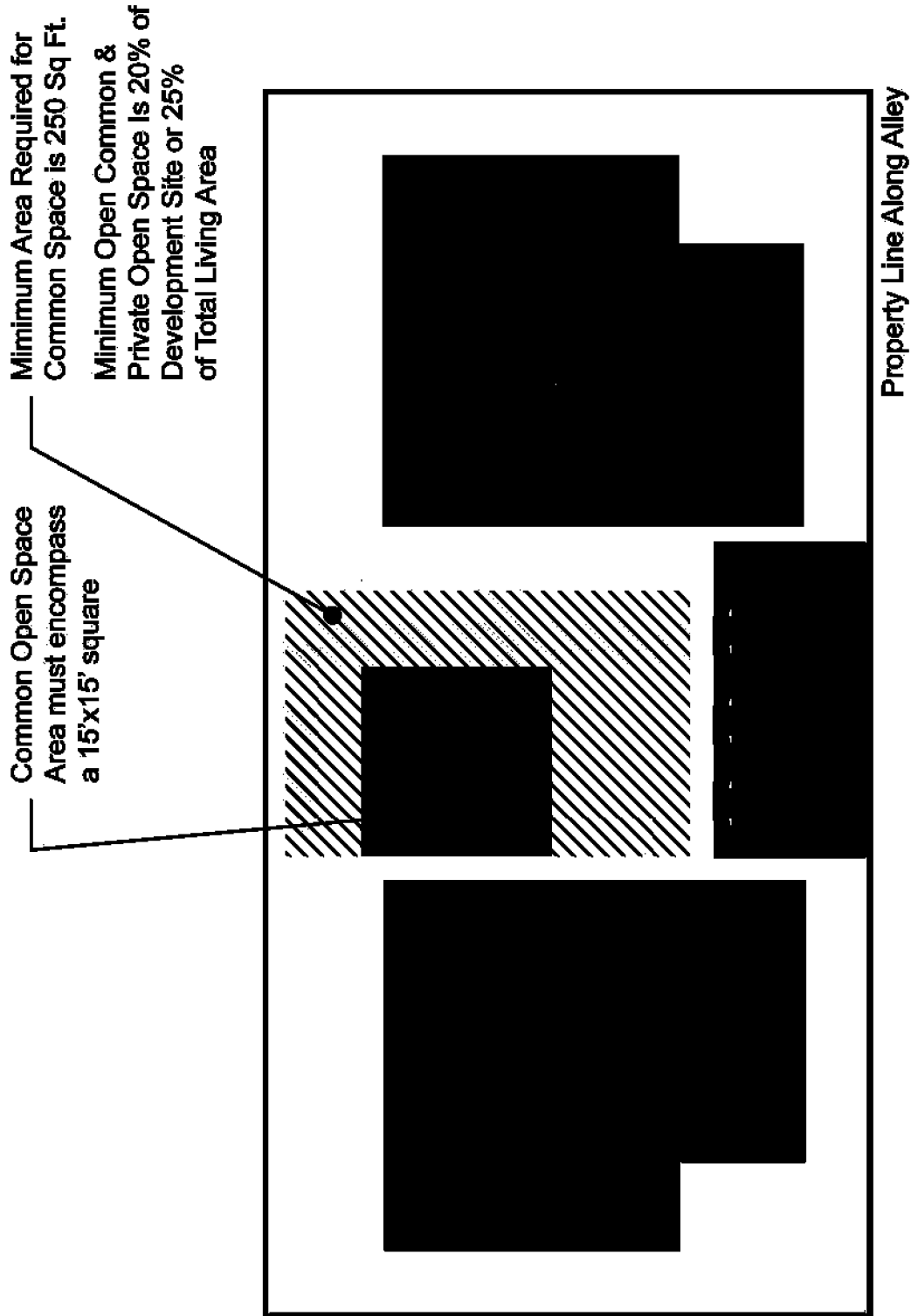


Section / Elevation Diagram



Perspective Diagram

Common Open Space 9.3626 (7)

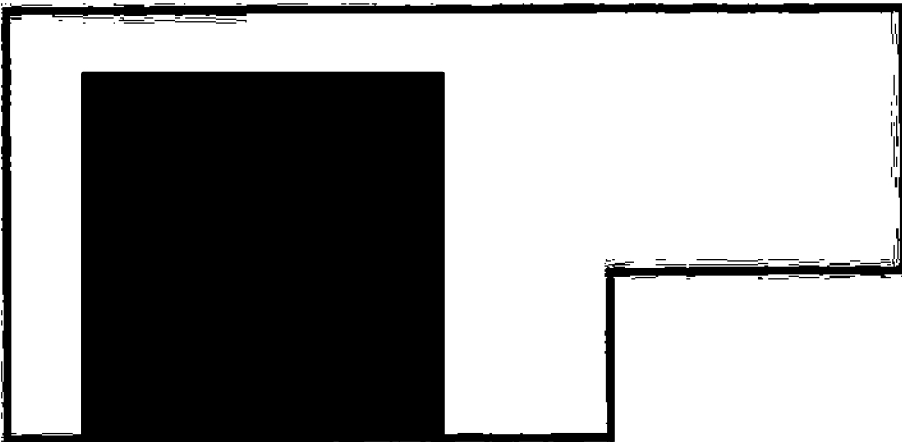


- Diagram Pertains to Developments of Three or More Dwellings

Lot Configuration

9.3631 (1)(d)(e)

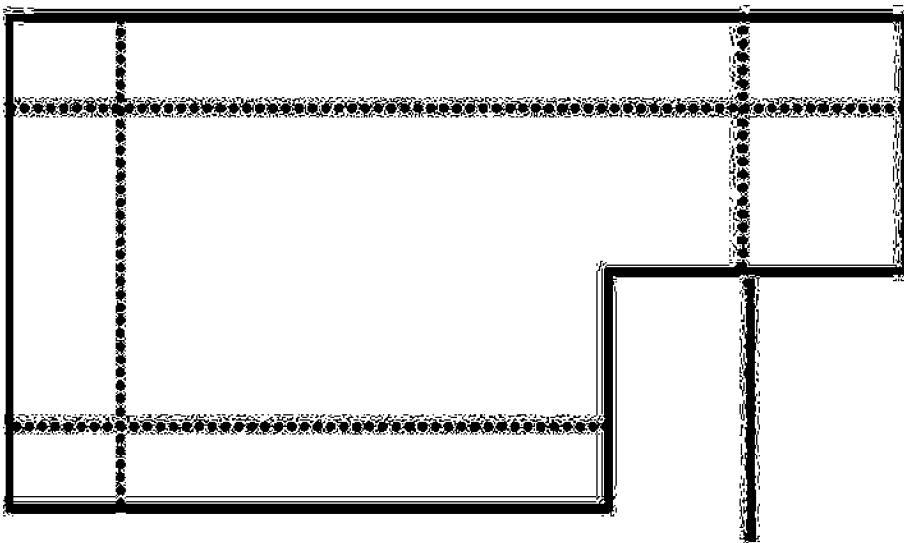
The boundaries of a lot that is not an alley-access-only lot must be sufficient to fully encompass a 45-foot square.



Boundaries of 45' x 45' square may be coincident with lot lines.

Minimum Interior Lot Dimension


The minimum distance between any two non-intersecting lot line segments is 35 feet when measured by a straight line that does not begin or end at an intersection of any two lot line segments and that lies entirely within the lot's boundaries.




← NOT VALID:
- measurement may not begin or end at an intersection of any two lot line segments

NOT VALID:
- Not entirely within lot's boundaries

NOT VALID:
- Between intersecting lot line segments

 The [dotted] lines represent measurements that must be at least 35'.

 The [dashed] lines represent measurements that do not have to be at least 35' because they don't satisfy one of the required conditions (as noted).

ORDINANCE NO. _____

**AN ORDINANCE CONCERNING BUILDING HEIGHT IN THE UNIVERSITY
AREA AND AMENDING SECTION 9.2751 OF THE EUGENE CODE, 1971.**

THE CITY OF EUGENE DOES ORDAIN AS FOLLOWS:

Section 1. Subsection (3) of Section 9.2751 of the Eugene Code, 1971, is amended to

provide:

9.2751 Special Development Standards for Table 9.2750.

(3) Building Height.

- (a) Except as provided *in (b) and (c)* below, in the R-3 and R-4 zone, the maximum building height shall be limited to 30 feet for that portion of the building located within 50 feet from the abutting boundary of, or directly across an alley from, land zoned R-1.
- (b) ***For that area bound by Patterson Street to the west, Agate Street to the east, East 18th Avenue to the north and East 20th Avenue to the south:***
1. ***In the R-3 zone between 19th and 20th Avenues, the maximum building height is 35 feet.***
 2. ***In the R-4 zone west of Hilyard Street, the maximum building height is 75 feet, except that on a development site of 10,000 square feet or more, a building may be up to 90 feet in height.***
 3. ***In the R-4 zone east of Hilyard Street, the maximum building height is:***
 - a. ***35 feet within the area south of 19th Avenue;***
 - b. ***50 feet within the half block abutting the north side of 19th Avenue;***
 - c. ***75 feet within the half block abutting the south side of 18th Avenue, except that on a development site of 10,000 square feet or more, a building may be up to 90 feet in height.***
- (See Figure 9.2751(3)).***
- (c) For that area bound by Hilyard Street to the west, [Agate] ***Kincaid*** Street to the east, East [18th Avenue] ***13th Alley*** to the north and East [20th] ***18th Avenue*** to the south ***the maximum building height is 75 feet, except that on a development site of 10,000 square feet or more, a building may be up to 90 feet in height.***
- (See Figure 9.2751(3)).*** [;]
1. ~~In the R-3 zone, the maximum building height shall be limited to 35 feet for that portion of the building located within 160 feet from the abutting boundary of, or directly across an alley from, land zoned R-1.~~
 2. ~~In the R-4 zone, the maximum building height shall be limited to 35 feet for that portion of the building located within 50 feet from the abutting boundary of, or directly across an alley from, land zoned R-1. It shall be limited to 50 feet for that portion of the~~

~~building located within 175 feet from land zoned R-3, and shall be limited to 75 feet for that portion of the building located within 176 feet and 225 feet of land zoned R-3.]~~

(b) An additional 7 feet of building height is allowed for roof slopes of 6:12 or steeper in the R-1, R-2, and R-3 **and R-4** zones.

Section 2. Figure 9.2751(3), as referenced in this Ordinance, is attached hereto as Exhibit A, to be numerically incorporated in Chapter 9 of the Eugene Code, 1971.

Section 3. The legislative findings attached as Exhibit B hereto are adopted in support of this Ordinance.

Section 4. 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.

Section 5. The City Recorder, at the request of, or with the consent of the City Attorney, is authorized to administratively correct any reference errors contained herein, or in other provisions of the Eugene Code, 1971, to the provisions added, amended or repealed herein.

Passed by the City Council this

___ day of _____, 2009

City Recorder

Approved by the Mayor this





___ day of _____, 2009

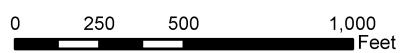
Mayor

Figure 9.2751(3) Building Heights

EXHIBIT A



-  R-3 Zoning: 35' Maximum Building Height
-  R-4 Zoning: 35' Maximum Building Height
-  R-4 Zoning: 50' Maximum Building Height
-  R-4 Zoning: 75' Maximum building height - except that on a development site of 10,000 square feet or more, a building may be up to 90 feet in height



ORDINANCE NO. _____

AN ORDINANCE CONCERNING PARKING REQUIREMENTS FOR MULTI-FAMILY HOUSING; AMENDING THE WEST UNIVERSITY REFINEMENT PLAN; AND AMENDING SECTIONS 9.0500, 9.6410 AND 9.6420 OF THE EUGENE CODE, 1971.

THE CITY OF EUGENE DOES ORDAIN AS FOLLOWS:

Section 1. Section 9.0500 of the Eugene Code, 1971, is amended by adding the following definitions in alphabetical order to provide:

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

Bedroom. *Within a multiple-family dwelling, a bedroom is any room that either:*

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

Subsidized Low-Income Disabled Housing. *Subsidized low-income housing exclusively for low-income individuals with physical or mental disabilities and/or low-income families with physical or mental disabilities. For the purposes of this definition, low-income means having income at or below 80 percent of the area median income as defined by the U.S. Department of Housing and Urban Development.*

Subsidized Low-Income Housing. *A controlled income and rent housing project of any dwelling type(s) exclusively for low-income individuals and/or families where all units are subsidized. For the purposes of this definition, low-income means having income at or below 80 percent of the area median income as defined by the U.S. Department of Housing and Urban Development.*

Subsidized Low-Income Senior Housing. *Subsidized low-income housing exclusively for low-income individuals of age 62 and older. For the purposes of this definition, low-income means having income at or below 80 percent of the area median income as defined by the U.S. Department of Housing and Urban Development.*

Subsidized Low-Income Senior Housing Partial. *A controlled income and rent housing project consisting of any dwelling type(s) where at least 50% of the housing units are exclusively for low-income individuals of age 62 and older and these units are subsidized. For the purposes of this definition, low-income means having income at or below 80 percent of the area median income as defined by the U.S. Department of Housing and Urban Development.*

Subsidized Low-Income Specialized Housing. *A controlled income and rent housing project of any dwelling type(s) exclusively for extra low-income individuals and/or families where all units are subsidized. For the purposes of this definition, extra low-income means having income at or below 50 percent of the area median income as defined by the U.S. Department of Housing and Urban Development.*

Tandem Parking Space. *A permanently maintained space with proper access for two motor vehicles parked one in front of the other in tandem. The first motor vehicle does not have independent access, and the second motor vehicle must move to provide access to the first motor vehicle.*

Section 2. Section 9.6410 of the Eugene Code, 1971, is amended by: amending subsection (1); amending the “Dwelling” section in the “Residential” portion of Table 9.6410; and adding subsection (5), to provide:

9.6410 Motor Vehicle Parking Standards.

(1) Location of Required Off-Street Parking Spaces. Required off-street parking shall be on the development site or within 1/4 mile or 1320 feet of the development site that the parking is required to serve.

(a) All required parking shall be under the same ownership as the development site served, except through a city approved agreement that binds the parking area to the development site. ***The off-street parking space requirement for a multi-family dwelling may be satisfied through an agreement that provides parking located on another multi-family dwelling’s development site only if the party requesting approval demonstrates that, after the agreement is executed, both development sites will meet the current code’s minimum off-street parking space requirement. Each parking space provided through a city approved agreement must have a permanent sign of at least 1 square foot that indicates the name or address of the multi-family dwelling for which the parking is reserved.***

- (b) Parking areas may be located in required setbacks only as permitted in EC 9.6745 Setbacks - Intrusions Permitted.
- (c) **Tandem parking spaces may be utilized to meet off-street parking requirements for multi-family dwellings in the R-3 and R-4 zones within the boundaries of the City recognized West University Neighbors and South University Neighborhood Association. (For tandem parking on alleys, see Figure 9.6410(1)(c)). Tandem parking spaces may not be utilized to meet off-street parking requirements for other types of development in any area.**

Table 9.6410 Required Off-Street Motor Vehicle Parking	
Uses	Minimum Number of Required Off-Street Parking Spaces
Residential	
Dwelling	
One-Family Dwelling	1 per dwelling.
One-Family Dwelling - Flag Lot	2 per dwelling.
Secondary Dwelling (Either attached or detached from primary one-family dwelling on same lot)	1 per dwelling.
Rowhouse (One-Family on own lot attached or adjacent residence on separate lot with garage or carport access to the rear of the lot)	1 per dwelling.
Duplex (Two-Family attached on same lot)	1 per dwelling.
Triplex (Three-Family attached on same lot)	1 per dwelling.
Four-Plex (Four-Family attached on same lot)	1 per dwelling.
Multiple-Family (3 or more dwellings on same lot) not specifically addressed elsewhere in this Table.	1 per dwelling
Multiple-Family in the R-3 and R-4 zones within the boundaries of the City recognized West University Neighbors and South University Neighborhood Association	<p>1 space for each studio, 1 bedroom or 2 bedroom dwelling</p> <p>1.5 spaces for each 3 bedroom dwelling*</p> <p>* .5 spaces required for each additional bedroom beyond a 3 bedroom dwelling.</p> <p>Fractions of .5 or more are rounded up to the next whole number. Rounding shall occur after the total number of minimum spaces is calculated for the multi-family development.</p> <p>One tandem space shall be counted as two parking spaces. Tandem spaces shall not be allowed for studio or 1- or 2-bedroom dwellings.</p>
Multiple-Family Subsidized Low-Income Housing in any area (see (5))	.67 per dwelling or 3 spaces, whichever is greater

<i>below)</i>	
Multiple-Family Subsidized Low-Income Senior Housing in any area (see (5) below)	.33 per dwelling or 3 spaces, whichever is greater
Multiple-Family Subsidized Low-Income Disabled Housing in any area (see (5) below)	.33 per dwelling or 3 spaces, whichever is greater
Multiple-Family Subsidized Low-Income Senior Housing Partial in any area (see (5) below)	.67 per dwelling or 3 spaces, whichever is greater
Multiple-Family Subsidized Low-Income Specialized Housing in any area (see (5) below)	.33 per dwelling or 3 spaces, whichever is greater
Manufactured Home Park	1 per dwelling.
Controlled Income and Rent Housing (CIR) where density is above that usually permitted in the zoning, yet not to exceed 150%	1 per dwelling.

- (5) **Special Standards for Table 9.6410. For Multiple-Family Subsidized Low-Income Housing, Subsidized Low-Income Senior Housing, Subsidized Low-Income Senior Housing Partial, and Subsidized Low-Income Specialized Housing, the following standards apply:**
- (a) **At the time of building permit submittal, the applicant must submit documentation demonstrating that the housing units will be used for the intended population for a minimum of ten years. Such documentation may include, but is not limited to, an application form submitted to receive subsidy from the city or state.**
 - (b) **Upon a change in occupancy from subsidized housing to another use, the minimum number of required off-street parking spaces is as required for the new use.**

Section 3. Subsection (1) of Section 9.6420 of the Eugene Code, 1971, is amended to provide:

9.6420 Parking Area Standards.

- (1) **Dimensions and Striping.** All parking spaces shall be striped or marked in a manner consistent with Table 9.6420(1) Motor Vehicle Parking Dimensions. **All tandem parking spaces shall be striped and marked in a manner consistent with Table 9.6420(1) Motor Vehicle Parking Dimensions for Tandem Parking. (See Figure 9.6420(1) Motor Vehicle Parking Dimensions.)**
- (a) **Carpool and Vanpool Parking.** New commercial and industrial developments with 20 or more employee parking spaces shall designate at least 5 percent of the employee parking spaces for carpool or vanpool parking. Employee carpool and vanpool parking shall be located closer to the building entrance or the employee entrance than other employee parking with the exception of parking for those with disability permits. The carpool/vanpool spaces shall be clearly marked "Reserved - Carpool/Vanpool Only" by use of signs painted on the parking spaces or posted.

**Table 9.6420(1) Motor Vehicle Parking Dimensions
(Dimensions in Feet)**

Parking Angle in Degrees	Minimum Stall Width	Minimum Stall Depth	Minimum Clear Aisle Width	Stall Distance at Bayside	Minimum Clear Bay Width
Parallel	8.0	7.5	12.0	15.0	19.5
	8.0	8.0	12.0	22.0	20.0
30 degrees/ <i>single</i>	8.0	*14	12.0	15.0	26.0
	8.0	16.0	12.0	16.0	28.0
	8.5	16.4	12.0	17.0	28.4
	9.0	16.8	12.0	18.0	28.8
	9.5	17.3	12.0	19.0	29.3
	10.0	17.7	12.0	20.0	29.7
30 degrees/ <i>tandem</i>	8.0	30.8	12.0	15.0	--
	8.0	32.0	12.0	16.0	--
	8.5	32.8	12.0	17.0	--
	9.0	33.6	12.0	18.0	--
	9.5	34.6	12.0	19.0	--
	10.0	35.4	12.0	20.0	--
45 degrees/ <i>single</i>	8.0	*16.0	12.0	10.6	28.0
	8.0	18.4	14.0	11.3	32.4
	8.5	18.7	13.5	12.0	32.2
	9.0	19.1	13.0	12.7	32.1
	9.5	19.4	13.0	13.4	32.4
	10.0	19.8	13.0	14.1	32.8
45 degrees/ <i>tandem</i>	8.0	35.1	12.0	10.6	--
	8.0	36.8	14.0	11.3	--
	8.5	37.4	13.5	12.0	--
	9.0	38.2	13.0	12.7	--
	9.5	38.8	13.0	13.4	--
	10.0	39.6	13.0	14.1	--
60 degrees/ <i>single</i>	8.0	*16.7	15.0	8.6	31.7
	8.0	19.7	19.0	9.2	38.7
	8.5	20.0	18.5	9.8	38.5
	9.0	20.3	18.0	10.4	38.3
	9.5	20.5	18.0	11.0	38.5
	10.0	20.8	18.0	11.5	38.8
60 degrees/ <i>tandem</i>	8.0	37.0	15.0	8.6	--
	8.0	39.4	19.0	9.2	--
	8.5	40.0	18.5	9.8	--
	9.0	40.6	18.0	10.4	--
	9.5	41.0	18.0	11.0	--
	10.0	41.6	18.0	11.5	--
90 degrees/ <i>single</i>	8.0	*15.0	22.0	[7.5] 8.0	37.0
	8.0	18.0	25.0	8.0	43.0
	8.5	18.0	25.0	8.5	43.0
	9.0	18.0	24.0	9.0	42.0
	9.5	18.0	24.0	9.5	42.0
	10.0	18.0	24.0	10.0	42.0
90 degrees/<i>tandem</i>	8.0	33.0	22.0	8.0	--

	8.0	36.0	25.0	8.0	--
	8.5	36.0	25.0	8.5	--
	9.0	36.0	24.0	9.0	--
	9.5	36.0	24.0	9.5	--
	10.0	36.0	24.0	10.0	--

Shaded figures are the minimum dimensions for compact parking spaces. Any minimum parking dimensions, such as stall width, may be exceeded. All spaces shall be clearly marked as compact parking spaces if any of the parking dimensions are less than that shown in the unshaded area. *All tandem spaces must be marked as such.*

** For non-parallel parking spaces that are created to serve a multi-family dwelling and that are located directly off an alley with a right-of-way width of 14-feet or less, the minimum stall depth for compact parking space shall be increased to the minimum stall depth indicated for a non-compact space with a minimum stall width of 8-feet.*

Section 4. Figure 9.6410(1)(c) as referenced in this Ordinance is attached hereto as Exhibit A and shall be numerically incorporated in Chapter 9 of the Eugene Code, 1971.

Section 5. Chapter V, Policy 3 of the West University Refinement Plan is amended as follows:

3. The City of Eugene will update its Land Use Code and that effort shall particularly take into account the need to:
 - reduce non-residential uses permitted in the R-3 and R-4 zones.
 - redefine usable open space.
 - enable infilling on newly created small lots.
 - enable alley access as the primary access to newly created lots.
 - reduce the minimum lot size.
 - increase the flexibility of development standards (for example to enable more efficient use of open space, shared open space, shared parking, and more extensive use of public rights-of-way).
 - review parking requirements for residential development [~~with the purpose of reducing the required number of spaces per unit~~] in the plan area **to respond to changing circumstances, such as development trends, parking and transportation supply and demand trends.**
 - amend the commercial zoning in the City Code to provide a greater range of commercial zones.

Section 6. The legislative findings attached as Exhibit B hereto are adopted in support of this Ordinance.

Section 7. 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.

Section 8. The City Recorder, at the request of, or with the consent of the City Attorney, is authorized to administratively correct any reference errors contained herein, or in other provisions of the Eugene Code, 1971, to the provisions added, amended or repealed herein.

Passed by the City Council this

___ day of _____, 2009

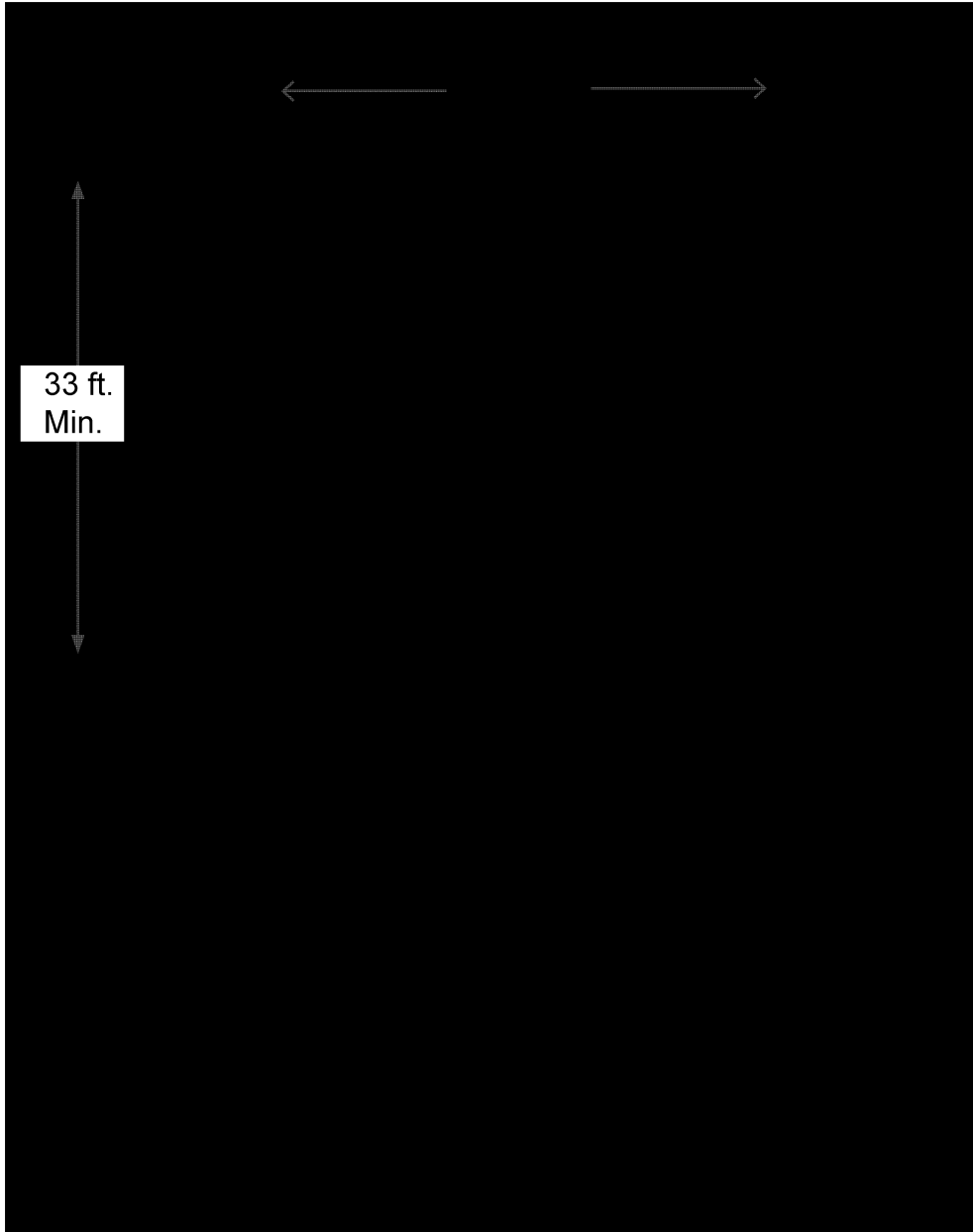
City Recorder

Approved by the Mayor this

___ day of _____, 2009

Mayor

Tandem Parking on Alleys Figure 9.6410 (1)(c)



Car Sharing Code Language Option**9.6410(3) Minimum Number of Required Off-Street Parking Spaces.**

(e) For Multiple-Family Developments in the R-3 and R-4 zones within the boundaries of the City recognized West University Neighbors and South University Neighborhood Association, a parking space reduction is allowed when a car-sharing program is provided, as follows:

- 1. For developments required to provide a minimum of 15 parking spaces, the minimum number of parking spaces may be reduced by three parking spaces for one on-site space dedicated to a shared car, or for a space dedicated to a shared car within 1/4 mile or 1320 feet of the development site that is bound to the subject site by a car sharing agreement as specified in (2) below. For each additional 15 parking spaces required to be provided, an additional reduction of three parking spaces is allowed for each shared car, not to exceed a total reduction of 9 spaces.*
- 2. The developer must provide to the city an agreement specifying the terms of the car share program. At a minimum, the agreement must establish the location of spaces reserved for parking the shared cars, and include terms that make car-sharing a reasonably affordable and accessible transportation option for residents of the development. The shared cars must be made available to residents of the development, and may be made available to residents outside the development. The program must be run by a professional car sharing organization approved by the city. The agreement must be recorded against the property with the Lane County Recorder's Office.*
- 3. Spaces reserved for shared car parking must be marked as such with a sign having a minimum area of 1 square foot.*
- 4. If a car-sharing agreement approved under this section ceases to function, as determined by the Planning Director, the development must conform to the minimum number of required off-street parking spaces as per Table 9.6410. This could be accomplished by providing additional on-site parking, by providing evidence of a city approved off-site parking lease agreement per EC 9.6410(1) or by altering the development, such as by reducing bedrooms, in such a way to meet the applicable parking requirements.*