



COUNCIL ORDINANCE NO. 20699

AN ORDINANCE CONCERNING CLIMATE FRIENDLY & EQUITABLE COMMUNITIES PARKING STANDARDS; AMENDING SECTIONS 9.0500, 9.2160, 9.2430, 9.2450, 9.2751, 9.2775, 9.3030, 9.3116, 9.3125, 9.3155, 9.3165, 9.3515, 9.3625, 9.3631, 9.3715, 9.3811, 9.3815, 9.3910, 9.3915, 9.3950, 9.3970, 9.5150, 9.5200, 9.5350, 9.5450, 9.6105, 9.6205, 9.6410, 9.6415, 9.6420, 9.6430, 9.6435, 9.6440, 9.6794, 9.6810, 9.6815, 9.6820, 9.8030, 9.8615, and 9.9500 OF THE EUGENE CODE, 1971; AND PROVIDING AN EFFECTIVE DATE.

ADOPTED: November 13, 2023

SIGNED: November 14, 2023

PASSED: 4:3

REJECTED:

OPPOSED: Clark, Evans, Keating

ABSENT: Semple

EFFECTIVE: December 31, 2023



ORDINANCE NO. 20699

AN ORDINANCE CONCERNING CLIMATE FRIENDLY & EQUITABLE COMMUNITIES PARKING STANDARDS; AMENDING SECTIONS 9.0500, 9.2160, 9.2430, 9.2450, 9.2751, 9.2775, 9.3030, 9.3116, 9.3125, 9.3155, 9.3165, 9.3515, 9.3625, 9.3631, 9.3715, 9.3811, 9.3815, 9.3910, 9.3915, 9.3950, 9.3970, 9.5150, 9.5200, 9.5350, 9.5450, 9.6105, 9.6205, 9.6410, 9.6415, 9.6420, 9.6430, 9.6435, 9.6440, 9.6794, 9.6810, 9.6815, 9.6820, 9.8030, 9.8615, and 9.9500 OF THE EUGENE CODE, 1971; AND PROVIDING AN EFFECTIVE DATE.

THE CITY OF EUGENE DOES ORDAIN AS FOLLOWS:

Section 1. Section 9.0500 of the Eugene Code, 1971, is amended by adding the definition of “Dwelling, Studio-Unit”; and amending the definitions of “Loading Space” and “Structured Parking” to provide as follows:

9.0500 Definitions.

Dwelling, Studio-Unit. A dwelling unit that is part of a multi-unit dwelling and consists of a room and a separate bathroom.

Loading Area. An off-street area or loading dock that abuts a street, alley, or other appropriate means of ingress and egress, and which is on the same lot as a main building or which is contiguous to a group of buildings, used for the temporary parking of commercial vehicles while loading or unloading.

Structured Parking. A publicly or privately owned structure having two or more levels, designed and used for parking 4 or more motor vehicles.

Section 2. The “Motor Vehicle Related Uses” Section of Table 9.2160 in Section 9.2160 of the Eugene Code, 1971, is amended to provide as follows:

9.2160 Commercial Zone – Land Use and Permit Requirements.

Table 9.2160 Commercial Zone Land Uses and Permit Requirements

	C-1	C-2	C-3	GO
Motor Vehicle Related Uses				
Structured Parking, two levels not directly related to a primary use on the same development site		P	P	P
Structured Parking, three or more levels not directly related to a primary use on the same development site		C	P	C

Section 3. Subsection (3)(c) of Section 9.2430 of the Eugene Code, 1971, is amended to provide as follows:

9.2430 Employment and Industrial Zone Siting Requirements.

In addition to the approval criteria in EC 9.8865 Zone Change Approval Criteria, the following siting requirements apply:

- (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 and access in character with adjacent non- industrial properties.

Section 4. The “Motor Vehicle Related Uses” section of Table 9.2450 in Section 9.2450 of the Eugene Code, 1971, is amended to provide as follows:

9.2450 Employment and Industrial Zone Land Use and Permit Requirements.

Table 9.2450 Employment and Industrial Zone Land Use and Permit Requirements				
	E-1	E-2	I-2	I-3
Motor Vehicle Related Uses				
Structured Parking, two levels not directly related to a primary use on the same development site	P	P	P	
Structured Parking, three or more levels not directly related to a primary use on the same development site	P	P	P	

Section 5. Subsection (18)(a)10. of Section 9.2751 of the Eugene Code, 1971, is amended to provide as follows:

9.2751 Special Development Standards for Table 9.2750.

(18) *Alley Access Lots in R-1.*

(a) *General Standards.*

10. *Parking Spaces.* There shall be a maximum of 2 parking spaces on the lot.

Section 6. Subsections (5)(d)2. and (5)(d)5. of Section 9.2775 of the Eugene Code, 1971, are amended to provide as follows:

9.2775 Residential Flag Lot Standards for R-1, R-2, R-3 and R-4.

(5) *Development Standards.*

(d) *Minimum Paving and Landscaping.*

1. Except as provided in subsection (e) below for accessory dwellings, the minimum paving of the driveway used for access shall be as follows:

1 rear lot	12 feet
2 to 4 rear lots	20 feet* (Street may be required.)

* If approved by the planning director as necessary to preserve existing natural features, paving width may be reduced to 17½ feet, except for the first 25 feet back from the sidewalk if both sides of the driveway are landscaped in accordance with a landscape plan.

2. Driveways serving the flag lots and parking areas shall be constructed of at least 4 inch thick Portland Cement concrete, or 2½ inch compacted asphaltic concrete mix on 6 inches of ¾ minus compacted crushed rock base, or an approved equal. Base placement of driveways and parking areas shall be approved by the city manager prior to final surfacing. If an abutting property's access drive is used an access easement-maintenance agreement is required, which shall be recorded in the Lane County office of Deeds and Records.

3. If access is provided via an existing unimproved alley, a petition for improvement is required. The alley must be able to provide automobile and emergency vehicle access to a public street.

4. Whether or not the portion of the flag lot with public street frontage is used for access, it shall remain free of structures and be available for possible future access to a public street.

5. On a rear lot or parcel, parking spaces shall be located outside of the pole portion of the flag lot.

Section 7. Subsection (3) of Section 9.3030 of the Eugene Code, 1971, is amended to provide as follows:

9.3030 Required Provisions of a Special Area Zone Ordinance.

Each S Special Area zone is established by an ordinance that contains the following sections:

(3) Development Standards governing factors that are necessary to achieve the purpose of the S Special Area zone such as required landscaping, setbacks, and building height limitations.

Section 8. Subsection (2) of Section 9.3116 of the Eugene Code, 1971, is amended to provide as follows:

9.3116 Special Use Limitation for Table 9.3115.

(2) *Churches, Synagogues and Temples.* These uses will be allowed only with a CUP. Primary and accessory structures associated with the religious use are limited in size, at the ground floor, to no more than 10,000 square feet.

Section 9. Section 9.3125 of the Eugene Code, 1971, is amended by deleting subsection (2)(b)3. and renumbering subsection (2)(b)4. as subsection (2)(b)3. to provide as follows:

9.3125 S-CN Chase Node Special Area Zone Development Standards.

(2) *Standards Applicable in C, HDR/MU and HDR Subareas.*

(b) *Streetscapes.*

1. *Street Trees.* Street tree requirements are specified in EC 7.280 Street Tree Program – Policies, Standards, Procedures, and rules issued thereunder.

2. *Structured Parking.* Structured parking that abuts a street shall have at least 50 percent of the ground floor street frontage developed for office, retail, residential, or other pedestrian-oriented uses. This standard does not apply to parking facilities that are totally underground.

3. *Trash Pickup.* Trash receptacles shall be served from the alley for all sites that abut an alley.

Section 10. Subsections (11)(b) and (11)(c) of Section 9.3155 of the Eugene Code, 1971, are amended to provide as follows:

9.3155 S-DR Downtown Riverfront Special Area Zone General Development Standards (applicable to all property).

(11) *Delivery and Loading Areas.* All delivery and loading areas in the S-DR/MU subdistrict shall meet the following standards:

- (a) Maneuvering and circulation related to delivery and loading is not permitted between the street and the portion of a building used to comply with building setback requirements.
- (b) All loading areas shall be off the street and shall be served by service drives, alleys, private accessways, or maneuvering areas so that no backward movement or other vehicle maneuvering within a street will be required.
- (c) All off-street loading areas shall be on interior service courts, alleys, or screened from view from all adjacent property lines according to EC 9.6210(4), High Wall Landscape Standards (L-4).

Section 11. Section 9.3165 of the Eugene Code, 1971, is amended by: amending the section heading; amending subsection (1); amending Table 9.3165(1); deleting subsection (1)(a); amending subsection (1)(b); re-lettering subsection (1)(b) as (1)(a); re-lettering subsection (1)(c) as (1)(b); re-lettering subsection (1)(d) as (1)(c); re-lettering subsection (1)(e) as (1)(d); amending subsection (2); and amending subsection (4) as follows:

9.3165 S-DR Downtown Riverfront Special Area Zone Parking Standards.

(1) *Off-Street Motor Vehicle Parking Standards.* Within the S-DR Zone, the maximum parking standards in Table EC 9.3165(1) apply instead of the standards in Table EC 9.6410.

Table 9.3165(1) S-DR Motor Vehicle Parking Requirements	
Use	Maximum Number of Off-Street Parking Spaces
Residential	Except for required parking spaces for persons with disabilities, a maximum of 1.2 parking spaces are allowed per studio-unit and a maximum of 2.25 parking spaces are allowed per dwelling unit.
Non-Residential	Except for required parking for persons with disabilities, and spaces within structured parking with two or more levels, the maximum number of parking spaces is 1 parking space per every 250 square feet of gross floor area.

(a) *Location of On-Site Surface Parking.* New on-site surface parking shall be accessory to a primary use on the same development site and may be located only on:

1. Parcels with frontage on the street adjacent to the existing railroad corridor;
2. Parcels that take access from an alley;
3. Parcels where the on-site parking is located behind the building or, if there is no alley access, to the side of the building.

(b) On-site surface parking does not include underground, structured, courtyard, tuck-under, and podium parking. On-street parking spaces within the public right-of-way and on-site parking spaces for persons with disabilities are exempt from this requirement. The provisions at EC 9.6420(1), (3), (6), and (7) do not apply to vertically stacked parking facilities in the S-DR Zone. *Siting and Design.* The provisions at EC 9.6415(2); EC 9.6420(1), (2), (3)(a), (3)(b),(3)(e), (5), (6), and (7), apply to the siting and design of parking and loading facilities in the S-DR Zone.

(c) *Parking Access.* Parking access must be consistent with the below requirements:

1. Driveways and access connections shall be no more than 20 feet wide.
2. No more than two access connections per tax lot for lots less than 60,000 square feet in size and no more than three access connections per tax lot for lots more than 60,000 square feet in size shall be allowed, except as provided at EC 7.410.
3. Driveways and access connections are not permitted within 50 feet of any intersection

of two or more streets, as measured from the nearest property corner abutting the intersection.

(d) *Parking Area Landscaping.* Except as provided in (2) below, the parking area landscaping standards at EC 9.6205 and EC 9.6420(3) apply to off-street parking areas in the S-DR Zone, except the parking area standards at EC 9.6420(3)(c), which are not applicable in the S-DR Zone. All surface parking areas shall have a landscaped bed around the perimeter measuring 5 feet in width and landscaped to a minimum of the L-2 standard.

(2) *Temporary Parking.* Temporary parking areas are exempt from the requirements at EC 9.6420(3) and (5) and EC 9.6791 through EC 9.6797.

(4) *Adjustment Review.* As an alternative to the number of bicycle parking spaces that are required under (3) above, an applicant may apply for approval of an adjustment through the Adjustment Review process based on the criteria at EC 9.8030(9).

Section 12. Subsection (7) of Section 9.3515 of the Eugene Code, 1971, is amended to provide as follows:

9.3515 S-HB Blair Boulevard Historic Commercial Special Area Zone – Development Standards.

The design standards set forth in this section apply to all property within the S-HB zone. In the event any of the development standards of this section conflict with the general development standards of this land use code, the standards in this section control. Property within this zone is also subject to the historic property alteration Type II review and historic property moving and demolition procedures and criteria in this land use code. Alterations shall be in character with the structure's original stylistic integrity as described in the city landmark nomination.

(7) *Parking.* Within the S-HB zone there shall be no significant expansion of off- street parking. Business shall be encouraged to share off-street parking areas. On-site parking is best achieved at the side or rear of historic structures. Large historic shade trees shall not be removed to make way for parking lots. Existing parking lots shall be evaluated and design considerations shall be sought to make them more compatible with the character of the S-HB zone.

Section 13. Section 9.3625 of the Eugene Code, 1971, is amended by deleting subsection (3)(d)3.; and amending subsection (7) to provide as follows:

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

(3) *Alley development standards.*

(d) For a dwelling whose primary vehicle access is an alley:

(7) *Parking Standards.* 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)).

Section 14. Section 9.3631 of the Eugene Code, 1971, is amended by deleting subsection (1)(b); and re-lettering subsections (1)(c) through (1)(h) to provide as follows:

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) *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 December 14, 2009, and the existing lot line segment did not intersect both its adjoining lot line segments at right angles.

(c) 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: 5'x45'

(See Figure 9.3631(1)(d)(e))

(d) *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.

(e) 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 December 14, 2009. 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 December 14, 2009,.

(f) A lot must have the capacity for vehicular access from an alley or street consistent with access standards in the EC.

(g) The creation of a new flag lot is prohibited in the S-JW Jefferson Westside Special Area Zone.

Section 15. Section 9.3715 of the Eugene Code, 1971, is amended by amending subsection (1); deleting subsection (1)(a); renumbering subsection (1)(b) as (2); renumbering subsection (1)(b)1. as (2)(a); renumbering subsection (1)(b)2. as (2)(b); renumbering subsection (1)(b)3. as (2)(c); renumbering subsection (1)(b)4. as (2)(d); renumbering subsection (1)(b)5. as (2)(e); renumbering subsection (2) as (3); renumbering subsection (3) as (4); amending subsection (4)(b); and renumbering subsection (4) as (5) to provide as follows:

9.3715 S-RP Riverfront Park Special Area Zone – Development Standards.

In order to allow an overall development that is consistent with the purpose and intent of the S-RP Riverfront Park Special Area Zone as well as its unique location adjacent to the Willamette River and Millrace, the following development standards shall prevail. In the event the development standards here conflict with the general standards of this land use code, the standards provided here supersede any conflicting provisions.

(1) *Parking Requirements.* Parking and off-street loading areas shall be designed, laid out, and constructed in accordance with the parking area design, improvements, buffering, and dimensions as specified in EC 9.6420 Parking Area Standards. Parking shall be located within 400 feet of structures to be served unless a greater separation is specifically approved through

the master development plan approval process. For that portion of the special area zone located between the Willamette River and the railroad tracks, up to 50 percent of the parking may be provided north of the Willamette River if approved through the master site plan approval process as outlined in EC 9.3725 S-RP Riverfront Park Special Area Zone Review Procedures.

(2) Bicycle parking: Bicycle spaces shall be provided as follows:

- (a) Non-residential uses – the minimum number of spaces shall equal 12 percent of the maximum number of off-street motor vehicle spaces calculated pursuant to EC 9.6410.
- (b) Multiple-unit dwellings – 1 space per unit.
- (c) Locking and cover shall be provided for all required spaces.
- (d) Required spaces shall be located no farther than 100 feet from a building entrance.
- (e) Each required space must be at least 6 feet long and 2 feet wide, with a minimum overhead clearance of 6 feet.

(3) *Setback Requirements.* Development within the S-RP zone shall comply with the following setbacks:

- (a) All structures, parking areas, streets, and access drives shall maintain a minimum setback of 35 feet from the top of the south bank of the Willamette River. A map indicating the location of the top of the south bank is on file with the city's planning and development department.
- (b) All structures, parking areas, streets, and access drives shall maintain a minimum setback of 15 feet from the south side of the bicycle path located (or as to be relocated) adjacent to the top of the river bank. If the setback specified herein requires a greater distance than the 35 feet specified under Section 9.3715(3)(a), the greater distance shall be maintained.
- (c) Solar access shall be provided to at least 60 percent of the following designated areas:
 - 1. The south bank of the Willamette River.
 - 2. The bicycle path located (or as to be relocated) adjacent to the top of the river bank.
 - 3. The Autzen Stadium footbridge protection area defined in Section 9.3715(3)(e) below.
 - 4. Active recreation areas defined in the master site plan.

The solar access required herein shall be provided at noon from February 21 to October 21 of any year. If building setbacks necessary to ensure this solar access are greater than would otherwise be required, the greater setback shall be required.

(d) The Millrace shall be maintained as an open channel through the S-RP zone with the following setbacks:

1. No structure, street, access drive, or parking area shall be located adjacent to the east Millrace outfall within the area defined by the bicycle path as it existed on May 11, 1987. This area is indicated on the map referenced in subsection (3)(a) of this section.

2. No structure, street, access drive, or parking area shall be located within 15 feet of the top of the banks of the Millrace in all areas within the S-RP zone except for the area described under EC 9.3715(3)(d)(1) above where a greater setback is required. Except for the east Millrace outfall area described under EC 9.3715(3)(d)(1) above, street or access drive crossings that are needed for circulation may be approved as part of the master development plan.

(e) All structures and parking areas shall maintain a setback of 50 feet on both sides of a straight line between the existing pedestrian underpass under the railroad tracks and the Autzen Stadium footbridge to provide visual linkage between the two structures. This area is indicated on the map referenced in subsection (3)(a) of this section.

(f) Multiple-unit dwellings shall have interior yards of not less than 10 feet between buildings, without regard as to the location of the property line, or no interior yards required if the buildings abut or have a common wall, except where a utility easement is recorded adjacent to an interior lot line, in which event there shall be an interior yard of no less than the width of the easement.

(g) Except as provided above, all structures other than multiple-unit dwellings shall have no setback requirements.

Public improvements, including pedestrian and bicycle trails, public plazas, and similar amenities, but excluding roads and parking areas, are exempt from the setback requirements specified above.

(4) *Required Building Separation and Profile Offsets.* All buildings located within 75 feet of the top of the south bank of the Willamette River shall observe the following profile and separation requirements:

(a) The maximum building profile as seen from end to end of the side(s) facing the river shall not exceed 200 lineal feet in total horizontal length.

(b) Any building elevation parallel to the river shall not continue along an uninterrupted, continuous plane for more than 100 feet. For the purpose of this requirement, an uninterrupted, continuous plane is a wall having no variation in exterior surface along its length of more than 5 feet as measured at a perpendicular line from the plane of the wall.

(c) Each building shall be separated by at least 50 feet from an adjoining building, measured parallel to the river.

No building shall have a total horizontal length of more than 300 feet as measured on its longest axis.

(5) *Coverage Requirements.* Coverage requirements within the S-RP zone shall be as follows:

(a) For that portion of a development site allocated for multiple-unit residential use, the maximum permitted coverage by buildings and structures shall be 50 percent.

(b) For that portion of a development site allocated for all uses other than multiple-unit residential, at least 40 percent of that portion of the site to be developed shall be landscaped with living plant materials. Natural areas (e.g., along the Millrace or from the top of the bank along with the Willamette River south) may be included in the 40 percent computation. The amount of open space may be reduced to 30 percent if 40 percent of the parking for the development or phase thereof is provided either below grade, at grade but under a structure, or in a parking structure.

Public amenities such as plazas, pedestrian or bicycle trails, and similar improvements shall be considered open space when computing coverage. When computing coverage within the S-RP zone, structures owned by the Oregon State System of Higher Education and in existence as of May 11, 1987 shall not be included.

Section 16. Subsection (5) of Section 9.3811 of the Eugene Code, 1971, is amended to provide as follows:

(5) *Churches, Synagogues and Temples.* Permitted conditionally in areas designated for Low Density Residential use, so long as the primary and accessory structures associated with the religious use are limited in size, at the ground floor, to no more than 10,000 square feet.

Section 17. Section 9.3815 of the Eugene Code, 1971, is amended by amending subsection (2)(c); deleting subsection (2)(e)4.; renumbering subsection (2)(e)5. as (2)(e)4.; and amending subsection (3)(i) to provide as follows:

9.3815 S-RN Royal Node Special Area Zone Development Standards – General.

(2) *Development Standards Applicable in the LDR, MDR, RMU, CMU and MSC Subareas.*

(c) *Parking.* On-street parking is required:

1. On at least one side of the street on all local streets within the plan area, and
2. In accordance with, and where specifically indicated on Map 9.3815(2)(c)1 S-RN Royal Node Special Area Zone On-Street Parking.

(d) *Trash Pickup.* Trash receptacles shall be served from the alley for all sites that abut an alley.

(e) *Multi-Unit Development.* With the following exceptions, Multi-Unit Development Standards in EC 9.5500 shall be applied to new multi-unit development within the S-RN Special Area Zone:

1. Except as provided in EC 9.3816(5), setback sidewalks, a minimum of 5 feet in width, are required along all public streets within and abutting the development site.
2. Setback sidewalks, a minimum of 5 feet in width, are required along all private streets serving development of 20 or more units.
3. Sidewalks may be designed as curbside walks along portions of public or private streets that provide parallel on-street parking within parking bays. Where this option is used, canopy street trees shall be planted within the planting strip areas created by the parking bays with an average spacing of 50' along the full length of the street.
4. Roofs pitches must have gable, hip, or gambrel forms. Minimum roof pitch for all structures except manufactured homes shall be 4 inches of vertical rise for each 12 inches of horizontal width, and with a minimum 6-inch overhang.

(3) *Development Standards Applicable in Specific Subareas of the S-RN Zone.*

- (i) **Parking and Loading.** Within the RMU, CMU and MSC subareas, in addition to the standards beginning at EC 9.6100 Purpose of Bicycle Parking Standards and EC 9.6400 Purpose of Motor Vehicle Parking and Loading Standards, motor vehicle parking, maneuvering and circulation is not permitted between the street and the portion of a building that is used to comply with building setback requirements.

Section 18. The “Motor Vehicle Related Uses” section of Table 9.3910 in Section 9.3910 of the Eugene Code, 1971, is amended to provide as follows:

9.3910 S-W Whiteaker Special Area Zone – Land Use and Permit Requirements.

Table 9.3910 S-W Whiteaker Special Area Zone Uses and Permit Requirements

S-W	
Motor Vehicle Related Uses	
Structured Parking, two levels not directly related to a primary use on the same development site	P
Structured Parking, three or more levels not directly related to a primary use on the same development site	C

Section 19. Subsection (5) of Section 9.3915 of the Eugene Code, 1971, is amended to provide as follows:

9.3915 S-W Whiteaker Special Area Zone Development and Lot Standards.

Except as provided in subsections (5) to (13) of this section, sections 9.6000 to 9.6885 General Standards for All Development in this land use code shall apply within this S-W zone. In the event of a conflict between the general development standards of this land use code and the standards set forth in this section, the specific provisions of this section shall control.

(5) *Parking.* Off-street parking shall be constructed in accordance with applicable provisions of this land use code.

Section 20. Subsection (7) of Section 9.3950 of the Eugene Code, 1971, is amended to provide as follows:

9.3950 Purpose of S-WS Walnut Station Special Area Zone.

The purpose of the Walnut Station Special Area Zone is to implement the vision of the Walnut Station Specific Area Plan to facilitate development of a mixed use center. The S-WS standards implement a form-based approach, which emphasizes the relationship between building facades and the public realm, the form and mass of buildings in relation to one another, and the scale and types of streets and blocks. The intent of a form-based code is to achieve a predictable built environment with a focus on providing quality public spaces. Design objectives of the S-WS zone include:

(7) Incorporate features that reduce the need for use of automobiles for travel within the Special Area Zone.

Section 21. Section 9.3970 of the Eugene Code, 1971, is amended by amending subsections (4)(a), (5)(b), and (5)(c) to provide as follows:

9.3970 S-WS Walnut Station Special Area Zone Development Standards Applicable to All Properties in the Walnut Station Special Area Zone.

(4) *Parking Requirements.*

(a) *Off-street motor vehicle parking.* The following maximum parking standards apply instead of the standards in Table 9.6410. The provisions in EC 9.6415(1) through (3), and EC 9.6420(1), (2), (3)(a), (b), and (e), and (4) through (9) apply to the siting and design of parking and loading facilities in the Walnut Station area. Uses not listed do not have a parking maximum.

Use	Maximum Number of Off-Street Parking Spaces
Residential	Except for required parking spaces for persons with disabilities, a maximum of 1.2 parking spaces are allowed per studio-unit and a maximum of 2.25 parking spaces are allowed per other dwelling unit.
Non- Residential Uses	Except for required parking spaces for persons with disabilities, spaces provided in park and ride lots operated by a public transit agency, and spaces within structured parking with two or more levels, the maximum number of parking spaces is 1 parking space per every 250 square feet of gross floor area.

(5) *Delivery and Loading Areas.*

- (a) Maneuvering and circulation related to delivery and loading is not permitted between the street and the portion of a building that is used to comply with building setback requirements.
- (b) All loading areas shall be off the street and shall be served by service drives, alleys, private accessways and maneuvering areas so that no backward movement or other vehicle maneuvering within a street will be required.
- (c) All off-street loading areas shall be on interior service courts or screened from view from all adjacent property lines according to EC 9.6210(4) High Wall Landscape Standard (L-4).

Section 22. Section 9.5150 of the Eugene Code, 1971, is amended by deleting subsection (5) and renumbering subsections (6) through (10) to provide as follows:

9.5150 Collection Center, Collection of Used Goods Standards.

- (1) Collection of used goods shall be conducted in connection with collection centers as defined in this land use code.
- (2) Traffic circulation and vision clearance (both on-site and at entry locations) shall not be impeded by the collection center's location, donated materials storage, or any other activities associated with the use.

- (3) Collection center siting shall meet all requirements of the fire marshal's office for access and separation for both the center and nearby structures.
- (4) The collection center shall not be located in the public right-of-way.
- (5) An attendant shall be present at all times donated goods can be accepted.
- (6) The collection center attendant shall maintain the area around the center.
- (7) No outside storage of donated materials shall be allowed.
- (8) No processing, sale, or distribution of collected materials shall be allowed.
- (9) There shall be at least 10 feet between the collection center and all residentially zoned property lines.

Section 23. Section 9.5200 of the Eugene Code, 1971, is amended by deleting subsection (1) and renumbering subsections (2) through (4) to provide as follows:

9.5200 Day Care, Small (4 to 16 people served) Standards.

These standards apply to small, (4 to 16 people served) day care operations in residential zones where the Land Uses and Permit Requirements Table for the applicable zone indicates that the use(s) "permitted subject to zone verification and EC 9.5000 to 9.5850."

- (1) Education programs offered as a primary activity or specialized training in activities such as dance, drama, music or religion shall be limited to preschool children.
- (2) At least 1 of the business owners of a day care service serving 4 to 16 people in R-1 and R-2 zones shall reside in the building.
- (3) No overnight care permitted without a conditional use permit.

Section 24. Section 9.5350 of the Eugene Code, 1971, is amended by amending subsection (5); deleting subsection (10), and renumbering subsections (11) through (13) to provide as follows:

9.5350 Home Occupation Standards.

Except for garage sales lasting no more than 3 consecutive days no more than 3 times in a year, and day care facilities, which are exempt, home occupations shall be subject to the following standards:

(5) The home occupation shall not generate excessive traffic, glare, heat, electromagnetic interference or other emissions that are perceptible beyond the home occupation property. There shall not be regular freight truck delivery more than twice a week.

(10) A resident of the dwelling shall be employed in the home occupation.

(11) There shall be no motor vehicle or motorcycle repair except to vehicles owned by persons residing on the property.

(12) A home occupation shall not be permitted in a dwelling located on a flag lot.

Section 25. Section 9.5450 of the Eugene Code, 1971, is amended by deleting subsection (3) and renumbering subsections (4) through (7) to provide as follows:

9.5450 Model Home Sales Office Standards.

(1) A model home sales office may be used as a gathering point for personnel provided the personnel works in the subdivision or manufactured home park within which the model home is located.

(2) All office activities shall be located entirely within the dwelling or garage; no outside equipment or material storage on the development site other than as necessary to complete construction of the units in that subdivision.

(3) The model home shall be located in the subdivision or manufactured home park under development.

(4) There shall be no detrimental effect on the residential character of the surrounding neighborhood through excessive traffic, violation of the city's noise or other performance standards, excessive late or early hours of operation, or other activities that are incompatible with adjacent residential uses.

(5) All signs shall comply with the EC 9.6650 Residential Sign Standards.

(6) The model home use shall be discontinued when all the homes in the subdivision or manufactured home park have been sold.

Section 26. The “Motor Vehicle Related Uses” Section of Table 9.6105(5) in subsection (5) of Section 9.6105 of the Eugene Code, 1971, is amended to provide as follows:

9.6105 Bicycle Parking Standards.

(5) *Minimum Required Bicycle Parking Spaces.* The minimum required number of bicycle parking spaces shall be calculated according to Table 9.6105(5) Minimum Required Bicycle Parking Spaces.

Table 9.6105(5) Minimum Required Bicycle Parking Spaces

Uses	Required Bicycle Parking (Minimum 4 bicycle spaces required unless – 0 – is indicated.)	Type and % of Bicycle Parking
Motor Vehicle Related Uses		
Structured Parking, two levels not directly related to a primary use on the same development site	10% of auto spaces	100% long term
Structured Parking, three or more levels not directly related to a primary use on the same development site	10% of auto spaces.	100% long term

Section 27. The “Off-Street Loading Spaces in E-1 EC 9.6415(2)(b)” section of Table 9.6205 in Section 9.6205 of the Eugene Code, 1971, is amended to provide as follows:

9.6205 Landscape Standards.

The landscape standards reflected in Table 9.6205 and EC 9.6207 – 9.6255 establish minimum landscape requirements that apply to any development, except:

- (1) Building alterations.
- (2) Site improvements not listed in Table 9.6205.
- (3) Change of use.

Table 9.6205 Landscaping Required by this Land Use Code							
	L-1 Basic	L-2 Low Screen	L-3 High Screen	L-4 High Wall	L-5 Partial Screen Fence	L-6 Full Screen Fence	L-7 Massed
Off-Street Loading Areas in E-1EC 9.6415(2)(b)				x			

Section 28. Section 9.6410 of the Eugene Code, 1971, is amended by: amending subsection (1); renumbering Figure 9.6410(1)(c) as shown in Exhibit A to this Ordinance; amending subsection (2); deleting the lead-in paragraph in subsection (3); deleting subsections (3)(a) and (3)(b); amending subsections (3)(c)1. and (3)(c)2.; renumbering subsection (3)(c) as (2)(c); amending subsection (3)(d) and renumbering it as (2)(d); deleting subsection (3)e; adding subsection (2)(e); adding a new subsection (3); amending Table 9.6410; deleting subsections (4) through (6); and deleting Figure 9.6410(6)(b) (including both the Overview Figure and the Map Tiles), to provide as follows:

9.6410 Motor Vehicle Parking Standards.

(1) *Standards for Off-Street Parking Spaces.*

(a) Except as provided in EC 9.2751(15)(c)(3) Driveways and Parking Areas in R-3 and R-4, parking areas may be located in required setbacks only as permitted in EC 9.6745 Setbacks – Intrusions Permitted.

(b) Tandem parking spaces may be utilized for multi-unit dwellings in the R-3 and R-4 zones within the boundaries of the city recognized West University Neighbors and South University Neighborhood Association. Those tandem spaces may only be located in an underground parking area or at least 30 feet from a public street within a parking area that can be accessed only from an alley. (For tandem parking on alleys, see Figure 9.6410(1)(b)). One tandem space shall be counted as two parking spaces when calculating the maximum number of off-street motor vehicle spaces. Tandem spaces shall not be allowed for studio-units or 1- or 2-bedroom dwellings.

(2) *Maximum Number of Off-Street Motor Vehicle Parking Spaces.*

(a) Except for required parking spaces for persons with disabilities, spaces provided in park and ride lots operated by a public transit agency, and spaces within structured parking with 2 or more levels, the maximum number of parking spaces shall be calculated in accordance

with Table 9.6410 Maximum Off-Street Motor Vehicle Parking, unless an adjustment is granted according to EC 9.8030(10) Motor Vehicle Parking and Loading Standards Adjustment. This standard does not apply to existing parking areas that are not expanded.

(b) Regardless of the limitations contained in EC 9.6410(2)(a) above, at least 2 parking spaces may be constructed on a development site.

(c) Motor vehicle parking at Autzen Stadium Complex shall comply with:

1. So long as a city-approved intergovernmental agreement incorporating a transportation demand management plan for Autzen Stadium complex is in effect, parking provided for the Autzen Stadium Complex shall be exempt from the maximum parking limitations in EC Table 9.6410. All parking shall be owned by the state of Oregon, except through a city-approved agreement that binds the parking area to the Autzen Stadium Complex.

2. If the above referenced intergovernmental agreement is not in effect, the Autzen Stadium Complex shall be limited to no more than 1 vehicle parking space for each 4.4 seats.

(d) When calculating the maximum number of off-street parking spaces for an outdoor restaurant or any eating and drinking establishment that includes permanent outdoor seating, the outdoor seating floor area and outdoor non-seating floor area may be included in the calculation.

(e) When calculating the maximum number of allowed off-street motor vehicle parking spaces using Table 9.6410 Maximum Off-Street Motor Vehicle Parking, fractional parking spaces shall be rounded up to the nearest whole number (for example, a maximum number of 3.4 off-street parking spaces will be rounded up to 4).

(3) *Accessible Parking Required for Certain Developments.*

(a) Except as provided in subparagraphs (b) and (c) of this subsection (3), developments subject to EC 9.2173 Commercial Zone Development Standards – Large Commercial Facilities, EC 9.2463 Employment and Industrial Zone Development Standards – Large Facilities, or EC 9.5500, Multiple-Unit Standards, must provide a minimum of one off-street van-accessible parking space that complies with the design requirements for van-accessible parking spaces included in the technical codes adopted by the City Manager pursuant to EC 8.010.

(b) Developments located in the Downtown and West University Automobile Parking Exempt Areas, as depicted on Map 9.6410(4)(a), are exempt from the requirements of subparagraph (a) of this subsection (3).

(c) Developments located in the Blair Boulevard Historic Commercial Automobile Parking Exempt Area as depicted on Map 9.6410(4)(b), are exempt from the requirements of subparagraph (a) of this subsection (3).

Table 9.6410 Maximum Off-Street Motor Vehicle Parking

Agricultural, Resource Production and Extraction	
Agricultural Use and Community and Allotment Garden	N/A
Display and Sale of Agricultural Products, primarily based on products raised or grown on the premises	1.25 per each 660 square feet of floor area.
Horticultural Uses. Examples include field crops, orchards, berries, and nursery or flower stock.	1.25 per each 660 square feet of floor area.
Eating and Drinking Establishments	
Bar and Tavern	1.25 per each 66 square feet of seating floor area plus 1.25 for each 440 square feet of non- seating floor area.
Delicatessen	1.25 per each 66 square feet of seating floor area plus 1.25 for each 440 square feet of non- seating floor area.
Restaurant	1.25 per each 66 square feet of seating floor area plus 1.25 for each 440 square feet of non- seating floor area.
Specialty Food and Beverage. Examples include a bagel, candy, coffee, donut, and ice cream store. Products manufactured on-site shall comply with manufacturing allowances for food and beverage products.	1.25 per each 66 square feet of seating floor area plus 1.25 for each 440 square feet of non- seating floor area.
Education, Cultural, Religious, Social and Fraternal	
Artist Gallery/Studio	1.25 per each 275 square feet of floor area.
Ballet, Martial Arts, Dance and Gymnastics School/Academy/ Studio	1.25 per each 80 square feet of dance area.
Church, Synagogue, and Temple, including associated residential structures for religious personnel	1.25 per 4 fixed seats, 1.25 per 8 feet of bench length, or 1.25 per every 28 square feet in areas where no permanent seats are maintained in the main auditorium (sanctuary or place of worship). If religious services operate concurrently with other activities, user may include additional parking at 1.25 per 40 square feet for the space used concurrently.

Club and Lodge of State or National Organization	1.25 per 4 fixed seats, 1.25 per 8 feet of bench length, or 1.25 per every 28 square feet where no permanent seats or benches are maintained in the main auditorium.
Community and Neighborhood Center	1.25 per 4.5 seats or 1.25 per 28 square feet of assembly area where there are no fixed seats.
Library	1.25 per each 275 square feet of floor area.
Museum	1.25 per each 275 square feet of floor area.
School, Business or Specialized Educational Training (excludes driving instruction)	1.25 per every 3.5 classroom seats.
School, Driving (including use of motor vehicles)	1.25 per each 2000 square feet of floor area
School, Public or Private (Elementary School)	1.25 space per 8 students of design capacity as determined by the school.
School, Public or Private (Middle School)	1.25 space per 9 students of design capacity as determined by the school.
School, Public or Private (High School)	1.25 space per 3.5 students of design capacity as determined by the school.
University or College	1.25 per every 3.5 full time equivalent students.
Entertainment and Recreation	
Amusement Center (Arcade, pool tables, etc.)	1.25 per each 80 square feet of floor area.
Arena (Both indoors & outdoors)	1.25 per each 4.5 seats.
Athletic Facilities and Sports Clubs	
– Playing Court	2.25 per each playing court.
– Viewing Area	1.25 per each 4.4 seats, 9.6 feet of bench length, or 31 square feet of gross floor area.
– Locker Room, Sauna, Whirlpool, Weight Room, or Gymnasium	1.25 per each 83 square feet of gross floor area.
– Lounge or Snack Bar Area	1.25 per each 66 square feet of gross floor area.

– Pro Shops or Sales Area	1.25 per each 330 square feet of gross floor area.
– Swimming Pool	1.25 per each 220 square feet of pool surface area.
Athletic Field, Outdoor	N/A
Bowling Alley	6.75 per each bowling lane.
Equestrian Academy and Stable	1.25 per 3.5 classroom seats or 1.25 per every 3 stables.
Equestrian Trail	N/A
Golf Course, Miniature Indoor	1.25 per each 80 square feet of floor area.
Golf Course, Miniature Outdoor	1.25 per each 80 square feet of floor area.
Golf Course, with or without country club	1.25 per 3 golf holes plus 1 per each 2 employees.
Golf Driving Range	1.25 per each 80 square feet of floor area.
Park and Playground	N/A
Race Track, including drag strip and go-cart track	1.25 per 4.5 seats
Theater, Live Entertainment	1.25 per 4.5 seats.
Theater, Motion Picture	1.25 per 4.5 seats.
Financial Services	
Automated Teller Machine (ATM)	– 0 –N/A
Bank, Savings and Loan Office, Credit Union	1.25 per each 330 square feet of floor area.
Government	
Government Services, not specifically listed in this or any other uses and permits table	1.25 per each 330 square feet of floor area.
Information Technology Services	
All uses in this category	1.25 per each 275 square feet of floor area.
Lodging	
Bed and Breakfast Facility	1.25 per guest bedroom for facilities with 5 or more guest rooms.
Homeless Shelter in existence as of January 1, 1984	1.25 per 40 beds
Homeless Shelter not in existence as of January 1, 1984	1.25 per 40 beds

Hotel, Motel, and similar business providing overnight accommodations	1.25 per guest room.
Recreational Vehicle Park, may include tent sites (See EC 9.5600)	1.25 per each 660 square feet of floor area.
Manufacturing	
All Uses in this category, excluding storage	1.25 per each 550 square feet of floor area.
Storage	1.25 per each 1650 square feet of floor area.
Medical, Health, and Correctional Services	
Blood Bank	1.25 per each 330 square feet of floor area.
Correctional Facility, excluding Residential Treatment Center	1.25 per 5.5 beds.
Hospital, Clinic or other Medical Health Treatment Facility (including mental health) in excess of 10,000 square feet of floor area	1.25 per each 200 square feet of floor area or 1.35 per bed.
Hospital, Clinic or other Medical Health Treatment Facility (including mental health) 10,000 square feet or less of floor area	1 per each 200 square feet of floor area or 1.68 per bed.
Laboratory – Medical, Dental, X-Ray	1.25 per each 330 square feet of floor area.
Meal Service, Non Profit	1.25 per each 330 square feet of floor area.
Nursing Home	1.25 per 4 beds.
Plasma Center, must be at least 800 feet between Plasma Center	1.25 per each 330 square feet of floor area.
Residential Treatment Center	1.25 per 5.5 beds.
Motor Vehicle Related Uses	
Car Wash	N/A
Motor Vehicle Sales/Rental/Service, excluding motorcycles, recreational vehicles and heavy trucks	1.25 per each 330 square feet of floor area.
Motorcycle Sales/Rental/Service	1.25 per each 330 square feet of floor area.
Parking Area not directly related to a primary use on the same development site	N/A
Parts Store	1.25 per each 330 square feet of floor area.

Recreational Vehicle and Heavy Truck, Sales/Rental/Service	1.25 per each 440 square feet of floor area.
Repair, includes paint and body shop	1.25 per each 660 square feet of floor area.
Service Station, includes quick servicing	1.25 per each 660 square feet of floor area.
Structured Parking	N/A
Tires, Sales/Service	1.25 per each 660 square feet of floor area.
Transit Park and Ride, Major or Minor, only when shared parking arrangement with other permitted use	N/A
Transit Park and Ride, Major or Minor	N/A
Transit Station, Major or Minor	N/A
Office Uses	
All Uses in this category	1.25 per each 330 square feet of floor area
Personal Services	
Barber, Beauty, Nail, Tanning Shop	1.25 per 330 square feet of floor area.
Day Care Facility (Not associated with a residence)	1.12 per employee.
Dry Cleaner	1.25 per each 660 square feet of floor area.
Film, Drop-off/Pick-up	1.25 per each 660 square feet of floor area.
Locksmith Shop	1.25 per each 660 square feet of floor area.
Laundromat, Self-Service	1.25 per each 330 square feet of floor area.
Mailing and Packaging Service	1.25 per each 660 square feet of floor area
Shoe Repair Shop	1.25 per each 330 square feet of floor area.
Tailor Shop	1.25 per each 330 square feet of floor area.
Residential	
Dwelling	
Single-Unit Dwelling	N/A
Single-Unit Dwelling – Flag Lot	N/A

Accessory Dwelling (Either attached or detached from primary single-unit dwelling on same lot)	N/A
Townhouse (see (6) below)	N/A
Duplex (see (6) below)	N/A
Triplex (see (6) below)	N/A
Fourplex (see (6) below)	N/A
Cottage Cluster (see (6) below)	N/A
Multiple-Unit Dwellings not specifically addressed elsewhere in this Table.	1.2 spaces for each studio-unit 1.25 spaces per 1- or 2- bedroom dwelling unit 2 spaces per 3- or more bedroom dwelling unit
Manufactured Home Park	1.25 per dwelling.
Controlled Income and Rent Housing (CIR) where density is above that usually permitted in the zoning, yet not to exceed 150%	1.25 per dwelling.
Assisted Care & Day Care	
– Assisted Care (5 or fewer people living in facility and 3 or fewer outside employees on site at any one time)	1.25 for each 4 beds.
– Assisted Care (6 or more people living in facility)	1.25 for each 4 beds.
– Day Care (4 to 16 people served)	1.12 for each employee not living in home on site at the same time.
– Day Care (17 or more people served)	1.12 for each employee not living in home on site at the same time.
Rooms for Rent	
– Boarding and Rooming House	1.25 per guest room.
– Campus Living Organizations, including Fraternities and Sororities	1.25 for each 3 occupants for which sleeping facilities are provided.
– Single Room Occupancy	1.25 per dwelling (4 single rooms are equal to 1 dwelling).
– University and College Dormitories	1.25 for each 3 occupants for which sleeping facilities are provided.
Trade (Retail and Wholesale)	
Agricultural Machinery Rental/Sales/Service	1.25 per each 440 square feet of floor area.

Appliance Sales/Service	1.25 per each 660 square feet of floor area.
Boat and Watercraft Sales/Service	1.25 per each 660 square feet of floor area.
Building Materials and Supplies	1.25 per each 660 square feet of floor area.
Convenience Store	1.25 per each 330 square feet of floor area.
Equipment, Light, Rental/Sales/Service	1.25 per each 440 square feet of floor area.
Equipment, Heavy, Rental/Sales/Service – includes truck and tractor sales	1.25 per each 440 square feet of floor area.
Furniture and Home Furnishing Store	1.25 per each 660 square feet of floor area.
Garden Supply/Nursery	1.25 per each 660 square feet of floor area.
General Merchandise (includes supermarket and department store)	1.25 per each 330 square feet of floor area.
Hardware/Home Improvement Store	1.25 per each 660 square feet of floor area.
Healthcare Equipment and Supplies	1.25 per each 330 square feet of floor area.
Liquor Store	1.25 per each 330 square feet of floor area.
Manufactured Dwelling Sales/Service/Repair	1.25 per each 330 square feet of floor area.
Office Equipment and Supplies	1.25 per each 330 square feet of floor area.
Outdoor Merchandise Display	– 0 –
Plumbing Supplies and Services	1.25 per each 660 square feet of floor area.
Retail Trade when secondary, directly related, and limited to products manufactured, repaired, or assembled on the development site	1.25 per each 330 square feet of floor area.
Shopping center with at least one supermarket or variety store and 50,000 square feet of gross floor area	1.25 per each 330 square feet of floor area.
Specialty Store (An example includes a gift store)	1.25 per each 330 square feet of floor area.
Storage Facility, Household/Consumer Goods	1.25 per each 330 square feet of floor area of the office space.
Wholesale, Warehousing, and Distribution	1.25 per each 1650 square feet of floor area.

Utilities and Communication	
Amateur Radio Antenna Structure (See EC 9.5050)	N/A
Broadcasting Studio, Commercial and Public Education	1.25 per each 330 square feet of floor area.
Electrical Substation	N/A
Fiber Optic Station	N/A
Pump Station	N/A
Telecommunication Facility (Refer to EC 9.5750)	N/A
Water Reservoir, elevated above ground level	N/A
Other Commercial Services	
Building Maintenance Service	1.25 per each 550 square feet of floor area.
Catering Service	1.25 per each 550 square feet of floor area.
Cemetery, Includes crematoria, columbaria, or mausoleums	1.25 per each full-time employee.
Collection Center, Collection of Used Goods (See EC 9.5150)	N/A
Garbage Dump, sanitary landfill	1.25 per each 550 square feet of floor area.
Heliport and Helistop	Parking requirements determined based on a Type III review.
Home Occupation (See EC 9.5350)	N/A
Kennel	1.25 per 550 square feet of floor area.
Model Home Sales Office (See EC 9.5450)	1.25 per 330 square feet of floor area.
Mortuary	1.25 per 4 fixed seats or 8 feet of bench length or every 28 square feet in main auditorium where no permanent seats or benches are maintained (sanctuary or place of worship).
Photographers' Studio	1.25 per each 550 square feet of floor area.
Picture Framing and Glazing	1.25 per each 550 square feet of floor area.
Printing, Blueprinting, Duplicating	1.25 per each 550 square feet of floor area.
Publishing Service	1.25 per each 550 square feet of floor area.

Temporary Activity (See EC 9.5800)	- 0 -
Train Station	Parking Maximum determined based on a Type II or Type III review.
Upholstery Shop	1.25 per each 550 square feet of floor area.
Veterinarian Service	1.25 per each 250 square feet of floor area.
Wildlife Care Center	1.25 per each 660 square feet of floor area.

Section 29. Subsection (3) of Section 9.6415 of the Eugene Code, 1971, is amended to provide as follows:

9.6415 Loading and Drive-Through Design Standards.

(3) *Loading and Service Drives.* All loading areas for commercial and employment and industrial buildings and uses shall be off the street and shall be served by service drives and maneuvering areas so that no backward movement or other vehicle maneuvering within a street, other than an alley, will be required.

Section 30. Figure 9.6420(3)(c)2. is amended as shown in Exhibit B to this Ordinance, and Section 9.6420 of the Eugene Code, 1971, is amended by: amending subsection (1)(a); amending Table 9.6420(1); amending subsection (3)(a)1.; amending subsections (3)(a)2.a., (3)(a)2.b., and (3)(a)2.d.; amending subsection (3)(c)2.; adding a new subsection (4); renumbering subsection (4) as (5); amending subsection (5) and renumbering it as (6); renumbering subsection (6) as (7); and adding subsections (8) and (9) to provide as follows:

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 developments with designated employee parking areas shall provide preferential parking for carpools and vanpools. 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	20.0	19.5
	8.0	8.0	12.0	22.0	20.0
30 degrees/single	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/tandem	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/single	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/tandem	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/single	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/tandem	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/single	8.0	*15.0	22.0	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/tandem	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-unit 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.

(2) *Drainage.* All parking areas, except those in conjunction with a single-unit or duplex dwelling, shall be graded so as not to drain storm water over the public sidewalk or onto any abutting property. Drainage improvements shall be provided as required by the stormwater provisions of EC 9.6790 to 9.6797.

(3) *Landscape Standards.*

(a) Applicability of Parking Area Landscape Standards.

1. General Provisions. Subject to any exceptions therein, the standards in subparagraphs (b) – (e) apply to parking and loading areas, including carports, that provide for 3 or more spaces and to all vehicle use and/or loading areas that exceed 500 square feet, except for the following:

- a. A parking area for a single-unit dwelling, accessory dwelling, or middle housing.
- b. A structured parking area. See subsection (3)(f).
- c. A legal non-conforming parking area. See subsection (3)(a)(2).

2. Provisions Applicable to Legal Non-Conforming Parking Areas. Parking areas with legal non-conforming landscaping are subject to the following parking area landscape standards:

- a. When a new building is constructed, the parking area landscape standards in subparagraphs (b) – (e) shall apply to any new parking area proposed by the applicant to serve the building.
- b. When a building is expanded, the parking area landscape standards in subparagraphs (b) – (e) shall apply to any new parking area proposed by the applicant to serve the expanded area of the building.
- c. When a legal non-conforming parking area is physically expanded in size (not simply changed to increase, decrease, or reconfigure the number of parking spaces) the parking area landscape standards in subparagraphs (b) – (e) shall apply only to the expanded portion of the parking area.
- d. When a legal non-conforming gravel parking area is paved, the parking area landscape standards in subparagraphs (b) – (e) shall apply only to the newly paved portion of the parking area.

(c) Parking Area Landscaping Along Street and Driveway Entrances.

1. Parking areas within 50' of a street, except an alley, shall provide a landscape strip between the street and the parking areas as follows:

a. In all areas except in the /TD overlay zone, a landscape strip at least 7 feet in width shall be provided.

b. Within a /TD overlay zone, a landscape strip at least 5 feet in width shall be provided.

c. Landscape strips along a street may be pierced by pedestrian and vehicular accessways. Landscape strips along a street shall be landscaped according to the standards in EC 9.6210(2) Low Screen Landscape Standard (L-2). (See Figure 9.6420(3)(c)1. Parking Area Landscaping Along a Street and Figure 9.6420(3)(c)2. Parking Area Landscaping Along a Driveway Entrance.)

2. Parking area driveway entrances, except at alleys, shall be provided with a landscape strip at least 7 feet in width, measured from the outside edges of 6 inch wide curbs, and the full length of the parking stall, between the entry drive and the parking area to heighten entryway visibility and improve parking area circulation. Entrance driveway landscape strips shall be landscaped according to the standards in EC 9.6210(2) Low Screen Landscape Standard (L-2). (See Figure 9.6420(3)(c)2. Parking Area Landscaping Along a Driveway Entrance.)

(4) *Large Parking Areas.*

(a) Except as provided in subparagraph (c) of this subsection (4), in addition to applicable provisions contained elsewhere in this code, the standards in subparagraphs (d)-(f) of this subsection (4) apply to any development that includes surface parking area of more than 21,780 square feet on a development site.

(b) For purposes of this subsection (4), a surface parking area shall be measured around the perimeter of all surface parking spaces and include drive aisles, maneuvering areas, required interior parking area landscaping, required curbs, and any driveways that provide direct access to parking spaces. Pedestrian paths and walkways, stormwater detention facilities that are not part of required interior parking area landscaping, and marked pedestrian crossings may be excluded from the surface parking area measurement.

(c) The requirements of this subsection (4) do not apply to structured parking, loading areas, or any surface parking area in existence as of December 31, 2023.

(d) A development that includes surface parking area of more than 21,780 square feet on a development site must comply with one of the following:

1. Solar panels. Installation of solar panels with a generation capacity of at least 0.5 kilowatt per parking space. Panels may be located anywhere on the development site.

2. Public building. A development that includes a public building as defined in OAR 330-135-0020 may comply with the requirements of Chapter 330, Division 135 of the Oregon Administrative Rules

3. Tree canopy plan. To comply with this requirement, a tree canopy plan must be provided at the time of development. The tree canopy plan must be signed by a licensed landscape architect or certified arborist and demonstrate the following:

a. A tree canopy covering at least 40 percent of the surface parking area will be achieved no more than 15 years after planting.

b. Tree species must be selected from the list of tree species adopted by the City Manager pursuant to EC 7.280 and EC 2.019, or the plant materials list adopted by the City Manager pursuant to EC 9.6207 and EC 2.019.

c. Development of a tree canopy plan must be done in coordination with the local electric utility provider. To demonstrate compliance with this requirement, documentation from the local electric utility provider and an Oregon licensed landscape architect or certified arborist must be provided at the time of development documenting how the developer will coordinate with the local electric utility provider during pre-design, design, building, and maintenance phases of the development.

e. Tree Canopy Calculation Requirements:

1. Calculations used to determine canopy coverage must be measured using a plan view of the tree canopy plan and must be based on the expected diameter of the tree crown at 15 years.

2. Existing trees to be preserved may be counted utilizing their canopy diameter at the time of submission of the tree canopy plan.

(e) *Driveways.* The following standards apply to new driveways:

1. In lieu of canopy trees required for landscaping requirements at EC 9.6205, trees must be provided along driveways at a spacing that will achieve a continuous canopy within 15 years after planting. Tree species must be selected from the list of tree species adopted by the City Manager pursuant to EC 7.280 and EC 2.019, or the plant materials list adopted by the City Manager pursuant to EC 9.6207 and EC 2.019. When trees of different size categories are planted next to each other the lesser of the two spacing requirements shall apply unless documentation from an Oregon licensed landscape architect or certified arborist is provided that states that an alternative spacing will achieve a closed canopy within 15 years after planting.

2. Street-like Design Features. Driveways must include curbs and pedestrian facilities that prioritize a pedestrian environment by meeting the following standards:

a. Except where interrupted by drive aisles or other driveways, parking area driveway entrances shall include a landscape strip at least 7 feet in width along the full length of the driveway. Driveway landscape strips shall be landscaped according to the standards in EC 9.6210(2) Low Screen Landscape Standard (L-2) except the required trees must be provided in accordance with EC 9.6420(4)(d)3.

The width of a driveway landscape strip shall be measured from the outside edges of the curbs.

b. On-site pedestrian paths, a minimum of 5 feet in width, are required on at least one side along the entire length of the driveway. Required on-site pedestrian paths shall provide a connection between a public way and a main building entrance or an internal on-site pedestrian path that complies with the requirements of EC 9.6730. On-site pedestrian paths shall be constructed of concrete, a comparable hard surface material, or any pervious surface that complies with the Americans with Disabilities Act.

c. Pedestrian paths that cross vehicle use areas must be raised to curb height or constructed with a contrasting paving material to indicate a pedestrian crossing area. Striping alone is not allowed.

(f) *Planting and Tree Care Standards.* In addition to the requirements at EC 9.6220 and 9.6225, the following requirements apply to trees required by this subsection (4).

1. At the time of planting, trees used to comply with the requirements of this subsection (4) must be fully branched and must be at least 6 feet in height or have a minimum trunk diameter of 2 inches.

2. Ongoing maintenance of trees required by this subsection (4) is the responsibility of the property owner.

3. Tree planting and maintenance must meet or exceed the 2021 American National Standards Institute A300 standards.

4. Any trees used to comply with this standard shall be replaced at a ratio of 1:1 within one calendar year of removal.

(5) *Lighting.* Parking area lights shall conform with the standards in EC 9.6725 Outdoor Lighting Standards.

(6) *Loading and Service Drives.*

(a) When 3 or more parking spaces or a Loading Area are provided on a development site, except those provided in conjunction with a single-unit dwelling or middle housing on a single lot and those located along alleys, they all shall be served by a service drive so that no backward movement or other maneuvering of a vehicle within a street will be required. Service drives shall be designed and constructed to facilitate the flow of traffic, provide safety for traffic ingress and egress, and safety of pedestrian and vehicular traffic on the site. In no case shall two-way and one-way driveways be less than 20 feet wide and 12 feet wide respectively.

(b) No service drive is required for parking spaces located along alleys.

(7) *Surfacing and Bumpers.*

(a) All parking areas that contain 3 or more parking spaces, access aisles, service drives, or loading areas on a development site, except those in conjunction with single-unit or

duplex residences, shall have a durable, dust-free surfacing of asphaltic concrete, Portland cement concrete or other approved materials. Other approved materials may include pervious paving materials.

(b) Areas on a development site used for the outdoor sale of vehicles are required to be paved, except for areas used for the sales or storage of tracked heavy equipment, mobile homes, or manufactured homes. A paved access aisle a minimum of 12 feet in width is required adjacent to all unpaved long-term vehicle storage spaces.

(c) All parking areas that contain 3 or more parking spaces on a development site or have outdoor vehicle sales, except those required in conjunction with a single-unit or duplex dwelling, shall provide a substantial bumper at least 2 feet from the protected area that will prevent vehicles from encroachment on abutting property or into required landscape beds or required pedestrian paths.

(8) *Electric Vehicle Charging.*

(a) The requirements of this subsection (8) apply to:

1. New multi-use dwellings; and
2. New mixed-use buildings consisting of privately owned commercial space and five or more residential dwelling units.

(b) The developments described in subparagraph (a) of this subsection (8), shall include electrical service capacity as defined in ORS 455.417 to support electrical vehicle charging for 40 percent of all parking spaces on the development site.

(c) Electric Vehicle Charging stations and ancillary equipment are permitted within required parking landscaping areas. If Electric Vehicle Charging stations and/or ancillary equipment are located within required parking area landscaping areas, the stations and/or equipment, when viewed from above, shall not constitute more than 10 percent of the total area of required parking area landscaping.

(d) Electric Vehicle Charging stations and ancillary equipment are permitted within required setbacks if the height of the charging station and/or ancillary equipment is no more than 42 inches.

(e) Any signage associated with Electric Vehicle Charging shall comply with the Sign Standards beginning at EC 9.6600.

(9) *Parking Areas for Large Developments.*

For new developments that include more than 65,000 square feet of floor area, the total surface parking area may not be greater than the floor area of the building. The "total surface parking area" for a development subject to the requirements of this subsection (9) shall be measured around the perimeter of all new surface parking spaces and include drive aisles, maneuvering areas, required interior parking area landscaping, required curbs, and any driveways that provide direct access to parking spaces. Pedestrian paths and walkways, stormwater detention facilities that are not part of required interior parking area landscaping, and marked pedestrian crossings may be excluded from the surface parking area measurement.

Section 31. Section 9.6430 of the Eugene Code, 1971, is amended to provide as follows:

9.6430 Shared Off-Street Parking.

When 2 or more uses share common parking facilities, the maximum number of allowed parking spaces shall be the sum of all the spaces allotted for those uses individually.

Section 32. Subsection (6) of Section 9.6435 of the Eugene Code, 1971, is amended to provide as follows:

9.6435 Special Event Permanent Parking Facilities.

(6) *Minimum Number of Trees.* Trees shall be provided on the development site in the amounts described in EC 9.6420, but need not be evenly distributed throughout the parking area.

Section 33. Section 9.6440 of the Eugene Code, 1971, is amended to provide as follows:

9.6440 Adjustments to Motor Vehicle Parking and Loading Standards.

Adjustments may be made to the standards in EC 9.6410(2), 9.6415, 9.6420(3), and 9.6435 if consistent with the criteria in EC 9.8030(10) Motor Vehicle Parking and Loading Standards Adjustments of this land use code.

Section 34. Subsection (2)(d) of Section 9.6794 of the Eugene Code, 1971, is amended to provide as follows:

9.6794 Stormwater – Oil Control

(1) *Purpose.* The purpose of EC 9.6794 is to protect the city's stormwater system from oil and grease from stormwater runoff of impervious surface areas on properties that produce high concentrations of these pollutants.

(2) *Applicability.* Oil control standards set forth in EC 9.6794(3) apply to:

(a) All new commercial and employment and industrial development with parking lots that store wrecked or impounded vehicles; or

(b) Any development that would result in an expected daily traffic count greater than one hundred vehicles per 1,000 square feet of gross building area, based on the most recent version of The Institute of Transportation Engineers' Trip Generation Manual; or

(c) Any development that would result in 100 or more off-street parking spaces; or

(d) Any commercial or employment and industrial development that receives an adjustment approving the installation of more than the maximum off-street parking spaces

allowed by EC 9.6410(2), Maximum Number of Off-Street Parking Spaces and that adjustment will result in, at least, a total of 10 parking spaces.

Section 35. Subsection (4) of Section 9.6810 of the Eugene Code, 1971, is amended to provide as follows:

9.6810 Block Length.

(4) Block length may be adjusted in accordance with EC 9.8030(29) for applications proposing housing to be reviewed with clear and objective approval criteria.

Section 36. Subsection (2)(i) of Section 9.6815 of the Eugene Code, 1971, is amended to provide as follows:

9.6815 Connectivity for Streets.

(2) *Street Connectivity Standards.*

(i) Street connectivity standards may be adjusted in accordance with EC 9.8030(29) for applications proposing housing to be reviewed with clear and objective approval criteria.

Section 37. Subsection (6) of Section 9.6820 of the Eugene Code, 1971, is amended to provide as follows:

9.6820 Cul-de-Sacs or Emergency Vehicle Turnarounds.

(6) Cul-de-sacs or emergency vehicle turnarounds standards may be adjusted in accordance with EC 9.8030(29) for applications proposing housing to be reviewed with clear and objective approval criteria.

Section 38. Section 9.8030 of the Eugene Code, 1971, is amended by amending subsection (10)(a); deleting subsections (10)(a)1. through (10)(a)4.; adding new subsections (10)(a)1. through (10)(a)3.; deleting subsection (10)(d); renumbering subsection (10)(e) as (10)(d); amending subsection (29); and deleting subsection (38) as follows:

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.

(10) *Motor Vehicle Parking and Loading Standards Adjustment.* Where this land use code provides that the motor vehicle parking standards may be adjusted, the standards may be adjusted upon finding the applicable corresponding criteria are met.

(a) *Maximum Number of Off-Street Parking Spaces.* Except within a /TD Overlay Zone, an adjustment that approves installation up to 120 percent of the maximum spaces permitted by EC 9.6410(2), Maximum Number of Off-Street Parking Spaces, may be allowed, if all of the following criteria are met:

1. Additional parking is necessary to meet the parking demand for a specific use as demonstrated by a parking- traffic study prepared by a traffic engineer.
2. At least 60 percent of the parking lot is allocated and striped for compact cars; or the tree canopy coverage of all surface area parking, as calculated at EC 9.6420(4)(a)2. is equal to or greater than 50% and meets the requirements of EC 9.6420(4)(a)2.
3. A proposed Transportation Demand Management (TDM) Program has been approved by the city that contains strategies for reducing vehicle use and parking demand generated by the development and establishes benchmarks by which the program's effectiveness will be measured annually.

(d) *Special Event Permanent Parking Facilities.* The standards of EC 9.6435 for permanent parking facilities for special events may be adjusted provided the proposal results in the development of attractive, safe, and efficient special event parking areas.

(29) *Street Standards Adjustment.* Where this land use code provides that street standards may be adjusted, the standards may be adjusted upon a demonstration by the applicant that the requested adjustment is consistent with the following:

(a) The applicant has submitted a report prepared by an Oregon licensed civil engineer that demonstrates it is not technically or financially feasible to construct the street in accordance with adopted plans and policies, and the adopted "Design Standards and Guidelines for Eugene Streets, Sidewalks, Bikeways, and Accessways."

- (b) The adjustment is necessary due to at least one of the following conditions:
1. Existing on-site or off-site geologic or topographic conditions, or existing wetlands designated for protection by the City of Eugene; or
 2. Existing development on lands abutting the development site.

Section 39. Section 9.8615 of the Eugene Code, 1971, is amended by deleting subsection (3) and renumbering subsections (4) through (16) to provide as follows:

9.8615 Temporary Manufactured Dwelling Hardship Permit Approval Criteria.

A temporary manufactured dwelling hardship permit shall be granted if all of the following are met:

- (3) The temporary manufactured dwelling is limited to a single-wide manufactured dwelling with no more than two bedrooms.
- (4) The temporary manufactured dwelling must be set back a minimum of 10 feet from the primary dwelling and all interior property lines.
- (5) The temporary manufactured dwelling must be located to the rear of the primary dwelling unit (except on corner lots).
- (6) A pedestrian and vehicular access drive to the temporary manufactured dwelling (capable of supporting the weight of emergency vehicles) shall be maintained for the purposes of emergency access and future removal of the manufactured dwelling.
- (7) The placement of the temporary manufactured dwelling shall not require a permanent foundation, filling, or grading.
- (8) The temporary manufactured dwelling must be screened from abutting properties with a 75 percent opaque site-obscuring fence, wall, or vegetation 6 feet in height. This requirement can be met by existing or new materials.
- (9) The temporary manufactured dwelling must be equipped with skirting that in design, color, and texture appears to be an integral part of the adjacent exterior wall of the manufactured dwelling.
- (10) The temporary manufactured dwelling must be connected to an on-site sewer system serving an existing dwelling on the same lot.
- (11) Construction and installation of plumbing, gas, piping, electrical equipment, wiring, tie-downs, over-the-top ties, and skirting must comply with all applicable federal, state and local rules and regulations.

(12) Temporary manufactured dwellings must comply with the solar access setback standards with respect to structures on adjacent lots.

(13) The temporary manufactured dwelling must comply with all applicable federal, state, and local special flood hazard area rules and regulations.

(14) Within 60 days of the date that the hardship for which a temporary manufactured dwelling hardship permit has been issued ceases, the temporary manufactured dwelling must be disconnected from the sewer system and all utilities, and removed from the lot.

(15) The temporary manufactured dwelling must be a manufactured home or a mobile home as defined in section 9.0500.

Section 40. Section 9.9500 of the Eugene Code, 1971, is amended to provide as follows:

9.9500 Adopted Plan Policies.

(1) The adopted plan policies set forth in the sections beginning at EC 9.9500 shall be used when applicable for purposes of evaluating applicable adopted plan policies pertaining to subdivisions, partitions, and site review.

(2) In accordance with Metro Plan Policy A.9, a maximum residential density established by an adopted plan policy set forth in EC 9.9500 through EC 9.9710 may not be applied to an application proposing middle housing. For purposes of this section, a maximum residential density includes but is not limited to, a minimum lot size requirement, a limit on the number of dwelling units per acre, or another similar regulation that has the effect of limiting residential density.

(3) References to “adequate” or “sufficient” off-street parking in an adopted plan policy set forth in EC 9.9500 through EC 9.9710 means the amount of off-street parking as determined by the property owner or developer consistent with the requirements of this code and applicable state law.

Section 41. Notwithstanding the provisions of any uncodified ordinance or final land use decision establishing an H-Historic District or an S-H Historic Special Area Zone, minimum off-street parking requirements are not applicable to properties located within an H-Historic District or an S-H Historic Special Area Zone.

Section 42. The findings set forth in Exhibit C attached to this Ordinance are adopted as findings in support of this Ordinance.

Section 43. If any section, subsection, sentence, clause, phrase, or portion of this Ordinance is for any reason held invalid or unconstitutional by the Oregon Land Use Board of Appeals or a court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision and such holding shall not affect the validity of the remaining portions hereof. Further, if this Ordinance is remanded back to the City Council for further action by the Oregon Land Use Board of Appeals or a court of competent jurisdiction, those sections, subsections, sentences, clauses, phrases, or portions that do not require action on remand shall be deemed separate, distinct, and independent provisions and such remand shall not affect their validity or effect.

Section 44. This Ordinance shall take effect pursuant to Section 32 of the Eugene Charter 2002, or on December 31, 2023, whichever is later.

Passed by the City Council this

13th day of November, 2023



City Recorder

Approved by the Mayor this

14 day of November, 2023



Mayor

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

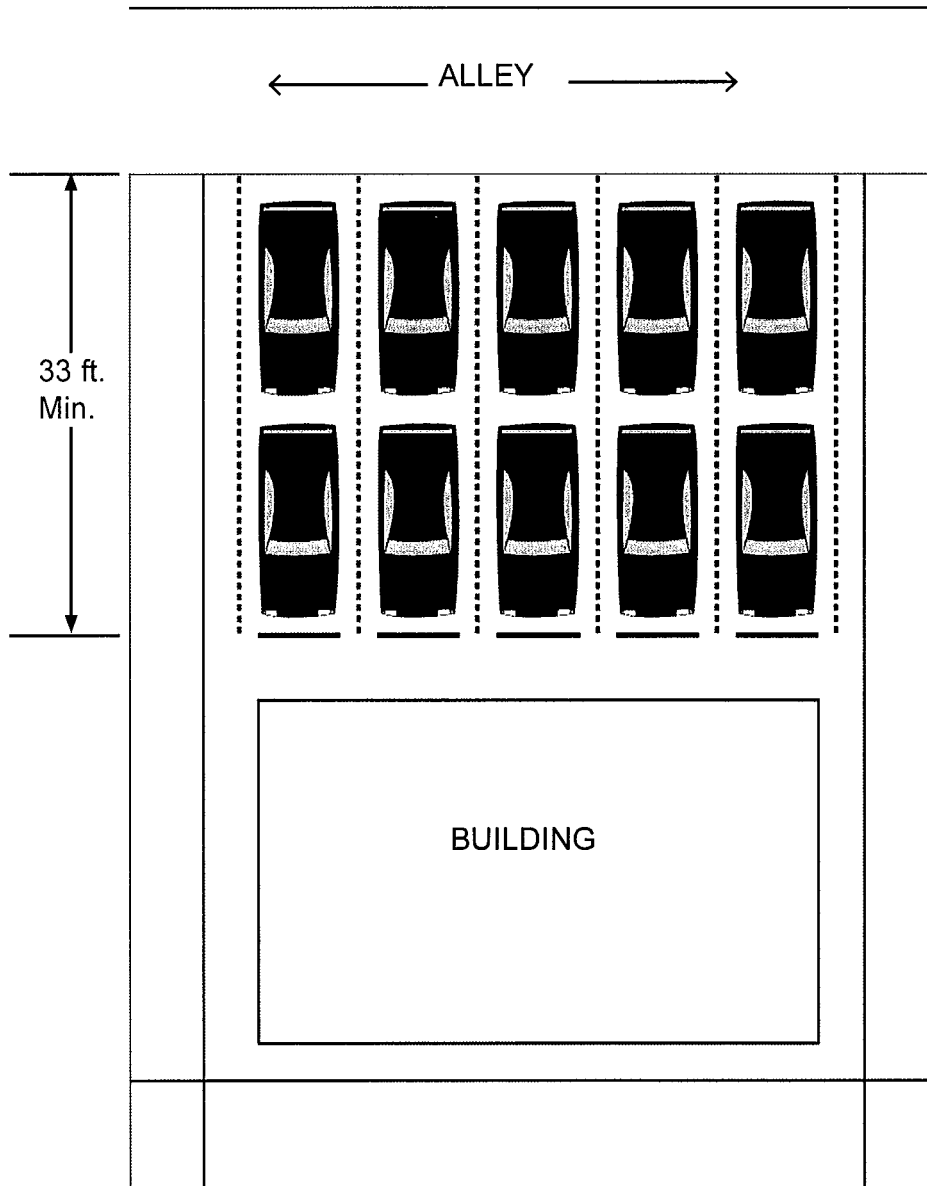
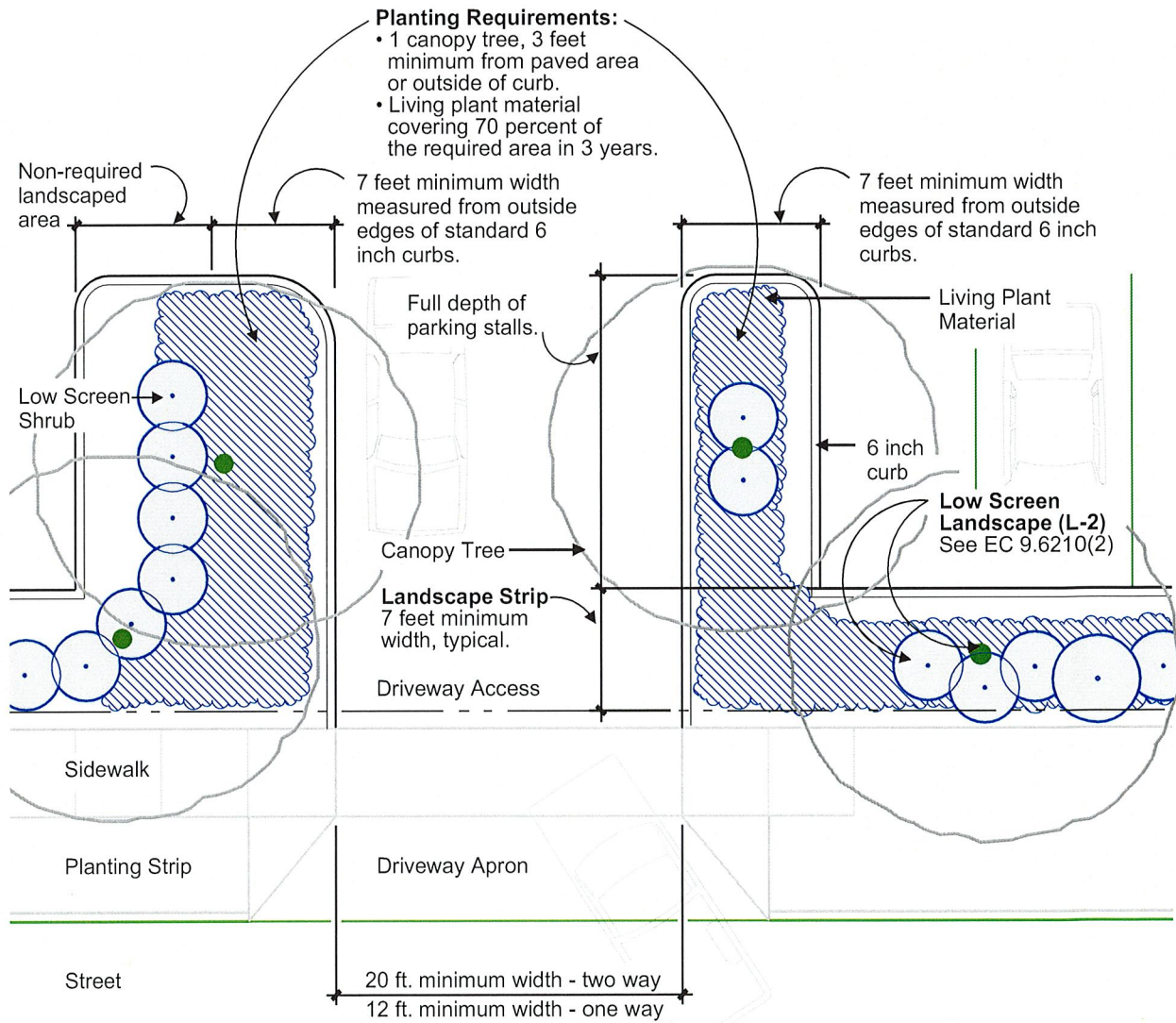


Figure 9.6420(3)(c)2

Parking Area Landscaping Along a Driveway Entrance



City of Eugene

Climate-Friendly & Equitable Communities Parking Reform Land Use Code Amendments (CA 23-1)

LEGISLATIVE FINDINGS

Introduction/Overview

The Climate-Friendly & Equitable Communities (CFEC) Parking Reform Land Use Code Amendment project is intended to update Eugene's land use code to comply with the State of Oregon's CFEC rules regarding off-street parking regulations and requirements.

In March 2020, Governor Kate Brown issued an Executive Order directing state agencies to take actions to reduce and regulate greenhouse gas emissions and mitigate the impacts of climate change while also centering the needs of Oregon's most vulnerable communities. The Executive Order articulates that it is intended to help advance the state's adopted goal of reducing greenhouse gas emissions 75 percent below 1990 levels by 2050, while also increasing participation and engagement opportunities for underserved communities that have historically experienced discrimination and racism in land use and transportation planning policies and decisions throughout the state. In response, the Oregon Land Conservation and Development Commission adopted the CFEC administrative rules, located in Chapter 660, division 12 of the Oregon Administrative Rules, that articulate required changes to local transportation and housing planning systems.

CFEC Parking Reform Land Use Code Amendments (CA 23-1):

The proposed changes to the City's land use code ("CFEC Parking Reform Land Use Code Amendments" or "the amendments") will eliminate minimum off-street parking requirements City-wide, require the installation of canopy trees or solar charging panels for large parking areas, impose off-street parking maximums in certain circumstances, and require installation of electric vehicle charging conduit for 40% of off-street parking spaces in multi-unit and mixed-use developments that include five or more dwelling units. The amendments also include other changes as needed to implement the CFEC Rules and to clarify definitions and development standards for off-street parking areas.

CFEC Parking Reform Land Use Code Amendment Findings

Eugene Code (EC) Section 9.8065 sets out the following approval criteria (in ***bold and italic***) for a land use code amendment.

EC 9.8065(1) The amendment is consistent with applicable statewide planning goals adopted by the Land Conservation and Development Commission.

Based on the findings under each of the Statewide Planning Goals 1 through 19 below, the amendments are consistent with the goals and this criterion is satisfied.

Statewide Planning Goals

Goal 1 - Citizen Involvement. To develop a citizen involvement program that insures the opportunity for citizens to be involved in all phases of the planning process.

The City's acknowledged procedures for adoption of legislative land use decisions, located in EC 9.7050 and 9.7500 through 9.7560, ensure the opportunity for community members to be involved in all phases of the legislative land use decision process and set out the requirements for such involvement. The CFEC Parking Reform Land Use Code Amendments ("the amendments") do not amend or change the City's adopted citizen involvement program. The process for adoption of the CFEC Parking Reform Land Use Code Amendments complies with Goal 1 because it is consistent with the City's acknowledged procedures for legislative land use decisions.

In addition to compliance with the City's acknowledged legislative land use decision procedures, the City also conducted significant public involvement related to the amendments. To provide more opportunities for meaningful and inclusive public engagement than would have been achievable under the original parking reform adoption deadline of June 30, 2023, staff applied for and received a six-month timeline extension from the Oregon Department of Land Conservation and Development (DLCD). The new DLCD-approved December 31, 2023, deadline for compliance specifically provided for additional time for public engagement. As noted in the City's timeline extension request, the focus of the outreach was intended to be on centering the voices of underserved populations and distributing information about the City's options for compliance with the CFEC Rules broadly across the community.

To that end, from March through May of 2023, the City hosted nine individual stakeholder interviews, facilitated small group conversations with 62 participants, facilitated discussions with people at two tabling events attended by 180+ participants, hosted a virtual information session with 18 participants, and collected 437 online survey responses. Public engagement included proactive outreach to Black, Indigenous, and other communities of color, the LGBTQ+ community, Spanish speaking residents, people experiencing disabilities, neighborhood groups, and groups affiliated with affordable housing, transportation, environment, and development.

As discussed below, notices of the proposed Code Amendments were provided in accordance with EC 9.7520 Public Hearing Notice (Planning Commission) and EC 9.7545 Public Hearing Notice (City Council). Notice of the public hearings was provided to Eugene neighborhood organizations, the Oregon Department of Land Conservation and Development, Lane County, the City of Springfield, and other community groups and interested parties who have requested notice. Notice of the public hearings was also published in the Register Guard according to Eugene Code requirements.

In addition to the required noticing, information about the project, including the public hearing process, was published on the project website and was highlighted in the June edition of the EUG Planning Newsletter, an e-newsletter which is sent to nearly 18,000 subscribers, and News to Build On, the Building and Permit Services e-newsletter that goes out to over 900 subscribers. Additionally, informational emails and courtesy hearings notices were sent out to stakeholders and community members who participated

in the public engagement process, including those who attended the public webinar, partners roundtables, stakeholder interviews, ADA focus group and the BIPOC/LGBTQ+ event.

On May 23, 2023, the City provided notice of the proposed CFEC Parking Reform Land Use Code Amendments to DLCD. A public hearing conducted by the Planning Commission was held on June 11, 2022. Notice of the public hearing was sent in accordance with Type V notice procedures referenced above, on May 23, 2023. Following deliberations, the Planning Commission voted to recommend that the City Council approve the CFEC Parking Reform Code Amendments on August 1, 2023.

These processes afforded ample opportunity for citizen involvement consistent with Goal 1. Therefore, the amendments are 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.

Eugene's land use code specifies the formal adoption procedures and approval criteria that were used in considering the CFEC Parking Reform Land Use Code Amendments. These findings and the record show that there is an adequate factual basis for the Code Amendments. The Goal 2 coordination requirement is met when the City engages in an exchange, or invites such an exchange, between the City and any affected governmental unit and when the City uses the information obtained in the exchange to balance the needs of citizens.

To comply with the Goal 2 coordination requirement, the City engaged in an exchange about the subject of these amendments with affected governmental units. Specifically, the City provided notice of the proposed action and opportunity to comment to the Oregon Department of Land Conservation and Development (DLCD), Lane County, and the City of Springfield. There are no exceptions to Statewide Planning Goal 2 required for the CFEC Parking Reform Code Amendments. Therefore, the amendments are consistent with Statewide Planning Goal 2.

Goal 3 - Agricultural Land: To preserve and maintain agricultural lands.

The CFEC Parking Reform Land Use Code Amendments will only affect properties located within the City of Eugene and therefore do 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, the code amendments do not force a discontinuance of agricultural practices. For these reasons, the amendments are consistent with Statewide Planning Goal 3.

Goal 4 - Forest Land: To conserve forest lands.

The CFEC Parking Reform Land Use Code Amendments will only affect properties located within the City of Eugene and therefore do not affect any lands designated by the comprehensive plan for forest use. The amendments are therefore consistent with Statewide Planning Goal 4.

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

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

- (a) The PAPA creates or amends a resource list or a portion of an acknowledged plan or land use regulation adopted in order to protect a significant Goal 5 resource or to address specific requirements of Goal 5;*
- (b) The PAPA allows new uses that could be conflicting uses with a particular significant Goal 5 resource site on an acknowledged resource list; or*
- (c) The PAPA amends an acknowledged UGB and factual information is submitted demonstrating that a resource site, or the impact areas of such a site, is included in the amended UGB area.*

These CFEC Parking Reform Land Use Code Amendments do not create or amend the City's list of Goal 5 resources, do not amend a code provision adopted in order to protect a significant Goal 5 resource or to address specific requirements of Goal 5, do not allow new uses that could be conflicting uses with a significant Goal 5 resource site and do not amend the acknowledged urban growth boundary. Therefore, the proposed amendments are consistent with Statewide Planning 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.

Goal 6 addresses waste and process discharges from development, and is aimed at protecting air, water, and land from impacts from those discharges. The CFEC Parking Reform Land Use Code Amendments do not affect the City's ability to provide for clean air, water or land resources. Additionally, the amendments are required by and implement the CFEC Rules which are intended to reduce greenhouse gases, which will help maintain and improve air quality. Therefore, the amendments are consistent with Statewide Planning Goal 6.

Goal 7 - Areas Subject to Natural Disasters and Hazards: To protect life and property from natural disasters and hazards.

Goal 7 requires that local government planning programs include provisions to protect people and property from natural hazards such as floods, landslides, wildfires and earthquakes and related hazards. The CFEC Parking Reform Land Use Code Amendments do not make changes to policies or regulations that protect people and property from natural hazards. Therefore, the amendments are 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.

Goal 8 ensures that recreational facilities are provided to Oregon citizens and is primarily concerned with the provision of recreational facilities in non-urban areas of the state. The CFEC Parking Reform Land Use Code Amendments do not affect the City's provisions for, or citizen's access to, recreation areas, facilities,

or recreational opportunities. Therefore, the amendments are consistent with Statewide Planning Goal 8.

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

Goal 9 requires cities to evaluate the supply and demand of commercial land relative to community economic objectives. The CFEC Parking Reform Land Use Code Amendments, which will apply only within the City, will not rezone or re-designate any properties, and do not impact the supply of industrial or commercial lands. In addition, by eliminating off-street parking requirements, the amendments allow owners of commercially and industrially zoned property to dedicate more of their property to commercial and industrial facilities as opposed to surface parking. Therefore, the amendments are consistent with Statewide Planning Goal 9.

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

Goal 10 requires the City to provide an adequate supply of buildable land to accommodate the City's estimated housing needs for a 20-year planning period. The *Envision Eugene Residential Land Supply Study (2012-2032)* was adopted by the City of Eugene in 2017 as a refinement of the *Envision Eugene Comprehensive Plan* and complies with the requirements of Goal 10 and Chapter 660, Division 008 of the Oregon Administrative Rules.

The *Envision Eugene Residential Land Supply Study* includes an inventory of buildable lands for residential use. According to the Residential Land Supply Study, there is sufficient buildable residential land to meet the identified land need. The CFEC Parking Reform Land Use Code Amendments do not impact the City's supply of residential buildable land. No land is being re-designated from a residential use to a non-residential use, and the amendments do not otherwise diminish the amount of land available for residential use.

Goal 10 also requires the City to conduct a Housing Needs Analysis (HNA) to assess whether the City's estimated housing needs for a 20-year planning period can be satisfied. The *Envision Eugene Residential Land Supply Study* includes an HNA that forecasts that Eugene's population will increase by 33,778 people between 2012 and 2032. Based on the HNA analysis, Eugene will need 15,105 dwellings to accommodate this growth.

The CFEC Parking Reform Land Use Code Amendments do not impact the City's supply of residential buildable land. The Code Amendments do not include any amendments to plan designations, existing zoning, or the City's adopted buildable lands inventory. No land is being rezoned or re-designated from a residential use to a non-residential use, and the code amendments do not otherwise diminish the amount of land available for residential use. Rather, the CFEC Parking Reform Land Use Code Amendments are intended to reduce barriers to the development of housing by removing requirements to provide a minimum number of off-street parking spaces. In addition, by eliminating off-street parking requirements, the amendments allow owners of residentially zoned property to potentially dedicate more of their property to units of housing as opposed to surface parking.

For all the reasons outlined above, the amendments are consistent with Statewide Planning Goal 10.

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

The CFEC Parking Reform Land Use Code Amendments do not affect the planning or development of future public facilities or services. The code amendments do not make changes to the City's provision of public facilities and services or to the currently adopted Eugene/Springfield Public Facilities and Services Plan (PFSP). Consistent with the PFSP, the City will continue to plan and develop public facilities to support the land uses designated in the City's acknowledged comprehensive plan. The amendments do not change the allowed uses or densities for any properties within the City and therefore the amendments will not result in an increase in demand on the City's public facilities and services. By removing off-street parking requirements, the amendments may allow more units of housing or additional commercial or industrial facilities to be developed on properties zoned and designated for those uses; however, the additional development must still comply with the property's allowed density and all other applicable development standards. Therefore, the amendments are consistent with Statewide Planning Goal 11.

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

Goal 12 is implemented through the Transportation Planning Rule (TPR), OAR Chapter 660, Division 12. Eugene's 2035 Transportation System Plan provides the policy framework through which the TPR is implemented at the local level. The TPR includes the following requirements at 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 TPR requires that land use changes that would significantly affect a transportation facility provide mitigation measures to address the anticipated impacts. The CFEC Parking Reform Land Use Code Amendments will not significantly affect a planned or existing transportation facility, and no changes to existing, adopted land use designations or zoning of properties are proposed. The amendments will not change the functional classification of an existing or planned transportation facility, nor change any standards implementing a functional classification system. Further, because the amendments do not alter or affect the land uses allowed, the amendments will not result in levels of travel or access which are inconsistent with the functional classification of an existing or planned transportation facility or degrade the performance standards of an existing or planned transportation facility so that it will not meet the performance standards identified in the City's adopted transportation system plan.

The CFEC Rules also include specific requirements under the TPR for off-street parking reforms. The following findings address those specific requirements under OAR 660-012-0012 in more detail with respect to the CFEC Parking Reform Land Use Code Amendments.

OAR 660-012-0012(4)(f): "Cities and counties shall adopt comprehensive plan amendments and land use regulations meeting requirements provided in OAR 660-012-0400, OAR 660-012-0405, and OAR 660-012-0415 through OAR 660-012-0450 no later than June 30, 2023, except as provided below. If a city or county has not done so, it may not apply parking mandates after that date."

OAR 660-012-0012(3): "Cities, counties, or Metro may choose to propose alternative dates in lieu of the effective dates or deadlines in section (4) of this rule."

The City of Eugene applied for and received approval for an alternative date of December 31, 2023, to comply with the requirements in OAR 660-012-0012(4)(f).

OAR 660-012-0400(3): "Cities and counties shall remove parking mandates as directed under OAR 660-012-0420. In lieu of removing parking mandates, cities and counties may amend their comprehensive plans and land use regulations to implement the provisions of OAR 660-012-0425, OAR 660-012-0430, OAR 660-012-0435, OAR 660-012-0440, OAR 660-012-0445, and OAR 660-012-0450."

The CFEC Parking Reform Land Use Code Amendments remove parking mandates as directed under OAR 660-012-0420, therefore the City is not required to implement the provisions of OAR 660-012-0425, OAR 660-012-0430, OAR 660-012-0435, OAR 660-012-0440, OAR 660-012-0445, and OAR 660-012-0450.

OAR 660-012-0405: Parking Regulation Improvements

(1) Cities and counties shall adopt land use regulations as provided in this section:

(a) Designated employee parking areas in new developments shall provide preferential parking for carpools and vanpools;

(b) Property owners shall be allowed to redevelop any portion of existing off-street parking areas for bicycle-oriented and transit-oriented facilities, including bicycle parking, bus stops and pullouts, bus shelters, park and ride stations, and similar facilities; and

(c) In applying subsections (a) and (b), land use regulations must allow property owners to go below existing mandated minimum parking supply, access for emergency vehicles must be retained, and adequate parking for truck loading should be considered.

(2) Cities and counties shall adopt policies and land use regulations that allow and encourage the conversion of existing underused parking areas to other uses.

(3) Cities and counties shall adopt policies and land use regulations that allow and facilitate shared parking.

(4) Cities and counties shall adopt land use regulations for any new development that includes more than one-half acre of new surface parking on a lot or parcel as provided below:

(a) Developments must provide one of the following:

(A) Installation of solar panels with a generation capacity of at least 0.5 kilowatt per new parking space. Panels may be located anywhere on the property. In lieu of installing solar panels on site, cities may allow developers to pay \$1,500 per new parking space in the development into a city or county fund dedicated to equitable solar or wind energy development or a fund at the Oregon Department of Energy designated for such purpose;

(B) Actions to comply with OAR 330-135-0010; or

(C) Tree canopy covering at least 40 percent of the new parking lot area at maturity but no more than 15 years after planting.

(b) Developments must provide either trees along driveways or a minimum of 30 percent tree canopy coverage over parking areas. Developments are not required to provide trees along drive aisles. The tree spacing and species planted must be designed to maintain a continuous canopy, except when interrupted by driveways, drive aisles, and other site design considerations; and

(c) Development's must provide pedestrian facilities between building entrances and pedestrian facilities in the adjacent public right-of-way.

(d) Development of a tree canopy plan under this section shall be done in coordination with the

local electric utility, including pre-design, design, building, and maintenance phases.

(e) In providing trees under subsections (a) and (b) the following standards shall be met. Trees must be planted and maintained to maximize their root health and chances for survival, including having ample high-quality soil, space for root growth, and reliable irrigation according to the needs of the species. Trees should be planted in continuous trenches where possible. The city or county shall have minimum standards for planting and tree care no lower than 2021 American National Standards Institute A300 standards, and a process to ensure ongoing compliance with tree planting and maintenance provisions.

(5) Cities and counties shall establish off-street parking maximums in appropriate locations, such as downtowns, designated regional or community centers, and transit-oriented developments.

The CFEC Parking Reform Land Use Code Amendments implement the requirements in OAR 660-012-0405 by including the required parking regulation improvements, eliminating minimum off-street parking requirements City-wide, requiring the installation of canopy trees or solar charging panels for large parking areas, and by establishing off-street parking maximums City-wide.

OAR 660-012-0410(3): "As authorized in ORS 455.417(4), for new multifamily residential buildings with five or more residential dwelling units, and new mixed-use buildings consisting of privately owned commercial space and five or more residential dwelling units, cities shall require the provision of electrical service capacity, as defined in ORS 455.417, to accommodate 40 percent of all vehicle parking spaces."

The CFEC Parking Reform Land Use Code Amendments implement the requirements of ORS 445.417 for multi-unit and mixed-use developments with five or more dwelling units, by requiring that 40 percent of all vehicle parking spaces associated with those uses be serviced by electric vehicle charging conduit, in compliance with OAR 660-012-0410(3).

OAR 660-012-0415: Parking Maximums and Evaluation for More Populous Communities

(1) Cities with populations over 100,000, counties with populations over 100,000 outside city limits but within the urban growth boundary, and cities with populations over 25,000 within the Portland Metropolitan Area, shall set parking maximums in climate-friendly areas and in regional centers and town centers, designated under the Metro Title 6, Centers, Corridors, Station Communities and Main Streets, Adopted Boundaries map. Those cities and counties shall also set parking maximums on lots or parcels within the transit corridors and rail stop areas listed in OAR 660-012-0440.

(a) Parking maximums shall be no higher than 1.2 off-street parking spaces per studio unit and two off-street parking spaces per non-studio residential unit in a multi-unit development in climate-friendly areas and within one-half mile walking distance of priority transit corridors. These maximums shall include visitor parking;

(b) Parking maximums shall be no higher than five spaces per 1,000 square feet of floor space for all commercial and retail uses other than automobile sales and repair, eating and drinking establishments, and entertainment and commercial recreation uses;

(c) For land uses with more than 65,000 square feet of floor area, surface parking may not consist of more area than the floor area of the building; and

(d) Non-surface parking, such as tuck-under parking, underground and subsurface parking, and parking structures may be exempted from the calculations in this section.

The CFEC Parking Reform Land Use Code Amendments comply with the requirements in OAR 660-012-0415 by setting appropriate off-street parking maximums City-wide and ensuring that land uses with more than 65,000 square feet of floor area are limited to no more surface parking area than the floor area of the buildings on site. The code amendments exempt structured parking from these calculations in accordance with the OAR 660-012-0405(1)(d).

Therefore, the CFEC Parking Reform Land Use Code Amendments are consistent with Statewide Planning Goal 12.

Goal 13 - Energy Conservation: To conserve energy.

Goal 13 provides guidance on the management of land and land uses to maximize the conservation of energy. The CFEC Parking Reform Land Use Code Amendments would eliminate minimum off-street parking requirements citywide, require the installation of tree canopy or solar panels for larger parking areas, impose off-street parking maximums in certain circumstances, and require installation of electric vehicle charging conduit for 40% of off-street parking spaces in multi-unit and mixed-use developments that include five or more dwelling units. Therefore, the amendments are consistent with Statewide Planning Goal 13.

Goal 14 - Urbanization: To provide for an orderly and efficient transition from rural to urban land use.

The CFEC Parking Reform Land Use Code Amendments are specific to land already zoned and designated for urban uses. The amendments do not affect the transition from rural to urban land uses, as all the property affected by the amendments is located within the City limits. The CFEC Parking Reform Code Amendments are therefore consistent with Statewide Planning Goal 14.

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 CFEC Parking Reform Code Amendments do not contain any changes to the City's Willamette River Greenway regulations; therefore, Statewide Planning Goal 15 does not apply.

Goal 16 through 19 (Estuarine Resources, Coastal Shorelands, Beaches and Dunes. and Ocean Resources):

There are no coastal, ocean, estuarine, or beach and dune resources related to the lands affected by CFEC Parking Reform Land Use Code Amendments. Therefore, these goals are not relevant, and the

amendments will not affect compliance with Statewide Planning Goals 16 through 19.

EC 9.8065(2): [The amendments are] consistent with applicable provisions of the comprehensive plan and applicable adopted refinement plans.

The following findings address relevant portions of the City's comprehensive plan, specifically including adopted policies and relevant text from the *Eugene-Springfield Metropolitan Area General Plan (Metro Plan)*, the adopted and acknowledged regional comprehensive plan, the *Envision Eugene Comprehensive Plan (Envision Eugene)*, the Eugene-specific adopted and acknowledged comprehensive plan, the *Eugene 2035 Transportation System Plan (2035 TSP)*, the transportation element of Eugene's comprehensive land use plan, and applicable adopted refinement plans.

Eugene-Springfield Metropolitan Area General Plan (Metro Plan)

The *Eugene-Springfield Metropolitan Area General Plan (Metro Plan)* functions as a component of the City's overall comprehensive plan and addresses a variety of land use planning responsibilities that remain regional in nature between Lane County, Springfield and Eugene. To the extent that the following policies include considerations or requirements relevant to the CFEC Parking Reform Land Use Code Amendments, those policies are addressed with further findings below. As these findings demonstrate, the amendments are consistent with, and supported by, the applicable provisions of the *Metro Plan*.

Metro Plan Policies

Residential Land Use and Housing Element

A.10 Promote higher residential density inside the UGB that utilized existing infrastructure, improves the efficiency of public services and facilities, and conserves rural resource lands outside the UGB.

A.17 Provide opportunities for a full range of choice in housing type, density, size, cost, and location.

The CFEC Parking Reform Land Use Code Amendments remove minimum off-street parking requirements City-wide. Requiring that residentially zoned land be devoted to off-street parking limits options for the development and redevelopment of such parcels. Additionally, removing off-street parking requirements City-wide allows for higher density developments that utilize existing infrastructure and provides opportunities for a full range of choice in housing, density, size, cost, and location. The amendments do not change the total allowed density on any property; however, by removing off-street parking requirements, the amendments may allow for additional units of housing to be developed on a property (in the area where surface parking would previously have been required), consistent with the allowed density for the property and all other applicable development standards.

Environmental Design Element

E.3 The planting of street trees shall be strongly encouraged, especially for all new developments and redeveloping area (where feasible) and new streets and reconstruction of major arterials within the UGB.

E.8 Site planning standards developed by local jurisdictions shall allow for flexibility in design that

will achieve site planning objectives while allowing for creative solutions to design problems.

In order to comply with the CFEC Rules, the amendments include requirements to provide canopy tree coverage or solar panels for new large parking areas (more than ½ acre in size). Additionally, the removal of off-street parking requirements allows for more flexibility in design, in which may allow property owners and developers to choose to retain trees or other open areas on a site that would have previously been used to meet mandatory off-street parking requirements.

Transportation Element

F.7 Increase the use of motor vehicle parking management strategies in selected areas throughout the Eugene-Springfield metropolitan area.

The removal of off-street parking requirements will allow property owners and developers to determine the appropriate amount of off-street parking to provide based on site design, customer base, and other market demands. The City already implements parking management strategies such as metered parking, and commercial and residential parking permits. The amendments do not make changes to any of the City's parking management programs, nor do they regulate the or prohibit the creation or adoption of new parking management strategies or areas.

Based on the findings provided above, the amendments are consistent with and supported by the applicable provisions of the *Metro Plan*.

Envision Eugene Policies

Overall Economic Development Objectives

3.6 Responsible economic development. Support economic development initiatives that reflect long-term priorities, improve community resilience to climate change and natural hazards, improve energy efficiency or reduce greenhouse gas emissions, and enhance opportunities to borrow, rent, or otherwise make better use of underutilized public and private assets.

As addressed in the findings regarding Goal 9 above and incorporated herein, the CFEC Parking Reform Land Use Code Amendments support economic development by removing minimum off-street parking requirements, allowing for property owner and developers to better utilize public and private assets. As addressed in the findings regarding Goal 13, and incorporated herein, the canopy tree or solar panel requirements for new large parking areas will improve community resilience to climate change, improve energy efficiency, and reduce greenhouse gas emissions. Therefore, the amendments are consistent with and supported by the applicable *Envision Eugene* policies.

Eugene 2035 Transportation System Plan

Transit Policies

1. Promote the use of public transit and the continued development of an integrated, reliable, regional public transportation system.

The proposed amendments will remove minimum off-street parking requirements, which will allow for property owners and/or developers to choose to not provide off-street parking on properties within the City, including property located near public transit lines. Fewer off-street parking choices will likely incentivize community members to use public transit, therefore, the amendments are consistent with and supported by this 2035 TSP transit policy.

Pedestrian Policies

1. *Encourage walking as the most attractive mode of transportation for short trips (e.g., within one half miles) within and to activity centers, downtown, key corridors, and major destinations, and as a means of accessing transit.*

The proposed amendments will remove minimum off-street parking requirements, which will allow for property owners and/or developers to choose to not provide off-street parking on properties within the City, including properties located near activity centers, key corridors, or transit lines. When off-street parking is not provided, people are more likely to walk to their destination. Therefore, the amendments are consistent with and supported by this 2035 TSP pedestrian policy.

The preceding findings demonstrate that the CFEC Parking Reform Code Amendments are consistent with, and supported by, the applicable provisions of the comprehensive plan.

Applicable Refinement Plans

The following findings further demonstrate consistency of the CFEC Parking Reform Land Use Code Amendments with applicable provisions from the City's locally adopted refinement plans. Adopted refinement plans with policies that address off-street motor vehicle parking include the *Downtown Plan, Downtown Riverfront Specific Area Plan, Fairmount/University of Oregon Special Area Study, Jefferson/Far West Refinement Plan, Laurel Hill Plan, 19th Avenue and Agate Special Area Study, River Road-Santa Clara Urban Facilities Plan, Riverfront Park Study, West University Refinement Plan, Westside Neighborhood Plan, and Willakenzie Area Plan*. Each of these refinement plans are addressed in more detail below.

In accordance with the CFEC Rules, the City Council interprets references to "adequate" or "sufficient" off-street parking in any adopted refinement plan to mean "adequate" or "sufficient" off-street parking as determined by the property owner or developer consistent with the requirements of the Eugene Code, 1971 and applicable state law. Therefore, the City Council finds that a development application that is not required by the Eugene Code to include off-street parking and does not propose off-street parking is consistent with refinement plan policies requiring or referencing "adequate" or "sufficient" parking.

Downtown Plan

Building a Downtown

Policy 3. Facilitate downtown development by re-designating and rezoning underutilized properties, such as surface parking lots, to a commercial land use designation and a commercial zone such as C-2 or C-3.

The CFEC Parking Reform Land Use Code Amendments remove minimum off-street parking requirements

City-wide. Without off-street parking requirements property owners and/or developers can choose to devote space that had been used for surface parking lots to other commercial uses. Therefore, the amendments are consistent with, and supported by, this Downtown Plan policy.

Downtown Riverfront Specific Area Plan

Policies

General – *New development shall promote the vision of the Downtown Riverfront as a unique, sustainable neighborhood through the implementation of a network of public and private open space areas that include parks, green infrastructure, urban agriculture, enhanced habitat, gathering spaces, and interpretive sites.*

Urban Design – *New development shall promote an active, diverse, green, mixed-use neighborhood and strive for excellence in site and building design.*

Infrastructure – *Encourage non-vehicular transportation by accommodating multi-modal pedestrian transportation amenities and through the design of a pedestrian-friendly street network.*

Open Space – *Public and private open space areas shall be designed to emphasize connectivity, permeability, diversity, and sustainability.*

The CFEC Parking Reform Land Use Code Amendments remove minimum off-street parking requirements city-wide, and therefore allow property owners and/or developers to choose to provide more open space areas on a development site instead of the off-street parking that was previously required by the land use code. The removal of off-street parking requirements will allow for more flexibility in building and site design, which creates more opportunity and flexibility to design and build more diverse, green, mixed-use neighborhoods, more pedestrian amenities, and more permeable and sustainable open space areas. Therefore, the amendments are consistent with, and supported by, these Downtown Riverfront Specific Area Plan policies.

Fairmount/University of Oregon Special Area Study

Transportation Policies

1. *To reduce reliance on the automobile and the effect of on-street parking and automobile storage, and to encourage increased use of alternative forms of transportation through such means as:

 - a. *maintaining and expanding a system which provides safe and pleasant areas;*
 - b. *providing a bikeway system which is safe and ties in with the rest of the City's system; and*
 - c. *providing convenient public transportation for those who live and work in the area.**

The CFEC Parking Reform Land Use Code Amendments remove minimum off-street parking requirements city-wide. Developments without off-street parking are more likely to attract users and residents who use public transportation, the bikeway system, or other non-vehicular means of transportation, therefore reducing reliance on the automobile. The amendments are consistent with this Fairmount/University of Oregon Special Area Study Transportation policy.

East Campus Area Policies

4. *The City shall encourage the University to develop its high- and medium- density residential units with concern for adequate parking and appropriate parking solutions, regard for landscaping, and consideration of the impact on the rest of the neighborhood.*

The CFEC Parking Reform Land Use Code Amendments remove minimum off-street parking *requirements*, but nothing in the amendments prevents the University from providing off-street parking. Nor do the amendments prevent the City from encouraging the University to develop its high- and medium- density residential units with concern for adequate parking and appropriate parking solutions. The amendments do not apply off-street parking maximums to structured parking which allows the University and others to utilize structured parking as a parking solution. Therefore, the amendments are consistent with this Fairmount/University of Oregon Special Area Study East Campus Area policy.

Parking Policies.

Steps shall be taken to gain better use of existing off-street parking areas and to discourage long-term storage of vehicles on the street. (Policy 1)

The adverse effects of motor vehicle parking shall be mitigated as much as possible. (Policy 3)

Parking systems adopted for any area within the special study area should avoid creating parking problems for any other area or land use of the Fairmount Neighborhood by mitigating parking impacts on the surrounding neighborhood as directed by the City. (Policy 4)

The Council finds that the best use of off-street parking areas is not necessarily motor vehicle parking. In some cases, the best use of off-street parking areas will be another use, such as trees, landscaping, open space, or additional units of housing. The CFEC Parking Reform Land Use Code Amendments remove minimum off-street parking requirements and therefore allow property owners and developers to gain better use of existing off-street parking areas by converting those areas into additional housing or open space, consistent with code requirements and the zoning designation of the property, if they so choose. Additionally, existing parking management strategies have been implemented within the study area to discourage long-term storage of vehicles on the street. The proposed amendments will mitigate the adverse effects of large off-street motor vehicle parking areas by requiring canopy trees or solar panels. The amendments apply City-wide, and therefore do not centralize demand for street parking in any particular area or neighborhood of the City. The amendments are therefore consistent with these Fairmount/University of Oregon Special Area Study policies.

Jefferson/Far West Refinement Plan

Land Use Element, Residential

Encourage a mixture of housing densities and types to allow a diverse population group to live within the area. (Policy 3)

The CFEC Parking Reform Land Use Code Amendments encourage a mixture of housing densities and types by removing minimum off-street parking requirements from the land use code. Minimum off-street parking space requirements often pose an obstacle for infill developments that would provide for a mixture of housing densities and types by requiring that available space be devoted to off-street parking

rather than more residential dwelling units and/or residential amenities. Therefore, the amendments are consistent with, and generally supported by, this Jefferson/Far West Refinement Plan policy.

West 11th Avenue/Garfield Street Commercial Area

The City shall encourage the consolidation of off-street parking, the reduction of access points and, therefore, turning movements, and the grouping of compatible commercial uses.

The CFEC Parking Reform Land Use Code Amendments remove minimum off-street parking requirements city-wide. As a result of the removal of off-street parking requirements, commercial uses will have more flexibility in site design, including the design of off-street parking areas allowing for the reduction of access points and turning movements. Therefore, the amendments are consistent with, and supported by, this Jefferson/Far West Refinement Plan policy.

West Low-Density Residential Area

Promote development of public and quasi-public uses in the area that will minimize conflicts with adjacent residential areas by encouraging shared use of existing parking facilities and allowing inter-agency agreements to account for parking requirements.

The CFEC Parking Reform Land Use Code Amendments remove minimum off-street parking requirements, which will allow for new developments and redevelopments to share the use of existing parking facilities. Nothing in the amendments discourages shared use of existing parking facilities or disallows inter-agency agreements regarding parking requirements. Therefore, the amendments are consistent with, and supported by, this Jefferson/Far West Refinement Plan policy.

The preceding findings demonstrate that the proposed amendments are consistent with, and generally supported by, the Jefferson/Far West Refinement Plan policies.

Laurel Hill Plan

Transportation Policies. All future construction in the Valley or East Laurel Hill shall include adequate off-street parking to accommodate not only permanent residents but a reasonable number of visitors.

As noted previously, and in accordance with the CFEC Rules, the City Council interprets “adequate off-street parking” as used in this Laurel Hill Plan policy to mean the amount of off-street parking as determined by the property owner or developer consistent with the requirements of the Eugene Code, 1971 and applicable state law. Therefore, the amendments are consistent with this Laurel Hill Plan policy.

19th and Agate Special Area Study

19th and Agate Special Area Study and Agate Commercial Area. Allow flexibility in the way required off-street parking is met for businesses in the 19th and Agate Commercial Area. (Policy 2)

The CFEC Parking Reform Land Use Code Amendments remove minimum off-street parking requirements City-wide and allow flexibility for businesses in the 19th and Agate Commercial Area to

provide off-street parking. Therefore, the amendments are consistent with, and generally supported by, this 19th and Agate Special Area Study policy.

River Road-Santa Clara Urban Facilities Plan

Residential Land Use Policies

2.0 Provide a diversity of housing types in the area. Available techniques include encouraging reinvestment and rehabilitation of existing housing stock and the use of development standards that provide for clustering or planned unit development.

Minimum off-street parking space requirements often pose an obstacle for clustered infill developments that would provide for a diversity of housing types by requiring that available space be devoted to off-street parking rather than more residential dwelling units and/or residential amenities. The CFEC Parking Reform Land Use Code Amendments remove minimum off-street parking requirements; therefore, the amendments are consistent with, and supported by, this River Road-Santa Clara Urban Facilities Plan Residential Land Use policy.

Riverfront Park Study

Land Use. Development standards within the SD, Special Development District, applied to the Riverfront Park, shall be designed to: Recognize that proximity to alternative transportation facilities may provide opportunities to reduce parking requirements for certain industrial uses.

The amendments remove minimum off-street parking requirements City-wide and provide opportunities for property owners and developers to reduce the amount of parking provided. Therefore, the amendments are consistent with, and generally supported by this Riverfront Park Study policy.

West University Refinement Plan

Transportation & Parking Policies

- 1. The use of bicycles, mass transit, walking, carpooling, and other appropriate alternative modes of transportation, especially by employees in the plan area, shall be actively encouraged and provided for in order to reduce automobile dependence and alleviate traffic and parking problems.*
- 4. The adverse effects of motor vehicle movement and parking shall be mitigated as much as possible.*
- 6. Steps shall be taken to gain better usage of existing off-street parking facilities in the plan area.*

The CFEC Parking Reform Land Use Code Amendments remove minimum off-street parking requirements city-wide. Fewer off-street parking choices will likely incentivize and encourage community members to use bicycles, public transit, carpools, or walking to get to their destination. The Council finds that the best use of off-street parking areas is not necessarily motor vehicle parking. In some cases, the best use of off-street parking areas will be another use, such as trees, landscaping, open space, or additional units of housing. The amendments will allow property owners and developers to gain better use of existing off-street parking areas by converting those areas into additional housing or open space, consistent with code requirements and the zoning and designation of the property, if they so choose. The City already implements parking management strategies such as metered parking, and commercial and residential parking permits, in order to mitigate the effects of parking. The amendments do not make changes to any

of the City's parking management programs, nor do they regulate the or prohibit the creation or adoption of new parking management strategies or areas.

Neighborhood Design Policies

2. *Elements that are detrimental to neighborhood identity, character, and livability, such as large parking facilities and the use of motor vehicle, shall be discouraged.*

The CFEC Parking Reform Land Use Code Amendments remove off-street parking requirements and for those owners and/or developers who choose to build large surface parking lots, the amendments require canopy tree coverage or solar panels for new surface parking areas of more than ½ acre in size. Additionally, the removal of off-street parking requirements allows for more flexibility in site design, which may allow property owners and developers to choose to retain trees or other open areas on a site that would have previously been used to meet mandatory off-street parking requirements.

Land Use Policies

3. *The City will update its Land Use Code and that effort shall particularly take into account the need to: review parking requirements for residential development with the purpose of reducing the required number of spaces per unit in the plan area.*

The CFEC Parking Reform Land Use Code Amendments are intended to reduce barriers to the development of housing by removing requirements to provide a minimum number of off-street parking spaces for developments city-wide, including residential developments. In addition, by eliminating off-street parking requirements, the amendments allow owners of residentially zoned property to potentially dedicate more of their property to units of housing as opposed to surface parking.

Therefore, the amendments are consistent with, and supported by, these West University Refinement Plan policies.

Westside Neighborhood Plan

Transportation and Traffic Element Policies

4. *Recognize the negative impacts that insufficient parking in and close to the Westside Neighborhood can have on the vitality of commercial activities and the character of residential areas within the Westside Neighborhood.*
 - 4.1 *Consider the potential impacts changes to the downtown parking program may have on the type and amount of on-street parking in the Westside Neighborhood.*
 - 4.2 *Carefully evaluate parking variances, especially as they might impact the eastern portion of the Westside Neighborhood.*

In accordance with the CFEC Rules, the City Council finds that off-street parking as determined by the property owner or developer consistent with the requirements of the Eugene Code, 1971 and applicable state law constitutes "sufficient" parking. The City already implements parking management strategies such as metered parking, and commercial and residential parking permits in order to mitigate the effects of on-street parking. The CFEC Parking Reform Land Use Code Amendments do not make changes to any of the City's parking management programs, nor do they regulate or prohibit the creation or adoption of new parking management strategies or areas. The amendments do not make changes to any downtown

parking programs. The amendments do not make changes to the process or approval criteria for obtaining a variance to motor vehicle parking standards. Therefore, the amendments are consistent with these Westside Neighborhood Plan policies.

Willakenzie Area Plan

Land Use Policies and Proposed Actions

Policy 3. Retain existing significant vegetation whenever possible to provide buffering between residential and nonresidential uses, as well as between low-density and higher density residential uses.

General Commercial and Industrial Policies and Proposed Actions

Policy 1.2. Amend code provisions for parking lot buffering to provide for a more effective means of screening parking and on-site circulation from view.

The CFEC Parking Reform Land Use Code Amendments add to the existing landscaping and buffering requirements in the City's land use code for off-street parking areas, by providing additional standards for canopy tree coverage or solar panels for new large parking areas. Additionally, the removal of minimum off-street parking requirements will allow more flexibility to retain existing vegetation which often would be removed to make room for the required off-street parking. Therefore, the amendments are consistent with, and generally supported by, these Willakenzie Area Plan policies.

EC 9.8065(3): In the case of establishment of a special area zone, [the amendments are] consistent with EC 9.3020 Criteria for Establishment of an S Special Area Zone.

The CFEC Parking Reform Land Use Code Amendments do not establish a special area zone. Therefore, this criterion does not apply.



Memorandum

Date: November 14, 2023

To: Katie LaSala, City Recorder

From: Lauren A. Sommers, Assistant City Attorney

LAS

Subject: Correction to Ordinance No. 20699

It has come to our attention that a reference error exists in EC 9.6420 as amended by Ordinance No. 20699, which was adopted on November 13, 2023. Specifically, subsection (4)(d)3.**d.** was erroneously numbered as (4)(d)3.**e.** Please effect a scrivener error correction to renumber EC 9.6420(4)(d)3.**e.** as 9.6420(4)(d)3.**d.**

Please attach a copy of this memo to Ordinance No. 20699.



Memorandum

Date: February 21, 2024
To: Katie LaSala, City Recorder
From: Lauren A. Sommers, Assistant City Attorney *LAS*
Subject: Corrections to Ordinance No. 20699

It has come to our attention that transcription and reference errors exist in certain Eugene Code sections that were amended by Ordinance No. 20699, which was adopted on November 14, 2023, and took effect on December 31, 2023.

Please effect the following scrivener error corrections:

1. In EC 9.3165(1)(a) and (b) (Section 11 of the Ordinance), two paragraphs were erroneously combined into one when creating the clean version of the Ordinance. Please correct this transcription error so that EC 9.3165(1)(a) and (b) read:

(a) *Location of On-Site Surface Parking.* New on-site surface parking shall be accessory to a primary use on the same development site and may be located only on:

1. Parcels with frontage on the street adjacent to the existing railroad corridor;
2. Parcels that take access from an alley;
3. Parcels where the on-site parking is located behind the building or, if there is no alley access, to the side of the building.

On-site surface parking does not include underground, structured, courtyard, tuck-under, and podium parking. On-street parking spaces within the public right-of-way and on-site parking spaces for persons with disabilities are exempt from this requirement. The provisions at EC 9.6420(1), (3), (6), and (7) do not apply to vertically stacked parking facilities in the S-DR Zone.

(b) *Siting and Design.* The provisions at EC 9.6415(2); EC 9.6420(1), (2), (3)(a), (3)(b),(3)(e), (5), (6), and (7), apply to the siting and design of parking and loading facilities in the S-DR Zone.

2. Section 9.3631(1)(c)2. (Section 14 of the Ordinance), a digit was erroneously omitted; the lot size should be 45'x45 instead of 5'x45'. Please correct this transcription error so that it reads:

2. Other lots: 45'x45'

3. At the end of the last sentence of EC 9.3631(1)(e) (Section 14 of the Ordinance), there is a superfluous comma that immediately precedes the period. Please correct that transcription error by removing the superfluous comma.

4. EC 9.3715 (Section 15 of the Ordinance) was amended in part by renumbering subsection (4) as (5); however, there was already a subsection (5) ("Height Limitation") and a subsection (6) ("Signs") which the Ordinance failed to renumber. Please correct that transcription error by renumbering subsection (5) ("Height Limitation") as (6) and renumbering subsection (6) ("Signs") as (7).

5. EC 9.6410(2) (Section 28 of the Ordinance) was renamed "Maximum Number of Off-Street Motor Vehicle Parking Spaces." EC 9.6794(2)(d) and 9.8030(10)(a) reference EC 9.6410(2) using its previous title. Please correct these reference errors by updating the references in EC 9.6794(2)(d) and 9.8030(10)(a) so that they incorporate the updated title "Maximum Number of Off-Street Motor Vehicle Parking Spaces."

6. EC 9.6410 (Section 28 of the Ordinance) is amended in part by removing subsection (6); however, Table 9.6410 still contains references to that subsection. Please correct these reference errors by removing any references to EC 9.6410(6) in Table 9.6410.

7. In EC 9.6420(4)(d)2. (Section 30 of the Ordinance), a period was erroneously omitted from the end of the subsection. Please correct this transcription error by adding a period to the end of EC 9.6420(4)(d)2.

8. Please correct a transcription error in Section 30 of the Ordinance by renumbering EC 9.6420(4)(d)3.e as EC 9.6420(4)(d)3.d.

9. EC 9.8030(10)(a)(2) (Section 38 of the Ordinance) erroneously references EC 9.6420(4)(a)2; the reference should be 9.6420(4)(d)3. Please correct this reference error by amending EC 9.8030(a)(2) to change any references to EC 9.6420(4)(a)2. in that code section to reference EC 9.6420(4)(d)3.

10. EC 9.9500(3) (Section 40 of the Ordinance) states, in part, "...by the property owner or developer consistent with he requirements of this code and applicable state law." The word "he" should be "the." Please correct this transcription error by changing the word "he" EC 9.9500(3).

These corrections are authorized by Section 43 of Ordinance No. 20699. Please attach a copy of this memo to Ordinance No. 20699.