



**COUNCIL ORDINANCE NO. 20698**

**AN ORDINANCE AMENDING THE EUGENE-SPRINGFIELD METROPOLITAN AREA GENERAL PLAN DIAGRAM TO REDESIGNATE THE PROPERTY IDENTIFIED AS ASSESSOR'S MAP 17-04-32-14, TAX LOT 00200 AND ASSESSOR'S MAP 17-04-32-13, TAX LOT 00600 FROM CAMPUS INDUSTRIAL TO LIGHT MEDIUM INDUSTRIAL AND REZONE THE PROPERTY FROM E-1 CAMPUS EMPLOYMENT TO I-2 LIGHT-MEDIUM INDUSTRIAL.**

**ADOPTED: November 13, 2023**

**SIGNED: November 14, 2023**

**PASSED: 7:0**

**REJECTED:**

**OPPOSED:**

**ABSENT: Semple**

**EFFECTIVE: December 15, 2023**



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**The City Council of the City of Eugene finds as follows:**

**A.** On July 14, 2023, Cintas Corporation submitted an application for a Type I amendment to the Plan Diagram for the Eugene-Springfield Metropolitan Area General Plan (Metro Plan) and a concurrent zone change to redesignate and rezone the property identified as Assessor's Map 17-04-32-14, Tax Lot 00200 and Assessor's Map 17-04-32-13, Tax Lot 00600. The applicant requested a Metro Plan designation change from the Campus Industrial designation to a Light Medium Industrial designation. The zone change requested by the applicant would change the base zone of the subject property from E-1 Campus Employment to I-2 Light-Medium Industrial.

**B.** On September 26, 2023, the Eugene Planning Commission held a public hearing on the application. The Eugene Planning Commission recommended that the Eugene City Council amend the plan diagram for the Metro Plan as shown in Exhibit A and rezone the subject property as shown in Exhibit B.

**NOW, THEREFORE,**

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

**Section 1.** The Plan Diagram for the Eugene-Springfield Metropolitan Area General Plan is amended to redesignate the property identified as Assessor's Map 17-04-32-14, Tax Lot 00200 and Assessor's Map 17-04-32-13, Tax Lot 00600, from Campus Industrial to Light Medium Industrial, as depicted on Exhibit A attached hereto and incorporated herein by reference.


**Section 2.** The property identified as Assessor's Map 17-04-32-14, Tax Lot 00200 and Assessor's Map 17-04-32-13, Tax Lot 00600, is rezoned from E-1 Campus Employment with /CAS Commercial Airport Safety Overlay Zone and /WB Wetland Buffer Overlay Zone to I-2 Light-Medium Industrial with /CAS Commercial Airport Safety Zone Overlay Zone and /WB Wetland Buffer Overlay Zone, as depicted on Exhibit B attached hereto and incorporated herein by this reference.

**Section 3.** The findings set forth in the attached Exhibit C are adopted in support of this Ordinance.

**Section 4.** If any section, subsection, sentence, clause, phrase, or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, that portion shall be deemed a separate, distinct, and independent provision and that holding shall not affect the validity of the remaining portions of this Ordinance.

**Passed by the City Council this**

**13<sup>th</sup> day of November, 2023.**

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

**Approved by the Mayor this**

**14 day of November, 2023.**


  
\_\_\_\_\_  
Mayor

# Proposed Metro Plan Designation

Exhibit A

Cintas - City Files: MA 23-4 & Z 23-6  
Metro Plan Amendment & Zone Change



 Property to be redesignated from Campus Industrial to Light Medium Industrial on the Metro Plan's Plan Diagram




# Proposed Zone Change

Exhibit B

Cintas - City Files: MA 23-4 & Z 23-6  
Metro Plan Amendment & Zone Change



 Property to be rezoned from E-1 Campus Employment with /CAS Commercial Airport Safety Overlay Zone and /WB Wetland Buffer Overlay Zone to I-2 Light-Medium Industrial with /CAS Commercial Airport Safety Overlay Zone and /WB Wetland Buffer Overlay Zone



**FINDINGS IN SUPPORT OF AMENDING THE EUGENE-SPRINGFIELD  
METROPOLITAN AREA GENERAL PLAN DIAGRAM TO REDESIGNATE THE  
PROPERTY IDENTIFIED AS ASSESSOR'S MAP 17-04-32-14, TAX LOT 00200 AND  
ASSESSOR'S MAP 17-04-32-13, TAX LOT 00600 FROM CAMPUS INDUSTRIAL TO  
LIGHT MEDIUM INDUSTRIAL AND REZONE THE PROPERTY FROM E-1 CAMPUS  
EMPLOYMENT TO I-2 LIGHT-MEDIUM INDUSTRIAL**

**APPLICATION OVERVIEW**

**Name (File Numbers):** Cintas (MA 23-4 / Z 23-6)

**Map No. / Tax Lots:** 17-04-32-14 / 00200 and 17-04-32-13 / 00600

The applicant is seeking an amendment to the land use diagram for the Eugene-Springfield Metropolitan Area General Plan (Metro Plan) and a concurrent Zone Change. The requested changes are outlined in Table 1, below.

<b>Cintas Metro Plan Amendment &amp; Zone Change</b>			
<b>Application</b>	<b>Current</b>	<b>Proposed</b>	<b>Acres</b>
Metro Plan Amendment	Campus Industrial	Light Medium Industrial	9.9
Zone Change	E-1 Campus Employment	I-2 Light-Medium Industrial	9.9

Table 1: Current/Proposed Plan Designations and Zoning (No changes to the existing /CAS Commercial Airport Safety or /WB Wetland Buffer Overlay Zones are proposed)

The subject property is located between Owen Loop South and West 11<sup>th</sup> Avenue/Hwy 126 in the far west of the City. It consists of two separate tax lots with one owner. The application was initiated by the property owner, as well as Cintas Corporation, who plans on locating a new facility on the subject property and is a co-applicant for the application.

**FINDINGS**

This request for a Metro Plan Amendment (Type I) is subject to the land use application procedures in the Eugene Code (EC) 9.7700-9.7735. The applicant has also requested a Zone Change. Consistent with EC 9.8855(4), the requested zone change is being processed concurrently and in accordance with the Metro Plan Amendment procedures. There is no applicable refinement plan that requires amendment as part of this request.

The following findings address compliance with the applicable approval criteria at EC 9.7735 and EC 9.8865. Those criteria are provided below (in **bolded text**), including findings addressing compliance with each.

**METRO PLAN AMENDMENT**

The applicant's requested Metro Plan Amendment proposes to change the land use designation of the subject property from Campus Industrial to Light Medium Industrial. The amendment qualifies as a Type I Metro Plan amendment as it only involves a change to the land use diagram and no text amendments to the Metro Plan are proposed or required. The following findings address the applicable approval criteria for the Metro Plan Amendment:

**EC 9.7735 (1): The proposed amendment is consistent with the relevant Statewide Planning Goals.****Goal 1: Citizen Involvement - To develop a citizen involvement program that ensures the opportunity for citizens to be involved in all phases of the planning process.**

The City's provisions for citizen involvement ensure the opportunity for community members to be involved in all phases of the planning process and set out requirements for such involvement. The proposal does not include any changes to the City's citizen involvement program. The City's land use code implements Statewide Planning Goal 1 through its noticing requirements, which for this request has included the following:

- A pre-application neighborhood/applicant meeting (06/06/2023).
- Notice to the Oregon Department of Land Conservation and Development (08/22/2023).
- Referrals and notice sent to Lane County, the City of Springfield, Oregon Department of Transportation, Lane Council of Governments, and Oregon Department of Fish and Wildlife. (08/17/2023).
- Public notice for the Planning Commission public hearing to consider the applications, which includes mailing notice to interested parties and adjacent property owners (08/24/2023); posting of the notice on-site (09/05/2023); and, publishing the notice in a local newspaper (09/06/2023).

Consideration of the plan amendment and zone change began with a Planning Commission public hearing on September 26, 2023, which provided an opportunity for members of the public to provide oral testimony in addition to written comments. Following consideration and deliberations, the Planning Commission recommended that the City Council approve the amendment to the land use diagram. The Eugene City Council then held its own public hearing to consider the proposal. Notice of the City Council's public hearing was provided consistent with the requirements of the Eugene Code.

Based on these findings, the amendment is consistent with Statewide Planning Goal 1.

**Goal 2: Land Use Planning - To establish a land use planning process and policy framework as a basis for all decisions and actions related to use of land and to assure an adequate factual base for such decisions and actions.**

The Statewide Planning Goal 2 coordination requirement is met when the City engages in an exchange, or invites such an exchange, between the City and any affected governmental unit and when the City uses the information obtained in the exchange to balance the needs of its citizens. To comply with the Goal 2 coordination requirement, the City provided notice of the proposal and an opportunity to comment to entities including, but not limited to: Lane County, Lane Council of Governments, City of Springfield, the Oregon Department of Transportation and the Oregon Department of Land Conservation and Development.

In accordance with Statewide Planning Goal 2, the requested Metro Plan Amendment is being processed according to Eugene's land use code, which specifies the procedure and criteria for consideration of the request. The requested Metro Plan Amendment qualifies as a Type I Metro Plan amendment as defined in EC 9.7705 because the only requested change is to the Metro Plan's land use diagram, for lands located wholly within the City of Eugene. Consistent with EC 9.7715(1), the request for an amendment was initiated by a representative of the property owner. In accordance with EC 9.7705(1), this Type I amendment requires approval by City of Eugene only. The subject property is entirely within the Eugene City limits and there is no regional impact associated with this request to amend the Metro Plan land use designation.

As the application follows the procedural requirements established by Eugene's land use code, and there are no exceptions to Statewide Planning Goal 2 required, the plan amendment is consistent with Statewide Planning Goal 2.

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

The Metro Plan Amendment will only affect properties located within the City of Eugene and therefore does not affect any lands designated by the comprehensive plan for agricultural use. To the extent that there are properties within the City currently zoned for agricultural use, this Metro Plan Amendment does not change the zoning of those properties or force a discontinuance of agricultural practices. For these reasons, the Metro Plan Amendment is consistent with Statewide Planning Goal 3.

**Goal 4: Forest Lands - To preserve forest lands.**

The Metro Plan Amendment will only affect properties located within the City of Eugene and therefore does not affect any lands designated by the comprehensive plan for forest use. The Metro Plan Amendment is therefore consistent with Statement Planning Goal 4



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

The City has adopted regulations consistent with the requirements of Goal 5 to protect the Willamette River and other waterways. There are Goal 5 resources located on the subject property as identified in the West Eugene Wetlands Plan. However, these are identified as “filled” wetlands and the Metro Plan Amendment will have no direct impact on the wetlands. Regardless of the subject property’s filled wetlands, the property includes the /WB Wetland Buffer Overlay Zone, which is an implementing measure for wetland protection for wetlands within the West Eugene Wetlands Plan. The existing /WB Overlay Zone is proposed to remain. The /WB protections predate the City’s adopted /WR Water Resource Overlay Zone, which implements some of the City’s Goal 5 protections. Nothing in the Metro Plan Amendment changes or affects the applicability of the City’s independently applicable Goal 5 regulations; specifically, nothing in the Metro Plan Amendment amends or affects the applicability of the City’s adopted and acknowledged Goal 5 protective measures.

The following relevant OAR provisions therefore apply:

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

*(a) The PAPA creates or amends a resource list or a portion of an acknowledged plan or land use regulation adopted in order to protect a significant Goal 5 resource or to address specific requirements of Goal 5;*

This Metro Plan Amendment constitutes a Post-Acknowledgement Plan Amendment (i.e. “PAPA”). However, nothing in the Metro Plan Amendment creates or amends the City’s list of Goal 5 resources. The Metro Plan Amendment also does not amend an acknowledged plan or land use regulation adopted in order to protect a significant Goal 5 resource or to address specific requirements of Goal 5.

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

The change to the Metro Plan diagram does not impact existing regulations that implement the protections for air, water, and land resources. Any future development will be subject to City regulations and other state and federal requirements, ensuring that future developments will be consistent with this Goal. Based on these findings, the Metro Plan amendment is consistent with Statewide Planning Goal 6.

**Goal 7: Areas Subject to Natural Hazards - To protect people and property from natural hazards.**

Statewide Planning Goal 7 requires that local government planning programs include provisions to protect people and property from the following natural hazards: floods, landslides, earthquakes and related hazards, tsunamis, coastal erosion, and wildfires. Goal 7 prohibits development in natural hazard areas without appropriate safeguards. The subject property is not located within known areas of natural disasters or hazards. The subject property is outside the flood zone and is not subject to hazards normally associated with wildfires or tsunamis. Other hazards can be mitigated at the time of development based on applicable land use code provisions, building codes, and building techniques. The amendment to the Metro Plan diagram does not affect the City's restrictions on development in areas subject to natural disasters and hazards. Based on these findings, the amendment is consistent with Statewide Planning Goal 7.

**Goal 8: Recreational Needs - To satisfy the recreational needs of the citizens of the state and visitors and, where appropriate, to provide for the siting of necessary recreational facilities including destination resorts.**

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

**Goal 9: Economic Development - To provide adequate opportunities throughout the state for a variety of economic activities vital to the health, welfare, and prosperity of Oregon's citizens.**

Statewide Planning Goal 9 requires cities to evaluate the supply of commercial and industrial land relative to community economic objectives. This amendment to the Metro Plan diagram is only related to lands designated as industrial. The Administrative Rule for Statewide Planning Goal 9 (OAR 660 Division 9) requires that the City provide for at least an adequate supply of sites of suitable sizes, types, locations, and service levels for a variety of industrial and commercial uses consistent with plan policies. The Employment Lands Supply Study 2012-2032 (ELSS) is included as Appendix B in the City's comprehensive plan, Envision Eugene, and complies with the requirements of Goal 9 and the corresponding Administrative Rule.

The ELSS classifies the subject property as "Vacant Employment Lands." See Employment Land Supply (2012) Figure 5, map tile 13 of 18. Based on this classification, the subject property was included in the inventory of developable employment lands within Eugene's Urban Growth Boundary. While the application proposes to change the land use designation for the subject property from Campus Employment to Light Medium Industrial, both designations are classified as industrial, and the land remains industrially designated. Therefore, the amendment to the Metro Plan land use diagram redesignating the subject property will have no impact on the City's adopted supply of industrially designated land.

Further, the diagram amendment does not add or subtract any industrial land from the adopted inventories. For the purposes of the City's ELSS, all industrial land use designations (Campus, Light-Medium, and Heavy) are grouped together. Therefore, properties within the broad category of industrial can be re-designated to another type of industrial without changing the amount of industrial land in the City's inventory. In this case, a re-designation from Campus Industrial to Light Medium Industrial results in no net change to the City's adopted inventory of industrially designated land.

OAR 660-009-0010(4) also includes specific requirements for changes in plan designation that involve land in excess of two acres within an existing urban growth boundary from an industrial use designation to a non-industrial use designation, or another employment use designation to any other use designation. While the subject property exceeds two acres, the change is from one industrial designation (Campus) to another industrial designation (Light Medium). Therefore, the requirements of OAR 660-009-0010(4) do not apply.

The requested Metro Plan Amendment will not adversely impact the City's ability to provide opportunities for a variety of economic activities. In the application materials, the applicant addresses the economic benefits of the redesignation: specifically, that it would allow the development of a large Cintas facility which would provide economic benefits and employment opportunities. Further contextual analysis demonstrating how the amendment supports Statewide Planning Goal 9 generally is included in the applicant's narrative.

Based on these findings, the amendment is consistent with Statewide Planning Goal 9.

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

The subject property does not include any lands designated for residential use in the City's Buildable Lands Inventory (BLI). Therefore, the proposal does not include any changes that would impact the availability of residential lands for housing, nor does it impact the City's ability to provide for housing needs in the future. Based on these findings, Statewide Planning Goal 10 does not apply.

**Goal 11: Public Facilities and Services - To plan and develop a timely, orderly and efficient arrangement of public facilities and services to serve as a framework for urban and rural development.**

The Metro Plan Diagram amendment does not affect the City's provision of public facilities and services. Based on this finding, Statewide Planning Goal 11 does not apply. However, as identified under Criterion EC 9.8865(3) in the Zone Change Evaluation below, the City Council finds that all necessary public services exist, are readily available, or are in close proximity to the subject property. Additionally, at the time of future development, the adopted development standards for "improvements" at EC 9.6505 require that all development shall make and be served with infrastructure improvements for water, sewer, streets, alleys, sidewalks, bicycle paths, and accessways.

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

Goal 12 requires a determination of whether the Metro Plan Amendment will significantly impact an existing or planned transportation facility. OAR 660-012-0060, the Transportation Planning Rule (TPR), implements Goal 12 for amendments to the Metro Plan diagram, such as this application. The TPR contains the following requirement:

*OAR 660-012-0060(1) If an amendment to a functional plan, an acknowledged comprehensive plan, or a land use regulation (including a zoning map) would significantly affect an existing or planned transportation facility, then the local government must put in place measures as provided in section (2) of this rule, unless the amendment is allowed under section (3), (9) or (10) of this rule. A plan or land use regulation amendment significantly affects a transportation facility if it would:*

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

The applicant submitted a TPR analysis, prepared by Kelly Sandow, PE, of Sandow Engineering, to demonstrate consistency with Statewide Planning Goal 12 requirements and the Eugene 2035 Transportation System Plan (TSP). The analysis calculated an assumed “worst-case development” scenario for the existing and proposed land use designations and zoning to quantify potential transportation impacts for a 20-year planning horizon. The assumption was based on the total site area, a rate of development based on proposed zoning and a high traffic impact use allowed in the existing (E-1) and proposed (I-2) zone. The result of the Transportation Engineer’s calculation is that development under the proposed designation and

zoning would potentially generate fewer peak hour trips compared to the existing designation and zoning.

The City Council accepts and adopts the applicant's TPR analysis, which concludes that the amendment and zone change will not significantly affect the operation of the studied intersections, in accordance with OAR 660-012-0060(1). This is supported by findings included within the analysis that verify the amendment and zone change do not significantly affect any transportation facility, citing compliance with OAR 660-012-0060(1)(a) through (c). The City Council finds that because OAR 660-012-0060(1) is satisfied and there is no significant effect, the remaining OAR subsections (2) through (11) do not apply.

Based on these findings, the amendment is consistent with Statewide Planning Goal 12.

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

The amendment to the Metro Plan's land use diagram will not amend or otherwise involve any land use regulations that implement this Goal. Therefore, Statewide Planning Goal 13 does not apply.

**Goal 14: Urbanization - To provide for an orderly and efficient transition from rural to urban land use, to accommodate urban population and urban employment inside urban growth boundaries, to ensure efficient use of land, and to provide for livable communities.**

The Metro Plan diagram amendment only applies to land already within the city limits and therefore does not affect the City's provisions regarding the transition of land from rural to urban uses. Based on this finding, Statewide Planning Goal 14 does not apply.

**Goal 15: Willamette River Greenway - To protect, conserve, enhance and maintain the natural, scenic, historical, agricultural, economic and recreational qualities of lands along the Willamette River as the Willamette River Greenway.**

The Metro Plan Amendment does not affect the City's Willamette River Greenway regulations, nor is the subject property located within the adopted Willamette River Greenway boundary. Based on this finding, Statewide Planning Goal 15 does not apply.

**Goals 16 – 19: Estuarine Resources; Coastal Shorelands; Beaches and Dunes; and Ocean Resources**

There are no estuarine, beach and dune, coastal, or ocean resources related to subject property. Based on this finding, Statewide Planning Goals 16 through 19 do not apply.

Based on the findings above, the Metro Plan Amendment complies with the Statewide Planning Goals and the approval criterion at EC 9.7735(1) is met.

**EC 9.7735(2): The proposed amendment does not make the Metro Plan internally inconsistent.**

No policies within the Metro Plan appear to serve as mandatory approval criteria for this application, nor do any Metro Plan policies appear to be directly relevant to this site-specific Metro Plan Diagram amendment. Therefore, the amendment does not present any conflict with Metro Plan policies nor make the Metro Plan internally inconsistent. Based on these findings, this criterion is met.

**EC 9.7735(3): When the city-specific local comprehensive plan also applies, the proposed amendment is consistent with the city-specific local comprehensive plan.**

The city-specific local comprehensive plan for the City of Eugene is the Envision Eugene Comprehensive Plan. The following policies from the Envision Eugene (EE) Comprehensive Plan provide general support for the amendment to the Metro Plan diagram:

*EE Policy 3.15: Adequate Land Supply. Designate an adequate number of sites within the urban growth boundary to accommodate growing local businesses and new targeted industries, especially a diversified manufacturing base that includes advanced manufacturing, food and beverages, wood products manufacturing, regional distribution, trade, and services such as offices, software developers, educational technology, corporate headquarters, and other employment uses.*

*EE Policy 3.22: West Eugene Employment Areas. Protect industrial areas in west Eugene, while supporting their evolution into diverse places of commerce with a flexible regulatory approach that offers a broad mix of employment and industrial uses, thereby accommodating increased employment densities and services to surrounding neighborhoods.*

Each of the policies above comes from Economic Development Chapter of the Envision Eugene Comprehensive Plan. The applicant contends that the amendment will allow the expansion of an existing industrial business (Cintas) within the City of Eugene, which is supported by Policies 3.15 and 3.22. The amendment also results in the property remaining an industrial designation and opportunities and thus is supported by Policies 3.15 and 3.22. While the applicant has a specific development plan, the amendment and concurrent zone change expands the number of permitted industrial uses (see EC Table 9.2450 for a complete list of permitted uses in the Employment and Industrial Zones). Based on these facts, the amendment and concurrent zone change are generally supported by the Economic Development policies cited above.

The Transportation Chapter of Envision Eugene states that the Eugene 2035 Transportation System Plan (TSP) serves as the transportation element for the comprehensive plan. As noted in the findings related to Statewide Planning Goal 12, the Metro Plan Diagram amendment is consistent with the City's TSP, and therefore consistent with the transportation element of

Envision Eugene. No transportation policies appear to be directly relevant to this site-specific Metro Plan Amendment, nor do they serve as mandatory approval criteria for the amendment.

Based on these findings, the amendment is consistent with Envision Eugene, the Envision Eugene Comprehensive Plan, the City's local comprehensive plan.

### **ZONE CHANGE**

The applicant's request includes a concurrent zone change from E-1 Campus Employment to I-2 Light-Medium Industrial, to bring the zoning of the subject property into conformance with the proposed Light Medium Industrial plan designation. The following findings address the applicable approval criteria for the Zone Change request:

**EC 9.8865(1): The proposed change is consistent with applicable provisions of the Metro Plan. The written text of the Metro Plan shall take precedence over the Metro Plan diagram where apparent conflicts or inconsistencies exist.**

According to EC 9.2410, the requested I-2 zone implements the Metro Plan's Light Medium Industrial land use designation. Therefore, the Zone Change is consistent with the redesignation of the subject property as Light Medium Industrial. There are no Metro Plan policies that serve as mandatory approval criteria for this Zone Change or require further analysis beyond that provided above for the Metro Plan Amendment.

Based on these findings, and with concurrent approval of the Metro Plan Amendment, this criterion is met.

**EC 9.8865(2): The proposed zone change is consistent with applicable adopted refinement plans. In the event of inconsistencies between these plans and the Metro Plan, the Metro Plan controls.**

The subject property is within the area of the West Eugene Wetlands Plan, an applicable refinement plan. This refinement plan does not contain a land use diagram, and therefore the Zone Change relies on the land use designation set forth by the Metro Plan's land use diagram, as discussed above. In addition, the Zone Change does not propose any change to the existing Wetland Buffer (/WB) Overlay Zone applicable to the subject property that implements relevant wetland protections identified in the West Eugene Wetlands Plan. It is also important to note that the West Eugene Wetlands Plan identifies all wetlands on the subject property as "filled" and not protected. No other policies or provisions of any applicable refinement plan appear to serve as mandatory approval criteria for this Zone Change.

Based on these findings, and with concurrent approval of the amendment to the Metro Plan Amendment, this criterion is met.

**EC 9.8865(3): The uses and density that will be allowed by the proposed zoning in the location of the proposed change can be served through the orderly extension of key urban facilities and services.**

Key urban facilities and services are defined in the Metro Plan as: wastewater service, stormwater service, transportation, water service, fire and emergency medical services, police protection, City-wide parks and recreation programs, electric service, land use controls, communication facilities, and public schools on a district-wide basis (see Metro Plan, page V-3).

The City Council finds that subject property is already served by key urban services and facilities, or those services and facilities can be extended to the subject property, as more particularly described below.

Wastewater: Public wastewater service is currently available to the subject property from wastewater lines located in Owen Loop South. Wastewater standards will be reviewed at the time of future development for any extension of service to the subject property.

Stormwater: The Greenhill Technology Park has a combination of stormwater systems located within the area, including, but not limited to, swales, ponds, pipes, and culverts, which were required and implemented as part of the original subdivision process (City File S 93-36). The applicant's narrative details specific design considerations based on the existing, filled wetlands, previous land use requirements, and state/federal requirements. Stormwater standards will be reviewed at the time of future development of the subject property.

Streets: The subject property has public street frontage on West 11<sup>th</sup> Avenue, also known as Highway 126, and Owen Loop South. Compliance with applicable street and access connection standards will be addressed at the time of future development.

Solid Waste: Collection service is provided by private entities. Regional disposal sites and the Short Mountain Landfill are operated by Lane County.

Water and Electric: Water and electrical services, operated by Eugene Water and Electric Board (EWEB) are available for extension to the property. Any future development will require coordination with EWEB staff to ensure that water and electric services comply with City standards and EWEB requirements.

Public Safety: Police protection for the subject property is consistent with service provision through the City. Fire protection will be provided by Eugene Springfield Fire. Emergency medical services are currently provided on a regional basis by the cities of Eugene and Springfield.

Transportation: The subject property is accessible to pedestrians, bicycles, and vehicles via the surrounding network of streets and transportation infrastructure. Transit services are available along West 11<sup>th</sup> Avenue.



Parks and Recreation: Parks and recreation programs are provided on a City-wide basis. The inclusion of the subject property in the City is sufficient evidence to demonstrate the minimum level of this key urban service is met.

Planning and Development Services: Planning and building permit services are provided for all properties located within the urban growth boundary by the City of Eugene. The Eugene Code, 1971, Chapter 9, will provide the required land use controls for future development of the subject property.

Communication: A variety of telecommunication providers offer communications services throughout the Eugene/Springfield area. Therefore, these services are available, and this key urban service requirement is met.

Public Schools: The subject property is within Eugene School District 4J. As access to schools is evaluated on a district wide basis, the property's location within the school district is sufficient evidence to demonstrate the minimum level of this key urban service is met.

Based on these findings, this criterion is satisfied.

**EC 9.8865(4): The proposed zone change is consistent with the applicable siting requirements set out for the specific zone in:**

**(b) EC 9.2430 Employment and Industrial Zone Siting Requirements.**

The specific siting standards for the I-2, Light-Medium Industrial zone are listed under EC 9.2430(3) and provided for ease of reference below.

**EC 9.2430(3): I-2 Light – Medium Industrial. This zone is limited to areas designated Light-Medium Industrial in the comprehensive plan or those that meet all of the following minimum siting requirements:**

- (a) Access to arterial streets without undue negative impact on residential streets.**
- (b) No more than 5 acres.**
- (c) Sufficient street frontage to accommodate structures, parking, and access in character with adjacent non-industrial properties.**

According to these siting requirements, I-2 zoning is limited to areas designated Light-Medium Industrial and the subject property will be designated Light-Medium Industrial with approval of the concurrent Metro Plan Amendment. As such, the alternative siting standards on lands not designated Light-Medium Industrial at EC 9.2430(3)(a)-(c) above, do not apply.

Based on these findings, with concurrent approval of the Metro Plan Amendment, the siting requirements of EC 9.2430 are satisfied, and this criterion is met.

**EC 9.8865(5): In cases where the NR zone is applied based on EC 9.2510(1)(b), the property owner shall enter into a contractual arrangement with the city to ensure the area is maintained as a natural resource area for a minimum of 50 years.**

This criterion does not apply because the zone change will not apply the NR zone.

**OAR 660-012-0060 - Transportation Planning Rule**

While not an approval criterion included in Eugene Code, Zone Change applications are required to demonstrate compliance with the State's Transportation Planning Rule under OAR 660-012-0060. Consistent with the City Council's findings of compliance with Statewide Planning Goal 12 above, incorporated herein by reference, the Zone Change is consistent with the Transportation Planning Rule.

CONCLUSION

Based on the available information and evidence, and the preceding findings of compliance with the applicable approval criteria, the City Council finds that the Metro Plan Amendment and Zone Change comply with all applicable approval criteria.