

EUGENE CITY COUNCIL AGENDA ITEM SUMMARY



Action: An Ordinance Concerning the Walnut Station Mixed-Use Center

Meeting Date: July 12, 2010
Department: Planning and Development
www.eugene-or.gov

Agenda Item Number: 3
Staff Contact: Lydia McKinney
Contact Telephone Number: (541) 682-5485

ISSUE STATEMENT

The City Council will take action on an ordinance concerning implementation of the Walnut Station Mixed-Use Center project.

BACKGROUND

On June 21, 2010, the City Council held a public hearing to consider an ordinance that implements the Walnut Station Mixed-Use Center project. Staff has prepared a memorandum which provides a response to the issues raised in the oral and written testimony, included as Attachment A. Attachment B includes all the public testimony that has been submitted on the project since June 9, 2010.

Testimony has been generally supportive of the project, with a few specific exceptions. Several who spoke from the Fairmount neighborhood raised concerns with regards to traffic impacts, potential spillover parking impacts, and general neighborhood compatibility issues. Many of these concerns have been addressed with policy revisions that have been included in the Walnut Station Specific Area Plan (Attachment E, Exhibit C). As explained at the public hearing, these policy changes were made to address neighborhood concerns and were approved by the Fairmount neighborhood representatives prior to the hearing. These policy revisions are also supported by the remainder of the stakeholders and information in the record.

Many who submitted testimony, including the University of Oregon, the Chamber of Commerce, and local business owners, indicated that while they favor the project overall, they do not support the Planning Commission's recommendation to change the Type II appeals authority from the Hearings Official to the Planning Commission. In addition, staff understands that Fairmount neighborhood representatives do not object to maintaining the current appeals process. Therefore, staff is recommending the standard Type II process for the City's consideration of design review appeals, instead of the specialized process recommended by the Planning Commission.

Attached to this agenda item summary (AIS) are two versions ("A" and "B") of the ordinance. Version A of the ordinance is drafted so that an appeal of a design review decision would be considered by the Hearings Official, like other Type II decisions. Version B is the ordinance as it was recommended by the Planning Commission and presented for the public hearing. Version B includes changes to Eugene Code (EC) 9.7055 and 9.7605 that create a specialized process for the City's consideration of design review appeals. The exhibits to Version A and Version B of the ordinance are the same.

In addition, both ordinances have revised EC 9.8111 to clarify that the Design Review process is only applicable within the Walnut Station Special Area Zone.

RELATED CITY POLICIES

The Walnut Station Mixed-Use Center is consistent with and directly implements Growth Management Policies 1, 2, 4, 6, 8-12 and 15.

This project implements one of the Nodal Development Areas identified in TransPlan.

COUNCIL OPTIONS

The City Council may consider the following options:

1. Adopt Ordinance Version A with Exhibits A through I.
2. Adopt Ordinance Version B with Exhibits A through I.
3. Adopt one of the ordinances and exhibits with specific changes.
4. Take no action.

CITY MANAGER'S RECOMMENDATION

The City Manager recommends that the City Council adopt Ordinance Version A with Exhibits A through I.

SUGGESTED MOTION

Move to adopt an ordinance concerning the Walnut Station Mixed-Use Center, included as Ordinance Version A with Exhibits A through I.

ATTACHMENTS

- A. Memo from Staff Addressing Testimony
- B. Public Testimony received since June 9, 2010
- C. Ordinance Version A (City Manager's Recommendation - Appeal of Design Review to Be Considered by Hearings Official)
- D. Ordinance Version B (Presented for Public Hearing on June 21, 2010 - Appeal of Design Review to Be Considered by Planning Commission)
- E. Ordinance Exhibits A through I

FOR MORE INFORMATION

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Staff E-Mail: lydia.s.mckinney@ci.eugene.or.us
Project Website: www.eugene-or.gov/walnut



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Planning

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MEMORANDUM

Date: July 6, 2010
To: Mayor Piercy and Eugene City Council
From: Lydia McKinney, 682-5485
Metro and Community Planner

Subject: Walnut Station - Staff Response to June 21, 2010 Public Hearing Testimony

This memorandum provides a staff response to testimony submitted at the public hearing on June 21, 2010 and within the open record period thereafter. The issues raised are summarized in categories below in **bold**.

Traffic Impacts

Fairmount neighbors indicate, and staff concurs, that any additional development within the Walnut Station area, regardless of what regulatory provisions are in place, will have impacts on the neighborhood. Throughout this planning process, maintaining the integrity of the Fairmount neighborhood has been a critical factor. If development consistent with the Walnut Station mixed use center does have adverse traffic impacts on the Fairmount neighborhood, staff believes these should be mitigated. Staff worked with the neighborhood to craft specific policy language to address these potential impacts, as provided below.

In March 2005, the City initiated a study (The Agate Street and Fairmount Neighborhood Traffic Calming Study) that identified strategies to improve the function and carrying capacity of Agate Street as called for in the *Fairmount/University of Oregon Special Area Study*. The *Fairmount/University of Oregon Special Area Study* also calls for an area-wide traffic calming study for the streets within the Fairmount/University of Oregon Special Area Study boundary to determine appropriate mitigation for through-traffic utilizing neighborhood streets. Some mitigation measures identified in the Agate Street and Fairmount Neighborhood Traffic Calming Study have been constructed by the City, and others will be constructed by the University of Oregon in conjunction with the completion of the Matthew Knight Arena. However, The Agate Street and Fairmount Neighborhood Traffic Calming Study and the resulting mitigation measures did not take into consideration the area within the Walnut Station plan. As such, staff has incorporated the following policy into the Walnut Station Special Area Zone:

The city shall update the 2006 Agate Street and Fairmount Neighborhood Traffic Calming Study ("Study") to add mitigation measures that address the impacts likely to occur to the Fairmount neighborhood as a result of development/redevelopment within the S-WS Walnut Station Special Area Zone. City staff evaluation and identification of these mitigation

measures for the Study update shall commence within two years of the date on which the City Council's adoption of the S-WS Walnut Station Special Area Zone becomes effective. The final Study update shall be forwarded to the City Council within three years of that effective date. Mitigation measures included in the updated Study shall be implemented, along with any other measures deemed necessary by the city, as development and associated impacts occur, through the city's development and building permit approval process and/or the city's annual Capital Improvement Program. In preparing the report, city staff shall consult with representatives of the Fairmount Neighbors Association and the University of Oregon.

Access on 15th Avenue

15th Avenue is the street that separates the Walnut Station Special Area Zone from the Fairmount neighborhood. Some testimony raises concerns regarding vehicular access on 15th Avenue, especially in consideration of impacts to the neighborhood. This testimony requests that additional language be added to the Walnut Station Specific Area Plan to evaluate street classifications in the Walnut Station area. 15th Avenue is classified as a local street and as such, the new access management provisions, applicable only to streets classified as arterials and major collectors, do not apply.

The Technical Advisory Committee agreed that some access limitations on this street would be appropriate and as such, the Walnut Station Special Area Zone includes a provision (EC 9.3970(4)(c)) that allows no more than one access connection per tax lot per street frontage. This is the same access management provision that was adopted for arterials and major collectors. Additionally, based on the recommended policy above which requires an update to the Agate Street and Fairmount Neighborhood Traffic Calming Study, the classification of existing streets can be evaluated at that time.

Neighborhood Parking Impacts

The potential for spillover parking impacts on the Fairmount neighborhood has been raised as a concern, especially given that the current proposal for the Walnut Station Special Area Zone includes an allowance to reduce parking requirements. There is not a *requirement* to reduce parking in the plan area, but it is provided as an option for developers who choose to offer their products to market segments demanding less parking. Participants in development of the Walnut Station form based code recognized that parking requirements can significantly impact the way an area builds out and that addressing parking requirements can be one of the most significant elements in creating walkable communities. For this reason, providing for an optional reduction in parking in this area is seen as a significant contributor to achieving the vision for the area.

There are characteristics of Walnut Station that are conducive to a reduction of required parking. The EmX bus rapid transit line is now established there, and the availability of transit means fewer people will need to arrive to the area in a vehicle. The University of Oregon is directly adjacent, so students and faculty have easy walking access to the area. The form based code has focused on facilitating mixed use development, and this also reduces parking demand since motorists only need to park once to visit of a number of destinations. However, there is the potential for the parking spillover impacts in the neighborhood, and these impacts need to be addressed.

Residential Parking Programs (RRPs) are one of the most effective means of addressing spillover parking. The Arena Parking District established as part of an agreement for the Matthew Knight Arena provides a Residential Parking Program for the Fairmount neighborhood which restricts

parking in that neighborhood to a maximum of two hours in any given off-street parking space. It is believed that the RPP can address the neighborhood concerns regarding spillover impacts, but neighborhood representatives have suggested that this program needs further evaluation to determine if it is the correct and only mechanism appropriate for the area. Staff concurs with the neighbors' recommendation and has incorporated the following policy into the Walnut Station Specific Area Plan:

Prior to April 30, 2011, city staff shall provide a report to the Planning Commission which evaluates the Fairmount Neighbors Event Parking District created pursuant to the October, 2008, Arena Mitigation Agreement ("Parking District"). The staff report shall evaluate whether that Parking District is an adequate and appropriate mechanism to protect the Fairmount neighborhood from potential impacts from reduced parking allowances in the S-WS Walnut Station Special Area Zone and shall recommend alternative measures if the evaluation determines the Parking District is inadequate or inappropriate. In preparing the report, city staff shall consult with representatives of the Fairmount Neighbors Association and the University of Oregon.

In addition to evaluating whether the RRP is the appropriate and only mechanism needed to address the potential impacts, there is a need to evaluate how this program will actually work once it is in place and provide a mechanism to make adjustments to the code if necessary. The Planning Commission had recommended that the development resulting from the form based code should be evaluated, and staff has added a provision to that policy to include an evaluation of the reduced parking allowance. That addition is shown in the policy below *in italics*.

After three years or 50,000 square feet of development (cumulatively) has been approved, whichever comes first, staff will provide a report to the Planning Commission regarding the status of development in the Walnut Station mixed use center *and the potential impacts from the reduced parking allowances*.

Design Review and Parking Lots

Testimony regarding surface parking lots was raised questioning why they are not required to go through the Design Review process, as was previously being considered. While surface parking lots were initially considered as a use requiring Design Review, the Technical Advisory Committee determined that rather than requiring surface parking lots to be processed through a land use application process, the form based code should require design treatments would otherwise result from the Design Review process. As a result, surface parking lots proposed within the 15th Avenue Transition Edge are required to provide for a ten foot landscape bed (rather than the standard seven foot bed) and to landscape 15% (rather than the standard 10%) of the development site. The application of Design Review to surface parking lots would not result in greater design or compatibility benefits than what is proposed within the Walnut Station Special Area zone.

Adjacent/Abutting Terminology

Specific testimony has been raised regarding concerns about the term "adjacent" and a request to provide clarity about the intent of the code language. There are instances in the code, such as Design Review approval criterion at EC 9.3980(2)(c), that refer to impacts to adjacent residentially zoned properties. Staff confirms that the intent of this language is to refer specifically to the properties that are directly abutting, as well as across the street, as adjacent properties. This language in the Walnut Station Specific Area Zone was crafted in consideration of protection of the properties on the south side of 15th Avenue.

Lighting and Signage

Testimony raised indicated that the signage and lighting requirements for the 15th Avenue Transition Edge within Walnut Station Specific Area Zone is not compatible with the residentially zoned property on the south side of 15th Avenue. The proposal for the Walnut Station Specific Area Zone does actually reduce the amount of signage and lighting currently allowed, as another means to address compatibility with and transition to the Fairmount Neighborhood. However, the proposal does not eliminate the allowance for non-residential signage and lighting because it is meant to be an area that allows for mixed use development. The current zoning on the north side of 15th Avenue allows for sign and lighting standards consistent with the General Commercial sign district.

University Use

The Eugene Code allows “University or College” as a permitted use category in commercial zones. Because the Walnut Station Zone allows any commercial or residential use permitted in the code, it is permitted in the new form based code. The Planning Commission supported staff’s recommendation to study the category of University use further. In order to provide timing clarity and coordination with the neighborhood and the University, the policy has been revised as follows:

By April 30, 2011, the City shall initiate a process to evaluate the land use category of “University or College” to better define which uses are permitted outright. In preparing the report, city staff shall consult with representatives of the Fairmount Neighbors Association and the University of Oregon.

Noise and Odor

In the current code, there are Site Review and Conditional Use Permit criteria that require development proposals to be reasonably compatible with existing development with regards to, among other issues, noise and odors. Staff incorrectly indicated in the response to the Planning Commission that Site Review did not have a criterion relative to noise and odor. Though Site Review and some Conditional Use Permit requirements have been eliminated from the review process in the Walnut Station Special Area Zone, staff does not believe that there will be undue noise and odor impacts on the neighborhood. Chapter 4 (EC 9.4080) of the Eugene Code regulates noise, which is administered by the Eugene Police Department, and this code section will remain in effect in Walnut Station. Regarding odor, staff notes that the current code provisions which preclude any use that requires external emissions permit from an air quality public agency also remain in effect for Walnut Station.

More information on the project can be found at www.eugene-or.gov/walnut. Please contact me at (541) 682-5485 or via e-mail (lydia.s.mckinney@ci.eugene.or.us) if you have questions or need additional information.

Date: July 1, 2010

To: Eugene City Council

Submitted By: John Barofsky and Susie Smith, Co-Chairs, Walnut Mixed Use Subcommittee, Fairmount Neighbors Association

Subject: Walnut Station Mixed Use Center—Summary of Fairmount Neighbors Testimony at the June 21, 2010 Public Hearing

INTRODUCTION:

On June 21, 2010, the Eugene City Council conducted a public hearing on the proposed Walnut Station Mixed-Use Center project, including the Walnut Station Special Area Plan (Plan) and associated form-based code (FBC). At the hearing, the Council heard from numerous people, including several speaking on behalf of the Fairmount Neighbors Association (FNA) Walnut Mixed Use Sub-committee. This memo summarizes the concerns presented in the FNA testimony. The FNA has been an active and constructive participant in the planning process through all of its phases. This Plan is the culmination of a significant effort on the part of the City and stakeholders to forge strategies that achieve many objectives, including preservation of the quality of life in the existing adjacent neighborhoods.

We greatly appreciate the efforts of City staff to address the FNA concerns that were raised during Planning Commission review of the Plan and FBC, especially the new policy recommendations provided by staff to the Council regarding traffic and parking issues. Addressing the traffic and parking impacts to the neighborhood will be crucial to ensuring that the largely single-family character and traffic volumes consistent with local neighborhood street classifications are maintained. Provided below is a very brief bulleted summary of the comments provided by the FNA. We hope you will also review the more lengthy testimony that was submitted to the Planning Commission for additional background and so you can see how the subsequent changes in text and policies proposed for the plan address the concerns raised by the FNA.

Traffic Impacts to the Neighborhood Must be Adequately Evaluated and Mitigated:

Impacts of future development within the mixed use (MU) area on traffic volumes and patterns were not studied in the planning process, and the current draft text of the Plan does not reflect the Council objectives to reduce cut-through traffic in the residential neighborhood south of 15th Avenue, or the identified need for future study and mitigation that was captured in the East Campus Plan and the Agate Street/Fairmount Neighborhood Traffic Calming Study and plan.

The FNA Walnut Mixed Use Subcommittee requests that the Council approve the revised policy language submitted by staff concerning the update, and implement projects and mitigation measures stemming from the update of the Fairmount/Agate Traffic Calming Study to address traffic impacts of development within the MU area.

We also request that the Plan text be rewritten to accurately reflect the neighborhood traffic conditions, including relevant information from the Agate Street/Fairmount Neighborhood Traffic Calming Study and the associated staff reports provided to the City Council.

Parking Impacts to the Neighborhood Must be Adequately Evaluated and Mitigated:

The minimum off-street parking requirement is reduced in the FBC from the standard C-2 off-street parking requirements with the hope that the transit and pedestrian orientation of the development area will promote alternatives to automobile usage. This standard is included without analysis of the parking impacts that will occur within the MU area and in the surrounding neighborhoods. This is of great concern to the neighborhood and local businesses. The Plan reflects a reliance on the Arena parking district to resolve parking problems that may develop in the neighborhood. This is not an adequate assurance to the neighborhood that spill over parking will not become a significant problem in the neighborhood.

The FNA Mixed Use Subcommittee supports the staff recommended revisions to include a policy that will include a front-end evaluation (by April 30, 2011) of the adequacy of the Arena Parking District and recommendations for alternate parking management measures if the Arena Parking District is determined to be inadequate. We also support the staff recommendation to include an evaluation of the reduced parking requirement in the evaluation and report to the Planning Commission to be completed after 50,000 square feet of area is developed or three years, whichever comes first.

The Transition Edge at 15th Avenue is Critical:

The FNA Mixed Use Subcommittee supports the setbacks and stepped back height limits as a means to transition the intensity of the MU development area to the largely single-family neighborhood south of 15th Avenue. These requirements were developed collaboratively by the stakeholders and are critical to the overall FNA support of the plan. The diagram depicting the height and step-back requirements needs to be updated to show the commitment to this transition along the 15th Avenue edge includes the segment between Orchard Street and Walnut Street.

The Multi-Way Boulevard is Important:

The FNA Mixed Use Subcommittee supports the multi-way boulevard, which will provide for increased pedestrian and bicycle safety, entrance beautification, enhanced local access and parking for businesses, and improved character of the Franklin corridor within the MU area. Inclusion of the multi-way boulevard concept in the Plan is a requisite for the FNA MU Subcommittee's support for the overall Plan.

The Use Category of "University Use" Needs to be Reviewed for Greater Specificity:

The open-ended nature of the permitted uses a college or university might build in a C-2 zone has been a major bone of contention of the neighborhood for quite some time. The recent LUBA appeal of the Planning Director's determination that the UO Arena was permitted outright as a University Use is a vivid example of this problem. The FNA greatly appreciates, and whole-heartedly supports, the staff and Planning Commission recommendation to evaluate the University Use category for the purpose of providing greater specificity regarding those uses that may be permitted outright or through a Conditional Use Permit process.

Effectiveness of the Plan Needs Review at 50,000 Square Feet of Development or Three Years:

As noted above, the Planning Commission and staff have included a recommendation to evaluate the Plan and FBC, to include an evaluation of impacts of the reduce parking

requirement. The FNA MU Subcommittee supports this recommendation and strongly urges the Council to ensure that this evaluation occurs, in collaboration/consultation with the stakeholders.

Final Thoughts:

Careful management of the Plan area, including permitting, enforcement and carrying out capital improvements consistent with impact evaluations is critical to sustaining the residential character of the neighborhood. ***Funding must be made available to complete identified studies and capital projects.*** ***The success of the Walnut Station Center is important*** as a pilot and a model for future mixed use nodal development efforts. It needs to be done right so that similar planning efforts will be received well and supported elsewhere in the City.



2139 Centennial Plaza
Eugene, OR 97401
(541) 484-3043

June 21, 2010

TO: Mayor Piercy and City Council Members

FROM: Eugene Association of REALTORS®

SUBJECT: Walnut Station Mixed Use Development Draft Code

The Eugene Association of REALTORS® appreciate all the work that has been done on this project; the new innovative ideas entertained, and the involvement of the stakeholders group. This project reflects the type of location planning that has been planned and implemented successfully in other cities in the U.S. The National Association of REALTORS® Smart Growth strategies have showcased form based code development, green development, compact development, walkable neighborhoods, mixed uses, and multiple transportation options. These community options have become outcomes, not just smart growth platitudes.

Furthermore, here in Eugene, the Walnut Station Mixed Use Development Draft Code represents a new way to increase densities, reduce building heights, streamline the permitting process, and provide neighbors, builders and building owners both flexibility and certainty, two things lacking in our current code, and two obstacles to starting and completing construction projects.

Although not perfect the plan includes some risks such as a multi-way boulevard concept for Franklin and property setbacks that reduce property owners usable space which in some instances is needed parking spaces.

We request that you remove the change in this plan for appeals of Planning Director to go before the Planning Commission instead of the Hearings Official. The current system works well and is not broken, and in our view is as unbiased as conceivably possible.

With all this said, by now you probably suspect that the Eugene Association of REALTORS® support this draft code and ask for your yes vote of approval.

Contact: Jim Welsh, Political Advocate
2139 Centennial Plaza
Eugene, OR 97437
(541) 554-8043
jdwelshco@msn.com



Dear Mayor and Council,

I am writing on behalf of the Home Builders Association of Lane County in support of the proposed Walnut Station Mixed Use center project. Many of us at the Home Builders Association have spent a great deal of time with the proposed code that is before you tonight. We have been very impressed with the collaborative process to date. Not only has it involved a great variety of stake holders and members from the business community, but staff listened to concerns and feedback and adjusted the code as needed, producing a truly workable code for our city.

We are very excited about the Form based code itself. I believe it creates great opportunities for building both in Walnut station and in other parts of Eugene in the future. It gives neighbors, builders, owners and renters flexibility. It also limits many obstacles usually present when building in Eugene. We believe it will stimulate growth and development in an area ripe for redevelopment.

Walnut Station is an ideal area for mixed use development. We see a lot of potential for buildings in commercial use as well as much needed multi-family housing for students. Development in Walnut station will create density inside the UGB, promote density along a major transportation corridor and greatly improve the Franklin corridor.

We do have a few concerns regarding the project. Many have expressed concern about the multi way boulevard, mostly regarding special setbacks and takings from property owners. There is some concern regarding adequate parking for business. We would ask the city to do everything possible to mitigate the potential negative affects to property owners. It is also our belief that Planning Director decisions should be appealed to the hearings official, as is standard practice and not to the planning commission. The hearings official is an objective party well trained in handling such appeals. As a politically appointed body we do not believe the Planning Commission is ideal for hearing such appeals. We also believe it is more legally sound to leave appeals in the hands of a hearings official. With that adjustment we strongly support the project and proposed code and encourage you to pass it tonight.

Thank you.

Laura Potter
Director of Government Affairs

Home Builders Association of Lane County



UNIVERSITY OF OREGON

Eugene Mayor Percy and City Council
777 Pearl Street, Room 105
Eugene, OR 97401

Dear Mayor Percy and members of the Eugene City Council:

Please accept this letter as written testimony on behalf of the University of Oregon regarding the ordinance implementing the Walnut Station Mixed Use Center.

First of all, we thank you for the meeting and all of the City staff who have worked long and hard on this effort. We also recognize the efforts of the Fairmount neighborhood leadership and the Chamber of Commerce who, along with Oregon U Data, have worked to craft the proposal before you.

The university has been engaged with the Walnut Station project since it began about five years ago when I was member of a Mayor's Advisory Committee. During this time other University staff including Chris Lane, who is now with the Oregon Department of Transportation, and Greg Smith, Director of Community Relations, have actively participated with our neighbors, the Fairmount, in the city's effort.

The University's public facilities can reveal much about the character of the boundaries of the Walnut Station Mixed Use Center. The largest of these are adjacent to Walnut Street and near the first stop at Walnut. They were developed with the idea that serving the University might need to support our mission of delivering higher education to the state's citizens.

We feel that the proposal under consideration will allow thousands of development projects to support the on-going and future success of the University.

The university also fully supports mixed-use development which creates a walkable community with higher residential densities while fully protecting the nearby lower density residential areas and reducing the need to drive.

There are few details we wish to bring to your attention for your consideration.



First, the creation of the 10-foot wide Boulevard will require the widening of Franklin Boulevard and the loss of 25 feet along our property between Orchard and Walnut. This is a significant amount of land, nearly 80,000 square feet, and we are hopeful we can work with the city to find a reasonable compensation for this loss.

Second, the draft code includes the idea that appeals of alternative design review proposals will be heard by the Planning Commission. We would ask that you consider changing this so that such appeals are the Hearings Official. We feel this better matches the established practices for this kind of process and would result in a more effective appeal hearing based on the criteria of the code.

Thank you for considering our feedback. We look forward to the day when the Walnut Station Mixed Use Center will be the active, beautiful entry of the City of Eugene it needs.

Sincerely,



Thomas Dyer

Vice President for Finance and Administration

Cc: Lydia McIlroy, City Planning and Community Planning
North Walcott, Assistant City Manager

June 27, 2010

City Council
City of Eugene
777 Pearl Street
Eugene, OR 97401-2720

Dear Council,

These supplemental comments are provided in regards to the City of Eugene's application to create a Walnut Station Special Area Zone with association Metro Plan and Refinement Plan amendments. These comments are intended to supplement the comments provided by myself on April 20 and April 30, 2010, the Planning Commission public hearing, and the City Council public hearing and those comments are incorporated by this reference. The applicable criteria which must be considered regarding this land use decision are also incorporated by this reference.

Appeals Process

The appeal process for the Type II decision(s) related to proposed development in the Mixed Use Center zoning was raised in the Planning Commission and City Council processes. The first I had heard the neighborhood wanting the Planning Commission rather than a Hearing Official be the appeal body was at the Planning Commission process when discussed by the Commission and City staff. I don't recall having a discussion with staff prior to that point on that particular issue. Prior to the City Council hearing I did have a discussion with Lydia McKinney and she clarified a question I had regarding whether either appeal process cost more than the other (my being concerned about economic barriers for an appeal). She clarified that there was no difference in the appeal process. For the record, I do not have an objection to having the Hearing Official be the appeal body for decisions related to development proposes in the Mixed Use Center zone after its adoption.

Legislative Intent

There are three areas that it is important to clarify in the record regarding the legislative intent behind the adoption of the Mixed Use Center zoning.

Use of the term "Adjacent"

I have raised the issue that the term "adjacent" and "abut" are used in the Walnut Station Special Area Zone code language. I request that staff clearly state for the record that "adjacent" includes "property across a right of way or easement". Absent this clarification, I am concerned that "adjacent" will not apply to property across a right of way or easement and that the development standards that are intended to protect the "graceful edge" between the MUC zoning on the north side of 15th as the

predominantly single family neighborhood on the south side of 15th will not be applied. Staff has indicated that the intent is to protect the south side of 15th. Therefore it must be made clear that the intent of the term “adjacent” include “property across a right of way or easement.”

The Term “Use” includes Multiple Uses

A Mixed Use Center, by design, has a number of uses. There may be multiple primary uses along with perhaps some ancillary uses. The code is unclear as to the application of the term “use” for a development site. The legislative intent should be made clear that a development site may have multiple uses, not just a single use. I have had discussions with staff regarding this as well and they have explained that their (individual) interpretation and application of the code is consistent with the concept that there can be more than one use on a development site. I request that staff make it absolutely clear for the record and legislative intent of the code that there can be more than one “use” for a development site and, for example, residential and non-residential standards may apply to the same land use or building permit application.

Mitigation Is Shifting from Developers to the City

I raised this issue during the City Council public hearing. By expanding the number of outright permitted uses and reducing off-street parking requirements, the mitigation due to the zone change is shifting from developers to the City. The record should be clear that the City is taking on an increased obligation to mitigate the impacts of development to protect the historic, predominantly single family Fairmount Neighborhood.

Surface Parking and Design Review

I have raised concerns regarding the fact that the proposed zoning outright permits uses that are not outright permitted under current zoning. Structured parking and surface parking not directly related to a development site are automobile intensive and can be disruptive to a pedestrian friendly environment envisioned by the mixed use center concept. Transit stations are another example of an outright permitted use that is not currently an outright permitted use. Site Review or Conditional Use processes would be triggered (under the current zoning) for the above referenced uses and that, in turn, would trigger land use policies that would require mitigation of the parking and traffic impacts on the neighborhood.

In January of this year, staff’s position for the Walnut Station Special Area Zone was that structured parking would be an outright permitted use and that surface parking would require design review. Design Review would trigger the policies that require mitigation of the parking and traffic impacts on the neighborhood. I requested that these uses be subject to the current land use process (site review or conditional use permit process).

The current iteration is that both surface parking and structured parking are outright permitted. I request that the use table be modified to require that surface parking be subject to design review consistent with staff’s position in January. Surface parking is different than structured parking in that structured parking would have a structural barrier to mitigate the impacts of noise, odor, and light pollution, while surface parking would not have the same affect. In addition, structured parking would

most likely be integrated with another use on the development site while surface parking is use for...just parking. Staff have not clearly articulate why surface parking should not be subject to design review.

As a compromise, rather than surface parking be subject to site review, I am modifying my position to the staff's position in January. I request that surface parking be subject to design review.

Concerns Regarding Access onto East 15th Avenue

The 15th Avenue edge, with the MUC on the north and historic, predominantly single family neighborhood on the south has been a consistent concern of neighbors. I request the following:

- 1) That there be a limit to the number of vehicles that can use E. 15th avenue as access from properties located in the Walnut Station Special Area Zone. A large number of vehicles using 15th Avenue for ingress and egress would be disruptive to the neighborhood and not create a pedestrian friendly environment.
- 2) Because the proposed zoning would prohibit access to Franklin Blvd for new development and (currently) the only other public right of way for access to properties south of Franklin Blvd in the MUC are Villard, Orchard, Walnut, and East 15th Avenue I request that the following policy be included in the decision:

“The City shall evaluate changing the street classification for Villard, Orchard, and Walnut north of East 15th Avenue from neighborhood streets to neighborhood collectors.”

While this policy does not predetermine the outcome of such a process, if the process resulted in Villard, Orchard, and Walnut north of 15th being classified at neighborhood collectors that increase in classification would require properties that have access to Villard, Orchard, and Walnut to develop Villard, Orchard, and Walnut for vehicle ingress and egress rather than using East 15th Avenue.

Traffic and Parking

The Staff Reports regarding traffic and parking are not entirely correct. The staff report points to lower traffic along neighborhood streets when looking at historic studies. However, the Agate/Fairmount traffic calming study (which was implemented as a result of upzoning ~30 acres controlled by the University in the East Campus area) was conducted to address future development as a result of the change in zoning. Staff's representations in the more recent staff report are inconsistent with the findings of the Agate/Fairmount traffic calming study. In addition, there has been more recent development that staff has found could increase traffic in the neighborhood and mitigation was required due to that increase. The proposed zone change reduces off street parking requirements which increases parking along neighborhood streets and, more perhaps more importantly, traffic looking for parking on neighborhood streets which are already under significant parking pressure. Earlier staff reports in this current process conveyed the message that traffic is down, neighbors should be happy, and neighbors who raise concerns about traffic and parking are just plain wrong. Well, I respectfully disagree. The facts do not support staff's assertion and prior staff positions on this matter were not helping move this process forward.

Fortunately, just prior to the City Council hearing, a representative from the neighborhood was able to discuss this issue with city staff at length. I have not read the “final” version of the staff report, but I am pleased with the language proposed by staff regarding the placing a requirement on the city to evaluate traffic and parking impacts related to development or potential new development as a result of the MUC land use process. I request (if it hasn’t been done already) that staff modify its representation of traffic and parking impacts as a result of this land use change to create a Mixed Use Center.

Conditional Use and Site Review

In prior comments, I pointed out that Conditional Use and Site Review processes required developers to address a number of impacts, including noise and odor. A more recent staff report implied that while Site Review required these impacts be addressed, this was not a requirement for a conditional use process. I have since spoke with staff and they agree with my representation of Conditional Use and Site Review. I request that staff clarify their earlier statements.

Existing Height Limits

Staff have consistently stated that the new MUC zoning would put in place, among other things, height limits, setbacks, and stepbacks. Staff have stated that absent this change, that the current height limit is 120 feet. This is partially true. Current zoning does place height limits and setbacks on development across from residential zoning based on distance from the residential zone. Height limits do currently exist. Setback do currently exist. PL zoning, as an additional example, does not allow uses to be outright permitted uses due to their proximity to residential zoning. I request that staff clarify the characteristics of existing zoning compared to the proposed MUC zoning. This is important for the record because staff’s representation of existing conditions implies that the code changes make a number of improvements. While I agree some improvements are in the proposed zone change, the neighborhood and existing property owners are giving up some existing land use protections as a result of the zone change.

Noise and Odor

We’ve come a significant way from even the Planning Commission public process with regards to mitigation of parking, traffic, height limits, and the “visual” look of the mixed use center. However, by expanding the number of outright permitted uses, impacts that would otherwise be addressed through site review or conditional uses such as noise and odor are not addressed in the zone change. I request that the staff address and expand upon additional mitigation to the neighborhood with respect to noise and odor.

Respectfully Submitted,

Jeff Nelson
2144 E 15th Avenue

Date: July 1, 2010

To: Eugene City Council

Submitted By: John Barofsky and Susie Smith, Co-Chairs, Walnut Mixed Use Subcommittee, Fairmount Neighbors Association

Subject: Walnut Station Mixed Use Center—Summary of Fairmount Neighbors Testimony at the June 21, 2010 Public Hearing

INTRODUCTION:

On June 21, 2010, the Eugene City Council conducted a public hearing on the proposed Walnut Station Mixed-Use Center project, including the Walnut Station Special Area Plan (Plan) and associated form-based code (FBC). At the hearing, the Council heard from numerous people, including several speaking on behalf of the Fairmount Neighbors Association (FNA) Walnut Mixed Use Sub-committee. This memo summarizes the concerns presented in the FNA testimony. The FNA has been an active and constructive participant in the planning process through all of its phases. This Plan is the culmination of a significant effort on the part of the City and stakeholders to forge strategies that achieve many objectives, including preservation of the quality of life in the existing adjacent neighborhoods.

We greatly appreciate the efforts of City staff to address the FNA concerns that were raised during Planning Commission review of the Plan and FBC, especially the new policy recommendations provided by staff to the Council regarding traffic and parking issues. Addressing the traffic and parking impacts to the neighborhood will be crucial to ensuring that the largely single-family character and traffic volumes consistent with local neighborhood street classifications are maintained. Provided below is a very brief bulleted summary of the comments provided by the FNA. We hope you will also review the more lengthy testimony that was submitted to the Planning Commission for additional background and so you can see how the subsequent changes in text and policies proposed for the plan address the concerns raised by the FNA.

Traffic Impacts to the Neighborhood Must be Adequately Evaluated and Mitigated:

Impacts of future development within the mixed use (MU) area on traffic volumes and patterns were not studied in the planning process, and the current draft text of the Plan does not reflect the Council objectives to reduce cut-through traffic in the residential neighborhood south of 15th Avenue, or the identified need for future study and mitigation that was captured in the East Campus Plan and the Agate Street/Fairmount Neighborhood Traffic Calming Study and plan.

The FNA Walnut Mixed Use Subcommittee requests that the Council approve the revised policy language submitted by staff concerning the update, and implement projects and mitigation measures stemming from the update of the Fairmount/Agate Traffic Calming Study to address traffic impacts of development within the MU area.

We also request that the Plan text be rewritten to accurately reflect the neighborhood traffic conditions, including relevant information from the Agate Street/Fairmount Neighborhood Traffic Calming Study and the associated staff reports provided to the City Council.

Parking Impacts to the Neighborhood Must be Adequately Evaluated and Mitigated:

The minimum off-street parking requirement is reduced in the FBC from the standard C-2 off-street parking requirements with the hope that the transit and pedestrian orientation of the development area will promote alternatives to automobile usage. This standard is included without analysis of the parking impacts that will occur within the MU area and in the surrounding neighborhoods. This is of great concern to the neighborhood and local businesses. The Plan reflects a reliance on the Arena parking district to resolve parking problems that may develop in the neighborhood. This is not an adequate assurance to the neighborhood that spill over parking will not become a significant problem in the neighborhood.

The FNA Mixed Use Subcommittee supports the staff recommended revisions to include a policy that will include a front-end evaluation (by April 30, 2011) of the adequacy of the Arena Parking District and recommendations for alternate parking management measures if the Arena Parking District is determined to be inadequate. We also support the staff recommendation to include an evaluation of the reduced parking requirement in the evaluation and report to the Planning Commission to be completed after 50,000 square feet of area is developed or three years, whichever comes first.

The Transition Edge at 15th Avenue is Critical:

The FNA Mixed Use Subcommittee supports the setbacks and stepped back height limits as a means to transition the intensity of the MU development area to the largely single-family neighborhood south of 15th Avenue. These requirements were developed collaboratively by the stakeholders and are critical to the overall FNA support of the plan. The diagram depicting the height and step-back requirements needs to be updated to show the commitment to this transition along the 15th Avenue edge includes the segment between Orchard Street and Walnut Street.

The Multi-Way Boulevard is Important:

The FNA Mixed Use Subcommittee supports the multi-way boulevard, which will provide for increased pedestrian and bicycle safety, entrance beautification, enhanced local access and parking for businesses, and improved character of the Franklin corridor within the MU area. Inclusion of the multi-way boulevard concept in the Plan is a requisite for the FNA MU Subcommittee's support for the overall Plan.

The Use Category of "University Use" Needs to be Reviewed for Greater Specificity:

The open-ended nature of the permitted uses a college or university might build in a C-2 zone has been a major bone of contention of the neighborhood for quite some time. The recent LUBA appeal of the Planning Director's determination that the UO Arena was permitted outright as a University Use is a vivid example of this problem. The FNA greatly appreciates, and whole-heartedly supports, the staff and Planning Commission recommendation to evaluate the University Use category for the purpose of providing greater specificity regarding those uses that may be permitted outright or through a Conditional Use Permit process.

Effectiveness of the Plan Needs Review at 50,000 Square Feet of Development or Three Years:

As noted above, the Planning Commission and staff have included a recommendation to evaluate the Plan and FBC, to include an evaluation of impacts of the reduce parking

requirement. The FNA MU Subcommittee supports this recommendation and strongly urges the Council to ensure that this evaluation occurs, in collaboration/consultation with the stakeholders.

Final Thoughts:

Careful management of the Plan area, including permitting, enforcement and carrying out capital improvements consistent with impact evaluations is critical to sustaining the residential character of the neighborhood. ***Funding must be made available to complete identified studies and capital projects.*** ***The success of the Walnut Station Center is important*** as a pilot and a model for future mixed use nodal development efforts. It needs to be done right so that similar planning efforts will be received well and supported elsewhere in the City.

21 June 2010

Memorandum

To: Eugene City Council, Eugene, OR 97401

From: Arthur Farley, 1667 Fairmount Blvd, Eugene, OR 97403

Subject: Walnut Station Specific Area Plan (WSSAP)

This memorandum constitutes my public testimony regarding the Walnut Station Specific Area Plan (WSSAP). I live within several blocks of the area in question and walk to the market, pharmacy, and other business that are currently located there.

I first want to convey my overall positive evaluation of the plan and its concepts. The public process has given ample opportunity for the neighborhood and broader community to contribute to and comment on the plan. The use of form-based code standards in the proposed plan is to be applauded as an appropriate means for specifying desired physical properties of allowable development without overly constraining the mix of uses. The scale of proposed building forms pushes beyond the conservative limits that are more usual for Eugene and is exciting to the neighborhood.

While I have concerns as to the feasibility and workability of the new design for Franklin Blvd. and concerns as to whether the envisioned development will actually occur at all in the near future, the one fault I find with the plan itself is the lack of inclusion of a neighborhood park in the area north of Franklin Blvd. The WSSAP refers to possible creation of up to 1400 living units in the plan area, most of these likely north of Franklin. There was serious consideration of a neighborhood park for the plan area during the public process, the plan noting:

“There was great interest in creating a site for a new neighborhood park for the area.”

Search for a site that landowners found acceptable for a neighborhood park apparently failed. Failure of current landowners to agree on a park site is not sufficient reason to abandon the concept as a necessary part of this development plan. In the end, a weak statement regarding park inclusion was included in the plan, reflecting the fact that the city’s parks and open space plans currently determine needs for neighborhood parks based on distance from such a park:

“In prioritizing the need for future park land within the Walnut Station Mixed Use Center, the City should consider the relative density of residential development, in addition to walking distance to parks, as a factor.”

This is a statement that needs to be broadened to apply to all mixed-use center plans as part of the Envision Eugene outcomes. Given the fact that there is often less than 1400 living units within the prescribed one-half mile distance of service from a neighborhood park, any mixed-use center envisioning over 1000 living units must include an urban neighborhood park, which type of park needs to be defined. Such a park can be smaller than what we currently think of as a neighborhood park but should include play structures and benches, a bit of grass and pavement. We will not be able to realize a livable, denser community without small parks as part of the new urban centers we plan to create.

I urge the City Council to improve the WSSAP by requiring an urban neighborhood park to be located at a site to be determined north of Franklin Blvd (which, regardless of redesign will isolate this area, at least for kids). Fairmount Park, which has been improved recently with spray facilities, landscaping and benches due to generous gifts and the labor of current neighbors, is already well-used and can not accommodate the increased use likely from new development.

Thank you for this opportunity to comment on this exciting vision for a key part of what can become a sustainable community in the future.

MCKINNEY Lydia S

From: Paul Conte [pconte@picante-soft.com]
Sent: Monday, June 28, 2010 2:18 PM
To: MCKINNEY Lydia S
Subject: Testimony re Walnut Station ordinance

June 28, 2010

Eugene City CouncilTestimony regarding Walnut Station ordinance

Dear Councilors,

This testimony is in support of the staff recommendation that a sentence be added to proposed Eugene Code section 9.8111 Design Review – Applicability to specify that this code section is applicable only in the Walnut Station (S-WS) special area zone.

Jefferson Westside Neighbors (JWN) has taken no position on the Walnut Stations special area zone. However, the JWN has previously recommended a somewhat different approach to "design review" to be applicable within the Jefferson-Westside (S-JW) special area zone, and it's important that EC 9.8111 not become the *de facto*, city-wide "alternative path," since the design review process in EC 9.8111 was developed through a process involving only stakeholders in the Walnut Station area.

As further background ...

JWN members have been proactive in both the City's "Opportunity Siting" strategy and City efforts to implement "Alternative Paths," through which developers and neighborhood residents can find creative, flexible, "win-win" approaches to compatible development. As one example, the JWN included a "design approval" section as part of our original "Jefferson-Westside" special area zone proposal presented last year. This section allowed significant additional density, as well as relaxed development standards, for developments whose designs were approved through a process involving the Planning Director and the neighborhood association's Executive Board. The "design approval" section was retained by the Infill Compatibility Standards Task Team in their unanimous recommendation to the Planning Commission. The Planning Commissioner (John Lawless) who served on the working group that developed the final proposal that was recommended by the Planning Commission also supported inclusion of an "alternative path" in the S-JW zone.

However, at the request of Planning Division staff, the JWN Executive Board agreed to defer the "design approval" section to a later Planning Division process (either "Opportunity Siting" or "Alternative Paths") so that staff would have more time to work on the necessary formal process.

To date, the deferred S-JW "design approval" proposal has not been assigned as a staff work item. The JWN understands that work related to "Envision Eugene" and subsequent plan amendments currently require significant amounts of staff time, and we look forward to a future date when work can resume on this promising approach to an "alternative path" as an element of infill compatibility standards.

Until that time, we appreciate staff's recommendation to clarify the limited scope of the proposed code in EC 9.8111 so this approach doesn't inadvertently preempt work-in-progress on other approaches to alternative paths.

Thank you for your consideration.

Paul Conte, Chair

Jefferson Westside Neighbors

2010 Eugene Neighborhood of the Year

MCKINNEY Lydia S

From: Jeanine Jackson [jjackson@pacificbenefitplanners.com]
Sent: Monday, June 21, 2010 4:15 PM
To: *Eugene Mayor and City Council
Subject: Walnut Station Mixed Use Center!!

Dear Mayor Piercy and City Councilors:

I am writing in support of the Walnut Station Mixed Use Center.

Based on the efforts that we have seen from a variety of stakeholders and the business community, the City Council should recognize and expand on the collaboration and support the Walnut Station Mixed Use Center, and set Eugene on the course to use more form based code in our community. Concerns were heard and input used to create a plan that actually reduces building heights and increases building setbacks from requirements under the existing code. This code will also work to promote density along a major transportation corridor, making use of, and supporting increased bus rapid transit.

The use of form based code has a lot to offer, not only in the Walnut Station Node, but in other parts of Eugene. A form-based code supports "good" urban projects by creating a regulating plan that sets forth prescriptive building form requirements. It will give neighbors, builders and building owners both flexibility and certainty, two things lacking in our current code, and two obstacles to starting and completing construction projects

Projects that comply with the community vision outlined in the form-based code can be approved administratively and in less time than the current process. If the proposed development project complies with the requirements within the form-based code, there should be little, if any, room for discretion.

A form-based code can meet community objectives for better and distinct design but allow more flexibility for developers to respond to the changing markets for various uses. This will facilitate mixed use developments, increasing walk-ability and making good use of existing land within the urban growth boundary. The code is designed to create a win-win for everyone as it inspires economic and social reinvestment within our city.

Thank you for your time.

Sincerely,

Jeanine Jackson

Pacific Benefit Planners
Benefit Specialist
(541) 341-3478 Eugene
(503) 223-3638 Portland
(866) 341-3478 Toll Free
(541) 341-1354 Fax

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MCKINNEY Lydia S

From: WILDISH Gary (SMTP)
Sent: Monday, June 21, 2010 2:36 PM
To: *Eugene Mayor and City Council
Subject: Walnut Station

Dear Mayor & City Council.

As you know many people have worked a long time to come up with an idea that might provide opportunity for development & redevelopment. This doesn't mean it will happen soon but that it can happen the Walnut area. We have spend many years doing a great job of planning. Now need to do a great job of providing opportunities for development and redevelopment in the Walnut Station area. City Staff and most of the folks (including myself) that worked on the proposed plan are in agreement. I hope that you will also support the adoption of the Walnut Station plan.

Thank you for all you do,
Gary Wildish

MCKINNEY Lydia S

From: Philip Farrington [philbert714@yahoo.com]
Sent: Monday, June 21, 2010 1:56 PM
To: *Eugene Mayor and City Council
Subject: Walnut Station mixed use center

Dear Mayor and Council,

I urge you to support the proposed form-based code at Walnut Station as before you at tonight's public hearing.

Form-based codes (FBC) are being implemented in districts (e.g., Denver and Petaluma, CA) and cities (e.g., Miami and Sonoma, CA) across the nation as a means of providing greater flexibility in use and predictability in development patterns than can be achieved through standard zoning regulations.

The Walnut Station area provides a superb place to apply the FBC and gauge its effectiveness. Given the complexities inherent in the application of these new standards, I'd urge the Council to have any Planning Director decisions appealed to a Hearings Official due to their greater technical expertise than the planning commission.

I'd further urge the Council to consider ways to minimize the application and/or mitigate the effects of special setbacks on private property owners from a possible future multi-way boulevard. The multi-way boulevard may be an effective tool in this area, but then again it may be possible to achieve community objectives in the Walnut Station node without, and well in advance of any multi-way boulevard construction that could be many years out.

The collaborative efforts that have gone into the Walnut Station proposal merit your approval, and I urge you to vote in favor.

Regards,
Philip Farrington, AICP
1160 Monroe St.
Eugene, OR 97402

MCKINNEY Lydia S

From: Tenille M. Woodward [twoodward@ksbc.com]
Sent: Monday, June 21, 2010 1:54 PM
To: *Eugene Mayor and City Council
Subject: Walnut Station/Form Based Code support

I am writing to support the Walnut Station project and its form based code. Form based code provides numerous benefits including a streamlined permit process, certainty for neighbors and builders about what is allowable, and an easier path for mixed use projects that promote density. I urge you to approve form based code for Walnut Station, and to look at expanding it to more of Eugene in the future.

One item that deserves discussion is the recent change that planning director decisions be appealed the planning commission rather than the hearings official. I urge you to overturn that decision and have any appeals go to the hearings official. One of the main benefits of the form based code is the ease of use and streamlined approach; having any appeals go to a committee instead of an individual will dilute that benefit.

Thank you,



Tenille M. Woodward, CPA, QPA, QKA

Manager

Kernutt Stokes Brandt & Co. LLP

1170 Pearl Street | Eugene, OR 97401

Voice 541-687-1170 | Fax 541-345-8540

twoodward@ksbc.com | www.ksbc.com

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MCKINNEY Lydia S

From: Debbie Jeffries [djeffries@riverridgeor.com]
Sent: Monday, June 21, 2010 1:34 PM
To: *Eugene Mayor and City Council
Subject: Walnut Station Mixed Use Development Draft Code

Dear Mayor Piercy & Councilors,

Please vote in favor of the Walnut Station Mixed Use Center, which utilizes a form based code that can eventually be applied to other areas in Eugene.

Possibly the hallmark of this code is the collaborative process involving the business community and stakeholders in surrounding Walnut Station area. The draft has been carefully crafted and I encourage you to continue to listen to this group as a whole.

The current building code does not provide flexibility or clarity to builders, developers or neighbors. This form based code provides predictability for builders and developers which means ease in the land use and permit process which converts to time savings and ultimately more investment in our community. For surrounding neighbors, the code provides a reduction in building height limits from the existing code and an ease in understanding the land use and permit process.

Consider moving quickly to enact the Walnut Station Mixed Use code language and to further consider the use of form based code throughout Eugene.

Deborah & Eric Jeffries
3800 North Delta Hwy.
Eugene, OR 97408

MCKINNEY Lydia S

From: John Lawless [jlawless@tbq-arch.com]
Sent: Monday, June 21, 2010 10:51 AM
To: MCKINNEY Lydia S
Subject: Council Hearing - Walnut Station

Lydia,

Please submit this message as testimony at the City Council Hearing tonight in favor of the requested actions for the Walnut Station Mixed-Use Center:

A packet of material was submitted at the Planning Commission Hearing, and has been distributed to the City Council as well. It outlines a program that was coordinated with the American Institute of Architects - Southwestern Oregon Chapter and City Planning Staff to test the viability of the draft Form Based Code (FBC) anticipated to be applied to the Walnut Station Mixed-Use Center.

Having helped organize and reviewed the results of that effort, I am in support of the Form Based Code and recommend acceptance by the City Council of the requested actions for the Walnut Station Mixed-Use Center.

Thank you.

John Lawless, AIA
TBG Architects & Planners/Inc
132 E. Broadway, Suite 200
Eugene, OR 97401
(541) 687-1010
(541) 687-0625 fax
jlawless@tbq-arch.com

MCKINNEY Lydia S

From: Bill Whalen [bwhalen@century-bank.org]
Sent: Monday, June 21, 2010 10:34 AM
To: *Eugene Mayor and City Council
Cc: 'billwsfnd@gmail.com'
Subject: Walnut Mixed Use Center

Mayor Piercy and City Councilors:

I urge you to enact the Walnut Station Mixed Use Center. I believe that this will set Eugene on the course to use more form based code in our community. I believe form based code increases flexibility and gives developers some certainty to build and will lead to more economic activity and jobs in our city. It will improve the ability of construction workers to gain employment in Eugene as builders are more able to pursue sites within the city limits. The use of form based code increases flexibility and certainty for those looking to build and will lead to more economic activity and jobs in our city.

The Walnut Station Mixed Use Center is an excellent example of how collaboration among various stakeholders can produce a stronger finished product.

As you enact this code, I do urge you to look after the interests of area property owners, and to avoid, at all costs, pursuing special setbacks or other takings that may adversely impact existing businesses.

Thank you for your support of increasingly walkable residential and commercial districts and a streamline code that will allow the such developments. Thank you for your careful consideration of the Walnut Station Mixed Use Center, and form based code in Eugene.

William "Bill" Whalen
Vice President
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MCKINNEY Lydia S

From: Larry Banks [lbanks@pivotarchitecture.com]
Sent: Monday, June 21, 2010 10:24 AM
To: *Eugene Mayor and City Council
Subject: Form-based codes support

Mayor and Councilors,

I want to voice my support for the Form-Based Land Use Code proposals being considered for the Walnut Node. I believe these offer several positive outcomes for our community:

- Flexible yet predictable framework for future development and streetscape design along with a streamlined permitting process.
- A collaborative process formed these code revisions with input and compromise from neighborhood, community, affected property owners.
- At Walnut Node, takes advantage of transit opportunities, proximity to UO, gateway to the City, etc. for what could be a wonderful mixed-use pedestrian village. This is a perfect location for adding increased density to the city with few if any negatives.
- From what I've seen, I believe the form-based code could be effectively used in other parts of the community as well, and this gives an opportunity to get our community comfortable with the concepts in an area ripe for new vitality.

Thank you,

Larry Banks, AIA, CCS, LEED AP
PIVOT Architecture
d.541.762.1622
t.541.342.7291
www.pivotarchitecture.com

MCKINNEY Lydia S

From: Gerry Harris [gharris@pesenv.com]
Sent: Monday, June 21, 2010 10:16 AM
To: *Eugene Mayor and City Council
Subject: Walnut Station Mixed Use Center

Madame Mayor and City Councilors:

Thank you for the time and effort you have invested in understanding and studying the proposed Walnut Station Mixed Use Center and associated form-based code. I have followed this project and the underlying form-based code and believe that it is in the best interests of the City to vote in favor of implementation of the proposed code language for Walnut Station. I also support approving the use of the form-based code in other areas of the City that are deemed suitable for similar development.

As with many projects in the City, I know that you have devoted significant time and effort to provide a forum for all interested parties to contribute to this project. I believe that accommodations have been made on all sides of this development issue. It is time to finalize this effort and enact the code as a means of facilitating appropriate redevelopment and growth in an area; 1) that is well-suited to utilize existing public transportation via the EmX line; 2) that has many nearby amenities that will attract business patrons and potential residents; and, 3) that could become an attractive gateway to the City.

Thank you for your time and consideration of this issue.

Jerry Harris
1801 Minda Drive
Eugene, Oregon 97402
541 521-3966

MCKINNEY Lydia S

From: Campbelco@aol.com
Sent: Monday, June 21, 2010 9:57 AM
To: *Eugene Mayor and City Council
Subject: Walnut Station Mixed Use Center

Mayor Piercy and City Councilors:

I am out of town and will not be able to speak at the public input part of City Council tonight. Having sat on both the stakeholders committee, as well as Lydia McKinney's code committee, and am in support of the Walnut Station Mixed Use Center, as I believe the area can be a great model for the future of form based code in our community. I believe that the Walnut Node will not only increase efficient use of land in the east campus area and Franklin Blvd, but will improve livability and viability of the area.

The Walnut Station Mixed Use Center can be a great tie from Campus to downtown. With the growing demand of office space and companies that need to be close to the University, Walnut Station can be the starting point to bridge the gap between downtown and the campus area. With the EMX and rapid transit already in, this will be a great use to get people to and from downtown to the node.

The Walnut Station Mixed Use Center is also an example of how good collaboration among various stakeholders can produce a stronger finished product, as it is evident by a variety of voices were heard as this code was drafted.

As you enact this code, I do urge you to look after the interests of area property owners, and to avoid, at all costs, pursuing special setbacks or other takings that may adversely impact existing businesses.

Thank you for your support! With your vote, we will be closer to an area that can promote a streamlined code, and a great area that promotes density in the residential and commercial districts. Thank you for your careful consideration of the Walnut Station Mixed Use Center, and form based code in Eugene.

Tim Campbell
Campbell Commercial Real Estate
PH: 541-484-2214
FX: 541-484-0666
Web: www.campbellre.com



MCKINNEY Lydia S

From: stuart phillips [stulips@hotmail.com]
Sent: Sunday, June 13, 2010 6:01 PM
To: *Eugene Mayor and City Council
Subject: Walnut St. Station

Put the Walnut st. station expansion and Franklin blvd. widening speculative planning fiasco out of its misery! For more than 10 years, this floundering plan has failed to gain the support of Eugene citizens. Now the city of Eugene, UO and UO Foundation are pushing an interrelated LTD EMX redo along Franklin Boulevard that is estimated to cost \$200 million (and utilizes eminent domain to widen Franklin Boulevard). The "multiway boulevard" being planned will also require demolition of some of the recently completed EMX construction work. The multiway boulevard will supposedly make Walnut Station vibrant and walkable. The city planner in charge of Walnut Station visioning now also insists that certain "stakeholders" have reached a private consensus that language should be included in the Walnut Station plan allowing a second indoor arena near the Nike arena. Is that going to allow a place for the \$30-40 million indoor track the UO Athletic Department is hoping to bond and build?

The pattern of planning decisions and the ongoing creation of sports-centric neighborhood visions and leaves the impression that money is being laundered from Nike through the UO Foundation and City of Eugene parks programs and that the money eventually has the effect of influencing the city's dysfunctional planning efforts. Do NOT build anything new anywhere, it's way out of control and lowers the liveability and sanity here in eugene greatly to the point of insanity. Please funnel money into sane projects, not expansion of an already oversized UO sports buttresse.
stuart philips, eugene

The New Busy think 9 to 5 is a cute idea. Combine multiple calendars with Hotmail. Get busy.

April 26, 2010
City of Eugene Planning Commission

Thank you for allowing me to speak Tuesday night. I thought I ~~did a lousy job~~ could have been more clear. Hopefully the following is much more clear.

- We like the Walnut Node concept, one that envisions a vibrant neighborhood gathering area that would supply many goods and services needed by the neighbors. Supporters envision an area that would be pedestrian and bike friendly with diminished reliance on automobiles depending on such a node's supply of goods and services to reduce the need to travel elsewhere. But therein lies a contradiction, because to be fully successful such a node would require a quite sufficient grocery store,
- Which would require a business owner be convinced of the prospect of large enough gross sales to support an investment in ground, bricks, mortar, fixtures, merchandise and payroll expenses,
- Which would depend upon a large drawing area – population base - which would continue to include all of east Eugene, the University neighbors, Laurel Hill, Moon Mountain, Glenwood, Creswell, Cottage Grove, some of Springfield, etc., to produce those sales numbers,
- Which would require customers from that large drawing area to arrive by car when they buy a “weeks” worth of groceries,
- Which would require that they have vehicle transportation back home even if they are neighbors,
- Which would require that those folks have an inviting parking lot, easily accessible and with a parking space --- none of which would consistently be a discouraging struggle or impossibility for them.
- So, to come full circle, the availability of such a grocery store for pedestrian and bike riders near the Walnut Node will depend on success at attracting that large number of customers from a far more distant home address than can be walked or biked to and from. Those customers will need parking readily available.

In conclusion, to the extent that the form based code proposal and multi-way Boulevard concepts take into account the necessity of adequate and easily accessible parking to insure the viability of that grocery store investment, we are supportive of the code and boulevard concepts. To the extent that the form based code proposal and multi-way Boulevard concepts eliminate existing parking or place constraints on parking availability or create strictures in how lanes of the boulevard change from one stretch to another in front of or near our property, we would oppose the proposed form based code changes and the multi-way Boulevard concepts.

Larry W. Hirons, for
Hirons' Drug and
Durall Investments, landlord to P C Market of Choice and Hirons' Drug, etc.

Camilla Bayliss
1621 Orchard Street
Walnut Mixed use Testimony, June 21, 2010

I have lived in my home for 38 years, and am here to speak to parking impacts and the need for both the parking policies recently recommended by staff.

- I have personally witnessed the growth in parking problems as UO enrollment has increased over time, along with increased development and densities.
- Both the East Campus Planning Efforts and the Fairmount Neighborhood Special Area Study have recognized parking problems, and the neighborhood has taken advantage of existing City parking programs.
- Through the Arena Conditional Use Permit and MOU process, the Neighborhood succeeded in gaining recognition and treatment of negative “spillover” and event parking problems in the neighborhood. For example, high volume parking demand during events such as track meets and football games has resulted in damaged vehicles, blocked access to driveways, and inability for residents to park near their homes. For example, during track meets and football game days, I am unable to entertain because my guests are unable to find a place to park.
- The Walnut mixed use plan includes a REDUCTION in the required amount of off-street parking to be provided by new developments. No study or analysis was conducted, and no provisions were made to address the impacts of this policy recommendation on the neighborhood, except that the plan acknowledges and makes a continuing commitment to ensure that the Arena Parking District remains in place.
- The Arena Parking District is not a panacea, and enforcement of parking limitations does not extend into the night, at which time people living in dense residential developments above the ground floor retail/commercial uses will need a place to park their vehicles. For example, the new Courtside apartments going up on Orchard Street have four stories of apartments but only a limited amount of paid parking beneath the building. Where are all those students going to put their cars?
- **USE OF OUR NEIGHBORHOOD AS OVERNIGHT STORAGE FOR VEHICLES OWNED BY RESIDENTS IN THE MIXED USE AREA IS TOTALLY UNACCEPTABLE!**
- Therefore, two things need to happen. First, a study is needed to evaluate whether supplemental parking program measures are needed beyond the Arena Parking District. Then, after some of the development has occurred, there needs to be a re-evaluation to determine whether additional steps need to be taken to address parking.
- Both of those have been recommended by staff, and the Fairmount Neighborhood Association supports the supplemental recommendations you are just receiving today.

Madam Mayor and city council

Thank you for allowing me to testify in regards to the walnut mixed use area. As you have heard from some of my neighbors much work has been done by countless numbers of people to get to where we are now. As a resident and business owner in the Fairmount neighborhood I feel that the steps that have been taken to date have been positive. I think that all stakeholders came to the table with a goal to help develop a vital and viable mixed use center. As neighbors we are aware that the development community plays a crucial role in how or whether the area ultimately develops over time. We feel that this plan fits the needs of the stakeholders, albeit none of the groups got all they wanted however the collaboration worked well.

The neighbors believe that the recommendations mad by staff in you packet in regards to updating the traffic study as well as the impacts on parking in the neighborhood are very important. We feel that they are important to our neighborhoods livability. I however see them as even more important to the city as a whole as you know this will be the first mixed use center that you as a council will be adopting and there are many more of this type of developments on the table in every part of town, downtown, whiteaker, willow creek, royal, Sheldon plaza, chase gardens, Willamette, Churchill, just to name a few. As these areas move along in the planning process it will be very important to have as much information on how the plans will impact the surroundings neighborhoods and the best ways to deal with the impacts. These studies will be valuable tools in assigning the impacts and finding ways to mitigate them to help maintain the livability of the city's neighborhoods.

As you know study's of this type require resources so I am asking that you direct the city manager to make sure that funding is in place in to complete the study's.

If I were a person that was familiar with the budget process I would look at the possibility of some one time funding that may become available to the city through perhaps thru an upcoming vacation of property in the area of the walnut mixed use center that may have an impact on traffic and parking to the neighborhood and use the monies that are received to fund the studies.

We appreciate staff's hard work and continued commitment to working with the Neighborhood, university and the chamber of commerce to achieve a viable mixed use center. The neighbors feel it's very important that the Council incorporate the recommendations provided by staff tonight

Thank you John Barofsky co chair Fairmount mixed use subcommittee



**Eugene Area
Chamber of
Commerce**

Eugene City Council
777 Pearl St. Room 105
Eugene, OR 97401

Dear Mayor Piercy and Members of the Eugene City Council:

The Eugene Area Chamber of Commerce has been involved in the development of the Walnut Station Mixed Use Center code from the early stages, and is pleased to urge your support. As a member of the Walnut Station Stakeholders group with the University of Oregon, the Fairmount Neighbors, and the City of Eugene, The Chamber has been privileged to work in a collaborative manner with these community partners to develop, refine, and advocate for this exciting code. We believe not only can this code lead to great things for our city, but this manner of collaboration is also a model that can yield great results.

At the Eugene Chamber, we have devoted a great deal of time and energy to the study of form-based codes conceptually, and to the Walnut Station code specifically. We believe it has tremendous potential to yield vibrant, walk-able neighborhoods, and to leverage proximity to bus rapid transit to make the most of existing resources. Further, we are extremely optimistic about the prospect of streamlining the permitting process and improving speed, certainty, and flexibility in the construction process, cutting costs, and helping to put builders back to work. Not only should the City move quickly to implement the Walnut Station Mixed Use Center, but should rapidly begin the search for other opportunities to use form-based code throughout Eugene.

However, the proposal before you is not without its imperfections. We urge the city to protect existing property owners by acting to remove the risk of loss of property through special-setbacks, and we urge the Council to return the code to the original recommendation by staff- that Planning Director Decisions are appealed to the Hearings Official. The last-minute adjustment that sends appeals to the Planning Commission reduces the uniformity and certainty that makes this code so appealing, and puts decisions at the mercy of a politically appointed body rather than an expert in land use code and the rule of law.

With these improvements, we believe the Walnut Station Mixed Use Center and form-based codes have a tremendous amount to offer our community, and urge the council to move forward to make this potential a reality.

Sincerely,



Jared Mason-Gere

Director of Business Advocacy
Eugene Area Chamber of Commerce

1401 Willamette Street
P.O. Box 1107
Eugene, OR 97440-1107
TEL: 541.484.1314
FAX: 541.484.4942

June 21, 2010

Mayor Piercy and Council
City of Eugene
777 Pearl Street
Eugene, OR

Dear Mayor Piercy and City Councilors:

I am speaking in support of the Walnut Station Mixed Use Center. Having participated in discussions going back to 2006, I see this code has great potential to positively impact the way we grow in Eugene, resolving some of our more protracted disputes before they arise in the midst of development proposals. Form-based code can lead to increasingly walk-able neighborhoods and commercial centers, and is well suited to utilize and support our investment in high density transit corridors.

Located on either side of LTD's EmX line, our new arena district or "Walnut Station" is well suited for Eugene's first trial form-based code. This is a great way to make efficient use of land in our city, and to facilitate a type of development broadly supported among Eugene citizens.

What's more, I believe form based code, and the Walnut Station Mixed Use Center will streamline the construction processes and add certainty and flexibility for all concerned, adding an economic boost to our community and decreasing costs for builders, landlords, and tenants. Not only should the Council push forward with the use of form based code in the Walnut Station area, but should be begin looking for other opportunities to employ it throughout Eugene.

As a participant in the community based committee as well as the technical advisory committee I believe the development of the code could serve as a model for our city. Stakeholders, including the business community, the university, and neighbors were brought to the table early, and their concerns and input yielded the language under consideration now. It was through the involvement of neighborhood groups, for example, that building height limits were reduced and usage restrictions were imposed from what the current code would allow. Neighbors' input also led to the inclusion of requirements for building step-backs, and a stricter transition at 15th Avenue. These recommendations from the neighbors and other stakeholders lowered height restrictions and limited building envelopes while still allowing streamlined development to occur. It is through the give and take of a process such as this that we are able to continue to move forward as a community.

Please move quickly to enact the Walnut Station Mixed Use Center code language, and to encourage the use of form based code in Eugene.

Thank you



W. Bruce Mulligan
Chair, Local Government Affairs Committee
Eugene Area Chamber of Commerce
(541) 484-1314

June 21, 2010
Eugene City Council and Budget Committee
Comments on Urban Renewal Proposal

As a 42-year resident of Eugene, I would love to see Eugene's "downtown" and near downtown return to the vibrant lively place, it was when I worked and shopped there in the 70s, a few years before our department stores moved into the "fantastic" malls of the future. Local shopping disappeared into malls and huge parking lots. Our downtowns are becoming blighted and malls are often empty of buyers and businesses. Some malls are bankrupt and small businesses are closing. People's tastes and needs are changing.

There is nothing I would like better than to see our downtown revived, taking advantage of our creative community, lively cultural and arts programs, theaters, restaurants, and nightlife. I sincerely hope this can be achieved in the current Urban Renewal Plan being proposed. My fears as a fiscal conservative lead me to believe that the UR plans will have difficulty in implementation. Beam, although reputed to be a great historical restoration company is now planning a pedestrian ugly office building in Eugene. We already have empty office buildings begging for lease. Signs are that this depression will be very slow in recovering and government public programs will have to support growth and stop deterioration. I support use of UR money to facilitate LCC downtown activities, but the use of UR to bring in more downtown police, now up to 7, is not the best use of those funds.

A large amount of the proposed UR district funds will be used to continue paying for planning and administration. The bad example is the so-called Urban Renewal "Riverfront Research Park" which has neither research nor a park but a parking lot. The entity continues to receive administration funds for what? My self, University faculty and students opposed the project on sound grounds that private applied research would not locate here (an OSU mission). Other University uses were rejected at the time.

We early on lost our opportunity to have Sacred Heart move downtown and the VA has pulled out? Why? This new UR proposal will double the amount of debt resultant debt. Although I understand that moving money around is part of budgeting, why are the Broadway garages and stores empty and the downtown lots empty and needing repair, except on event nights. On street parking for businesses and public uses are street metered and a nuisance. Can UR money be used for free parking, which really could encourage downtown use? Unless this UR plan can find businesses and services that can locate and survive downtown, we will be left with obligations and few results. If, under UR, we could support arts and cultural businesses and their spin-offs as well as small businesses, I do not see downtown revitalization fulfilled.

One question and a suggestion? Could we fold Research Park Money into the new UR proposal and use staff to replace admin staff in the new proposal. If not could we change it or ending use funds to help the plans being proposed for various Riverside Development plans now being proposed, tied to downtown development. We need a real (not token) oversight committee that could review proposals as to likelihood of achieving their intent.

Mary Ann Holser
Member Eugene Budget Comittee
2620 Cresta De Ruta
Eugene, OR 97403

ORDINANCE NO. _____

AN ORDINANCE CONCERNING THE WALNUT STATION MIXED USE CENTER; AMENDING THE EUGENE-SPRINGFIELD METROPOLITAN AREA GENERAL PLAN LAND USE DIAGRAM; ADOPTING THE WALNUT STATION REFINEMENT PLAN; AMENDING THE FAIRMOUNT/UNIVERSITY OF OREGON SPECIAL AREA STUDY; AMENDING THE RIVERFRONT PARK STUDY; REZONING PROPERTY; AMENDING SECTIONS 9.1030, 9.2682, 9.5750, 9.6750, 9.7007, 9.7055, 9.7205, 9.7230, 9.8010, 9.8030, 9.8680, 9.8865 AND 9.9570 OF THE EUGENE CODE, 1971; RENUMBERING SECTIONS 9.8110 AND 9.8113 OF THAT CODE TO SECTIONS 9.8007 AND 9.8009 RESPECTIVELY; ADDING SECTIONS 9.3950, 9.3955, 9.3960, 9.3965, 9.3970, 9.3975, 9.3980, 9.8110, 9.8111, 9.8112, 9.8113, 9.8114 AND 9.9655 TO THAT CODE; ADOPTING SPECIAL SETBACKS FOR A SEGMENT OF FRANKLIN BOULEVARD; ADOPTING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

THE CITY OF EUGENE DOES ORDAIN AS FOLLOWS:

Section 1. The Eugene-Springfield Metropolitan Area General Plan (Metro Plan) Land Use Diagram is amended to remove the current Metro Plan designations from the properties identified on Exhibit A "Walnut Station Metro Plan Designations and Zoning Table" attached hereto and to replace those designations with the Commercial designation, as reflected on Exhibit A attached to this Ordinance. The Metro Plan diagram is further amended to add both the Nodal Development Overlay designation and the Mixed Uses Overlay designation to those properties as shown on Exhibit B "Walnut Station Metro Plan Diagram Amendment" attached to this Ordinance.

Section 2. The Walnut Station Specific Area Plan, a copy of which is attached to this Ordinance as Exhibit C, is adopted as a refinement of the Eugene-Springfield Metropolitan Area General Plan.

Section 3. The Fairmount/University of Oregon Special Area Study, as amended by Ordinance No. 20312, is further amended as follows:

City Manager's recommendation -- appeal of design review to be considered by Hearing Official.

(a) The following paragraph is added to the end of the "Introduction to the Plan Area" subsection of Section I ("Introduction, Overview, and Goals"):

The Walnut Station Specific Area Plan adopted in 2010 incorporated some areas that were originally included in the Fairmount/University of Oregon Special Area Study boundaries. With that 2010 adoption, the City Council removed the Walnut Station area from the Fairmount/University of Oregon Special Area Study boundaries. The Walnut Station area removed from the Fairmount/University of Oregon Special Area Study boundaries is that area located on the south side of East 15th Avenue north to Franklin Boulevard and on the west side of Villard Street east to the terminus of East 15th Avenue and the eastern boundary of the property owned by ODOT (Map 17-03-33-31, Tax Lot 1500). In adopting the refinement plan and special area zone for the Walnut Station area, the City Council removed from this Fairmount/University of Oregon Special Area Study those policies that were specific to the Walnut Station area. Where those policies still had importance to the Walnut Station area, they were incorporated into the Walnut Station Specific Area Plan and/or implemented through the Eugene Code provisions applicable within the Walnut Station Special Area Zone. The background information and findings contained in the Fairmount/University of Oregon Special Area Study that pertain to the Walnut Station area provide important context and history of the planning process for the neighborhood and, although the Fairmount/University of Oregon Special Area Study area no longer includes the Walnut Station area, some references to the entire original study area remain in this Fairmount/University of Oregon Special Area Study.

(b) The following paragraphs are added to the end of "The Planning Process" subsection of Section I ("Introduction, Overview and Goals"):

In May 2005, the City of Eugene, in cooperation with the University of Oregon and the State of Oregon, initiated a planning process for an area along Franklin Boulevard known as "Walnut Station" which included the area between Franklin Boulevard and East 15th Avenue that had been studied as part of the Fairmount/University of Oregon Special Area Study. The first phase of the Walnut Station project focused on developing a common vision for that study area. The second phase of the Walnut Station project began in October 2006 and focused on development of a mixed use development plan (also known as a specific area plan). The Walnut Station Specific Area Plan was adopted in 2010 and included strategies for the area based on the foundation laid out in the visioning process which included:

- *Redesign of Franklin Boulevard to support the pedestrian and transit-friendly mixed use development concept;*
- *Improvements to the pedestrian and bicycle circulation systems;*
- *Redesign of side streets to improve operations, parking capacity and appearance of the other streets within the study area;*
- *Identification of appropriate development patterns and intensities of development within the area.*

City Manager's recommendation -- appeal of design review to be considered by Hearing Official.

With the adoption of the Walnut Station Specific Area Plan, the City Council removed from the Fairmount/University of Oregon Special Area Study most of the area north of East 15th Avenue. The Land Use Diagram (Map 6) reflects the Fairmount/University of Oregon Special Area Study boundaries after the removal of Walnut Station area's Commercial, Office and Low or Medium Residential areas.

In moving these properties from the Fairmount/University of Oregon Special Area Study to the Walnut Station Specific Plan and Special Area Zone, careful consideration was given to the Metro Plan Diagram as refined by the Fairmount/University of Oregon Special Area Study and to the zoning conditions at that time. As East 15th Avenue acts as a transition from primarily commercial zoning and uses, special emphasis was placed on East 15th Avenue as a transition edge. Development standards adopted for the Walnut Station Special Area Zone include a height step-down to three stories along East 15th Avenue, and an increased setback from 0 to 10' to match residential properties across the street and design standards were included to provide a residential scale. Policies relevant to these properties were also included in the Walnut Station Specific Area Plan.

(c) The following sentence is added to the fourth paragraph under the "Introduction" subsection of Section II ("Land Use"):

In 2010, a portion of the area originally included in the Fairmount/University of Oregon Special Area Study between Franklin Boulevard and East 15th Avenue (the Walnut Station area) was removed from the boundaries of the Study because that area was included in a new refinement plan and special area zone.

(d) Policy No. 2 under the "General Policies" subsection of Section II ("Land Use") is amended to provide:

2. With the exception of 1) the "Institutional Area" ("I" on the Land Use Diagram), ***and*** 2) the Limited High Density Residential/ Limited Institutional Area ("LHDR/LI" on the Land Use Diagram) [~~and 3) the Department of Motor Vehicles site ("S" on the Land Use Diagram)~~], non-residential zoning shall not be expanded in the study area.

(e) Policy No. 3 under the "General Policies" subsection of Section II ("Land Use") is amended to provide:

3. With the exception of [~~1) that portion of the ODOT lands designated for residential use, and 2)~~] University lands designated as "Institutional" or "Limited High Density Residential/Limited Institutional", zone changes to increase residential density or commercial intensity are not supported by this plan. [~~This policy allows the opportunity for future residential development on the ODOT lands (approximate density for residential development on the ODOT lands will be addressed by selection of one of the alternative policy statements found in the Oregon Department of Transportation Section Section D).~~]

(f) Policy No. 1 under "The Core Residential Area" subsection of Section II ("Land Use") is amended to provide:

City Manager’s recommendation -- appeal of design review to be considered by Hearing Official.

- 1. With the exception of 1) the “Institutional Area” (“I” on the Land Use Diagram); *and* 2) the Limited High Density Residential/ Limited Institutional Area (“LHDR/LI” on the Land Use Diagram) [~~and 3) the Department of Motor Vehicles site (“S” on the Land Use Diagram)~~], non-residential zoning shall not be expanded in the study area.

(g) Policy No. 2 under “The Core Residential Area” subsection of Section II (“Land Use”) is amended to provide:

- 2. With the exception of [~~1) that portion of the ODOT lands designated for residential use, and 2)~~] University lands designated as “Institutional” or “Limited High Density Residential/Limited Institutional”, zone changes to increase residential density or commercial intensity are not supported by this plan. [~~This policy allows the opportunity for future residential development on the ODOT lands (approximate density for residential development on the ODOT lands will be addressed by selection of one of the alternative policy statements found in the Oregon Department of Transportation Section – Section D).~~]

(h) Policy Nos. 1 and No. 2 under “The Franklin Boulevard Community Commercial Strip” subsection of Section II (“Land Use”) and the “Policies” heading under that subsection are deleted.

Policies

- ~~1. With the exception of 1) the “Institutional Area” (“I” on the Land Use Diagram), 2) the Limited High Density Residential/ Limited Institutional Area (“LHDR/LI” on the Land Use Diagram) and 3) the Department of Motor Vehicles site (“S” on the Land Use Diagram), non-residential zoning shall not be expanded in the study area.~~
- ~~2. Businesses shall be encouraged to landscape their sites. Where feasible, such encouragement shall include development of mechanisms to fund such landscaping.]~~

(i) Policy No. 1 under “The 19th and Agate Neighborhood Commercial Development” subsection of Section II (“Land Use”) is amended to provide:

- 1. With the exception of 1) the “Institutional Area” (“I” on the Land Use Diagram), *and* 2) the Limited High Density Residential/ Limited Institutional Area (“LHDR/LI” on the Land Use Diagram) [~~and 3) the Department of Motor Vehicles site (“S” on the Land Use Diagram)~~], non-residential zoning shall not be expanded in the study area.

(j) Policy Nos. 1 and No. 2 under “The Oregon Department of Transportation Lands” subsection of Section II (“Land Use”) and the “Policies” heading under that subsection are deleted.

Policies

- ~~1. Future use of the ODOT lands shall be for residential, park and office as defined in the following policy statements.~~

City Manager's recommendation -- appeal of design review to be considered by Hearing Official.

- ~~a. Future use of the ODOT lands shall be primarily residential. This use shall be for low- to medium-density residential development.~~
- ~~b. Future development of the ODOT lands shall preserve and enhance the existing "gateway" effect as an attractive entrance to the City, and special attention shall be given to developing a portion as a gateway park.~~
- ~~c. Under future development, office use on the ODOT lands shall be limited to the site of the present Department of Motor Vehicles (DMV) building on the northwest corner of Tax Lot 1000 — Assessor's Map 17-03-33-31 ("S" on the Land Use Diagram).~~

- ~~2. Upon conversion of the ODOT lands from public to private ownership and the ensuing development of the lands shall be compatible with the single-family development along East 15th Avenue, the commercial uses along Franklin Boulevard and Walnut Avenue, and the existing bike route.~~

(k) The "Land Use Diagram Text" subsection of Section II "Land Use" is amended to delete the "Low- or Medium-Density Residential (L/M)" and "Professional /Office (S)" headings and the text under those headings and to revise the text under the "Commercial (C)" heading as follows:

~~Low- or Medium-Density Residential (L/M)~~

~~This area is currently owned by the Oregon State Department of Transportation (ODOT). It contains the Eugene Office of the State Police, the District Engineer's Office, and the maintenance facility for the Highway Division. The State has expressed interest in relocating these functions. The diagram indicates the area should be for low- or medium-density residential uses should the State decide to relocate in the future. Development in the area should preserve a parklike border along Franklin Boulevard to preserve the "gateway entrance" to the city. Site review procedures will be followed in future development to protect nearby residences and ensure a "parklike gateway."~~

~~Professional/Office (S)~~

~~This site is currently owned by the State Department of Transportation and contains the East Eugene drive test center for the Department of Motor Vehicles (DMV). Should the DMV leave this site, it is appropriate for office or professional uses to locate there. Access will continue to be taken from Walnut Street.]~~

~~Commercial (C)~~

~~There are two commercial areas within the special study area: [serving the neighborhood: major commercial facilities north of 15th Avenue, primarily facing Franklin Boulevard;] **a commercial area west of Villard at East 13th Avenue that is developed with an arena** and a Community Commercial node at 19th Avenue and Agate Street. **No further expansion of commercial zoning shall occur in either area.** [Both areas shall remain in commercial uses with no further expansion of commercial zoning in either area. In order to protect existing residential uses on the south side of 15th Avenue, site review procedures will be attached to properties facing 15th Avenue east of the alley between Moss Street and Villard Street eastward to the ODOT lands.]~~

(l) Policy Nos. 1 and No. 3 under the "Traffic Circulation" subsection of Section III ("Transportation and Parking") are deleted and the remaining policies are renumbered accordingly.

~~[1. The Department of Motor Vehicles site shall continue to gain access from Walnut Avenue and not from Franklin Boulevard.~~

~~2. Primary vehicular access to the Oregon Department of Transportation Lands should minimize impact on nearby residences and Fairmount Park.]~~

(m) Policy Nos. 1 and No. 2 under the "Bicycle and Pedestrians" subsection of Section III ("Transportation and Parking") are deleted and the remaining policies are renumbered accordingly.

~~[1. When the Department of Transportation lands are developed in the future, consideration shall be given to realigning the 15th Avenue bicycle path in the vicinity of those lands and making it more attractive.~~

~~— Note: If the bicycle path is realigned, the City shall require an easement for the path to ensure its permanence in the future.~~

~~2. The University and City shall work with the State Department of Transportation and University community neighborhoods to address the issue of improved bicycle and pedestrian connections across Franklin Boulevard.]~~

(n) Map 3 "Land Use Study Areas," Map 4 "Generalized Existing Land Use" and Map 6 "Land Use Diagram" are revised to remove the Walnut Station area from those Maps as shown on Exhibits D-1, D-2 and D-3, attached to this Ordinance.

(o) The "Summary of Policies" section is deleted in its entirety and removed from the Table of Contents.

Section 4. The Riverfront Park Study is amended as follows:

(a) Policy No. 1 under the "Land Use" subsection of Section II ("Policies") is amended to provide:

The City of Eugene shall apply the Special Development District to property under University ownership *except for property included in the boundaries of the Walnut Station Specific Area Plan boundaries.*

(b) Policy No. 2 under the "Land Use" subsection of Section II ("Policies") is amended to provide:

The City of Eugene shall consider Special District zoning for other properties within the Riverfront Park Study area only at the request of affected property owners *except for property included in the Walnut Station Specific Area Plan boundaries.*

Section 5. The Eugene Zoning Map is amended to remove the current zones from the properties identified on Exhibit A attached hereto and to replace those zones with the S-WS Walnut Station Special Area Zone, as reflected on Exhibit A attached to this Ordinance.

Section 6. The Eugene Overlay Zone Map is amended to remove the /SR Overlay Zone from tax lot 17-03-33-32-04900 as reflected on Exhibit A. All other currently applicable overlay zones shall remain in place, as reflected on Exhibit A.

Section 7. Section 9.1030 of the Eugene Code, 1971, is amended by adding the following entry in alphabetical order to the Table 9.1030 Special Area Zone listing:

9.1030 Establishment and List of Zones. The zones listed in Table 9.1030 Zones are established as follows:

Table 9.1030 Zones	
Broad Zone Category	Zone
Special	S-WS Walnut Station Special Area Zone

Section 8. The Caption and Sections 9.3950, 9.3955, 9.3960, 9.3965, 9.3970, 9.3975 and 9.3980 are added to the Eugene Code, 1971, as set forth on Exhibit E “S-WS Walnut Station Special Area Zone,” attached to this Ordinance.

Section 9. Subsections (4), (5), (6)(c)2., (7)(b) and (7)(d) of Section 9.5750 of the Eugene Code, 1971, are amended to provide:

- 9.5750 Telecommunication Devices-Siting Requirements and Procedures.**
- (4) **Collocation of Antennas on Existing Buildings, Light or Utility Poles, and Water Towers.** In addition to collocation on a transmission tower, an antenna may be collocated on existing buildings, light or utility poles, and water towers.
 - (a) **Permitted Use.** Such collocation on a building, light or utility pole, or water tower, shall be considered an outright permitted use provided that the antennas and ancillary facilities comply with the standards contained in EC 9.5750 Telecommunications Devices-Siting Requirements and Procedures, the color of the antennas blends in with the existing structure and surroundings, and one of the following is met:
 - 1. The property is zoned PL, C-2, C-3, C-4, R-4, I-1, I-2, [er] I-3, or

- S-WS** and the antennas do not exceed the height limitation of the zone; or
2. The property is zoned AG, R-1, R-2, R-3, C-1, GO, S (**except as provided in 1., above**), H, or PRO, and the antennas extend no more than 18 feet above, and project no more than 2 feet horizontally away from the existing structure.
- (b) **Site Review.** Such collocation on a building, light or utility pole, or water tower shall be subject to site review approval provided that the antennas and ancillary facilities comply with the standards contained in EC 9.5750 Telecommunications Devices-Siting Requirements and Procedures, the color of the antennas blend in with the existing structure and surroundings, and:
1. The property is zoned AG, R-1, R-2, R-3, C-1, GO, S (**other than S-WS**), H, or PRO, and the antennas extend more than 18 feet above, or project more than 2 feet horizontally away from the existing structure.
- (c) **Conditional Use Permit.** In all cases other than those listed in subparagraphs (a) and (b), such collocation shall require a conditional use permit. No exceptions to the standards contained in EC 9.5750 Telecommunications Devices-Siting Requirements and Procedures shall be permitted except as authorized by subsection (9) of this section. In no event shall a conditional use permit authorize a tower or antennas to exceed the height limitation for a zone as established by Chapter 9 except as provided for in this section.
- (5) **Construction of Transmission Tower.** Construction of a transmission tower, or a modification of an existing transmission tower to increase its height, shall be allowed as follows:
- (a) **Permitted Use.**
 1. Such construction or modification shall be considered an outright permitted use in the C-4, I-1, I-2 and I-3 zone.
 2. Modification to increase the height of an existing transmission tower shall be considered an outright permitted use in all other zones if the city approved an increase in tower height, as part of a prior land use process authorizing the transmission tower. The increase in height allowed under this paragraph shall be limited to the specific height authorized in the prior land use process.
 - (b) **Site Review.** Such construction shall require site review approval in the PL, C-2, ~~and~~ C-3, **and S-WS** zones.
 - (c) **Conditional Use Permit.** Such construction shall require a conditional use permit in the R-1, C-1, S (**other than S-WS**) and GO zones.
 - (d) **Prohibited Zones and Locations.** No new transmission tower shall be permitted in any zones not included in subparagraphs (a) to (c) above, including the AG, R-2, R-3, R-4, H, NR, and PRO zones; or in the Willamette Greenway, on Gillespie Butte above the elevation of 450 feet, on the ridgeline as defined in the South Hills Study or on Judkins Point.
- (6) **Application Requirements.**
- (c) **Site Review and Conditional Use Permit Applications.** In addition to the application requirements specified in paragraph (b) above, applications

for site review or conditional use permits also shall include the following information:

2. Documentation that alternative sites within a radius of at least 2000 feet have been considered and have been determined to be technologically unfeasible or unavailable. For site reviews, alternative sites zoned C-4, I-1, I-2, and I-3 must be considered. For conditional use permits, alternative sites zoned PL, C-2, ~~and~~ C-3, C-4, I-1, I-2, ~~and~~ I-3 **and S-WS** must be considered.
- (7) **Standards for Transmission Towers and Antennas.** Installation, construction or modification of all transmission towers and antennas shall comply with the following standards, unless a variance is obtained pursuant to the provisions of subsection (9) of this section:
- (b) **Height Limitation:** Transmission tower heights shall be governed by this section except as provided for below. No transmission tower shall exceed the maximum heights provided below. In no case shall a variance be granted from the limitations of subparagraphs (1) through (4) below.
 1. In any zones, no transmission tower shall exceed the height limitations established for buildings and structures in the specified areas surrounding Skinner Butte contained in EC 9.6715 Height Limitation Areas of this land use code to protect views to and from Skinner Butte.
 2. In any zone within the area east of Willagillespie Road, south of Cal Young Road, west of Oakway Road, and north of Southwood Lane and Country Club Road, no transmission tower shall exceed 75 feet in height to protect views to and from Gillespie Butte.
 3. If located within a PL, C-2, C-3, C-4, R-4, I-1, I-2, ~~or~~ I-3 **or S-WS** zone, the height limitation for that zone shall apply.
 4. If located within a C-1, S (**other than S-WS**) or GO zone, the maximum height of a transmission tower, including antennas, is 100 feet.
 5. If located within an R-1 zone, the maximum height of a transmission tower, including antennas, is 75 feet, unless a variance is granted pursuant to the provisions of subsection (9) of this section. In no event shall a variance be granted to construct such a tower in excess of 100 feet.
 - (d) **Setback.** The following setbacks from adjacent property lines and adjacent streets shall be required unless a variance is granted pursuant to the provisions of subsection (9) of this section:
 1. If located within a PL, S, C-2, C-3, C-4, I-1, I-2, ~~or~~ I-3 **or S-WS** zone, no setback from adjacent property lines shall be required beyond that required by this land use code or the provisions applicable to the S zone.
 2. If located within an R-1, C-1, or GO zone, the transmission tower shall be set back from adjacent property lines a minimum number of feet that is equal to the height of the transmission tower.
 3. In the R-1, PL, C-1 and GO zones, transmission towers shall be set back from adjacent public street(s) a minimum number of feet that is equal to the height of the tower. In all other zones, the

setback from adjacent public streets shall be a minimum of 25 feet.

Section 10. Subsection (2) of Section 9.6750 of the Eugene Code, 1971, is amended by adding a new subsection (d) to provide:

9.6750 Special Setback Standards.

(2) Special Setback for Streets.

(d) Notwithstanding subsections (a)-(c), above, special setbacks for the segment of Franklin Boulevard shown on Map 9.3970(3)(d) (S-WS Walnut Special Area Zone Franklin Boulevard Special Setback Boundaries) are those lines established by Exhibit G to Ordinance No. [REDACTED]. (See EC 9.3970(3)(d).)

Section 11. Subsection (1) of Section 9.7007 of the Eugene Code, 1971, is amended to provide:

9.7007 Neighborhood/Applicant Meetings.

(1) This section applies to the following types of land use applications:

- (a) Type II: 3-lot partitions, tentative subdivisions, [~~and~~] tentative cluster subdivisions *and design reviews*;
- (b) Type III: Only conditional use permits and tentative planned unit developments;
- (c) Type IV applications that are not city-initiated;
- (d) Metro Plan amendments that are not city-initiated.

Section 12. Section 9.7055 of the Eugene Code, 1971, is amended by adding the following entries in alphabetical order to Table 9.7055 to provide:

9.7055 Applications and Review Authorities. Table 9.7055 Applications and Review Authorities, lists applications and the typical review authorities for the decision and the appeal of the decision. To accommodate a request for concurrent review, the city may instead review multiple applications according to the highest applicable type.

Table 9.7055 Applications and Review Authorities						
R = Recommendation, D = Decision Maker, A = Appeal Review Authority						
Application	Type	Planning Director	Hearings Official	Historic Review Board	Planning Commission	City Council
<i>Design Review</i>	<i>II</i>	<i>D</i>	<i>A</i>			
<i>Design Review, Modification</i>	<i>II</i>	<i>D</i>	<i>A</i>			

City Manager's recommendation -- appeal of design review to be considered by Hearing Official.

Section 13. Section 9.7205 of the Eugene Code, 1971, is revised by amending the entry for "Conditional Use Permit, Modification" and adding entries for "Design Review" and "Design Review, Modification" in alphabetical order to Table 9.7205 to provide:

9.7205 **Type II Application Requirements and Criteria Reference.** The following applications are typically reviewed under the Type II review process according to the requirements and criteria set forth for each application as reflected in the beginning reference column in Table 9.7205. To accommodate a request for concurrent review, the city may instead review multiple applications according to the highest applicable type.

Table 9.7205 Type II Application Requirements and Criteria	
Type II Applications	Beginning Reference
Conditional Use Permit, Modification	EC [9.8110] 9.8007
<i>Design Review</i>	<i>EC 9.8110</i>
<i>Design Review, Modification</i>	<i>EC 9.8114</i>

Section 14. Section 9.7230 of the Eugene Code, 1971, is amended by adding the following entries in alphabetical order to Table 9.7230 to provide:

9.7230 **Expiration.**
 (1) The planning director's approval of an application shall expire in 12 months, 18 months, or 36 months from the effective date of approval, depending upon the type of land use application as specified in Table 9.7230 Expiration of Type II Application Approvals, or as provided in subsections (2) through (9) of this section. If an application approval has expired according to any of the conditions stated in subsections (2) through (9), the original application approval is revoked and a new application must be filed.

Table 9.7230 Expiration of Type II Application Approvals			
Application	12 months	18 months	36 months
<i>Design Review</i>			X
<i>Design Review, Modification</i>			X

Section 15. Sections 9.8110 and 9.8009 of the Eugene Code, 1971, are renumbered to Sections 9.8007 and 9.8009, respectively, and all references to those sections, including but not limited to the reference in EC 9.2682, are hereby updated to reflect this renumbering.

City Manager's recommendation -- appeal of design review to be considered by Hearing Official.

Section 16. EC "Map 9.8010 Adopted Plans" and its legend are amended as shown on Exhibit F attached hereto and Table 9.8010 in Section 9.8010 of the Eugene Code, 1971, is amended to provide:

9.8010 List of Adopted Plans. The documents listed in the following Table 9.8010, including any adopted amendments, are the currently effective adopted plans that may be applicable to a particular land use application. The plans and adopted policies are more particularly set forth beginning at EC 9.9500, and the boundaries for each are depicted on Map 9.8010 Adopted Plans.

Bethel-Danebo Refinement Plan (Phase II)	Riverfront Park Study
Bethel-Danebo Refinement Plan	South Hills Study
Comprehensive Stormwater Management Plan	South Willamette Subarea Study
Eugene Commercial Lands Study	TransPlan (Metro Area Transportation Plan)
Eugene Downtown Plan	<i>Walnut Station Specific Area Plan</i>
Eugene-Springfield Metropolitan Area General Plan (Metro Plan)	West University Refinement Plan
Fairmount/U of O Special Area Study	Westside Neighborhood Plan
Jefferson/Far West Refinement Plan	Whiteaker Plan
Laurel Hill Neighborhood Plan	Willakenzie Area Plan
19 th and Agate Special Area Study	Willow Creek Special Area Study
River Road-Santa Clara Urban Facilities Plan	
Resolution No. 3862 Adopting the West 11 th Commercial Land Use Policy and Refining the Eugene-Springfield Metropolitan Area General Plan (Adopted June 13, 1984)	Resolution No. 3885 Establishing Areas for the Application of C-4 Commercial-Industrial District Zoning, and Amending Resolution No. 3862 (Adopted on November 13, 1984)

Section 17. Section 9.8030 of the Eugene Code, 1971, is amended by adding a new subsection (29) to provide:

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

(29) S-WS Walnut Station Special Area Zone Off-Street Parking Spaces Adjustment. *An adjustment allowing a 25 percent reduction in the minimum required off-street parking spaces pursuant to EC 9.3970(4)(a), if the applicant demonstrates that a proposed Transportation Demand Management (TDM) Program approved by the city 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.*

Section 18. The following heading and Sections 9.8110, 9.8111, 9.8112, 9.8113, 9.8114 of the Eugene Code, 1971, are added to provide:

DESIGN REVIEW

- 9.8110** ***Design Review- Purpose.** The design review process is intended to provide an alternative path for design proposals that respond to the intent of the code and creatively meet or exceed the specific development standards.*
- 9.8111** ***Design Review - Applicability.** EC 9.3980 allows an applicant within the S-WS Walnut Station Special Area Zone to seek approval through the Design Review process. These applications for review shall be considered under a Type II process, or concurrently with a related Type III application process. No development permit shall be issued by the city prior to completion of the design review.*
- 9.8112** ***Design Review – Application Requirements.** In addition to the provisions in EC 9.7010 Application Filing, applications for Design Review shall be subject to the following requirements:*
- (1) Unless waived by the planning director, the application shall be prepared by one or more of the following professionals:*
 - (a) Oregon licensed architect.*
 - (b) Oregon licensed civil engineer.*
 - (c) Oregon licensed landscape architect.*
 - (2) The application shall include a site plan that shows sufficient detail and supporting narrative information to demonstrate compliance with applicable criteria. Unless waived by the planning director, the site plan shall be prepared by an Oregon licensed architect, landscape architect, civil engineer or Oregon licensed surveyor.*
- 9.8113** ***Design Review - Approval Criteria.** The decision-maker shall determine whether the application is in compliance with the Design Review criteria set out in the code section that authorizes Design Review.*
- 9.8114** ***Design Review – Modification.** Modification of an approved Design Review may be requested following the Type II process. The planning director shall approve the request if it complies with the following criteria:*
- (1) The proposed modification is consistent with the conditions of the original approval.*
 - (2) The proposed modification will result in insignificant changes in the physical appearance of the development and the impact on surrounding properties.*

If the planning director determines that the modification is not consistent with the above criteria, the proposed modification may not occur until a new Design Review application is submitted and reviewed based on the Type II application procedures. Nothing in this section shall preclude the applicant from initially submitting the requested modification as a new Design Review application.

Section 19. Subsection (5) of Section 9.8680 of the Eugene Code, 1971, is added to provide:

- 9.8680** **Approval Criteria.** The planning director shall approve, conditionally approve, or deny an application for Traffic Impact Analysis Review following a Type II process, or as part of a Type III process when in conjunction with a CUP or PUD. Approval or conditional approval shall be based on compliance with the following criteria:
- (5) *In addition to the above criteria, if the development is located within the S-WS Walnut Station Special Area Zone, any increased traffic the development would generate on streets within the Fairmount neighborhood to the south of the Walnut Station Special Area Zone shall be mitigated through the use of traffic calming strategies or other mechanisms designed to discourage such traffic.*

Section 20. Subsection (4) of Section 9.8865 of the Eugene Code, 1971, is amended by adding a new subparagraph (o) and relettering the subsequent subparagraphs to provide:

- 9.8865** **Zone Change Approval Criteria.** Approval of a zone change application, including the designation of an overlay zone, shall not be approved unless it meets all of the following criteria:
- (4) The proposed zone change is consistent with the applicable siting requirements set out for the specific zone in:
- (o) **EC 9.3955 S-WS Walnut Station Special Area Zone Siting Requirements.**
 - (op) **EC 9.4205 /EC East Campus Overlay Zone Siting Requirements.**
 - (pq) **EC 9.4715 /WP Waterside Protection Overlay Zone Siting Requirements.**
 - (qr) **EC 9.4776 /WQ Water Quality Overlay Zone Siting Requirements** (only for the purposes of adding the overlay zone. See EC 9.4786.).
 - (rs) **EC 9.4915 /WR Water Resources Conservation Overlay Zone Siting Requirements** (only for the purposes of adding the overlay zone. See EC 9.4960.).
 - (st) **EC 9.4815 /WB Wetland Buffer Overlay Zone Siting Requirements.**
 - (tu) An uncodified ordinance establishing a site specific S-H Historic Special Area Zone, a copy of which is maintained at the city's planning and development department.

Section 21. Subsection (2) of Section 9.9570 of the Eugene Code, 1971, is deleted and the remaining subsections are renumbered accordingly, and subsections (4) and (6) of EC 9.9570 are amended to provide:

- 9.9570** **Fairmount/U of O Special Area Study Policies.**
~~[(2) Oregon Department of Transportation Lands Policies. Future use of the ODOT lands shall be for residential, park, and office as defined in the~~

following policy statements:

- ~~(a) Future use of the ODOT lands shall be primarily residential. This use shall be for low to medium density residential development.~~
- ~~(b) Future development of the ODOT lands shall preserve and enhance the existing "gateway" effect as an attractive entrance to the city, and special attention shall be given to developing a portion as a gateway park.~~
- ~~(c) Under future development, office use on the ODOT lands shall be limited to the site of the present Department of Motor Vehicles (DMV) building on the northwest corner of Tax Lot 1000 Assessor's Map 17-03-33-3-1 ("S" on the Land Use Diagram). (Policy 1)~~
- ~~(d) Upon conversion of the ODOT lands from public to private ownership and the ensuing development of the lands shall be compatible with the single-family development along East 15th Avenue, the commercial uses along Franklin Boulevard and Walnut Avenue, and the existing bike route. (Policy 2)]~~

[[4]3) Traffic Circulation Policies.

- ~~(a) The Department of Motor Vehicles site shall continue to gain access from Walnut Avenue and not from Franklin Boulevard. (Policy 1)]~~
- ~~(ba) The adverse effects of motor vehicle movement shall be mitigated as much as possible. (Policy 2)~~
- ~~(c) Primary vehicular access to the Oregon Department of Transportation Land should minimize impact on nearby residences and Fairmount Park. (Policy 3)]~~
- ~~(db) Traffic management techniques shall continue to be used and new techniques developed to reinforce the idea of a hierarchy of streets in the plan area. Some streets shall combine their local, collector, or arterial function with a role as primary pedestrian or bicycle ways. The use of low-volume, local neighborhood streets for through movements by truck and heavy construction equipment shall be discouraged. (Policy 4)~~
- ~~(ec) By March, 2005, the City shall initiate a study of Agate Street between Franklin Boulevard and 19th Avenue. That study, conducted jointly with the University and the Fairmount Neighborhood Association, shall identify strategies to improve the function and carrying capacity of Agate according to the City criteria for its designated street classification. The City will implement the necessary changes. The University will participate in those improvements as development occurs and as required by the City code, to the extent that the University is directly responsible for the needed improvements. (Policy 6)~~
- ~~(fd) The City, with the cooperation of the University and the Fairmount Neighborhood Association, shall initiate an area-wide traffic calming study for the streets within the Fairmount/University of Oregon Special Area Study boundary to determine appropriate mitigation for through-traffic utilizing neighborhood streets. Such study shall be initiated prior to December, 2008, subject to availability of funds. In the event that the City updates the Central Area Transportation Study (CATS) prior to 2008, the City shall fund and initiate an area-wide traffic calming study~~

as part of the CATS update to determine appropriate mitigation measures for the subject area. (Policy 7)

- (ge) If a Traffic Impact Analysis that is required by the City Code projects that a proposed development will increase traffic on streets within the single-family neighborhood to the east and south of University-owned land, the City shall require the applicant to mitigate those impacts through use of traffic calming strategies or other mechanisms designed to discourage through traffic. (Policy 8)
- (hf) With the exception of alleys, vacations of streets within the state-approved University East Campus boundary should not be permitted, unless the applicant, at his or her expense, provides to the City a local street connection study that demonstrates how the proposed street system remaining after such vacation meets the intent of the Eugene Code street connectivity provisions and that such vacation will not increase traffic volumes on local residential streets. (Policy 9)

([6]5) Bicycle and Pedestrian Policies.

- ~~[(a) When the Department of Transportation lands are developed in the future, consideration shall be given to realigning the 15th-Avenue bicycle path in the vicinity of those lands and making it more attractive. (Note: If the bicycle path is realigned, the City shall require an easement for the path to ensure its permanence in the future.) (Policy 1)~~
- (b) Existing and future businesses shall be encouraged to provide safe and covered bicycle parking for employees and patrons. (Policy 3) The use of bicycles, mass transit, walking, carpooling, and other appropriate alternative modes of transportation, especially by employees working in the plan area, shall be actively encouraged and provided for in order to reduce automobile dependence and alleviate traffic and parking problems. (Policy 4)

Section 22. Section 9.9655 of the Eugene Code, 1971, is added to provide:

9.9655 Walnut Station Specific Area Plan.

- (1) *As part of an application to develop the lands formerly owned by the Department of Transportation (south of Franklin Boulevard, east of Walnut Street and north of 15th Avenue), the developer shall demonstrate that consideration was given to realigning the 15th Avenue bicycle path in the vicinity of those lands and making it more attractive. (Note: If the bicycle path is realigned, the City shall require an easement for the path to ensure its permanence in the future.)*
- (2) *As part of an application to develop a property south of Franklin Boulevard or a property in the block on the north side of Franklin Boulevard between Moss Street, Villard Street, and Garden Avenue within the Walnut Station Specific Area Plan, applicants are encouraged to include access for pedestrians, bicycles and limited vehicular access consistent with the Transportation Features map shown as Figure 9.3978(3)(b) in the Walnut Station Special Area Zone.*

Section 23. The legal description set forth at Exhibit H is hereby adopted as the description of the special setback lines that shall be applied to the segment of Franklin Boulevard shown on Map 9.3970(3)(d) S-WS Walnut Special Area Zone Franklin Boulevard Special Setback Boundaries.

Section 24. The Legislative Findings set forth in Exhibit I attached to this Ordinance serve as support for this ordinance.

Section 25. If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held invalid or unconstitutional by 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.

Section 26. The City Recorder, at the request of, or with the consent of the City Attorney, is authorized to administratively correct any reference errors contained herein, or in other provisions of the Eugene Code, 1971, to the provisions added, amended or repealed herein.

Passed by the City Council this
___ day of _____, 2010

Approved by the Mayor this
___ day of _____, 2010

City Recorder

Mayor

ORDINANCE NO. _____

AN ORDINANCE CONCERNING THE WALNUT STATION MIXED USE CENTER; AMENDING THE EUGENE-SPRINGFIELD METROPOLITAN AREA GENERAL PLAN LAND USE DIAGRAM; ADOPTING THE WALNUT STATION REFINEMENT PLAN; AMENDING THE FAIRMOUNT/UNIVERSITY OF OREGON SPECIAL AREA STUDY; AMENDING THE RIVERFRONT PARK STUDY; REZONING PROPERTY; AMENDING SECTIONS 9.1030, 9.2682, 9.5750, 9.6750, 9.7007, 9.7055, 9.7205, 9.7230, 9.7605, 9.8010, 9.8030, 9.8680, 9.8865 AND 9.9570 OF THE EUGENE CODE, 1971; RENUMBERING SECTIONS 9.8110 AND 9.8113 OF THAT CODE TO SECTIONS 9.8007 AND 9.8009 RESPECTIVELY; ADDING SECTIONS 9.3950, 9.3955, 9.3960, 9.3965, 9.3970, 9.3975, 9.3980, 9.8110, 9.8111, 9.8112, 9.8113, 9.8114 AND 9.9655 TO THAT CODE; ADOPTING SPECIAL SETBACKS FOR A SEGMENT OF FRANKLIN BOULEVARD; ADOPTING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

THE CITY OF EUGENE DOES ORDAIN AS FOLLOWS:

Section 1. The Eugene-Springfield Metropolitan Area General Plan (Metro Plan) Land Use Diagram is amended to remove the current Metro Plan designations from the properties identified on Exhibit A "Walnut Station Metro Plan Designations and Zoning Table" attached hereto and to replace those designations with the Commercial designation, as reflected on Exhibit A attached to this Ordinance. The Metro Plan diagram is further amended to add both the Nodal Development Overlay designation and the Mixed Uses Overlay designation to those properties as shown on Exhibit B "Walnut Station Metro Plan Diagram Amendment" attached to this Ordinance.

Section 2. The Walnut Station Specific Area Plan, a copy of which is attached to this Ordinance as Exhibit C, is adopted as a refinement of the Eugene-Springfield Metropolitan Area General Plan.

Section 3. The Fairmount/University of Oregon Special Area Study, as amended by Ordinance No. 20312, is further amended as follows:

(a) The following paragraph is added to the end of the "Introduction to the Plan Area" subsection of Section I ("Introduction, Overview, and Goals"):

The Walnut Station Specific Area Plan adopted in 2010 incorporated some areas that were originally included in the Fairmount/University of Oregon Special Area Study boundaries. With that 2010 adoption, the City Council removed the Walnut Station area from the Fairmount/University of Oregon Special Area Study boundaries. The Walnut Station area removed from the Fairmount/University of Oregon Special Area Study boundaries is that area located on the south side of East 15th Avenue north to Franklin Boulevard and on the west side of Villard Street east to the terminus of East 15th Avenue and the eastern boundary of the property owned by ODOT (Map 17-03-33-31, Tax Lot 1500). In adopting the refinement plan and special area zone for the Walnut Station area, the City Council removed from this Fairmount/University of Oregon Special Area Study those policies that were specific to the Walnut Station area. Where those policies still had importance to the Walnut Station area, they were incorporated into the Walnut Station Specific Area Plan and/or implemented through the Eugene Code provisions applicable within the Walnut Station Special Area Zone. The background information and findings contained in the Fairmount/University of Oregon Special Area Study that pertain to the Walnut Station area provide important context and history of the planning process for the neighborhood and, although the Fairmount/University of Oregon Special Area Study area no longer includes the Walnut Station area, some references to the entire original study area remain in this Fairmount/University of Oregon Special Area Study.

(b) The following paragraphs are added to the end of "The Planning Process" subsection of Section I ("Introduction, Overview and Goals"):

In May 2005, the City of Eugene, in cooperation with the University of Oregon and the State of Oregon, initiated a planning process for an area along Franklin Boulevard known as "Walnut Station" which included the area between Franklin Boulevard and East 15th Avenue that had been studied as part of the Fairmount/University of Oregon Special Area Study. The first phase of the Walnut Station project focused on developing a common vision for that study area. The second phase of the Walnut Station project began in October 2006 and focused on development of a mixed use development plan (also known as a specific area plan). The Walnut Station Specific Area Plan was adopted in 2010 and included strategies for the area based on the foundation laid out in the visioning process which included:

- *Redesign of Franklin Boulevard to support the pedestrian and transit-friendly mixed use development concept;*
- *Improvements to the pedestrian and bicycle circulation systems;*
- *Redesign of side streets to improve operations, parking capacity and appearance of the other streets within the study area;*
- *Identification of appropriate development patterns and intensities of development within the area.*

With the adoption of the Walnut Station Specific Area Plan, the City Council removed from the Fairmount/University of Oregon Special Area Study most of the area north of East 15th Avenue. The Land Use Diagram (Map 6) reflects the Fairmount/University of Oregon Special Area Study boundaries after the removal of Walnut Station area's Commercial, Office and Low or Medium Residential areas.

In moving these properties from the Fairmount/University of Oregon Special Area Study to the Walnut Station Specific Plan and Special Area Zone, careful consideration was given to the Metro Plan Diagram as refined by the Fairmount/University of Oregon Special Area Study and to the zoning conditions at that time. As East 15th Avenue acts as a transition from primarily commercial zoning and uses, special emphasis was placed on East 15th Avenue as a transition edge. Development standards adopted for the Walnut Station Special Area Zone include a height step-down to three stories along East 15th Avenue, and an increased setback from 0 to 10' to match residential properties across the street and design standards were included to provide a residential scale. Policies relevant to these properties were also included in the Walnut Station Specific Area Plan.

(c) The following sentence is added to the fourth paragraph under the "Introduction" subsection of Section II ("Land Use"):

In 2010, a portion of the area originally included in the Fairmount/University of Oregon Special Area Study between Franklin Boulevard and East 15th Avenue (the Walnut Station area) was removed from the boundaries of the Study because that area was included in a new refinement plan and special area zone.

(d) Policy No. 2 under the "General Policies" subsection of Section II ("Land Use") is amended to provide:

2. With the exception of 1) the "Institutional Area" ("I" on the Land Use Diagram), ***and*** 2) the Limited High Density Residential/ Limited Institutional Area ("LHDR/LI" on the Land Use Diagram) [~~and 3) the Department of Motor Vehicles site ("S" on the Land Use Diagram)~~], non-residential zoning shall not be expanded in the study area.

(e) Policy No. 3 under the "General Policies" subsection of Section II ("Land Use") is amended to provide:

3. With the exception of [~~1) that portion of the ODOT lands designated for residential use, and 2)~~] University lands designated as "Institutional" or "Limited High Density Residential/Limited Institutional", zone changes to increase residential density or commercial intensity are not supported by this plan. [~~This policy allows the opportunity for future residential development on the ODOT lands (approximate density for residential development on the ODOT lands will be addressed by selection of one of the alternative policy statements found in the Oregon Department of Transportation Section - Section D).~~]

(f) Policy No. 1 under "The Core Residential Area" subsection of Section II ("Land Use") is amended to provide:

1. With the exception of 1) the "Institutional Area" ("I" on the Land Use Diagram); *and* 2) the Limited High Density Residential/ Limited Institutional Area ("LHDR/LI" on the Land Use Diagram) [~~and 3) the Department of Motor Vehicles site ("S" on the Land Use Diagram)~~], non-residential zoning shall not be expanded in the study area.

(g) Policy No. 2 under "The Core Residential Area" subsection of Section II ("Land Use") is amended to provide:

2. With the exception of [~~1) that portion of the ODOT lands designated for residential use, and 2)~~] University lands designated as "Institutional" or "Limited High Density Residential/Limited Institutional", zone changes to increase residential density or commercial intensity are not supported by this plan. [~~This policy allows the opportunity for future residential development on the ODOT lands (approximate density for residential development on the ODOT lands will be addressed by selection of one of the alternative policy statements found in the Oregon Department of Transportation Section Section D).~~]

(h) Policy Nos. 1 and No. 2 under "The Franklin Boulevard Community Commercial Strip" subsection of Section II ("Land Use") and the "Policies" heading under that subsection are deleted.

Policies

1. ~~With the exception of 1) the "Institutional Area" ("I" on the Land Use Diagram), 2) the Limited High Density Residential/ Limited Institutional Area ("LHDR/LI" on the Land Use Diagram) and 3) the Department of Motor Vehicles site ("S" on the Land Use Diagram), non-residential zoning shall not be expanded in the study area.~~
2. ~~Businesses shall be encouraged to landscape their sites. Where feasible, such encouragement shall include development of mechanisms to fund such landscaping.]~~

(i) Policy No. 1 under "The 19th and Agate Neighborhood Commercial Development" subsection of Section II ("Land Use") is amended to provide:

1. With the exception of 1) the "Institutional Area" ("I" on the Land Use Diagram), *and* 2) the Limited High Density Residential/ Limited Institutional Area ("LHDR/LI" on the Land Use Diagram) [~~and 3) the Department of Motor Vehicles site ("S" on the Land Use Diagram)~~], non-residential zoning shall not be expanded in the study area.

(j) Policy Nos. 1 and No. 2 under "The Oregon Department of Transportation Lands" subsection of Section II ("Land Use") and the "Policies" heading under that subsection are deleted.

Policies

1. ~~Future use of the ODOT lands shall be for residential, park and office as defined in the following policy statements.~~

- ~~a. Future use of the ODOT lands shall be primarily residential. This use shall be for low- to medium-density residential development.~~
- ~~b. Future development of the ODOT lands shall preserve and enhance the existing "gateway" effect as an attractive entrance to the City, and special attention shall be given to developing a portion as a gateway park.~~
- ~~c. Under future development, office use on the ODOT lands shall be limited to the site of the present Department of Motor Vehicles (DMV) building on the northwest corner of Tax Lot 1000 — Assessor's Map 17-03-33-31 ("S" on the Land Use Diagram).~~

- ~~2. Upon conversion of the ODOT lands from public to private ownership and the ensuing development of the lands shall be compatible with the single-family development along East 15th Avenue, the commercial uses along Franklin Boulevard and Walnut Avenue, and the existing bike route.~~

(k) The "Land Use Diagram Text" subsection of Section II "Land Use" is amended to delete the "Low- or Medium-Density Residential (L/M)" and "Professional /Office (S)" headings and the text under those headings and to revise the text under the "Commercial (C)" heading as follows:

~~Low- or Medium-Density Residential (L/M)~~

~~This area is currently owned by the Oregon State Department of Transportation (ODOT). It contains the Eugene Office of the State Police, the District Engineer's Office, and the maintenance facility for the Highway Division. The State has expressed interest in relocating these functions. The diagram indicates the area should be for low- or medium-density residential uses should the State decide to relocate in the future. Development in the area should preserve a parklike border along Franklin Boulevard to preserve the "gateway entrance" to the city. Site review procedures will be followed in future development to protect nearby residences and ensure a "parklike gateway."~~

~~Professional/Office (S)~~

~~This site is currently owned by the State Department of Transportation and contains the East Eugene drive test center for the Department of Motor Vehicles (DMV). Should the DMV leave this site, it is appropriate for office or professional uses to locate there. Access will continue to be taken from Walnut Street.]~~

~~Commercial (C)~~

~~There are two commercial areas within the special study area: [serving the neighborhood: major commercial facilities north of 15th Avenue, primarily facing Franklin Boulevard;] **a commercial area west of Villard at East 13th Avenue that is developed with an arena** and a Community Commercial node at 19th Avenue and Agate Street. **No further expansion of commercial zoning shall occur in either area.** [Both areas shall remain in commercial uses with no further expansion of commercial zoning in either area. In order to protect existing residential uses on the south side of 15th Avenue, site review procedures will be attached to properties facing 15th Avenue east of the alley between Moss Street and Villard Street eastward to the ODOT lands.]~~

(l) Policy Nos. 1 and No. 3 under the "Traffic Circulation" subsection of Section III ("Transportation and Parking") are deleted and the remaining policies are renumbered accordingly.

- ~~[1. The Department of Motor Vehicles site shall continue to gain access from Walnut Avenue and not from Franklin Boulevard.~~
- ~~2. Primary vehicular access to the Oregon Department of Transportation Lands should minimize impact on nearby residences and Fairmount Park.]~~

(m) Policy Nos. 1 and No. 2 under the "Bicycle and Pedestrians" subsection of Section III ("Transportation and Parking") are deleted and the remaining policies are renumbered accordingly.

- ~~[1. When the Department of Transportation lands are developed in the future, consideration shall be given to realigning the 15th Avenue bicycle path in the vicinity of these lands and making it more attractive.~~
- ~~— Note: If the bicycle path is realigned, the City shall require an easement for the path to ensure its permanence in the future.~~
- ~~2. The University and City shall work with the State Department of Transportation and University community neighborhoods to address the issue of improved bicycle and pedestrian connections across Franklin Boulevard.]~~

(n) Map 3 "Land Use Study Areas," Map 4 "Generalized Existing Land Use" and Map 6 "Land Use Diagram" are revised to remove the Walnut Station area from those Maps as shown on Exhibits D-1, D-2 and D-3, attached to this Ordinance.

(o) The "Summary of Policies" section is deleted in its entirety and removed from the Table of Contents.

Section 4. The Riverfront Park Study is amended as follows:

(a) Policy No. 1 under the "Land Use" subsection of Section II ("Policies") is amended to provide:

The City of Eugene shall apply the Special Development District to property under University ownership *except for property included in the boundaries of the Walnut Station Specific Area Plan boundaries.*

(b) Policy No. 2 under the "Land Use" subsection of Section II ("Policies") is amended to provide:

The City of Eugene shall consider Special District zoning for other properties within the Riverfront Park Study area only at the request of affected property owners *except for property included in the Walnut Station Specific Area Plan boundaries.*

Section 5. The Eugene Zoning Map is amended to remove the current zones from the properties identified on Exhibit A attached hereto and to replace those zones with the S-WS Walnut Station Special Area Zone, as reflected on Exhibit A attached to this Ordinance.

Section 6. The Eugene Overlay Zone Map is amended to remove the /SR Overlay Zone from tax lot 17-03-33-32-04900 as reflected on Exhibit A. All other currently applicable overlay zones shall remain in place, as reflected on Exhibit A.

Section 7. Section 9.1030 of the Eugene Code, 1971, is amended by adding the following entry in alphabetical order to the Table 9.1030 Special Area Zone listing:

9.1030 **Establishment and List of Zones.** The zones listed in Table 9.1030 Zones are established as follows:

Table 9.1030 Zones	
Broad Zone Category	Zone
Special	S-WS <i>Walnut Station Special Area Zone</i>

Section 8. The Caption and Sections 9.3950, 9.3955, 9.3960, 9.3965, 9.3970, 9.3975 and 9.3980 are added to the Eugene Code, 1971, as set forth on Exhibit E "S-WS Walnut Station Special Area Zone," attached to this Ordinance.

Section 9. Subsections (4), (5), (6)(c)2., (7)(b) and (7)(d) of Section 9.5750 of the Eugene Code, 1971, are amended to provide:

9.5750 **Telecommunication Devices-Siting Requirements and Procedures.**

(4) **Collocation of Antennas on Existing Buildings, Light or Utility Poles, and Water Towers.** In addition to collocation on a transmission tower, an antenna may be collocated on existing buildings, light or utility poles, and water towers.

(a) **Permitted Use.** Such collocation on a building, light or utility pole, or water tower, shall be considered an outright permitted use provided that the antennas and ancillary facilities comply with the standards contained in EC 9.5750 Telecommunications Devices-Siting Requirements and Procedures, the color of the antennas blends in with the existing structure and surroundings, and one of the following is met:

1. The property is zoned PL, C-2, C-3, C-4, R-4, I-1, I-2, [e] I-3, *or*

- S-WS** and the antennas do not exceed the height limitation of the zone; or
2. The property is zoned AG, R-1, R-2, R-3, C-1, GO, S (***except as provided in 1., above***), H, or PRO, and the antennas extend no more than 18 feet above, and project no more than 2 feet horizontally away from the existing structure.
- (b) **Site Review.** Such collocation on a building, light or utility pole, or water tower shall be subject to site review approval provided that the antennas and ancillary facilities comply with the standards contained in EC 9.5750 Telecommunications Devices-Siting Requirements and Procedures, the color of the antennas blend in with the existing structure and surroundings, and:
1. The property is zoned AG, R-1, R-2, R-3, C-1, GO, S (***other than S-WS***), H, or PRO, and the antennas extend more than 18 feet above, or project more than 2 feet horizontally away from the existing structure.
- (c) **Conditional Use Permit.** In all cases other than those listed in subparagraphs (a) and (b), such collocation shall require a conditional use permit. No exceptions to the standards contained in EC 9.5750 Telecommunications Devices-Siting Requirements and Procedures shall be permitted except as authorized by subsection (9) of this section. In no event shall a conditional use permit authorize a tower or antennas to exceed the height limitation for a zone as established by Chapter 9 except as provided for in this section.
- (5) **Construction of Transmission Tower.** Construction of a transmission tower, or a modification of an existing transmission tower to increase its height, shall be allowed as follows:
- (a) **Permitted Use.**
 1. Such construction or modification shall be considered an outright permitted use in the C-4, I-1, I-2 and I-3 zone.
 2. Modification to increase the height of an existing transmission tower shall be considered an outright permitted use in all other zones if the city approved an increase in tower height, as part of a prior land use process authorizing the transmission tower. The increase in height allowed under this paragraph shall be limited to the specific height authorized in the prior land use process.
 - (b) **Site Review.** Such construction shall require site review approval in the PL, C-2, ~~and~~ C-3, **and S-WS** zones.
 - (c) **Conditional Use Permit.** Such construction shall require a conditional use permit in the R-1, C-1, S (***other than S-WS***) and GO zones.
 - (d) **Prohibited Zones and Locations.** No new transmission tower shall be permitted in any zones not included in subparagraphs (a) to (c) above, including the AG, R-2, R-3, R-4, H, NR, and PRO zones; or in the Willamette Greenway, on Gillespie Butte above the elevation of 450 feet, on the ridgeline as defined in the South Hills Study or on Judkins Point.
- (6) **Application Requirements.**
- (c) **Site Review and Conditional Use Permit Applications.** In addition to the application requirements specified in paragraph (b) above, applications

for site review or conditional use permits also shall include the following information:

2. Documentation that alternative sites within a radius of at least 2000 feet have been considered and have been determined to be technologically unfeasible or unavailable. For site reviews, alternative sites zoned C-4, I-1, I-2, and I-3 must be considered. For conditional use permits, alternative sites zoned PL, C-2, ~~and~~ C-3, C-4, I-1, I-2, ~~and~~ I-3 *and S-WS* must be considered.

- (7) **Standards for Transmission Towers and Antennas.** Installation, construction or modification of all transmission towers and antennas shall comply with the following standards, unless a variance is obtained pursuant to the provisions of subsection (9) of this section:

- (b) Height Limitation: Transmission tower heights shall be governed by this section except as provided for below. No transmission tower shall exceed the maximum heights provided below. In no case shall a variance be granted from the limitations of subparagraphs (1) through (4) below.
1. In any zones, no transmission tower shall exceed the height limitations established for buildings and structures in the specified areas surrounding Skinner Butte contained in EC 9.6715 Height Limitation Areas of this land use code to protect views to and from Skinner Butte.
 2. In any zone within the area east of Willagillespie Road, south of Cal Young Road, west of Oakway Road, and north of Southwood Lane and Country Club Road, no transmission tower shall exceed 75 feet in height to protect views to and from Gillespie Butte.
 3. If located within a PL, C-2, C-3, C-4, R-4, I-1, I-2, ~~or~~ I-3 *or S-WS* zone, the height limitation for that zone shall apply.
 4. If located within a C-1, S (*other than S-WS*) or GO zone, the maximum height of a transmission tower, including antennas, is 100 feet.
 5. If located within an R-1 zone, the maximum height of a transmission tower, including antennas, is 75 feet, unless a variance is granted pursuant to the provisions of subsection (9) of this section. In no event shall a variance be granted to construct such a tower in excess of 100 feet.
- (d) Setback. The following setbacks from adjacent property lines and adjacent streets shall be required unless a variance is granted pursuant to the provisions of subsection (9) of this section:
1. If located within a PL, S, C-2, C-3, C-4, I-1, I-2, ~~or~~ I-3 *or S-WS* zone, no setback from adjacent property lines shall be required beyond that required by this land use code or the provisions applicable to the S zone.
 2. If located within an R-1, C-1, or GO zone, the transmission tower shall be set back from adjacent property lines a minimum number of feet that is equal to the height of the transmission tower.
 3. In the R-1, PL, C-1 and GO zones, transmission towers shall be set back from adjacent public street(s) a minimum number of feet that is equal to the height of the tower. In all other zones, the

setback from adjacent public streets shall be a minimum of 25 feet.

Section 10. Subsection (2) of Section 9.6750 of the Eugene Code, 1971, is amended by adding a new subsection (d) to provide:

9.6750 Special Setback Standards.

(2) Special Setback for Streets.

(d) *Notwithstanding subsections (a)-(c), above, special setbacks for the segment of Franklin Boulevard shown on Map 9.3970(3)(d) (S-WS Walnut Special Area Zone Franklin Boulevard Special Setback Boundaries) are those lines established by Exhibit G to Ordinance No. [REDACTED]. (See EC 9.3970(3)(d).)*

Section 11. Subsection (1) of Section 9.7007 of the Eugene Code, 1971, is amended to provide:

9.7007 Neighborhood/Applicant Meetings.

(1) This section applies to the following types of land use applications:

- (a) Type II: 3-lot partitions, tentative subdivisions, [~~and~~] tentative cluster subdivisions ***and design reviews***;
- (b) Type III: Only conditional use permits and tentative planned unit developments;
- (c) Type IV applications that are not city-initiated;
- (d) Metro Plan amendments that are not city-initiated.

Section 12. Section 9.7055 of the Eugene Code, 1971, is amended by adding the following entries in alphabetical order to Table 9.7055 to provide:

9.7055 Applications and Review Authorities. Table 9.7055 Applications and Review Authorities, lists applications and the typical review authorities for the decision and the appeal of the decision. To accommodate a request for concurrent review, the city may instead review multiple applications according to the highest applicable type.

Table 9.7055 Applications and Review Authorities						
R = Recommendation, D = Decision Maker, A = Appeal Review Authority						
Application	Type	Planning Director	Hearings Official	Historic Review Board	Planning Commission	City Council
<i>Design Review</i>	<i>II</i>	<i>D</i>			<i>A</i>	
<i>Design Review, Modification</i>	<i>II</i>	<i>D</i>			<i>A</i>	

Section 13. Section 9.7205 of the Eugene Code, 1971, is revised by amending the entry for “Conditional Use Permit, Modification” and adding entries for “Design Review” and “Design Review, Modification” in alphabetical order to Table 9.7205 to provide:

9.7205 **Type II Application Requirements and Criteria Reference.** The following applications are typically reviewed under the Type II review process according to the requirements and criteria set forth for each application as reflected in the beginning reference column in Table 9.7205. To accommodate a request for concurrent review, the city may instead review multiple applications according to the highest applicable type.

Table 9.7205 Type II Application Requirements and Criteria	
Type II Applications	Beginning Reference
Conditional Use Permit, Modification	EC [9.8110] 9.8007
<i>Design Review</i>	<i>EC 9.8110</i>
<i>Design Review, Modification</i>	<i>EC 9.8114</i>

Section 14. Section 9.7230 of the Eugene Code, 1971, is amended by adding the following entries in alphabetical order to Table 9.7230 to provide:

9.7230 **Expiration.**
 (1) The planning director’s approval of an application shall expire in 12 months, 18 months, or 36 months from the effective date of approval, depending upon the type of land use application as specified in Table 9.7230 Expiration of Type II Application Approvals, or as provided in subsections (2) through (9) of this section. If an application approval has expired according to any of the conditions stated in subsections (2) through (9), the original application approval is revoked and a new application must be filed.

Table 9.7230 Expiration of Type II Application Approvals			
Application	12 months	18 months	36 months
<i>Design Review</i>			X
<i>Design Review, Modification</i>			X

Section 15. Subsection (1) of Section 9.7605 of the Eugene Code, 1971, is amended to provide:

9.7605 **Filing of Appeal of Planning Director’s Decision.**
 (1) Within 12 days of the date of the mailing of the planning director’s decision, the decision may be appealed to the hearings official, [ø] historic review board ***or planning commission*** according to the appeal review authority specified in Table 9.7055 Applications and Review Authorities by the

following:

- (a) Applicant.
- (b) Owner of the subject property.
- (c) Neighborhood group officially recognized by the city that includes the area of the subject property.
- (d) Any person who submitted written comments in regards to the original application.
- (e) A person entitled to notice of the original application.
- (f) A person adversely affected or aggrieved by the initial decision.

Section 16. Sections 9.8110 and 9.8009 of the Eugene Code, 1971, are renumbered to Sections 9.8007 and 9.8009, respectively, and all references to those sections, including but not limited to the reference in EC 9.2682, are hereby updated to reflect this renumbering.

Section 17. EC "Map 9.8010 Adopted Plans" and its legend are amended as shown on Exhibit F attached hereto and Table 9.8010 in Section 9.8010 of the Eugene Code, 1971, is amended to provide:

9.8010 List of Adopted Plans. The documents listed in the following Table 9.8010, including any adopted amendments, are the currently effective adopted plans that may be applicable to a particular land use application. The plans and adopted policies are more particularly set forth beginning at EC 9.9500, and the boundaries for each are depicted on Map 9.8010 Adopted Plans.

Table 9.8010 List of Adopted Plans	
Bethel-Danebo Refinement Plan (Phase II)	Riverfront Park Study
Bethel-Danebo Refinement Plan	South Hills Study
Comprehensive Stormwater Management Plan	South Willamette Subarea Study
Eugene Commercial Lands Study	TransPlan (Metro Area Transportation Plan)
Eugene Downtown Plan	Walnut Station Specific Area Plan
Eugene-Springfield Metropolitan Area General Plan (Metro Plan)	West University Refinement Plan
Fairmount/U of O Special Area Study	Westside Neighborhood Plan
Jefferson/Far West Refinement Plan	Whiteaker Plan
Laurel Hill Neighborhood Plan	Willakenzie Area Plan
19 th and Agate Special Area Study	Willow Creek Special Area Study
River Road-Santa Clara Urban Facilities Plan	
Resolution No. 3862 Adopting the West 11 th Commercial Land Use Policy and Refining the Eugene-Springfield Metropolitan Area General Plan (Adopted June 13, 1984)	Resolution No. 3885 Establishing Areas for the Application of C-4 Commercial-Industrial District Zoning, and Amending Resolution No. 3862 (Adopted on November 13, 1984)

Section 18. Section 9.8030 of the Eugene Code, 1971, is amended by adding a new subsection (29) to provide:

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

(29) S-WS Walnut Station Special Area Zone Off-Street Parking Spaces Adjustment. *An adjustment allowing a 25 percent reduction in the minimum required off-street parking spaces pursuant to EC 9.3970(4)(a), if the applicant demonstrates that a proposed Transportation Demand Management (TDM) Program approved by the city 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.*

Section 19. The following heading and Sections 9.8110, 9.8111, 9.8112, 9.8113, 9.8114 of the Eugene Code, 1971, are added to provide:

DESIGN REVIEW

9.8110 **Design Review- Purpose.** *The design review process is intended to provide an alternative path for design proposals that respond to the intent of the code and creatively meet or exceed the specific development standards.*

9.8111 **Design Review - Applicability.** *EC 9.3980 allows an applicant within the S-WS Walnut Station Special Area Zone to seek approval through the Design Review process. These applications for review shall be considered under a Type II process, or concurrently with a related Type III application process. No development permit shall be issued by the city prior to completion of the design review.*

9.8112 **Design Review – Application Requirements.** *In addition to the provisions in EC 9.7010 Application Filing, applications for Design Review shall be subject to the following requirements:*

- (1)** *Unless waived by the planning director, the application shall be prepared by one or more of the following professionals:*
 - (a)** *Oregon licensed architect.*
 - (b)** *Oregon licensed civil engineer.*
 - (c)** *Oregon licensed landscape architect.*
- (2)** *The application shall include a site plan that shows sufficient detail and supporting narrative information to demonstrate compliance with applicable criteria. Unless waived by the planning director, the site plan shall be prepared by an Oregon licensed architect, landscape architect, civil engineer or Oregon licensed surveyor.*

9.8113 **Design Review - Approval Criteria.** *The decision-maker shall determine*

whether the application is in compliance with the Design Review criteria set out in the code section that authorizes Design Review.

9.8114 ***Design Review – Modification.** Modification of an approved Design Review may be requested following the Type II process. The planning director shall approve the request if it complies with the following criteria:*

- (1) The proposed modification is consistent with the conditions of the original approval.*
- (2) The proposed modification will result in insignificant changes in the physical appearance of the development and the impact on surrounding properties.*

If the planning director determines that the modification is not consistent with the above criteria, the proposed modification may not occur until a new Design Review application is submitted and reviewed based on the Type II application procedures. Nothing in this section shall preclude the applicant from initially submitting the requested modification as a new Design Review application.

Section 20. Subsection (5) of Section 9.8680 of the Eugene Code, 1971, is added to provide:

9.8680 **Approval Criteria.** The planning director shall approve, conditionally approve, or deny an application for Traffic Impact Analysis Review following a Type II process, or as part of a Type III process when in conjunction with a CUP or PUD. Approval or conditional approval shall be based on compliance with the following criteria:

- (5) In addition to the above criteria, if the development is located within the S-WS Walnut Station Special Area Zone, any increased traffic the development would generate on streets within the Fairmount neighborhood to the south of the Walnut Station Special Area Zone shall be mitigated through the use of traffic calming strategies or other mechanisms designed to discourage such traffic.*

Section 21. Subsection (4) of Section 9.8865 of the Eugene Code, 1971, is amended by adding a new subparagraph (o) and relettering the subsequent subparagraphs to provide:

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

- (4)** The proposed zone change is consistent with the applicable siting requirements set out for the specific zone in:
 - (o)** EC 9.3955 S-WS Walnut Station Special Area Zone Siting Requirements.
 - (op)** EC 9.4205 /EC East Campus Overlay Zone Siting Requirements.
 - (oq)** EC 9.4715 /WP Waterside Protection Overlay Zone Siting Requirements.
 - (or)** EC 9.4776 /WQ Water Quality Overlay Zone Siting Requirements (only for the purposes of adding the overlay zone. See EC 9.4786.).

- (rs) EC 9.4915 /WR Water Resources Conservation Overlay Zone Siting Requirements (only for the purposes of adding the overlay zone. See EC 9.4960.).
- (sf) EC 9.4815 /WB Wetland Buffer Overlay Zone Siting Requirements.
- (tu) An uncodified ordinance establishing a site specific S-H Historic Special Area Zone, a copy of which is maintained at the city's planning and development department.

Section 22. Subsection (2) of Section 9.9570 of the Eugene Code, 1971, is deleted and the remaining subsections are renumbered accordingly, and subsections (4) and (6) of EC 9.9570 are amended to provide:

9.9570 Fairmount/U of O Special Area Study Policies.

- ~~[(2) Oregon Department of Transportation Lands Policies. Future use of the ODOT lands shall be for residential, park, and office as defined in the following policy statements:~~
- ~~(a) Future use of the ODOT lands shall be primarily residential. This use shall be for low to medium density residential development.~~
 - ~~(b) Future development of the ODOT lands shall preserve and enhance the existing "gateway" effect as an attractive entrance to the city, and special attention shall be given to developing a portion as a gateway park.~~
 - ~~(c) Under future development, office use on the ODOT lands shall be limited to the site of the present Department of Motor Vehicles (DMV) building on the northwest corner of Tax Lot 1000 Assessor's Map 17-03-33-3-1 ("S" on the Land Use Diagram). (Policy 1)~~
 - ~~(d) Upon conversion of the ODOT lands from public to private ownership and the ensuing development of the lands shall be compatible with the single family development along East 15th Avenue, the commercial uses along Franklin Boulevard and Walnut Avenue, and the existing bike route. (Policy 2)]~~
- [[4]3) Traffic Circulation Policies.**
- ~~[(a) The Department of Motor Vehicles site shall continue to gain access from Walnut Avenue and not from Franklin Boulevard. (Policy 1)]~~
 - ~~(ba) The adverse effects of motor vehicle movement shall be mitigated as much as possible. (Policy 2)~~
 - ~~[(c) Primary vehicular access to the Oregon Department of Transportation Land should minimize impact on nearby residences and Fairmount Park. (Policy 3)]~~
 - ~~(db) Traffic management techniques shall continue to be used and new techniques developed to reinforce the idea of a hierarchy of streets in the plan area. Some streets shall combine their local, collector, or arterial function with a role as primary pedestrian or bicycle ways. The use of low-volume, local neighborhood streets for through movements by truck and heavy construction equipment shall be discouraged. (Policy 4)~~

- (ec) By March, 2005, the City shall initiate a study of Agate Street between Franklin Boulevard and 19th Avenue. That study, conducted jointly with the University and the Fairmount Neighborhood Association, shall identify strategies to improve the function and carrying capacity of Agate according to the City criteria for its designated street classification. The City will implement the necessary changes. The University will participate in those improvements as development occurs and as required by the City code, to the extent that the University is directly responsible for the needed improvements. (Policy 6)
 - (fd) The City, with the cooperation of the University and the Fairmount Neighborhood Association, shall initiate an area-wide traffic calming study for the streets within the Fairmount/University of Oregon Special Area Study boundary to determine appropriate mitigation for through-traffic utilizing neighborhood streets. Such study shall be initiated prior to December, 2008, subject to availability of funds. In the event that the City updates the Central Area Transportation Study (CATS) prior to 2008, the City shall fund and initiate an area-wide traffic calming study as part of the CATS update to determine appropriate mitigation measures for the subject area. (Policy 7)
 - (ge) If a Traffic Impact Analysis that is required by the City Code projects that a proposed development will increase traffic on streets within the single-family neighborhood to the east and south of University-owned land, the City shall require the applicant to mitigate those impacts through use of traffic calming strategies or other mechanisms designed to discourage through traffic. (Policy 8)
 - (hf) With the exception of alleys, vacations of streets within the state-approved University East Campus boundary should not be permitted, unless the applicant, at his or her expense, provides to the City a local street connection study that demonstrates how the proposed street system remaining after such vacation meets the intent of the Eugene Code street connectivity provisions and that such vacation will not increase traffic volumes on local residential streets. (Policy 9)
- [[6]5) Bicycle and Pedestrian Policies.**
- ~~[(a) When the Department of Transportation lands are developed in the future, consideration shall be given to realigning the 15th Avenue bicycle path in the vicinity of those lands and making it more attractive. (Note: If the bicycle path is realigned, the City shall require an easement for the path to ensure its permanence in the future.) (Policy 1)~~
 - (b) Existing and future businesses shall be encouraged to provide safe and covered bicycle parking for employees and patrons. (Policy 3) The use of bicycles, mass transit, walking, carpooling, and other appropriate alternative modes of transportation, especially by employees working in the plan area, shall be actively encouraged and provided for in order to reduce automobile dependence and alleviate traffic and parking problems. (Policy 4)

Section 23. Section 9.9655 of the Eugene Code, 1971, is added to provide:

9.9655 Walnut Station Specific Area Plan.

- (1) As part of an application to develop the lands formerly owned by the Department of Transportation (south of Franklin Boulevard, east of Walnut Street and north of 15th Avenue), the developer shall demonstrate that consideration was given to realigning the 15th Avenue bicycle path in the vicinity of those lands and making it more attractive. (Note: If the bicycle path is realigned, the City shall require an easement for the path to ensure its permanence in the future.)**
- (2) As part of an application to develop a property south of Franklin Boulevard or a property in the block on the north side of Franklin Boulevard between Moss Street, Villard Street, and Garden Avenue within the Walnut Station Specific Area Plan, applicants are encouraged to include access for pedestrians, bicycles and limited vehicular access consistent with the Transportation Features map shown as Figure 9.3978(3)(b) in the Walnut Station Special Area Zone.**

Section 24. The legal description set forth at Exhibit H is hereby adopted as the description of the special setback lines that shall be applied to the segment of Franklin Boulevard shown on Map 9.3970(3)(d) S-WS Walnut Special Area Zone Franklin Boulevard Special Setback Boundaries.

Section 25. The Legislative Findings set forth in Exhibit I attached to this Ordinance serve as support for this ordinance.

Section 26. If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held invalid or unconstitutional by 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.

Section 27. The City Recorder, at the request of, or with the consent of the City Attorney, is authorized to administratively correct any reference errors contained herein, or in other provisions of the Eugene Code, 1971, to the provisions added, amended or repealed herein.

Passed by the City Council this
 ___ day of _____, 2010

Approved by the Mayor this
 ___ day of _____, 2010

Version B:

Attachment D

Presented for Public Hearing on 6/21/10 -- appeal of design review to be considered by Planning Commission.

City Recorder

Mayor

Exhibit A

Walnut Station Metro Plan Designation and Zoning Table

MAPLOT	ACRES	CURRENT ZONING	PROPOSED ZONING	CURRENT METRO PLAN DESIGNATION	PROPOSED METRO PLAN DESIGNATION	Refinement Plan(s) Changes
1703321400400	0.27548191	C-2	S-WS	C	C/MU/ND	
1703321400700	0.45934515	C-2	S-WS	C	C/MU/ND	
1703321401701	0.33947802	C-2	S-WS	C	C/MU/ND	
1703332300200	0.34848192	C-2	S-WS	C	C/MU/ND	
1703332301500	0.22210934	C-2	S-WS	C	C/MU/ND	
1703332301600	0.25826447	C-2	S-WS	C	C/MU/ND	
1703333100500	0.29543890	C-2	S-WS	C	C/MU/ND	Fairmount/University of
1703333100700	0.33298546	C-2	S-WS	C	C/MU/ND	Oregon Special Area
1703333101000	2.80867576	PL	S-WS	MDR	C/MU/ND	Study :
1703333101100	0.71916499	C-2	S-WS	C	C/MU/ND	Remove Walnut Station
1703333101500	1.14759813	PL	S-WS	MDR	C/MU/ND	area from the
1703333101600	0.40566907	PL	S-WS	MDR	C/MU/ND	Fairmount/University of
1703333101700	0.18179903	R-1	S-WS	MDR	C/MU/ND	Oregon Special Area
1703333101800	0.17000221	R-1	S-WS	MDR	C/MU/ND	Study land use diagram
1703333101900	0.17679593	R-1	S-WS	MDR	C/MU/ND	and boundary.
1703333102000	0.09871647	PL	S-WS	MDR	C/MU/ND	
1703333200100	0.16533974	C-2	S-WS	C	C/MU/ND	
1703333200200	0.10871425	C-2	S-WS	C	C/MU/ND	
1703333200300	0.11623707	C-2	S-WS	C	C/MU/ND	
1703333200400	0.12375893	C-2	S-WS	C	C/MU/ND	
1703333200500	0.13880397	C-2	S-WS	C	C/MU/ND	Walnut Station Specific
1703333200501	0.13128253	C-2	S-WS	C	C/MU/ND	Area Plan :
1703333200800	0.16889287	C-2	S-WS	C	C/MU/ND	Adopt new Walnut
1703333200801	0.16137276	C-2	S-WS	C	C/MU/ND	Station Specific Area
1703333200802	0.30017511	C-2	S-WS	C	C/MU/ND	Plan land use diagram
1703333200900	0.17641545	C-2	S-WS	C	C/MU/ND	with Walnut Station
1703333201000	0.18393899	C-2	S-WS	C	C/MU/ND	area delineated as
1703333201100	0.07807915	C-2	S-WS	C	C/MU/ND	Walnut Station special
1703333201200	0.09716101	C-2	S-WS	C	C/MU/ND	area zone.
1703333201300	0.12865526	C-2	S-WS	C	C/MU/ND	
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1703333201700	0.18714575	C-2	S-WS	C	C/MU/ND	
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1703333201900	0.17352441	C-2	S-WS	C	C/MU/ND	
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1703333202300	0.14627457	C-2	S-WS	C	C/MU/ND	
1703333202400	0.13946196	C-2	S-WS	C	C/MU/ND	
1703333202500	0.13265339	C-2	S-WS	C	C/MU/ND	
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1703333202700	0.18281635	C-2	S-WS	C	C/MU/ND	
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1703333203800	0.44032091	C-2	S-WS	C	C/MU/ND	
1703333204000	0.22014706	C-2	S-WS	C	C/MU/ND	
1703333204100	0.70467117	C-2	S-WS	C	C/MU/ND	
1703333204600	0.12277884	R-1	S-WS	LDR	C/MU/ND	
1703333204700	0.12278364	R-1	S-WS	LDR	C/MU/ND	
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1703321400600	0.51376696	C-2/WR	S-WS/WR	C	C/MU/ND
1703321400900	2.21047524	C-2/WR	S-WS/WR	C	C/MU/ND
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1703321401200	0.12108258	C-2/WR	S-WS/WR	C	C/MU/ND
1703321401201	0.47551015	C-2/WR	S-WS/WR	C	C/MU/ND
1703321401300	0.30488937	C-2/WR	S-WS/WR	C	C/MU/ND
1703321401700	0.35096931	C-2/WR	S-WS/WR	C	C/MU/ND
*1703321401800	15.19496099	S-RP/WR	S-WS/WR	C	C/MU/ND
1703321401900	0.34401705	C-2/WR	S-WS/WR	C	C/MU/ND
*1703321402000	2.29357860	S-RP/WR	S-WS/WR	C	C/MU/ND
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1703332300400	0.63902030	C-2/WR	S-WS/WR	C	C/MU/ND
1703332300500	0.55682010	C-2/WR	S-WS/WR	C	C/MU/ND
1703332300600	0.45510295	C-2/WR	S-WS/WR	C	C/MU/ND
1703332300800	0.98541959	C-2/WR	S-WS/WR	C	C/MU/ND
1703332300900	0.26686859	C-2/WR	S-WS/WR	C	C/MU/ND
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1703332302000	0.94070355	C-2/WR	S-WS/WR	C	C/MU/ND
1703332302200	0.40984040	C-2/WR	S-WS/WR	C	C/MU/ND
1703333100100	4.01642268	I-3/WR	S-WS/WR	POS	POS/MU/ND
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1703333210500	0.60835073	C-2/WR	S-WS/WR	C	C/MU/ND
1703333210300	0.31680324	C-2/WR	S-WS?WR	C	C/MU/ND

* Only a portion of this tax lot is in S-WS

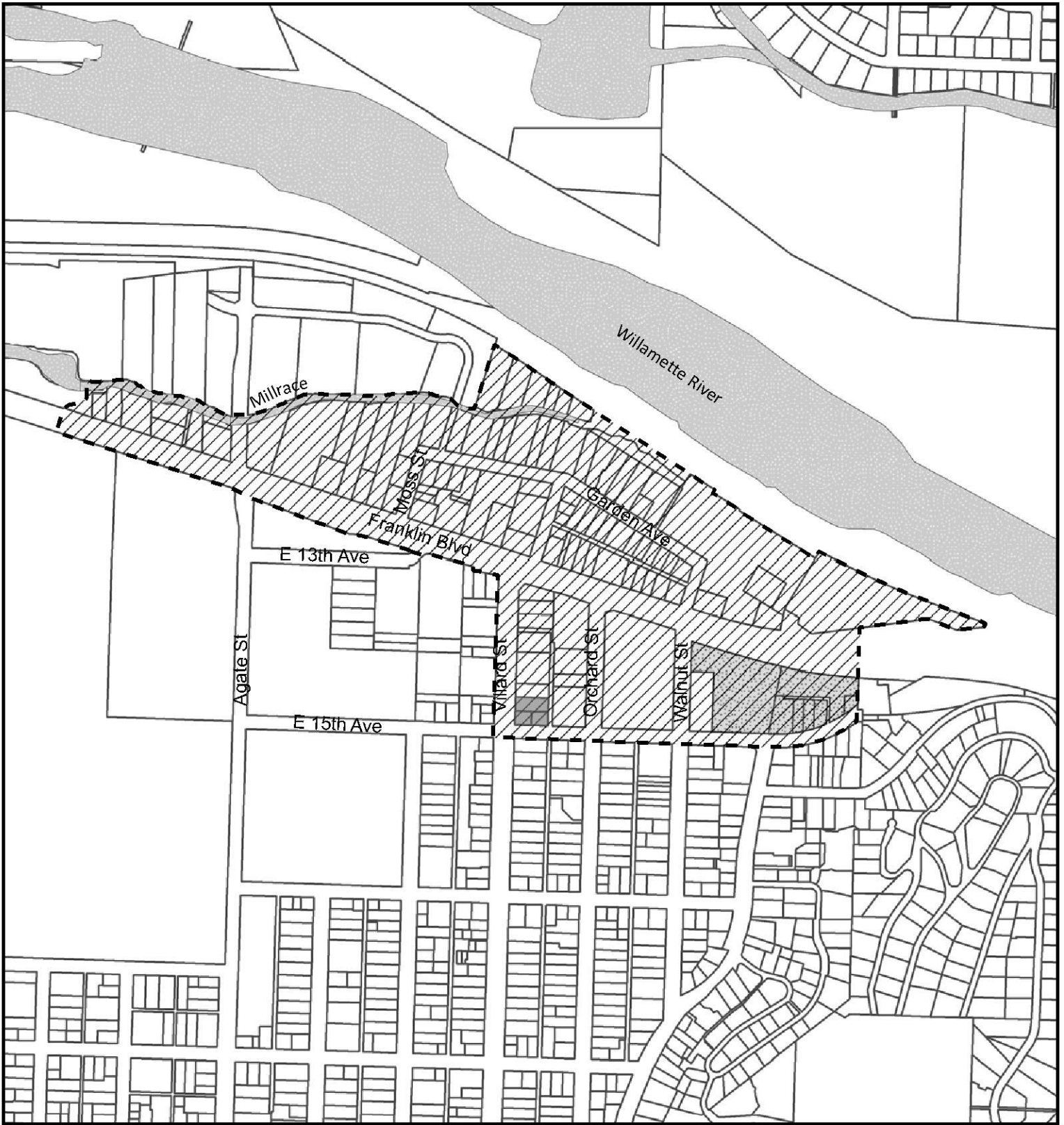
Key:

Metro Plan Designations:





C = Commercial
 LDR = Low Density Residential
 MDR = Medium Density Residential
 POS = Parks and Opens Space
 ND = Nodal Development Overlay Area
 MU = Mixed Use Area Overlay

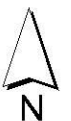
Zoning:

WS = Walnut Station Special Area Zone
 RP = Riverfront Park Special Area Zone
 C-2 = Community Commercial
 R-1 = Low Density Residential
 R-2 = Medium Density Residential
 PL = Public Lands
 I-3 = Heavy Industrial
 /WR = Water Resources Conservation Overlay Zone
 /SR = Site Review Overlay Zone



Walnut Station Metro Plan Diagram Amendment (City File MA 10-1)

-  Metro Plan Diagram Amendment from Low Density Residential designation to Commercial designation
-  Metro Plan Diagram Amendment from Medium Density Residential designation to Commercial designation
-  Addition of Nodal Development Area overlay designation
-  Addition of Mixed Use Area overlay designation



Walnut Station Specific Area Plan

June 2010
Public Hearing Draft



Acknowledgements

In May 2005, the City of Eugene, in cooperation with the University of Oregon and the State of Oregon, initiated a planning process for Walnut Station Mixed Use Center. Since that time, several other agencies, consultant project teams, stakeholders and community members have been added to the team that resulted in this plan. There was significant involvement from the Technical Advisory Committee and a Stakeholders Group including representatives from the University of Oregon, The Chamber of Commerce, the Fairmount Neighborhood Association, and the City of Eugene. The effort of local participants was aided by the work of several professional consultants. The participation of inter-departmental City of Eugene staff, staff from other agencies, consultant teams and countless volunteer hours represented by community members was crucial to the successful outcome of the project. Project participants included the following organizations, agencies and individuals:

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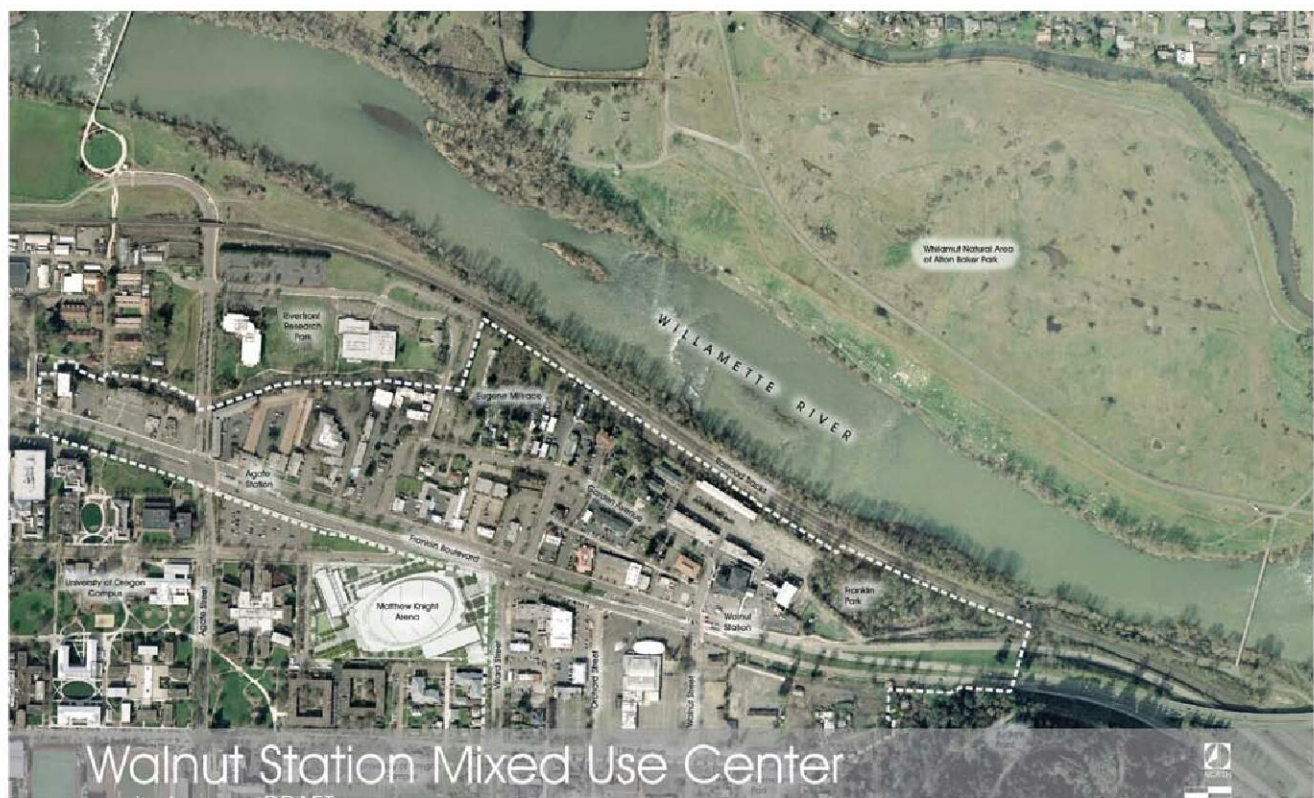
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Chapter 1- Introduction

Overview

The Walnut Station Specific Area Plan sets a new direction for future development in the Walnut Station area. It focuses on shaping the public realm (generally streets, sidewalks, and open space), through an integration of land use and transportation planning and infrastructure investments. The Plan seeks to implement several growth management strategies that call for compatible infill, higher density living opportunities, and mixed use development within Eugene's Urban Growth Boundary.

The Plan development process relied heavily on an iterative and varied public participation process and brought together property owners, residents, staff, consultants and numerous other stakeholders to develop a shared vision and a plan to implement the vision. This vision seeks to transform this area with great potential from its current, primarily automobile oriented state, to a vibrant, pedestrian friendly mixed use neighborhood. New approaches in both land use and transportation planning have been employed to meet the intent of this project.



Walnut Station Planning Area Boundary

Walnut Station Planning Area

Walnut Station is a transit station at the intersection of Walnut Street and Franklin Boulevard, located along the regional Bus Rapid Transit (BRT) line called EmX. This mass transit corridor connects the downtowns of Eugene and Springfield and is currently being expanded to connect to RiverBend Hospital and the Gateway district in Springfield. The study area includes parcels that are generally within one quarter mile of the Walnut and Agate EmX stations.

The Walnut Station planning area is a largely commercial area at the eastern edge of the City of Eugene near Interstate 5, the University of Oregon campus, the Willamette River, and the Fairmount neighborhood. Factors contributing to the area's selection for establishment as a mixed use center include its location on EmX, existing development pressures and redevelopment potential, and proximity to the University of Oregon. The area straddles Franklin Boulevard, an arterial street that serves as a major gateway to the City of Eugene and the University of Oregon. The well established Fairmount neighborhood on the south side of 15th Avenue currently abuts the area with no transitional zoning. Protection of this neighborhood and provisions for a graceful transition from the commercial area on the north side of 15th Avenue to the historic character of the Fairmount neighborhood on the south side of 15th Avenue was also a significant factor in the designation of the Walnut Station planning area.



15th Avenue looking west

Mixed Use Development Context

Mixed use development was formerly referred to as “nodal development” in TransPlan; the Transportation System Plan for Eugene and Springfield. In 1995, the TransPlan Land Use Measures Task Force developed design concepts and strategies to implement a transportation-efficient land use pattern within the Eugene-Springfield Metro Area. Mixed use development is a key component of Eugene’s strategy for integrating land use and transportation and meeting growth management objectives adopted by the City Council in 1998. The Walnut Station area was among those identified as a location within which the mixed use development concepts could apply.

Mixed use development promotes community sustainability and incorporates many features of the “Smart Growth” planning movement. These features include greater pedestrian orientation, an interconnected street network, accommodation of all modes of travel, a positive relationship between buildings and streets, more emphasis on building design, and more efficient use of land. If properly planned and developed, these centers can mature into high quality neighborhoods

that enjoy a mix of activities, more transportation options, convenient shopping and services, and urban amenities. Mixed use centers can reduce the reliance on automobile travel and the need for costly street improvements in outlying areas, slow the expansion of the Urban Growth Boundary (UGB) onto nearby agricultural and forest lands, and provide a greater variety of housing types within neighborhoods.

The Walnut Station Mixed Use Opportunity

The Walnut Station area is poised to be redeveloped as a mixed use neighborhood with several supporting factors currently in place:

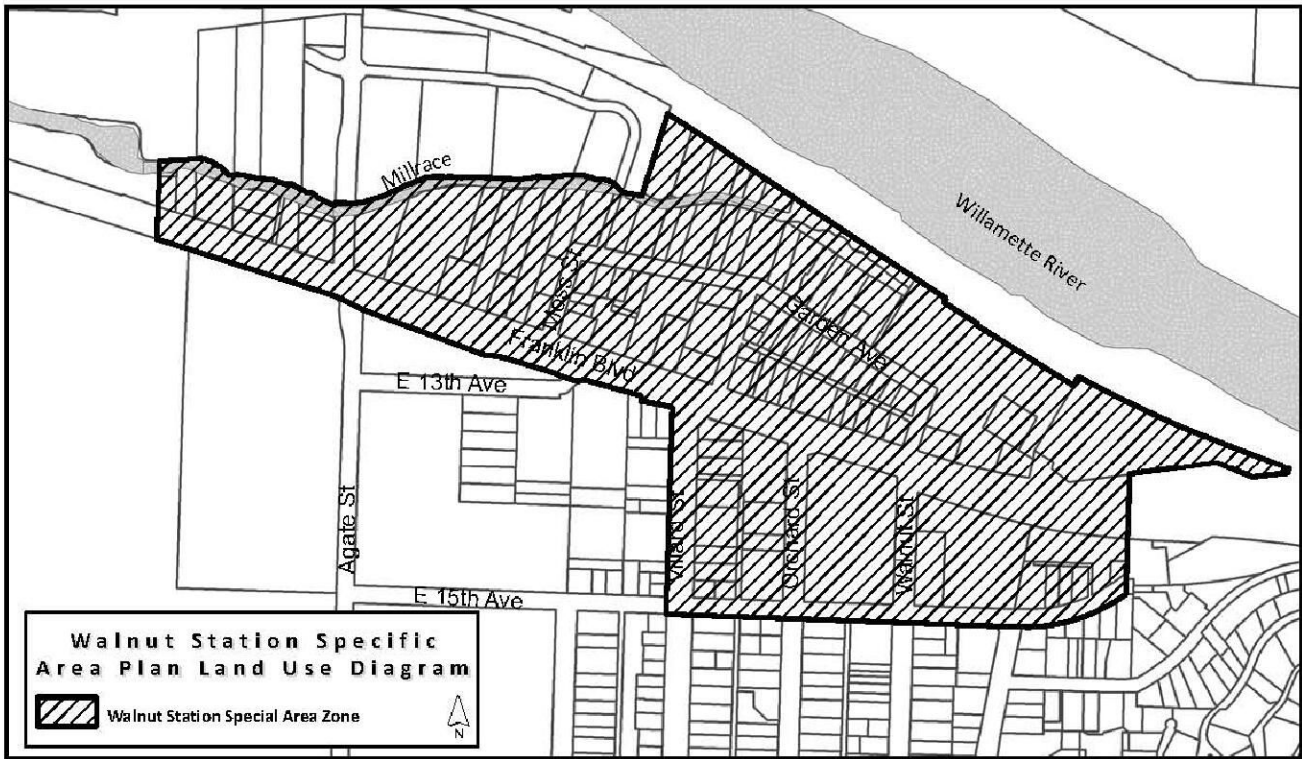
- The existing EmX transit system, which currently links the downtowns of Eugene and Springfield and provides a mass transit corridor along which mixed use development can thrive.
- The University of Oregon is adjacent to the area and has a large student population in need of housing and commercial services. The University has been a full participant in the process of planning for the future of the area.
- There is the opportunity to protect the existing Fairmount neighborhood and provide a more graceful transition to a pedestrian oriented mixed use development of the Walnut Station area rather than the current auto oriented commercial uses.
- High density development along transit corridors implements the Smart Growth concept. There are currently two high-density mixed use buildings in the building rmit stage.
- Nearby residential neighborhoods adjacent to the University have seen an increased demand for high density housing; facilitating high density development in Walnut Station could alleviate development pressures in those areas.
- The Willamette River abuts the study area to the north and provides parks and open space and a natural features context for the site as well as making it a desirable place for people to live.
- The Walnut Station market study found that the demographics of the area support development of apartments and condominiums. Demand for units will come from students, faculty, or other area residents who wish to live near the Fairmount neighborhood or the University. Demand for housing will increase as the study area redevelops, when the neighborhood is able to offer more shops and services within walking distance, and once the EmX connections are further expanded to other parts of the Eugene-Springfield Metro Area.
- Many of the commercial lots on Franklin Boulevard are underutilized, offer outdated retail formats, or include buildings that are nearing the end of their life cycle. These sites offer excellent opportunities for redevelopment.



Franklin Boulevard looking east

Walnut Station Specific Area Plan Land Use Diagram

To facilitate implementation of this plan and to alleviate the need for property owners to rezone individual properties at the time of redevelopment, the City initiated the change in zoning for all the Walnut Station area properties to S-WS Walnut Station Special Area Zone at the time this plan and relevant implementing ordinances were adopted. As shown on the Land Use Diagram, all land within this plan is designated as S-WS Walnut Station Special Area Zone. If this diagram conflicts with other refinement plan land use diagrams, the Walnut Station Specific Area Plan diagram shall control.

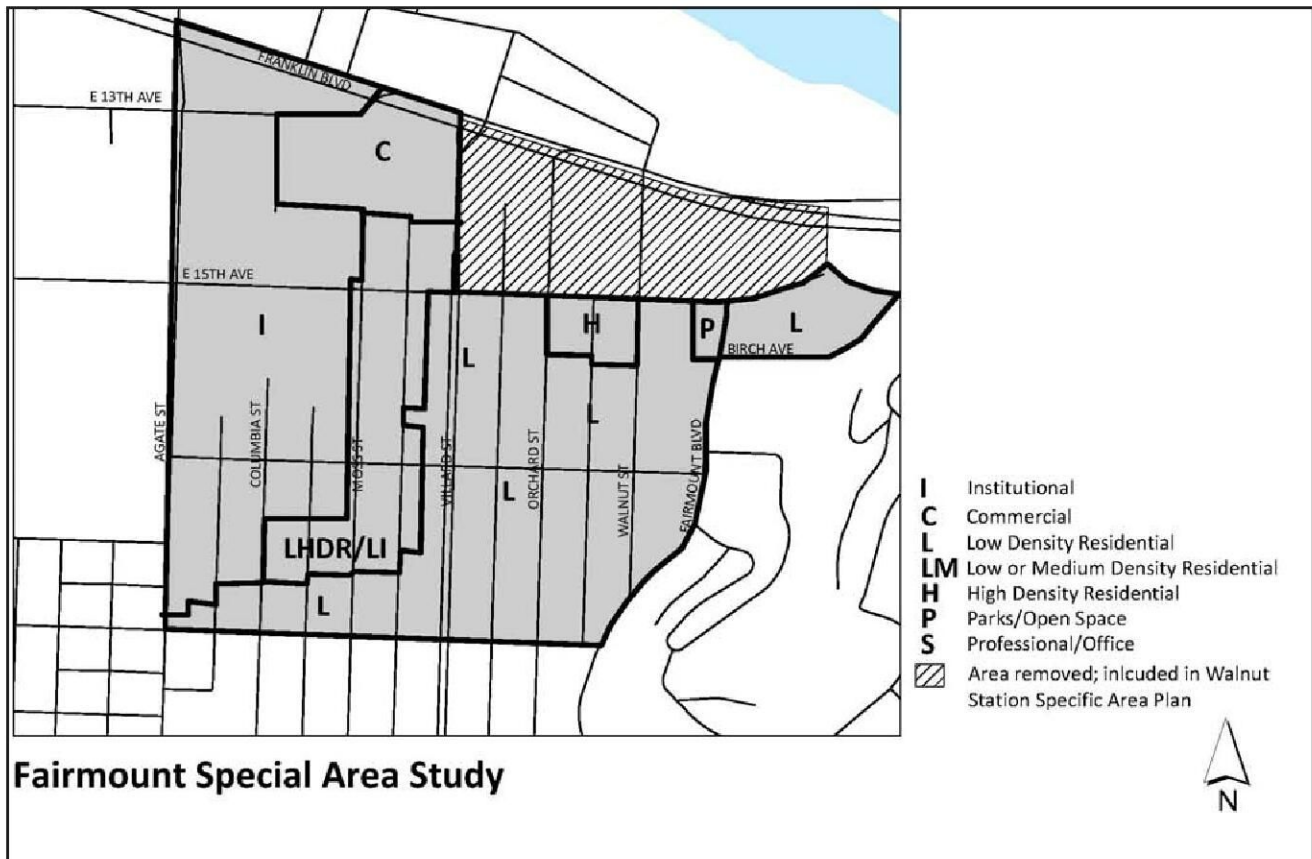


Relationship to Other Neighborhood Plans

The Walnut Station Specific Area Plan provides the history and background for the planning processes that occurred from the project initiation in 2005 through the adoption process in 2010. This specific area plan provides information on how decisions regarding land use and transportation issues were made and how these land use, building form, and transportation and circulation standards are to be implemented.

Two other adopted refinement plans cover portions of the Walnut Station Specific Area Plan as follows:

Fairmount/University of Oregon Special Area Study (1982, Amended 2003). The Fairmount/University of Oregon Special Area Study covers land and contains a number of policies that apply to the portion of the Walnut Station planning area located south of Franklin Boulevard. As part of the adoption of the Walnut Station Specific Area Plan, this portion of land is being removed from Fairmount/University of Oregon Special Area Study and incorporated into the Walnut Station Specific Area Plan. The boundary of the Fairmount/University of Oregon Special Area Study will be amended to exclude the land within the Walnut Station Specific Area Plan, as shown on the follow-



ing diagram of the Fairmount land use diagram:

The Fairmount Study policies that are relevant to these properties have been incorporated into the goals and objectives of the Walnut Station Specific Area Plan will therefore remain applicable. Though the portion of the Walnut Station Specific Area Plan located south of Franklin Boulevard is no longer part of the Fairmount/University of Oregon Special Area Study, applicable policies have been maintained and incorporated into the form based code for the Walnut Station Special Area Zone (S-WS) and within this plan, as described further below.

Riverfront Research Park Study. The Riverfront Research Park Study (RRPS) boundary includes that portion of the Walnut Station planning area north of Franklin Boulevard, though it is applied only to properties owned by the University of Oregon. The RRPS requires properties under University ownership to be zoned Riverfront Park Special Area Zone consistent with the RRPS plan, while allowing, but not requiring, privately held properties to rezone to the Riverfront Park Special Area Zone.

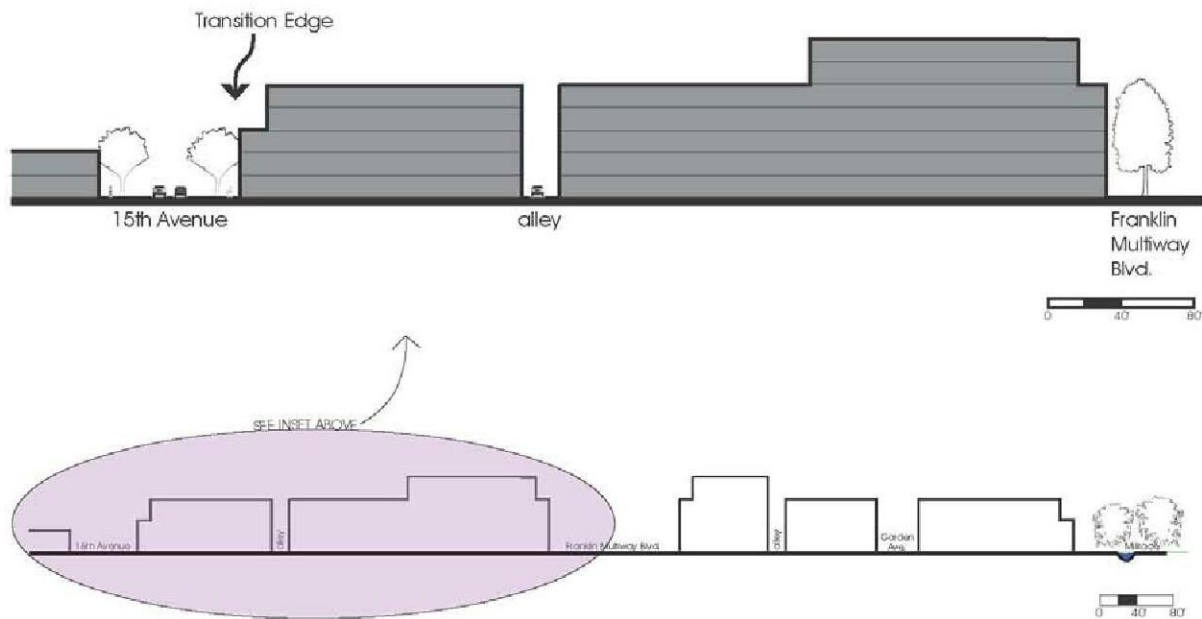
With the adoption of the Walnut Station Specific Area Plan, all lands within the Walnut Station Specific Area Plan boundary will be regulated by the adopted land use diagram as shown below. The S-RP Riverfront Park Special Area Zone and related development standards do not apply within the Walnut Station Mixed Use Center. The policies within the Riverfront Research Park Study will however remain applicable to all the land to which they currently apply, including those within the Walnut Station Specific Area Plan.

Plan Approach; Goals, Objectives and Policies

The approach to addressing goals, objectives and policies in the Walnut Station Specific Area Plan is a shift from the way these have been addressed in previous plans. Creating a shared vision for

the area was the starting point for the planning process, and a significant amount of time was dedicated to clarifying what the area would look like. This was done using tools such as a three day “charrette” process where images of the area were created through computer generated programs and refined based on feedback received during the charrette. Comments were received also through subsequent public processes and from Stakeholder Group and Technical Advisory Committee recommendations. The process for creation of the vision is discussed in more detail in Chapter 2.

These processes were central to identifying and refining the common goals and objectives for the area. Key issues derived from the goals and objectives were identified and, to the extent they were relevant to land use and building form, incorporated into the form based code for the S-WS Walnut Station Special Area Zone (S-WS). These goals and objectives are therefore applicable to all development applications submitted for permit review, rather than remaining as policies in a plan applicable only to land use applications that are required in limited instances before submittal of a building permit for review.



Walnut Station Section - Facing West

Examples include reducing the building height for the entire S-WS zone to a maximum of seven stories, and requiring buildings to step down to five stories and then three stories to the Fairmount neighborhood to the south and to the Millrace and Willamette River to the north. These building height stepbacks were crafted largely to address the issue of transitioning from the commercially zoned area on the north side of 15th Avenue to the Fairmount neighborhood on the south side of this street, and to respond to the potential natural resource area of the Millrace and the Willamette River to the north.

Further, site and building design standards have been crafted for specific Frontage Districts in the S-WS Walnut Station Special Area Zone. The Frontage Districts are the designations for the different areas in the plan. There are three frontage districts; Franklin Corridor, Urban General, and 15th Avenue Transition Edge. The development standards for the Franklin Corridor Frontage District are specifically designed to create a vibrant pedestrian edge while also recognizing that this is seen as the most urban, highest intensity area within the Special Area Zone. The building design stan-

standards encourage active commercial uses such as retail space. The landscape standards are crafted for more urban areas that allow for narrower landscape beds and urban walls for screening purposes, with no minimum landscape requirement. For the Transition Edge 15th Avenue Frontage District, the site and building standards still allow for active pedestrian uses, but are also scaled for residential uses and complement the building height standards. Consideration of these areas as transition areas resulted in standards that require a minimum of 15 percent of the site to be landscaped, and parking lot landscaping beds at a minimum of ten feet in width. Many resulting design and landscape standards for the Transition Edge exceed those that are required under the current Eugene Code (EC).



Walnut Station Frontage Regulating Plan

The S-WS form based code provides a clear and objective path for development to be reviewed through the building permit process as long as the S-WS form based code standards are met. The S-WS form based code also provides a Design Review option as an alternative path. Design Review is intended for development applications that will achieve an equivalent or higher quality design than would result from strict adherence to the clear and objective code standards. Design Review is a Type II land use process involving notice to nearby landowners and approval by the Planning Director based on compliance with the Design Review criteria. These criteria are based on the goals and objectives for the area, including relevant policies from the Fairmount/University of Oregon Special Area Study. These policies have been rewritten and combined in some instances, the intent being to clarify when and how the criteria are to be implemented.

The following design review approval criteria codified within the Walnut Station Special Area Zone and are included within this Walnut Station Specific Area Plan as adopted plan policies. As such, they are applicable to relevant Type III, IV, and V land use applications.

- (a) Consistency with design objectives listed at EC 9.3950 Purpose of the S-WS Walnut Station Special Area Zone.
- (b) The project seeking Design Review approval will achieve an equivalent or higher quality design than would result from strict adherence to the otherwise applicable standards through:
 - 1. A building orientation, massing, articulation, and façade that contributes positively to the surrounding urban environment and;
 - 2. An overall site and building design that creates a safe and attractive pedestrian environment. Design elements for this purpose may include special architectural features, high quality materials, outdoor seating, pedestrian scaled lighting, prominent entries facing the street, multiple openings or windows, and a significant use of clear, untinted glass.
- (c) Impacts to any adjacent residentially zoned properties are minimized. Design elements for this purpose may include treatment of building massing, setbacks, stepbacks, screening and landscaping.
- (d) New buildings shall not increase the shadow cast by more than 20% of the maximum shadow area that would be cast by a building that complied with applicable height, step-back, and setback requirements of this chapter. Building shadow shall be measured at 3:00 p.m. on April 21 of any year.
- (e) The adverse effects of motor vehicle movement shall be mitigated as much as possible. Primary vehicular access to the lands north of 15th Avenue and east of Walnut Street should minimize impact on nearby residences and Fairmount Park.
- (f) Proposed development shall mitigate the storage effects of motor vehicle parking and parking impacts on the surrounding neighborhood shall be reasonably mitigated by minimizing off-street parking. This can be accomplished through the use of shared parking agreements; car sharing and bus pass programs, and other Transportation Demand Management Strategies.

In addition, the following criterion is applicable to any development application that requires a Traffic Impact Analysis review:

- (g) If a Traffic Impact Analysis that is required by the City Code projects that a proposed development will increase traffic on streets within the single-family neighborhood to the east and south of University-owned land the City shall require the applicant to mitigate those impacts through the use of traffic calming strategies or other mechanisms designed to discourage through traffic.

The third way goals and objectives of the plan are addressed is through the application of adopted policies that are within this Walnut Station Specific Area Plan. Policies are statements that set a specific course of action that will move the plan towards attainment of the goals and objectives. Policies are adopted by the City Council as guidance for decision making in the area. City programs, actions, and decisions will be evaluated on the basis of their ability to implement adopted policies of this plan as well as other adopted City goals and policies. These policies largely provide direction to address issues that could not be fully addressed and resolved in the scope of this plan, such as policies regarding future park land and treatment of the Millrace. The following policies are applicable to relevant Type III, IV, and V land use applications:

- (h) By April 30, 2011, the City shall initiate a process to evaluate the land use category of "University or College" to better define which uses are permitted outright. In preparing the report, city staff shall consult with representatives of the Fairmount Neighbors Association and the University of Oregon.
- (i) The City shall encourage applicants who desire amendments to this plan to involve the collaboration of the City and the Fairmount Neighborhood in the review and revision process.
- (j) After three years or 50,000 square feet of development (cumulatively) has been approved, whichever comes first, staff will provide a report to the Planning Commission regarding the status of development in the Walnut Station mixed use center and the potential impacts

- from the reduced parking allowances.
- (k) Prior to April 30, 2011, city staff shall provide a report to the Planning Commission which evaluates the Fairmount Neighbors Event Parking District created pursuant to the October, 2008, Arena Mitigation Agreement ("Parking District"). The staff report shall evaluate whether that Parking District is an adequate and appropriate mechanism to protect the Fairmount neighborhood from potential impacts from reduced parking allowances in the S-WS Walnut Station Special Area Zone and shall recommend alternative measures if the evaluation determines the Parking District is inadequate or inappropriate. In preparing the report, city staff shall consult with representatives of the Fairmount Neighbors Association and the University of Oregon.
 - (l) The city shall update the 2006 Agate Street and Fairmount Neighborhood Traffic Calming Study ("Study") to add mitigation measures that address the impacts likely to occur to the Fairmount neighborhood as a result of development/redevelopment within the S-WS Walnut Station Special Area Zone. City staff evaluation and identification of these mitigation measures for the Study update shall commence within two years of the date on which the City Council's adoption of the S-WS Walnut Station Special Area Zone becomes effective. The final Study update shall be forwarded to the City Council within three years of that effective date. Mitigation measures included in the updated Study shall be implemented, along with any other measures deemed necessary by the city, as development and associated impacts occur, through the city's development and building permit approval process and/or the city's annual Capital Improvement Program. In preparing the report, city staff shall consult with representatives of the Fairmount Neighbors Association and the University of Oregon.
 - (m) When the City engages in detailed development of the multiway boulevard, traffic and parking spillover impacts on the Fairmount neighborhood shall be evaluated.
 - (n) The City shall develop strategies to address the need to provide clear and easy access to businesses along the Franklin Boulevard multiway boulevard and address any loss of off-street parking spaces resulting from its construction.
 - (o) As part of an application to develop the lands formerly owned by the Department of Transportation (south of Franklin Boulevard, east of Walnut Street and north of 15th Avenue), the developer shall demonstrate that consideration was given to realigning the 15th Avenue bicycle path in the vicinity of those lands and making it more attractive. (Note: If the bicycle path is realigned, the City shall require an easement for the path to ensure its permanence in the future.)
 - (p) As part of an application to develop a property south of Franklin Boulevard or a property in the block on the north side of Franklin Boulevard between Moss Street, Villard Street, and Garden Avenue within the Walnut Station Specific Area Plan, applicants are encouraged to include access for pedestrians, bicycles and limited vehicular access consistent with the Transportation Features map shown as Figure 9.3978(3)(b) in the Walnut Station Special Area Zone.
 - (q) In prioritizing the need for future park land within the Walnut Station Mixed Use Center, the City should consider the relative density of residential development, in addition to walking distance to parks, as a factor.
 - (r) Due to the uncertainty surrounding the future of the water in the Millrace, the City should complete a comprehensive study of the Millrace prior to decisions being made regarding its use as a park or other amenity, or before regulations related to development along the millrace are adopted or amended.

Chapter 2 describes the process through which information from the emerging Walnut Station vision was taken forward and refined into what became the final shared vision for the area. Chapter 3 provides details on how the development patterns and land use concerns were addressed through the creation of new zoning and building form regulations. Chapter 4 provides information on how the emerging vision elements were addressed for the public realm of transportation and park systems.

Chapter 2 - Creating the Vision

The vision statement below is aspirational based on the vision of how this area will appear if the goals, objectives, and policies are implemented. It is based broad input from stakeholders and property owners as well as information prepared by staff, consultants and direction from the Eugene Planning Commission. The vision statement embodies the shared values and aspirations of the community and includes the desired characteristics for the area. This vision set the tone for development of the Walnut Station Specific Area Plan and the Walnut Station Special Area Zone.



Walnut Station Vision Statement

“The Walnut Station Center serves as a welcoming gateway to the city and is a vibrant center for the daily activities of the residents of Eugene’s east side. Inhabitants of the area and surrounding neighborhoods celebrate its important economic and geographic role in the community and its linkages to downtown, the University of Oregon, the historic Millrace and the Willamette River. Visitors and residents experience a unique sense of place where new and renovated buildings blend seamlessly with important natural resources and open spaces. People who live, work and play in the area enjoy new opportunities for shopping, forging social connections and building neighborhood identity

Franklin Boulevard is widely recognized as one of Oregon’s great streets, providing the retail services needed by residents of a vibrant neighborhood and an attractive and distinctive travel corridor that facilitates safe and efficient movement by all modes of transportation. Residents and visitors experience a unique and welcoming entrance to the city and the University of Oregon,

arriving by bike, bus, car and foot. The multiway boulevard encourages use by pedestrians and shoppers by separating through traffic from local access traffic, increasing safety throughout the corridor and providing a quieter edge as well as parking options on the local access lane. Vibrant, green foliage in well-designed landscaping, pedestrian scale lighting and attractive, human-scaled architecture all blend to create a sense of vitality fused with elements of nature. The buzz of shoppers enlivens retail stores on the ground floor of adjacent buildings, with cafes and restaurants providing a lively neighborhood experience. Residents, students, and visitors sip coffee in street-side cafes shaded by large street trees, enhancing the sense that this is a gathering place for the area and a true asset to the community.

Residents living in new housing have transformed the area from a utilitarian commercial strip to a vibrant neighborhood. New innovative building regulations have ensured that development has contributed to an attractive mix of building types, heights and facades that create enjoyable public spaces and connect to the history and character of the area. A diversity of housing types provide for a rich community both aesthetically and functionally, while residents enjoy working proximate to their homes. A vibrant mixture of retail stores provides for the daily needs of residents, as important products and services are only a short walk away from their homes and workplaces. People of all ages enjoy strolling through the neighborhood among buildings that look attractive and feel inviting and friendly. Few even notice the subtle transition between more and less intensive developments due to conscious choices regarding setbacks and design elements that a form-based code has facilitated.

Growing numbers of bus riders enjoy the ease and convenience of transit stations and dedicated bus lanes when traveling to work, buying groceries or eating out. Residents of the area travel between a series of transit stations that are conveniently located within short walking distance of their residence or final destination. Commuters and other travelers between Eugene and Springfield not only move through the corridor by rapid transit bus, but occasionally make a quick stop to buy essential household items or to have dinner or a drink with friends before continuing home.

Bicyclists and pedestrians move safely throughout the area in a way that has all but removed the need for automobile ownership except for longer regional trips. Commuters and recreational bikers pass by the area on the fully completed South Bank Bike Path. Bike routes throughout the development provide easy and safe connections to the path. A mid-block connector between Franklin and 15th Avenue provides a quieter east/west route for pedestrians on the south side of the development.

The Millrace is a major urban amenity, an important natural resource and a destination for residents and tourists alike. Families walk along the public way on the south side of the Millrace enjoying views of the water while deciding if they should rent a bike or perhaps share an ice cream cone from a nearby eatery. People in adjacent residences look out over the Millrace from small patios while considering if they want to barbeque tonight or walk down to the Millrace to their favorite café. Bikes are streaming by on the north bank of the Millrace as part of a long ride along the south bank of the Willamette River. Riders catch glimpses of the waterway cloaked in native riparian vegetation that forms an important buffer and supports a diversity of plants and wildlife.

Residents enjoy a variety of outdoor spaces that blend a vibrant urban character with opportunities for solitude offered by the natural environment. Families with small children enjoy a late afternoon visit to the playground at the neighborhood park along the Millrace while a spirited game of Ultimate Frisbee finishes up on adjacent athletic fields. Those seeking a taste of nature can venture by path to the banks of the Willamette River or to Franklin Park, where one can seek the cool and quiet of a heavily wooded area. Parks and open spaces are visually linked by streets lined with broad trees and extensive vegetation that also collect and filter stormwater from surrounding development. These areas are also linked to the larger system of parks in the City by the many bike and pedestrian path connections available.

Serving as the eastern gateway to Eugene, the Walnut Station area is a pedestrian-friendly neighborhood rooted in a strong sense of place and offering a tangible sense of community. Its vibrant character reflects the diversity of residents who live and work in the area and makes it a model for neighborhoods across Eugene seeking new models for how to grow responsibly while promoting the values residents have come to cherish."

Developing the Vision

Developing the plan and implementation tools to bring the vision described above to fruition came about through a creative, collaborative approach with its foundation based on community involvement. In addition to meeting the City's acknowledged provisions for citizen involvement, there were additional processes that sought to maintain community involvement and participation throughout the several years it took to create this plan. There were a variety of community involvement activities and processes throughout various stages in the project, roughly outlined below:



Community Involvement

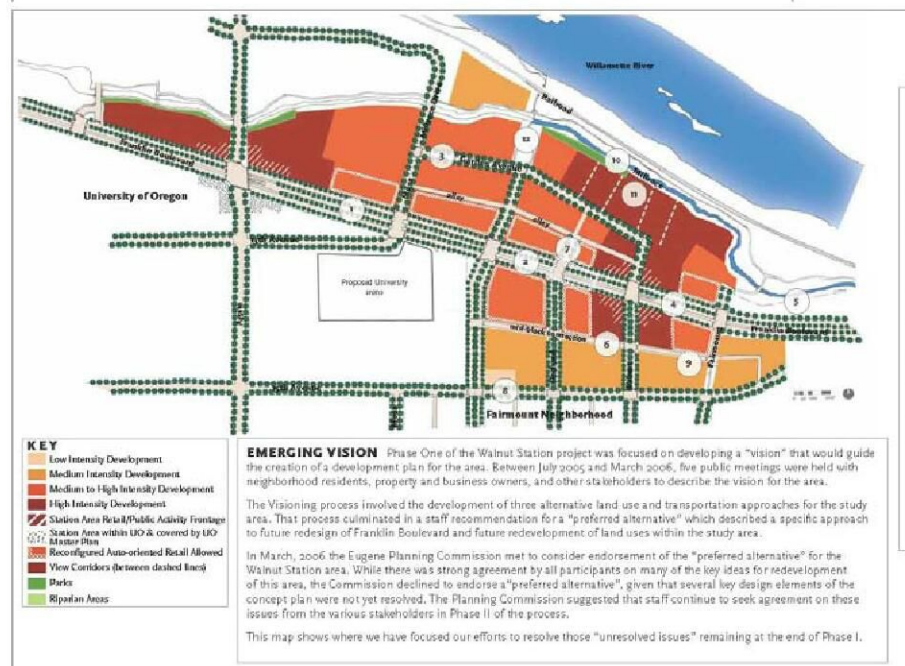
- Issue Group meetings with neighborhood groups, property and business owners, and transit customers, August & September and October 2005.
- Three Public Open Houses (June, September, November) in 2005
- Steering Committee created August 2005, with Eugene Planning Commission, the University of Oregon, Lane Transit District, Oregon Department of Transportation, and the Governor's Office to provide advisory input on the project through 2008.
- Technical Advisory Committee I (TAC) formed in July 2005, to guide the project and insure interagency coordination through 2008.
- Stakeholders Group. In 2008, the City brought together a stakeholders group with representatives from the Fairmount Neighborhood Association, the Chamber of Commerce, the University of Oregon and the City of Eugene. This group was convened by the Chamber and provided a forum to discuss issues and to mediate concerns between stakeholders as the plan developed. This Stakeholders Group was recognized for its collaborative efforts and given an award by Mayor Kitty Piercy in January 2009.
- Technical Advisory Committee II. A second TAC was created in 2008 with representatives from each Stakeholder Group, interdepartmental City staff, Land Transit District, and the State of Oregon. This committee reviewed and edited the form based code.
- Three Open Houses events were held between January and April 2009.
- Three-day design charrette in April 2009. This was an interactive and iterative process over the course of three days where the objective was for stakeholders and citizens to come to consensus regarding the desired urban form for different areas within the Walnut Station Specific Area Plan.
- Fairmount Neighborhood Association. The Fairmount Neighborhood Association created a Walnut Station subcommittee which met regularly throughout the process. Members of the subcommittee were included in the stakeholders group. Staff met with the subcommittee and the neighborhood association on several occasions. Earlier in the process, the meetings were focused on getting feedback on creating the vision. Subsequent meetings were held to pro-

vide information on the development of the implementation tools and to continue to receive feedback as the form based code and this Specific Area Plan were developed. This subcommittee spent considerable time reviewing draft materials and providing valuable feedback and direction to finalize these documents.

In addition to these events, the Eugene Planning Commission held numerous work sessions on the various components of the code and the plan as it developed, and provided guidance to staff and the Technical Advisory Committee throughout the process. Project goals and objectives were consistently identified as being important to achieve implementation of the plan.

Project Goals and Objectives

- Meet existing City of Eugene design principles for mixed use development planning and design including:
 - Illustrate a mixed use strategy of blended neighborhoods organized around a commercial core;
 - Illustrate design elements that support pedestrian-friendly environments and encourage transit use;
 - Provide for one or more transit stops within walking distance of the entire development;
 - Provide for a mix of land uses that offer a variety of services, activities and destinations;
 - Provide for a range of public spaces, such as parks, public and private open space, and public facilities that can be reached without driving; and
 - Provide for a mix of housing types and residential densities.
- Recognize the place of the Walnut Station neighborhood in the larger context of the City of Eugene.
- Make the Walnut Station area a gateway to the City and the University.
- Connect the neighborhood to the Willamette River.
- Create a land use, street and block pattern that fosters a blend of jobs, housing, institutions and recreational uses that are mutually supportive.
- Identify catalyst sites with the greatest development/redevelopment potential.
- Help existing and future businesses and employment centers thrive and contribute to new mixed use development.
- Minimize the effect of Franklin Boulevard as a barrier and make Franklin easier to cross.
- Maintain Franklin Boulevard function as a primary street serving through traffic.
- Make the Millrace a feature of the neighborhood. Illustrate alternative designs that restore the Millrace as a neighborhood and City amenity.
- Create a network of pedestrian and bicycle paths through the area.



In January 2006, after considerable input from area stakeholders, four alternative development scenarios were generated for review by the community. These development scenarios included a base case scenario, and three alternative development scenarios with options for land use, circulation patterns and development intensities. While the original intent was to choose one development scenario as a preferred alternative, no one scenario addressed all of the project goals and objectives, and there were elements identified that needed further study.

This review of alternative development scenarios did result in a number of areas in which there was agreement, referred to as the “emerging vision” design concepts. These design concepts were carried forward into the final stage of visioning through a three day design charrette, resulting in design concepts that were carried forward into the next phase of the project.

Emerging Vision Design Concepts

Development Pattern and Intensity

- The most intensively developed portions of the site will occur around the EmX transit stations at Agate and Walnut streets.
- Along Franklin at Walnut Street Station, the plan will promote high intensity residential and mixed use with retail frontage in the immediate station area.
- Along Franklin at Agate Street Station, the plan will promote high intensity residential and mixed use with retail frontage north of Franklin Boulevard. The University of Oregon property on the south side of Franklin Boulevard will continue to comply with University plans.
- Buildings up to five stories in height would be acceptable for properties along the 15th Street edge if appropriate design and height setback controls are included within the new development codes for the mixed use area. Those codes would regulate building articulation, landscaping, window placement and other building design features affecting the appearance and height of buildings along the street edge.
- Significant new residential development will be encouraged within the Walnut Station area.
- Some level of reconfigured auto-oriented development may continue to occur along Franklin Boulevard but should be limited to portions of Franklin located between EmX stations and will be subject to parking location and other design controls.

Street Network and Design

- All streets in the planning area should be designed to promote and stimulate pedestrian activity.
- Franklin Boulevard should be redesigned to support multimodal use and transit-oriented development.
- The Franklin Boulevard redesign needs to accommodate long-term traffic growth while maintaining City performance standards for a major arterial level-of-service (LOS E).
- Franklin Boulevard crossing distances should be reduced to improve pedestrian safety and convenience.
- The future redesign of Franklin Boulevard should accommodate a second EmX lane.
- The appearance of Walnut Station area streets should be improved with attractive landscaping, improved sidewalks and appropriately-scaled street trees.
- On-street parking is appropriate in the study area and is seen as providing an effective buffer between pedestrians and moving traffic.
- As streets are reconstructed throughout the area, they should include facilities for pre-treatment of stormwater consistent with City stormwater requirements, where feasible.
- Orchard Street should not be extended north of Franklin Boulevard to connect Franklin with Garden Avenue.
- Traffic calming techniques should be employed on local streets south of 15th Avenue to discourage cut-through-traffic and traffic speeds.

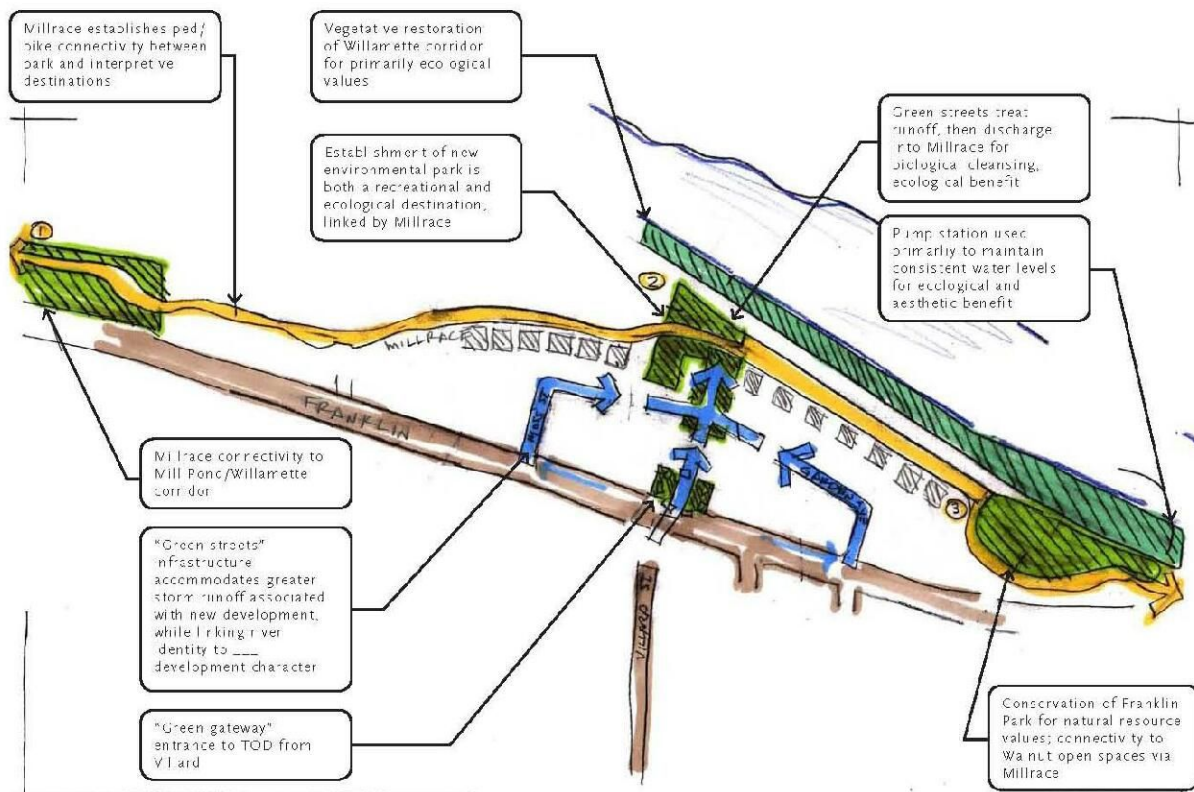
- Franklin Boulevard has great potential for implementing a “gateway” design signaling its role as an entrance to the University of Oregon and the City of Eugene.

Bicycle and Pedestrian Circulation

- The South Bank Bike Path should be completed between the Autzen Footbridge and the Knickerbocker Bike Bridge.
- A new pedestrian connection will be encouraged within the superbblock configuration located between Franklin Boulevard, 15th Avenue, and Villard and Walnut Streets. This new pedestrian facility could be built in conjunction with future redevelopment of these blocks. Vehicle access to parking and truck access to retail stores would be provided separately. The specific alignment of the future connection is not yet known.
- The Walnut Station plan should acknowledge or address bicycle and pedestrian safety issues on portions of the riverfront bike path lying between Eugene and Springfield.

Parks and Open Space

- At least one new neighborhood park is desired for the area to support additional residential development in the area.
- New physical and visual connections to the Willamette River are highly desired by area residents.



Chapter 3 - Implementing the Vision

The shared vision for the Walnut Station Specific Area Plan recognizes the need to integrate land use and transportation planning, and this can be readily seen through the design of the multiway boulevard. Land use and building form are regulated differently on private property than within the public realm. This chapter describes how the changes to land use regulations were determined. The public realm, which includes transportation and parks infrastructure, are covered in the following Chapter. While addressed separately, land use and transportation remain integrated in this plan.

Addressing Development Pattern and Intensities

The visioning process and resulting emerging vision elements made clear that, to a large degree, the community desired this area to become a thriving, vibrant, pedestrian-friendly mixed use neighborhood. However, current zoning code requirements do not often result in the type of development sought through this plan.

Like most local governments in the United States, the current land use code in Eugene is based on Euclidian zoning which regulates land uses by separating them. Because one of the original purposes of zoning was to prevent adjacent incompatible uses, these zoning regulations are often reactive and focus on what is not allowed. Zoning requirements are usually applied generically throughout the entire community in a one-size-fits-all manner, without any specific planning or thought about what the community wants the development character of individual areas or neighborhoods to be. Although the resulting development may be compatible in terms of density, it can often be incompatible with the physical context in the surrounding community.

To address these compatibility concerns, additional processes such as Site Review, Conditional Permit Review, and Planned Unit Development review are required for some uses and development applications. While these processes may result in development better suited to a specific area, the development review process can be timely and costly. Additionally, there may not be a clear understanding of the type of development or density pattern, and how that will appear once it is constructed. Further, while the current code allows residential uses in commercial zones, it can only be built if there is commercial use on the first floor. While the intent has been to encourage mixed use developments, the requirement that every building have a mix of uses has caused difficulty with financing some of these projects. Highly prescriptive development regulations are seen as having a barrier effect on development.

Taking a New Approach - Form Based Codes

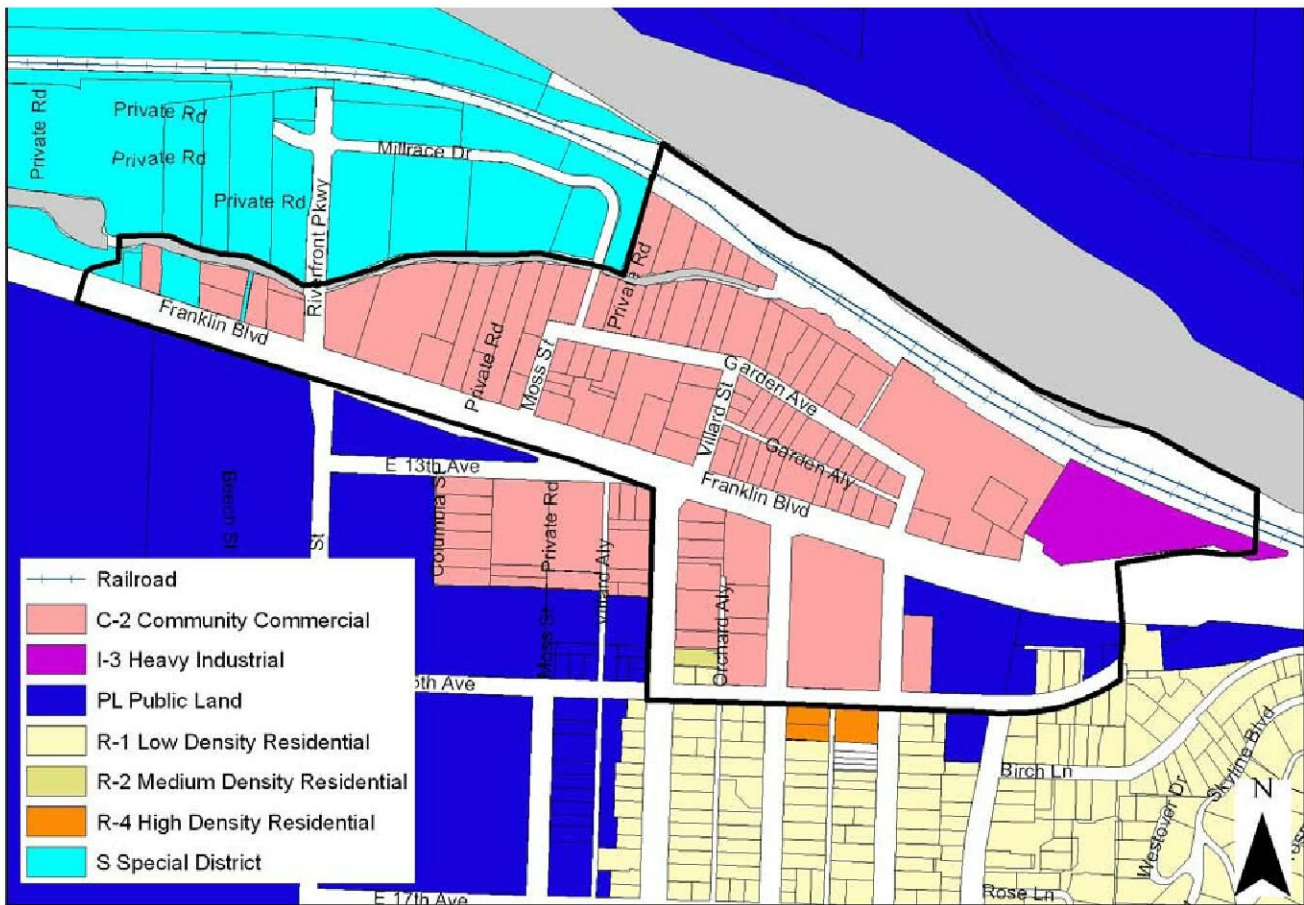
Form based codes are type of development regulations that are a growing alternative to conventional zoning laws. They go beyond land use to address not just the physical form of the buildings but also surrounding streets, blocks, and public spaces in order to protect, create, and revitalize sustainable communities. These codes place a greater emphasis on the physical character of development and deemphasize the regulation of land use. Form based codes address the relationship between building facades and the public realm. The public realm is comprised of public open spaces, such as plazas, squares, and parks; that is, the space created and partially enclosed by the building facades on either side of the streets. It also includes setback areas as well as the street right-of-way itself.

Form based codes provide greater predictability about the look and feel of development and offer developers a clearer understanding of what the community seeks. In return, form based codes can make it easier for citizens to help create the physical development they want by participating in the creation of form based code standards, which will more likely lead to their acceptance of proposed development and street designs in their community. Because form based codes deemphasize land uses, a mix of uses is easier to achieve.

Form based codes also provide an opportunity to address compatibility issues and transitions through building design and form, rather than relying on costly and time consuming land use application procedures. There has been an increasing concern with the development patterns that result from the existing land use regulations in place, and this is well illustrated in the southern portion of the Walnut Station Specific Area Plan.

Form Based Code Applications for Walnut Station

15th Avenue is a local street that forms the southern boundary of the Walnut Station Specific Area plan. The property north of 15th Avenue is currently designated and zoned almost exclusively for commercial use. Except for a portion of the lands formerly owned by ODOT and the City owned park land, the land within the Walnut Station Special Area zone was primarily commercially designated in the Metro Plan. Commercial zoning allows buildings up to 120 feet in height with no



Zoning designations for area prior to adoption of Walnut Station Special Area Zone

building setback requirements. This is in contrast to the south side of 15th Avenue which is the residential edge of the Fairmount Neighborhood. This is a large, well-established residential neighborhood with strong character and with involved residents and occupants. Zoning in this neighborhood is for single-family residential use except for the parcels fronting East 15th Avenue between Orchard and Walnut Streets, which are zoned R-4 High Density Residential. There is a required 10 foot setback for all residential zones. Low density residential building heights are capped at 35 feet. While the block between Orchard Street and Villard Street is zoned for high-density and also has a 120 foot height limit, the residential setback still applies. Maintaining the

residential character on the south side of 15th Avenue while balancing the need to allow reasonable commercial use on the north side of the street is a significant focus of this plan.

Within the remainder of the Walnut Station Specific Area Plan area, the land use pattern is somewhat fragmented on the north side of Franklin Boulevard, with multiple ownerships and many existing businesses. These include hospitality uses, auto-oriented uses, retail and restaurant uses, as well as some scattered residential development. On the south side of Franklin Boulevard, larger portions of property are within single ownership or development control. Between Villard Street and Orchard Street on the south side of Franklin, there is a neighborhood grocery store and pharmacy (Market of Choice/Hirons). These stores are recognized as a vital component of the existing and future neighborhood. The University of Oregon owns the remaining southern frontage of Franklin Boulevard having recently purchased the former automobile dealership (Romania) and the land previously owned by the State of Oregon and occupied by a Department of Motor Vehicles office. Prior to adoption of this plan, all properties owned by the University of Oregon were zoned PL Public Land.

The R-4 zoning on the south side of 15th Avenue between Orchard and Walnut Streets is a bit of an anomaly in that there is no transition between the R-4 and the R-1 zones. Further, this is the only R-4 zoning in an area otherwise zoned for and developed with single family residential dwellings. There was interest in addressing this zoning anomaly by recommending that these parcels be re-designated to medium density residential zoning. While the plan boundaries do not include the R-2 parcels and therefore redesignation as part of this plan is not possible, there is strong support to redesignate those R-5 parcels to a more appropriate medium density residential zoning district.

The form based code approach was used to incorporate the emerging vision and design elements by developing specific building and site design standards for the different areas within Walnut Station. This allowed the areas adjacent to the neighborhood and the natural resource areas to have building and site design standards that were crafted specifically to how these areas should look and feel, recognizing that their character should be different than that of Franklin Boulevard.

Illustrative Plan

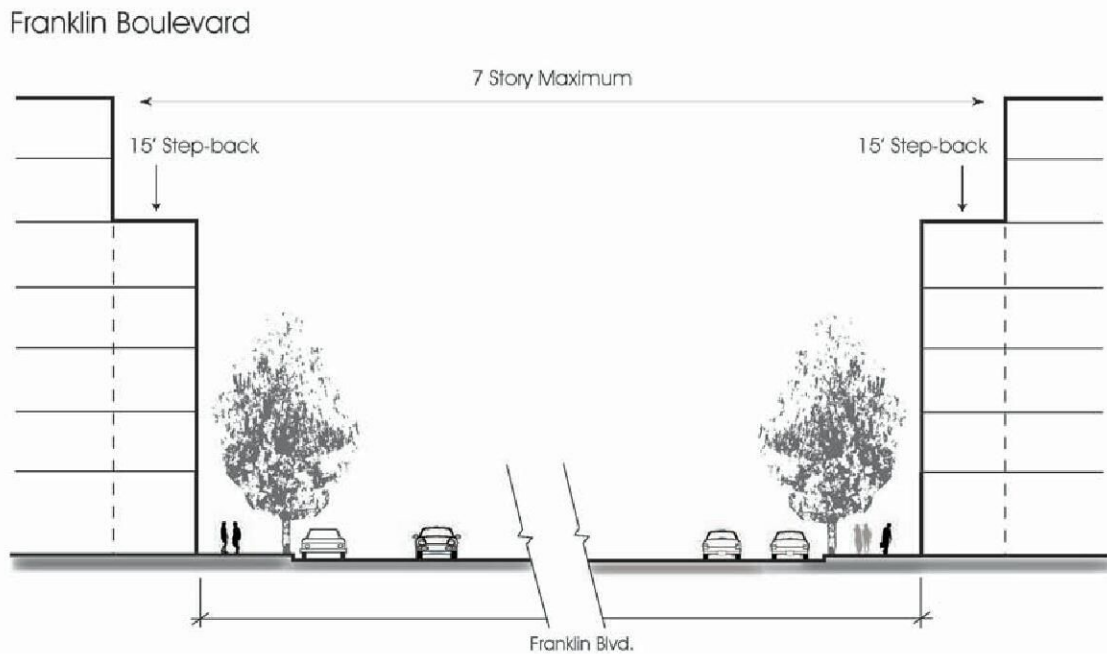


Illustrative Plan for Walnut Station

Form based codes are based on a vision for an area, and visual tools are used to communicate this vision. An Illustrative Plan was created to capture a development pattern consistent with the vision. This is a valuable tool to communicate the look and feel desired for an area.

Franklin Corridor/Urban General

Early design iterations portrayed different levels of intensity along the Franklin Corridor, focusing the highest level of development density at the EmX stations. As the plan progressed, a strong need was recognized to allow for a large degree of flexibility as to how the area could develop, and that the market rather than the City regulations should dictate where the appropriate level of commercial intensity could occur. As such, the entire Franklin Corridor became one frontage district.



Several variations of building height limitations were considered. Some property owners suggested retaining the existing height limit of 120 feet, while some neighbors favored buildings no more than three or four stories anywhere within the Special Area Zone. In order to determine the appropriate building height standards, it was necessary to address the specific impacts that were of concern regarding building height rather than trying to arbitrarily reduce building heights.

Access to sunlight along Franklin Boulevard was raised as a concern, and some participants recommended a maximum building height of five stories to ensure the sidewalk on the north side of Franklin Boulevard would not be in shadow cast from buildings on the south side of the street. When this was evaluated, it was found that a seven story building height with a 15 foot stepback above five stories will allow sunlight to illuminate the sidewalk and the entire face of buildings on the north side of Franklin Boulevard, even on the shortest day of the year.

There was also the consideration of how to incentivize high quality construction, and how to encourage seven story buildings in the most urban portion of the area to be a minimum of seven stories in height without an additional review process. The maximum height for wood-frame building construction in Eugene is five stories. Buildings of five stories or less are typically

constructed with wood frames, and this type of construction is typically used for apartment buildings. Concrete or steel frame construction must be used for buildings of six stories or more in Eugene, and concrete and steel frame construction is more typically used for condominiums. Concrete and steel frame construction buildings typically have longer life spans and are made of more durable, attractive materials. Allowing for a maximum of seven stories along Franklin Boulevard will provide an incentive for this type of construction in the Walnut Station core area and provide for a wider variety of housing types.

In allowing for seven story buildings there is a nexus between the levels of public and private investment proposed for the area in consideration of the proposed development of the multiway boulevard. The seven story height limitation is a maximum, not a minimum or required height. There is no requirement for a minimum building height within the plan boundary.

15th Avenue/Millrace Transition Areas

There was agreement that special consideration should be given to the 15th Avenue transition, and all stakeholders agreed on a three story maximum height and a ten foot minimum setback for the entire portion of 15th Avenue within the Walnut Station Specific Area Plan. This matched the building form of the residential side of 15th Avenue. Building heights along the millrace are also a maximum of three stories to allow access to light and air along this natural resource area.



There was a desire to provide a visual connection from the Fairmount neighborhood to the south to riparian areas along the Millrace and Willamette River. Studies indicated that the proposed building heights will not impact existing views from areas of the neighborhood like Judkins point, which has the best visual access to the river.

Building setbacks above the third and fifth story help protect views to the river along the public rights of way to the extent that scenic views of the tree canopy along the river can be preserved along street corridors. These building setbacks along these streets also would reduce the risk of creating a tall looming wall, humanize the scale of the street, particularly for pedestrians, and allow for more sunlight on the street and sidewalk.

As properties are developed and redeveloped in the future, it is likely that there will be opportunities for pocket parks and other small public open space amenities. These types of spaces are an attribute for urban areas and can provide recreation space for neighborhood residents. Such amenities can be incorporated into public improvements, or created in association with private development. The code provides incentives, such as exceeding the maximum setback requirement, for privately developed public open spaces.



Review processes and Alternative Path

The form based code provides clear and objective standards that can be reviewed under the building permit process only. There is also an alternative path for development applications that may not meet the form based criteria, but would still be consistent with the intent and vision for the area. Because the form based code is based on the community's vision and because the important policies and design criteria have been codified in the form based code and other applicable code sections there is less need to rely on the policies in the Walnut Station Specific Area Plan itself to address neighborhood and compatibility concerns. Policies are not applied to a development application unless that development requires a land use application. Recommendations resulting from this planning process have also codified where they pertain to site design issues and building form standards, and public street requirements.

As part of the Walnut Station Special Area Zone, and as recommended by stakeholders, the Walnut Station code provisions include an alternative review path called Design Review. This path allows development applications that meet the intent of the code, but that do not meet all of the clear and object standards, an alternative means by which the application is reviewed against discretionary design review approval criteria. These criteria are based on the goals and objectives for the area, including relevant policies from the Fairmount/University of Oregon Special Area Study.

Addressing Impacts

Form based codes place a greater emphasis on the physical character of development and deemphasize the regulation of land use. The design standards that are applied through the form based code do however regulate uses in the area to a certain degree. For example, the design standards are specifically crafted to incorporate buildings with windows and openings that support an active pedestrian environment. Buildings are required to be built near the front property line and parking is located to the side and rear, further enhancing the pedestrian environment. These design standards would be very difficult to meet for some uses, such as a typical

big-box retail store. If such a building type were to be allowed within Walnut Station, it would have to go through the Design Review approval process. In so doing, the development would have to be consistent with the Design Review approval criteria. Having design standards for Walnut Station also allows for some uses, such as gas stations which are commonly prohibited from mixed use centers, as long as the design standards are met.

The S-WS Walnut Station Special Area Zone allows any type of residential or commercial use to locate anywhere within the plan boundary. Institutional uses, including those associated with the University, are also allowed. The result is that uses that are currently allowed are still permitted without development standards that have acted as barriers to mixed use development. While the original approach to the form based code was to eliminate all requirements for Site Review and Conditional Use Permit (CUP) applications, the requirement for a Conditional Use Permit requirement for some uses. There are still significantly fewer land use requirements than within the current code.

Permitted uses have remained a concern for the Fairmount neighborhood, and of particular concern is the question of "University or College" as a use category. The Eugene Code allows "University or College" as a permitted use category in the C-2 and C-3 zones. Because the Walnut Station allows any commercial or residential use permitted in the code, it is permitted in the new form based code. The category of University use was proposed for the Matthew Knight Arena, and under appeal by the neighborhood, the Land Use Board of Appeals found that



15th Avenue looking east from the University of Oregon

because an arena is listed in the code as a separate use requiring a CUP, a CUP would be required for the University Arena. This history has created some tensions in the neighborhood with regards to future uses the University might propose. While the question of University or College use is not specific to the Walnut Station Special Area Zone, the area adjacent to the University of Oregon has more potential to be impacted by University development. While it is recognized that question of University or College use is not specific to the Walnut Station Special Area Zone and is rather an allowance in the Eugene Code applied to all C-2 and C-3 zones, the area adjacent to the University of Oregon has more potential to be impacted by University development. As such, the following policy is adopted:

By April 30, 2011, the City shall initiate a process to evaluate the land use category of "University or College" to better define which uses are permitted outright. In preparing the report, city staff shall consult with representatives of the Fairmount Neighbors Association and the University of Oregon.

The neighborhood is also interested in remaining an active participant in the Walnut Station Specific Area Plan as they have been in the Fairmount/University of Oregon Special Area Study. Any future amendments to this plan will necessarily involve the neighborhood. However, it was important to the neighborhood that the following policy from the Fairmount/University of Oregon Special Area Study be included here. This policy is adopted in this Plan:

The City shall encourage applicants who desire amendments to this plan to involve the collaboration of the City and the Fairmount Neighborhood in the review and revision process.

Considerable efforts and analysis went into crafting a form based code that would address concerns as discussed herein, but it is recognized that this is a new tool and there has been some concern about applying a new tool without knowing exactly what the development impacts may be. The local chapter of the American Institute of Architects (AIA-SWO) did a peer-review of the form based code by applying the draft code to a number of different types of projects to a variety of sites within Walnut Station and generally found that the code functions well. However, there will likely be minor tweaks and edits to the code to improve it once it has been in effect for a period of time. To ensure that review and amendments, if necessary, will occur, the following policy is adopted in this plan:

After three years or 50,000 square feet of development (cumulatively) has been approved, whichever comes first, staff will provide a report to the Planning Commission regarding the status of development in the Walnut Station mixed use center and the potential impacts from the reduced parking allowances.

Parking

Parking requirements significantly impact the way an area builds out. Appropriate parking requirements can be one of the most significant elements in creating walkable communities. Too much parking restricts the amount of land that can be devoted to restaurants, retail spaces, offices, and residences. Parking facilities are expensive to construct, impose environmental costs, contradict objectives for more livable and walkable communities, and tend to increase driving and discourage use of alternative modes. Parking requirements also impact housing affordability, congestion, air and water pollution.



Inadequate parking supply also causes problems including frustrating users and increasing the potential for spillover impacts into adjacent neighborhoods. For this reason, it is not enough to simply reduce or eliminate parking requirements without looking closely at the impacts, and creating a program to adequately address those impacts. The Walnut Station mixed use center has some unique characteristics that are conducive to a reduction of required parking. The EmX now established in the area means that fewer people will arrive to the area in a vehicle. The University of Oregon is directly adjacent to the area, so students and faculty have easy walking access to the area, also reducing the frequency of single-occupancy vehicles. The new code proposed for the area has focused on facilitating mixed use development, and this also reduces parking demand since motorists need to park only once

to visit of a number of destinations.

Some unique characteristics in the area impact parking needs. For example, the presence of a large university and employment center creates a higher than average need for on-street parking. New development in the surrounding area is also anticipated to increase the need for parking spaces. While it would seem on the surface that increasing the supply of parking spaces would address the demand for parking spaces, increasing off street parking requirements tends to increase reliance of automobiles and therefore encourages additional vehicle trips.

In order to address both the need to reduce parking requirements to achieve the desired urban form and the potential for negative impacts of spillover parking in the Fairmount neighborhood, a number of potential solutions were evaluated. The Arena Parking District established as part of agreement for the Matthew Knight Arena provides a Residential Parking Program for the Fairmount neighborhood which regulates parking in that neighborhood to two hours in any given on-street spot. The City's intent that this Residential Parking Program remains in place, but there was concern that this program could be discontinued. As such, the following policy is adopted:

Prior to April 30, 2011, city staff shall provide a report to the Planning Commission which evaluates the Fairmount Neighbors Event Parking District created pursuant to the October, 2008, Arena Mitigation Agreement ("Parking District"). The staff report shall evaluate whether that Parking District is an adequate and appropriate mechanism to protect the Fairmount neighborhood from potential impacts from reduced parking allowances in the S-WS Walnut Station Special Area Zone and shall recommend alternative measures if the evaluation determines the Parking District is inadequate or inappropriate. In preparing the report, city staff shall consult with representatives of the Fairmount Neighbors Association and the University of Oregon.

Chapter 4 - The Public Realm

Circulation Systems and Parks

This chapter describes considerations and recommendations for areas within the Walnut Station Specific Area Plan that largely fall within the public realm; streets, bicycle and pedestrian paths, and park, recreation, and open space amenities. As with development pattern and intensity, the emerging vision had specific recommendations about these public realm components and this chapter describes how those emerging vision elements have been addressed.

Street Network and Design

From the emerging vision process described in Chapter 2, it became clear that changing the nature of the transportation network in the Walnut Station area could be a key impetus for realizing the desired vision for the area. Franklin Boulevard is a significant focus as it bisects the study area and plays a major role in influencing the character and development of the area. As currently configured and designed, it is not a pedestrian friendly street to cross, nor does it safely and comfortably accommodate modes of travel other than motor vehicles. The other streets within the plan boundary; Walnut Street, Villard Street, Orchard Street, and Garden Avenue (including a portion of Moss Street) were also evaluated in the context of the overall vision, and improvements to these streets consistent with the emerging vision were also recommended.

Franklin Boulevard is a major arterial that carries more than 33,000 vehicle trips per day. Traffic volumes are projected to be as high as 40,000 to 45,000 vehicles per day in the year 2025. Franklin Boulevard serves as part of the initial EmX corridor. Within the plan area there are both one lane and two lane sections. Franklin Boulevard also serves as a corridor for accessing regional recreational and cultural facilities including Alton Baker Park, the regional Willamette River shared use path system and Autzen Stadium, all of which are within walking distance of the plan area. However, it can also present a challenge for accessing these facilities. In addition to carrying large volumes of traffic through the area, Franklin Boulevard provides access to many businesses, is the primary surface street and transit connection between downtown Eugene and downtown Springfield, and serves as a major entryway into Eugene and the University of Oregon.



However, it can also present a challenge for accessing these facilities. In addition to carrying large volumes of traffic through the area, Franklin Boulevard provides access to many businesses, is the primary surface street and transit connection between downtown Eugene and downtown Springfield, and serves as a major entryway into Eugene and the University of Oregon.

Pedestrian and bicycle movements within and across Franklin Boulevard are challenging due to the high volumes of traffic, lack of bicycle lanes, and substandard sidewalks. The existing edges of the street are not conducive to active retail and other pedestrian friendly uses because there is very little area for sidewalks and in most places, no separation between the relatively narrow sidewalks and the street. Furthermore, the gateway potential of Franklin Boulevard is not emphasized in the current configuration. Designing streets only for rapid movement of cars negatively

impacts many other goals for our streets and communities, especially in consideration of sustainability aspirations.

The transportation realm represents one of the largest collective amounts of publicly owned land in the Walnut Station area. The public input received called for using these lands as part of the overall transportation and planning solution, rather than to accommodate only one mode of transportation. In order to achieve the vision for the Walnut Station area, Franklin Boulevard must become more than just a conduit for moving traffic through the area.

A primary goal of this project is to provide additional, safer paths for pedestrians and bicyclists to move through the area and to cross Franklin Boulevard safely, while maintaining or improving the functionality of Franklin Boulevard as a major arterial. Information from Lane Transit District and City Public Works staff indicated that the provision for a second EmX lane was needed to support the regional EmX system. A multiway boulevard design was chosen for Franklin Boulevard primarily because it creates an environment conducive to encouraging pedestrian friendly mixed-use development along the street.

The multiway boulevard creates a different context by separating the through traffic from the adjacent land uses through the construction of planted medians, access lanes and on street parking that serves those land uses. For the pedestrians who are walking along the sidewalks adjacent to the access lanes, it feels more they are walking along a main street than a busy arterial. The following photo-simulations show how conversion of Franklin Boulevard to a multiway boulevard can





support the project goals and objectives.

Converting Franklin Boulevard to a multiway boulevard became the preferred solution to addressing the challenges posed by the existing street design. One of the hallmarks of smart growth is

support for increasing transportation choices and developing walkable neighborhoods. The proposed redesign of Franklin Boulevard to a multiway boulevard accommodates a range of users of the street system. The multiway boulevard design provides for two EmX lanes in the center of the boulevard, with two lanes of through traffic in either direction. Separated by a landscaped median, a local access lane with parallel parking is located on either side of the street. The local access lane will improve the efficiency of the through traffic lanes by removing multiple driveways and parking from the through traffic lanes, thus reducing conflict points and improving operation and safety in the through traffic lanes. This design minimizes the mixing of through and local traffic, thereby allowing through traffic to proceed efficiently through the Walnut Station area and local Walnut Station traffic to make turning decisions in the slower access lanes.

The multiway boulevard design supports the increased development envisioned by providing a safer and more pedestrian friendly environment. The access lane is, by design, a lower speed facility that also provides a buffer for pedestrian activity, envisioned along Franklin Boulevard sidewalks, from the high volume, higher speed through traffic lanes. The local access lanes and tree-lined medians buffer the pedestrian edge from the high-volume traffic. Curb extensions or stop controls or both at intersections can also reduce the pedestrian crossing distance and convert the local access lane area to a more pedestrian and bicycle friendly zone. The design includes wider than standard sidewalks that provide areas for street amenities and opportunities for café seating and other outdoor activity.

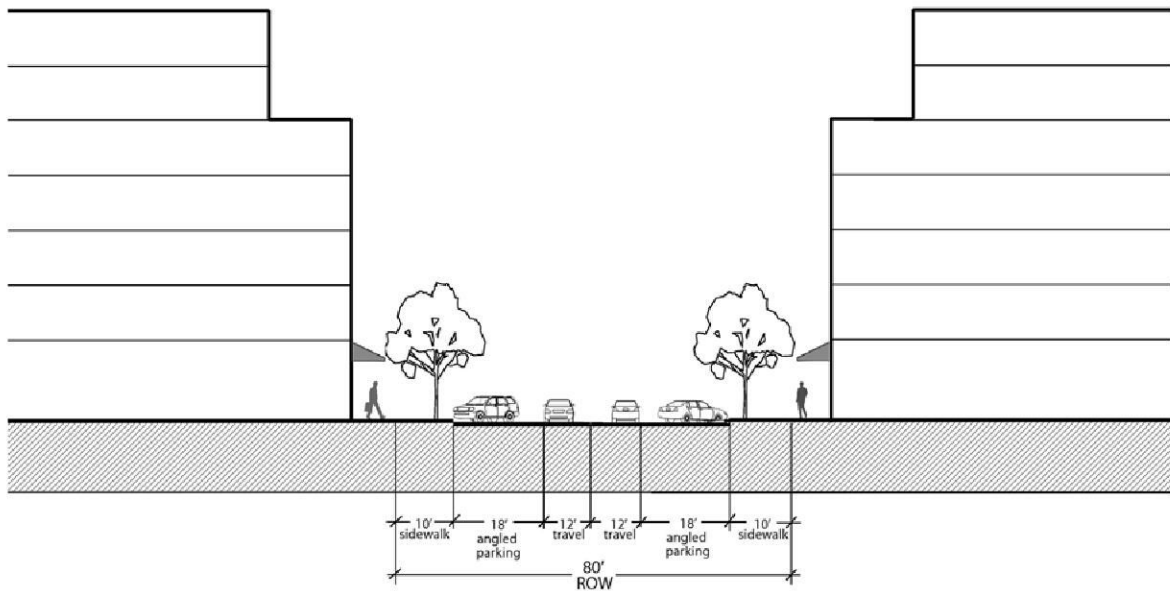


The design guidelines for the multiway boulevard contained herein are largely conceptual, and it is assumed that detailed design and development will occur when funding for the multiway boulevard is secured. The design in the planning process was developed so that the minimum right of way width necessary would be determined, and this minimum width has been established as a special setback in the Walnut Station Special Area Zone. The City is currently seeking funding to implement the multiway boulevard through the reauthorization of the six-year Federal Transportation Bill. Subsequent design and public outreach will occur once funding is secured to construct the multiway boulevard.

Garden Avenue/Moss Street

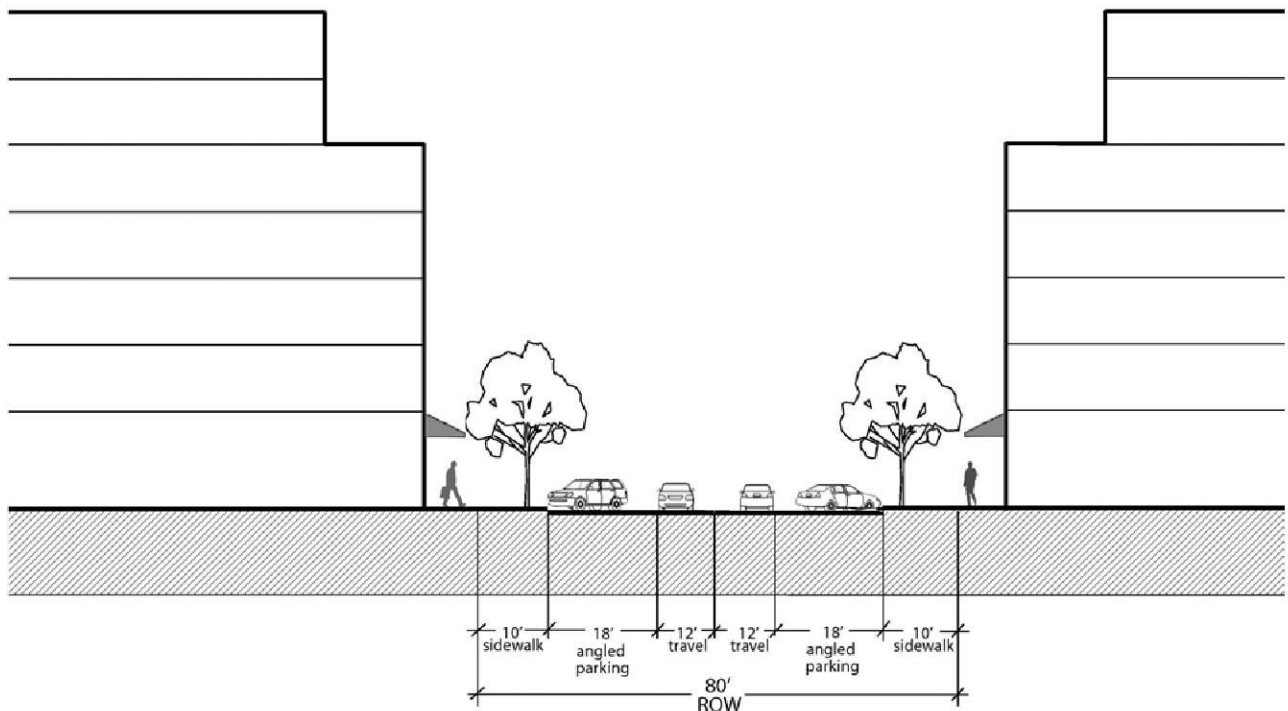
Garden Avenue includes short sections of both Walnut Street and Moss Street that provide block-long connections between Garden Avenue and Franklin Boulevard. Future reconstruction of Garden Avenue will include storm drainage improvements within the right-of-way. The reconstruction would occur within the existing 60 foot right-of-way and would include new stormwater facilities, two travel lanes, wide sidewalks with open street tree wells, and on-street (parallel) parking lanes on both sides of the street. Until the South Bank Path is completed Garden Avenue fills in a missing gap in the Riverbank Path System. As part of the Pedestrian and Bicycle Master Plan

Update the City will be developing tools to enhance on street bike routes that should be considered for use on Garden Avenue.



Garden Avenue Conceptual Diag

A key element of redesigning Franklin Boulevard is to align the intersection of Franklin and Moss with the intersection of Franklin and 13th in order to create a signalized intersection including a pedestrian crossing at this location. This would break up an approximately 1,500-foot long section of Franklin in which there are currently no pedestrian crossings. The new Matthew Knight Arena is likely to create demand for additional pedestrian crossings in this section of Franklin since there are restaurants and motels directly across Franklin from the arena. Besides breaking up this large super-block, this redesigned intersection also has the benefit of enabling vehicles to turn left from 13th Avenue onto Franklin which will allow buses serving the new arena to load on the arena side of 13th rather than across the street and buses heading westbound will be able to avoid the con-



gestion intersection of 13th and Agate.

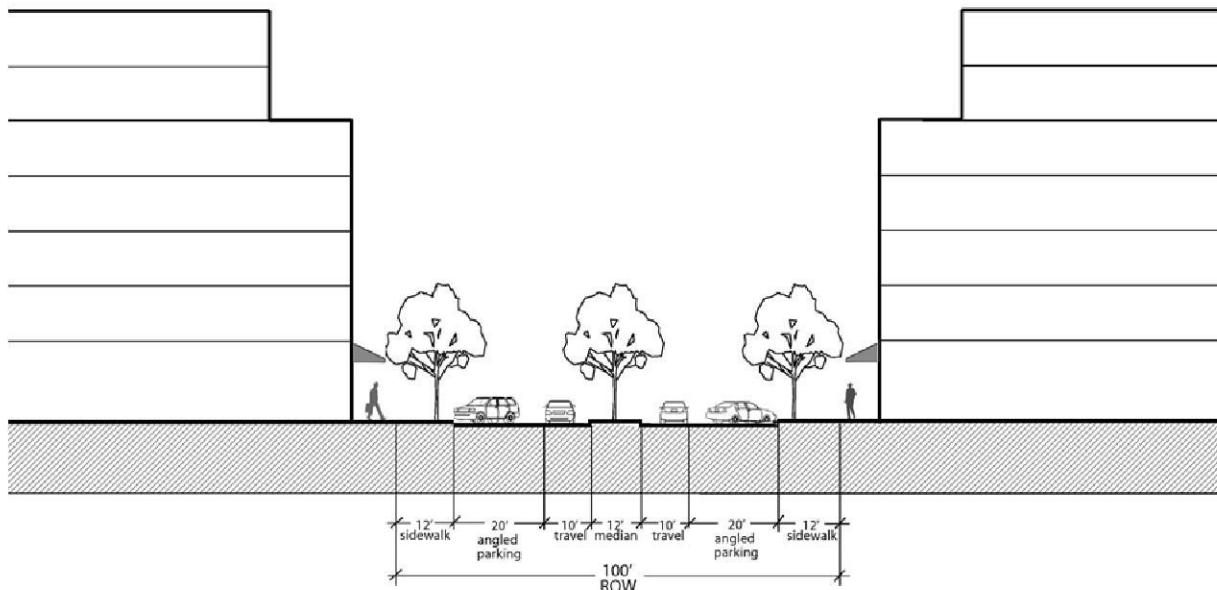
Walnut Street

The Walnut Street improvement includes the section between Franklin Boulevard and 15th Avenue, south of Franklin Boulevard, and a short segment north of Franklin Boulevard that connects Franklin Boulevard with Garden Avenue, north of Franklin. Walnut Street will eventually require reconstruction at that will include stormwater improvements. Walnut Street, south of Franklin Boulevard is constructed within an 80-foot right-of-way, while north of Franklin Boulevard it is constructed within a 60-foot right-of-way. As shown in the cross-section the southern portion could include new stormwater facilities, two travel lanes, angled parking bays (the direction of the angled parking, i.e. front-in versus back-in has not been determined at this point) and wide sidewalks on both sides of the street. Reconstruction on the segment north of Franklin Boulevard would be within the existing 60-foot right-of-way and would include new stormwater facilities, two travel lanes, parallel parking bays and wide sidewalks on both sides of the street. Up to 66 angled parking spaces for the southern portion of the block could be provided versus approximately 39 existing parallel parking spaces, a 69 percent increase.

Walnut Street is also an on-street bike route that connects the 15th Avenue bike route to Garden Avenue and the South Bank Path. As part of the Pedestrian and Bicycle Master Plan Update the City will be developing tools to enhance on street bike routes that should be considered for use on Walnut Street.

Orchard Street

Orchard Street between Franklin Boulevard and 15th Avenue south of Franklin Boulevard is constructed within an existing 80-foot right-of-way. Full reconstruction can occur within the existing 80-foot right-of-way and can include new stormwater facilities, two travel lanes, angled parking bays and wide sidewalks on both sides of the street. This street could accommodate approximately 85 angled parking spaces for the entire block, a 63 percent increase from the existing 52 parallel parking spaces.



Villard Street

The Villard Street improvement includes the section between Franklin Boulevard and 15th Avenue, south of Franklin Boulevard and the short segment that connects Franklin Boulevard to Garden Avenue, north of Franklin. The south section of Villard Street is constructed within a 100-foot

right-of-way, while the northern section is constructed within a 60-foot right-of-way. South-side reconstruction could include new stormwater facilities within a central median area, two travel lanes, angled parking bays and wide sidewalks on both sides of the street. Angled parking would increase the parking on this street by approximately 58 percent, with up to 79 angle parking spaces for the entire block versus approximately 50 parallel spaces.

Cross section

The benefits of the increase in on street parking spaces need to be balanced with safe traffic patterns as well as safe and convenient access to existing business along these streets. Redesign of Orchard, Walnut and Villard streets to create angled parking will also need to be reviewed and approved by the City engineer. The following factors have been identified as some of the impacts that could be associated with these street improvements:

- Costs associated specifically with reconfiguring the curb line, the existing stormwater catch basins and conveyance facilities, and the long-term maintenance
- Existing driveways would need to be consolidated to fully maximize on-street parking spaces
- Loss of mature vegetation
- Costs associated specifically with reconfiguring the curb line, existing stormwater catch basins and conveyance facilities, and long-term maintenance

Factors considered as improvements that would result include:

- Reclaiming and enhancing the pedestrian realm with wider sidewalks, landscaping and furnishings
- Providing for traffic calming from increasing parking on some streets
- Providing opportunities to integrate innovative green street treatments and reduce impervious surfaces

Addressing Transportation Impacts

Throughout the process of discussing existing and proposed transportation systems, the issue of traffic impacts was raised. A Traffic Impact Analysis (TIA) was performed early in the visioning process when the multiway boulevard was first proposed. This analysis modeled the proposed roadway network and found that City level of service (LOS) standards can be maintained at all study area intersections even with re-development of the Walnut Station area as a mixed use center with a multiway boulevard. While some impacts to through and local traffic resulting from the conversion to a multiway boulevard were originally identified, City Public Works staff provided an updated review of the analysis. They found that traffic volumes on Walnut and Orchard are actually lower today than when the former one-way couplet supported daily traffic to and from the Department of Motor Vehicles, the Oregon Department of Transportation maintenance yard and the Joe Romania auto sales lots and offices. Villard Street used to carry a variety of commercial traffic including that from Williams Bakery and a convenience store and gas station. These auto-dependent uses no longer exist.

This area has a history of speeding and cut-through traffic problems that are due to the geography and street configuration in the area, and development within Walnut Station under the proposed plan will alter the traffic patterns. Neighborhood traffic impacts have been studied and mitigation measures identified, through the Fairmount/Agate Traffic Study. The City completed the first phase of traffic calming identified in the Fairmount/Agate Traffic Study for the neighborhood and the University will be constructing additional "entry treatments" with the Matthew Knight Arena.

While there is information to indicate that there will not be negative impacts from development of the Walnut Station mixed use center, maintaining the integrity of the Fairmount neighborhood is an important component of this plan. If development consistent with the Walnut Station mixed use center does have adverse traffic impacts on the Fairmount neighborhood, these should be mitigated. As such, the following policy is adopted in the Walnut Station Specific Area Plan:

The city shall update the 2006 Agate Street and Fairmount Neighborhood Traffic Calming Study ("Study") to add mitigation measures that address the impacts likely to occur to the

Fairmount neighborhood as a result of development/redevelopment within the S-WS Walnut Station Special Area Zone. City staff evaluation and identification of these mitigation measures for the Study update shall commence within two years of the date on which the City Council's adoption of the S-WS Walnut Station Special Area Zone becomes effective. The final Study update shall be forwarded to the City Council within three years of that effective date. Mitigation measures included in the updated Study shall be implemented, along with any other measures deemed necessary by the city, as development and associated impacts occur, through the city's development and building permit approval process and/or the city's annual Capital Improvement Program. In preparing the report, city staff shall consult with representatives of the Fairmount Neighbors Association and the University of Oregon.

Business owners and neighbors raised concerns about the potential impacts to properties that front Franklin Boulevard once the local access lane is in place, as drivers may have to enter the access lanes at a single point only. Design considerations and good signage are examples of potential solutions that will be developed in more detail as the detailed design of the multiway boulevard occurs. Once funding has been secured for the multiway boulevard, the City will go through the process of acquiring the property within the special setback area, and developing detailed design plans for the boulevard. The following policy is adopted in the Walnut Station Specific Area Plan to ensure this issue is addressed at the time of construction:

The City shall develop strategies to address the need to provide clear and easy access to businesses along the multiway boulevard and address any loss of off-street parking spaces resulting from construction of the multiway boulevard.

Finally, construction of the multiway boulevard will require additional right of way, up to 35 feet in width between Walnut and Villard Street. Though only a special setback is being established as part of this plan and no actual property is being purchased, it is clear that there will be impacts to some existing parking spaces for existing businesses once the multiway boulevard is constructed. The Hirons/Market of Choice property will be significantly impacted, as will several properties on the north side of Franklin Boulevard. To address this concern, during the design phase of the multiway boulevard, consideration will be given to phasing the project to allow property owners who own entire blocks of frontage along Franklin Boulevard to be given the option to "opt out" of construction of the local access lane. While this would delay the benefits associated with creation of the local access lane, it would allow property owners the option of maintaining their existing parking spaces, deferring the improvements to the right of way until the property redevelops.

This option works on the south side of the street where the entire block is under one ownership control, and the local access lane can be constructed block by block. On the north side of the street, each block is divided into separate properties under different ownership which precludes opting out of the local access lane. There may be alternative design solutions that could be sought on a site to site basis that could occur during the detailed design phase.



Bicycle and Pedestrian Circulation

Because one of the cornerstones of mixed use development is to create pedestrian friendly environments that support the use of alternative modes of travel, bicycle and pedestrian circulation were a component of the visioning and planning process. Rebuilding the side streets (Villard Street, Walnut Street, Orchard Street and Garden Avenue) will enhance the bicycle and pedestrian experience as these improvements include tree planting, wider sidewalks and on-street parallel parking spaces which slow traffic.

The sidewalk on the south side of Franklin Boulevard east of Walnut Street is a key connection to the Laurel Hill Valley neighborhood for both biking and walking. Walnut Station is within walking and biking distance for many Laurel Hill Valley residents so making sure that pedestrian and bicycle connections to the neighborhood are safe and comfortable is critical for ensuring that these people can enjoy the benefits of the mixed use center. The existing sidewalk on the south side of Franklin west of Walnut is relatively narrow and close to the street. Where it can be, it should be set back and widened. This is especially the case in front of the former ODOT maintenance facility where is a significant amount of right of way. These improvements can be implemented at the time the multiway boulevard is constricted.



15th Avenue is an on-street bike route that connects the Laurel Hill Valley to the University of Oregon and downtown Eugene. As part of the Pedestrian and Bicycle Master Plan Update the City will be developing tools to enhance on street bike routes that should be considered for use on 15th Avenue. Policies in the Fairmount/University of Oregon Special Area Study recognized to maintain and improve the bike path on 15th Avenue within the Walnut Station Plan, and the lands formerly owned by the Oregon Department of Transportation have been considered a potential location for realigning a portion of the bike path along 15th that would perhaps better connect with the sidewalk connection to the Laurel Hill Valley. As addressed below, a mid-block connector has been considered as part of the Walnut Station Specific Area Plan, and a portion of this connector would also include going through a portion of these lands. To maintain consistency with the Fairmount/University of Oregon Special Area Study which also reflects the vision of this Plan, the following policy is adopted:

As part of an application to develop the lands formerly owned by the Department of Transportation (south of Franklin Boulevard, east of Walnut Street and north of 15th Avenue), the developer shall demonstrate that consideration was given to realigning the 15th Avenue bicycle path in the vicinity of those lands and making it more attractive. (Note: If the bicycle path is realigned, the City shall require an easement for the path to ensure its permanence in the future.)

The multiway boulevard design also accommodates and responds to bicycle and pedestrian

modes of transport. Bicycle traffic is incorporated into the access lanes with the slower vehicle traffic and on-street parking, similar to bicycle traffic on a local street. Many bicyclists prefer biking on low speed, low traffic streets rather than bike lanes on busy streets as previously planned for Franklin Boulevard (TransPlan 2002). Through the multiway boulevard design, the number of access points on Franklin Boulevard will be reduced, improving safety and reducing conflict points between vehicles and bicycles. Additionally, bicycle traffic is buffered from the through traffic by a physical barrier between the access lane and the through traffic lanes.

As described below in the parks section, a number of bicycle/pedestrian connections and a “woonerf” design have been considered to be provided along the millrace. The potential for the Millrace to be developed as a linear park that would accommodate a multi-use path along its north and south side was considered under a variety of design alternatives. It is clear that this area offers a prime opportunity to provide an east-west bicycle and pedestrian connection between Millrace Drive and the Knickerbocker Bridge. Several different options were considered for a linear park/path along the Millrace, some for bicycle and pedestrian travel only and a “woonerf” concept that would allow limited vehicular access. However, all path options require significant property acquisition by the City and removal of existing structures. Additionally, due to steep grades on the south side, considerable excavation and retaining wall construction would be required for construction on much of the south side of the Millrace.

There is currently a Eugene Pedestrian and Bicycle Master Plan process underway that may determine appropriate alignment of this path. This will provide the City of Eugene with the plans and policies necessary to create a first-class city for bicycling and walking, reduce overall carbon emissions, and provide for a well-designed, integrated, safe, and efficient multi-modal transportation system. The Eugene Pedestrian and Bicycle Master Plan will serve as the Pedestrian and Bicycle element of the City’s Transportation System Plan (TSP). Elements of the Master Plan include a system-wide analysis of Eugene’s pedestrian and bicycle network, a capital project list designed to improve connectivity throughout the City, a design guide for pedestrian and bicycle-specific infrastructure, and policies that support the development of Eugene’s active transportation system.

Mid Block Connector

Some of the blocks south of Franklin Boulevard were identified as “superblocks”; large blocks uninterrupted by alleys or street intersections that generally impedes a safe, efficient and attractive pedestrian experience. The early visioning phase included a proposal to reduce the size of superblocks south of Franklin Boulevard, between Villard Street and the eastern project boundary by creating a multi-functional accessway running east-west about halfway between Franklin Boulevard and 15th Avenue. This could provide for east-west bicycle/pedestrian circulation through the study area in a linear park or plaza-type design, service access for retail and (potentially) residential uses, and possible automobile access to parking structures or areas.

On the north side of Franklin Boulevard, Garden Alley provides an east west connection between Walnut and Villard Street, but not between Villard and Moss street that would serve similar purposes to the mid block connector described above. The Fairmount neighborhood strongly supported the proposed mid block connector, and it was recommended by staff as a vital component of the plan. However, while the concept of these additional accesses was generally supported, there was no agreement among the stakeholders that these accessways should be required to be dedicated as public right of way. Provision of the connectors as public rights of way was further complicated by challenges with unwilling property owners. There was support for these connectors to be incentivized as redevelopment occurred, but it was not agreed that they should be sought as public property. These connections remain a component of the vision and are captured in the illustrative plan; the following adopted policies are pertinent to these connections:

As part of an application to develop a property south of Franklin Boulevard or a property in the block on the north side of Franklin Boulevard between Moss Street, Villard Street, and Garden Avenue within the Walnut Station Specific Area Plan, applicants are encouraged to include access for pedestrians, bicycles and limited vehicular access consistent with the

Transportation Features map shown as Figure 9.3978(3)(b) in the Walnut Station Special Area Zone.

Park, Open Space and Recreation

Though adjacent to the Willamette River, there is little existing open space within the boundary of the Walnut Station area. There is currently a City-owned four acre park, Franklin Park, fronting the north side of Franklin Boulevard at the east end of the plan area. Franklin Park is not programmed for improvement and is designated as a natural area in the City's Park and Open Space Plan. An integral part of a successful mixed use center is a parks and open space system that provides a variety of pedestrian- and bike-friendly connections, areas to congregate and socialize, and other recreational opportunities within walking distance of businesses and residences. Additional park land, especially for neighborhood parks, is a recognized need in the Walnut Station Specific Area Plan. The following goals and objectives were raised in the visioning process as important park and open space components for the area:

- Restoring Franklin Park as a riparian-planted natural park or open space;
- Providing for a new neighborhood park;
- Providing for smaller-scale pocket parks;
- Promoting the open space and stormwater potential of the Millrace; and
- Improving access to the Willamette River.

Franklin Park

Franklin Park is an existing 4-acre open space amenity at the eastern edge of the Walnut Station plan area. The park is bounded by commercial development and parking to the west, Franklin Boulevard and the I-5 off-ramp to the south, and the railroad embankment to the north. A multi-use bicycle path runs adjacent to the southern edge of the park, connecting Franklin Boulevard and Knickerbocker footbridge by means of a railroad underpass. The pedestrian railroad underpass is located adjacent to the eastern corner of the park. The park contains riparian habitat and is designated as a protected "Goal 5" water resource site. Habitat value has been reduced by the predominance of invasive species, especially along the edges of the park.

Franklin Park was evaluated and found not to be a good candidate for development as a new neighborhood park. It has riparian habitat and ecological value and is considered as a natural resource area by the Parks and Open Space Department. Its isolated location at the far eastern edge of the project area adjacent to the railroad tracks further detracts from its potential as a neighborhood Park. There is however some opportunity to open up the park to improve safety and surveillance, and to provide for passive use through removal of invasive plants.

Recommendations for Franklin Park include:

- Removal of invasive species and replacement with native plants
- Assuming intake pumps remain, promote passive recreational uses such as educational signage and trails
- If the intake pumps are decommissioned, reconsider programming the park for more active recreational uses that are also compatible with nearby river habitat and the neighborhood.

Creation of a New Neighborhood Park

The market analysis for this area indicates a potential demand for up to 1400 additional dwelling units in the planning area. These future residents plus the increased commercial activity will bring several thousand additional people to the area. This will increase the need for additional neighborhood parks in the area. Neighborhood parks are intended to provide access to basic recreation opportunities for nearby residents within biking/walking distance, enhance neighborhood identity, and preserve neighborhood open space. Typical features in a neighborhood park include children's play areas, park furniture such as picnic tables and benches, accessible paths, informal play areas and open space.

There was great interest in creating a site for a new neighborhood park for the area. One idea

from the Fairmount neighborhood supported a new park and connection to the river along the Villard Street axis. However the property owner did not support this idea, which would have required demolition of buildings, some of which have recently been renovated. A second idea was to create a park within an expanded Villard Street right of way. This space was conceived as a 60 feet wide green space in the middle of two single traffic lanes and single parking lane. Villard Street would need to be widened by up to 30 feet on each side in order to accommodate a 60 foot wide green space. This would have a direct impact on at least two structures and would have removed numerous off-street parking spaces for four existing businesses.

The City's Park and Open Space department has indicated that other parts of the City have priority for park land acquisition and development, and that priority is based on current standards which prioritize park area based on the number of parks within a certain distance of residences as previously established in the Parks and Open Space Priority Plan. As the Walnut Station area will likely have relatively high residential densities in the future it is recommended that the Parks rating system also include density, not just the distance to a park, as a factor in determining where future parks shall be located. This would better address the park need due to the high number of residents that populate a smaller geographical area in a mixed use development. The following policy is adopted in the Walnut Station Specific Area Plan:

In prioritizing the need for future park land within the Walnut Station Mixed Use Center, the City should consider the relative density of residential development, in addition to walking distance to parks, as a factor.

The Millrace

The primary natural feature within Walnut Station is the Millrace. The Millrace, a pumped diversion channel, winds through the northern boundary of the study area. Portions have long been covered and built over, while other portions remain in a more natural state, including riparian vegetation and providing passive open space amenities to adjoining parcels. The Millrace is a protected Statewide Planning Goal 5 riparian and wetland resource and It may provide opportunities for enhancement. The Willamette River, adjacent to the north, is a significant regional natural resource for the area but the railroad tracks pose a barrier that restricts access between the Walnut Station plan area and the river.

A variety of design options were discussed in relation to the use and protection of the Millrace and its riparian edge. Existing Goal 5 water resource regulations that protect the Millrace influence how and where development can occur along its bank. The Goal 5 regulations require a 40 foot minimum setback from the top of the bank, but this is required only for properties that have not been previously developed. This varied development edge allows some property owners to maximize lot coverage, furthering the redevelopment and density goals of study area. However, it precludes some opportunities to redevelop the Millrace edge in a consistent, cohesive manner.

Though these are opportunities presented by the Millrace, its future it not certain. The University of Oregon was until very recently maintaining the pumps which keep water in the millrace, but that may not remain the case. Any recommendations regarding development along or in relation to the millrace would be premature without understanding how it will be maintained. The following policy is adopted in this plan:

Due to the uncertainty surrounding the future of the water in the Millrace, the City should complete a comprehensive study of the Millrace prior to decisions being made regarding its use as a park or other amenity, or before regulations related to development along the millrace are adopted or amended.

The Willamette River

The Willamette River provides a valuable open space amenity adjacent to the Walnut Station Mixed Use Center. At the western edge of the Walnut Station Mixed Use Center, the Frohnmayer pedestrian/bicycle bridge provides a link to Alton Baker Park along the river, and the regional Wil-

lamette River shared use path system. Public access is limited along the Willamette River corridor in the Walnut Station Mixed Use Center due to the grade change of the Union Pacific Railroad, which runs along the northern boundary of the area between the plan area and the Willamette River. There is a pedestrian and bicycle path connection under the tracks at the eastern edge of the project area, leading to river access eastward, but no river connection within the plan area. As the Walnut Station area is developed, other opportunities to connect to the river will become available. For example, upper levels of buildings will have views of the river and park land beyond. Existing view corridors through existing street right-of-way will also continue to be maintained with building height setbacks required along the local streets.

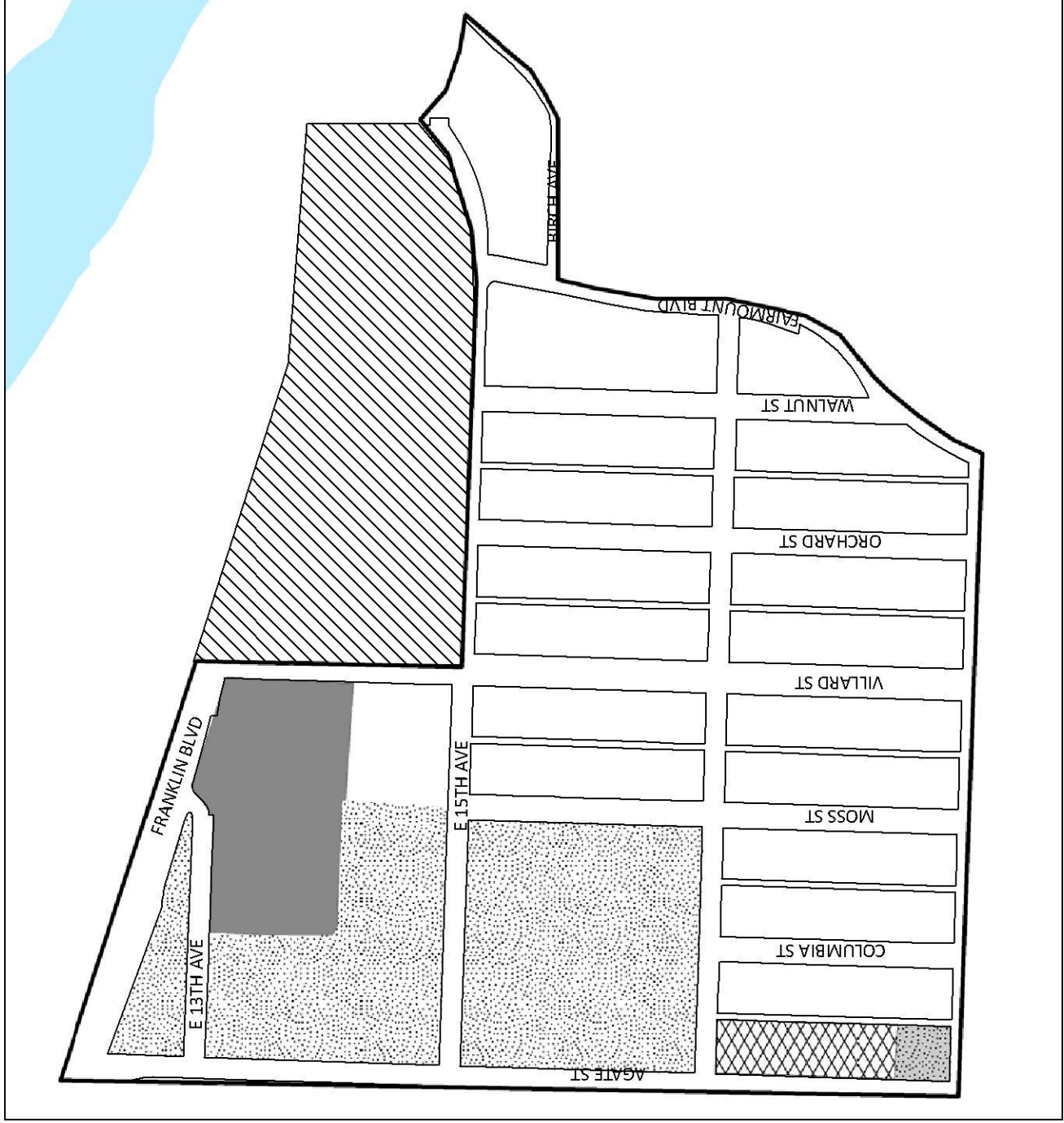
References

The following technical documents were produced as part of the Walnut Station Mixed Use Center Planning Process and are available at the City of Eugene Planning Division

- A. Phase II Implementation Plan; David Evans and Associates, June 2009
- B. Walnut Station Form Based Code Charrette Report; Angelo Planning Group, SERA, City of Eugene, May 19, 2009
- C. Urban Form Recommendations; Angelo Planning Group, April 14, 2009
- D. Detailed Development Program, SERA Architects, February 25, 2009
- E. Parking Memorandum; SERA, July 2008
- F. Financial Analysis of Selected Redevelopment Programs in the Walnut Station Mixed Use Center in Eugene Oregon (Johnson Gardner, October 31, 2008).
- G. Visualizing the Multiway Boulevard Benefits; David Evans and Associates, Inc., June 2007
- H. Report on Franklin Boulevard and a Multiway Boulevard Design Concept; David Evans and Associates, Inc., June 2007
- I. Open House, May 9, 2007
- J. Existing Traffic Conditions Memorandum; David Evans and Associates, Inc., April 2007
- K. Comparison of a No Build Alternative and a Multiway Concept for Franklin Boulevard; David Evans and Associates, Inc., April 2007
- L. Development Plan for Walnut Station Mixed Use Center, Phase I Report; Urbsworks, Inc., May 2006
- M. Key Findings from the Market Overview for Walnut Station and Implications for Future Development, Strategic Economics, January 2006.
- N. Preferred Alternatives Newsletter, January 2006
- O. Development Plan for Walnut Station Mixed Use Center, Existing Conditions Report; Urbsworks, Inc., October 2005
- P. Walnut Station Mixed Use Center Opportunities and Constraints Report; Crandall Arandula, June 2005

Land Use Study Areas

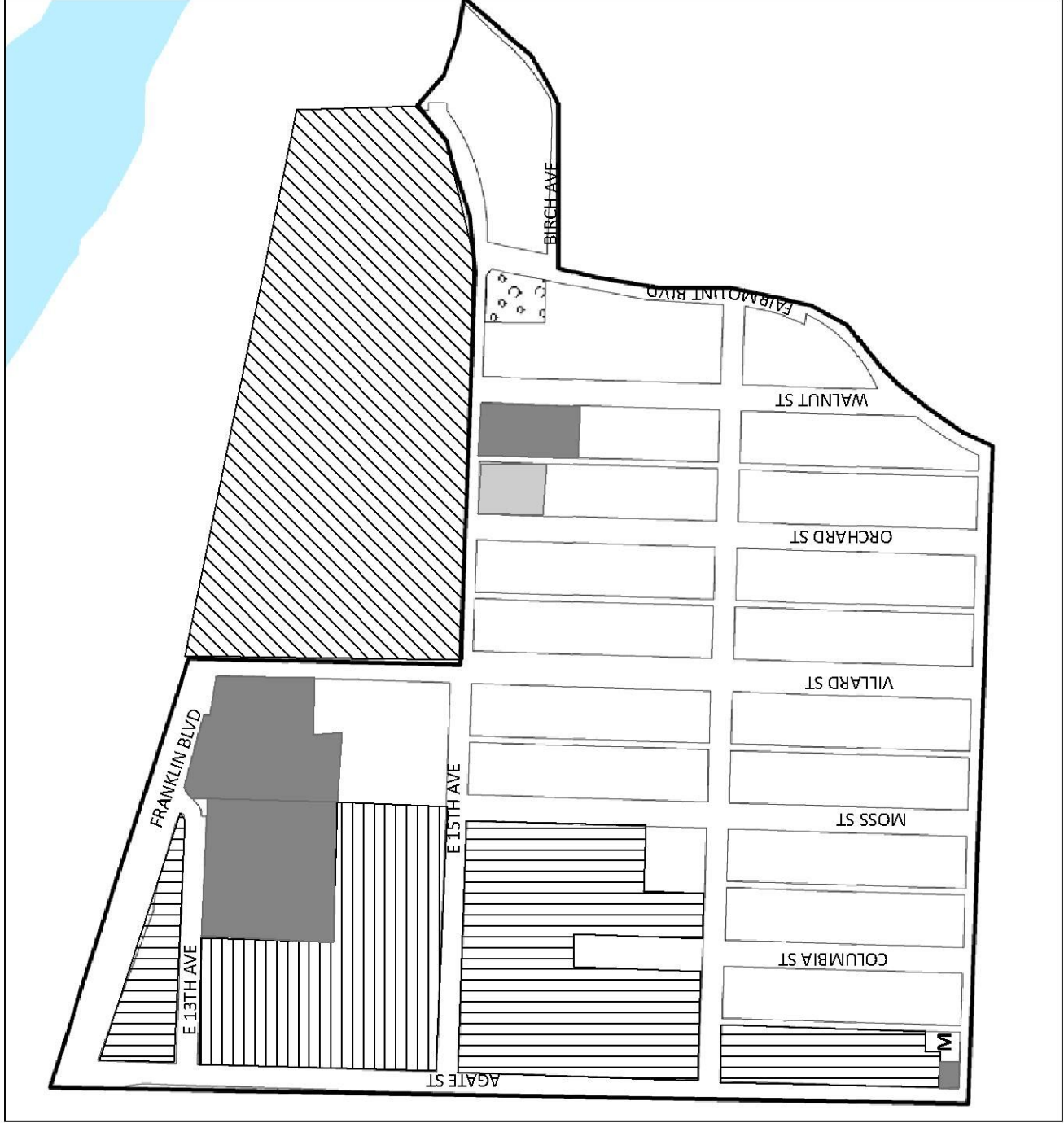
Map 3



Fairmount Special Area Study

Generalized Existing Land Use

Map 4



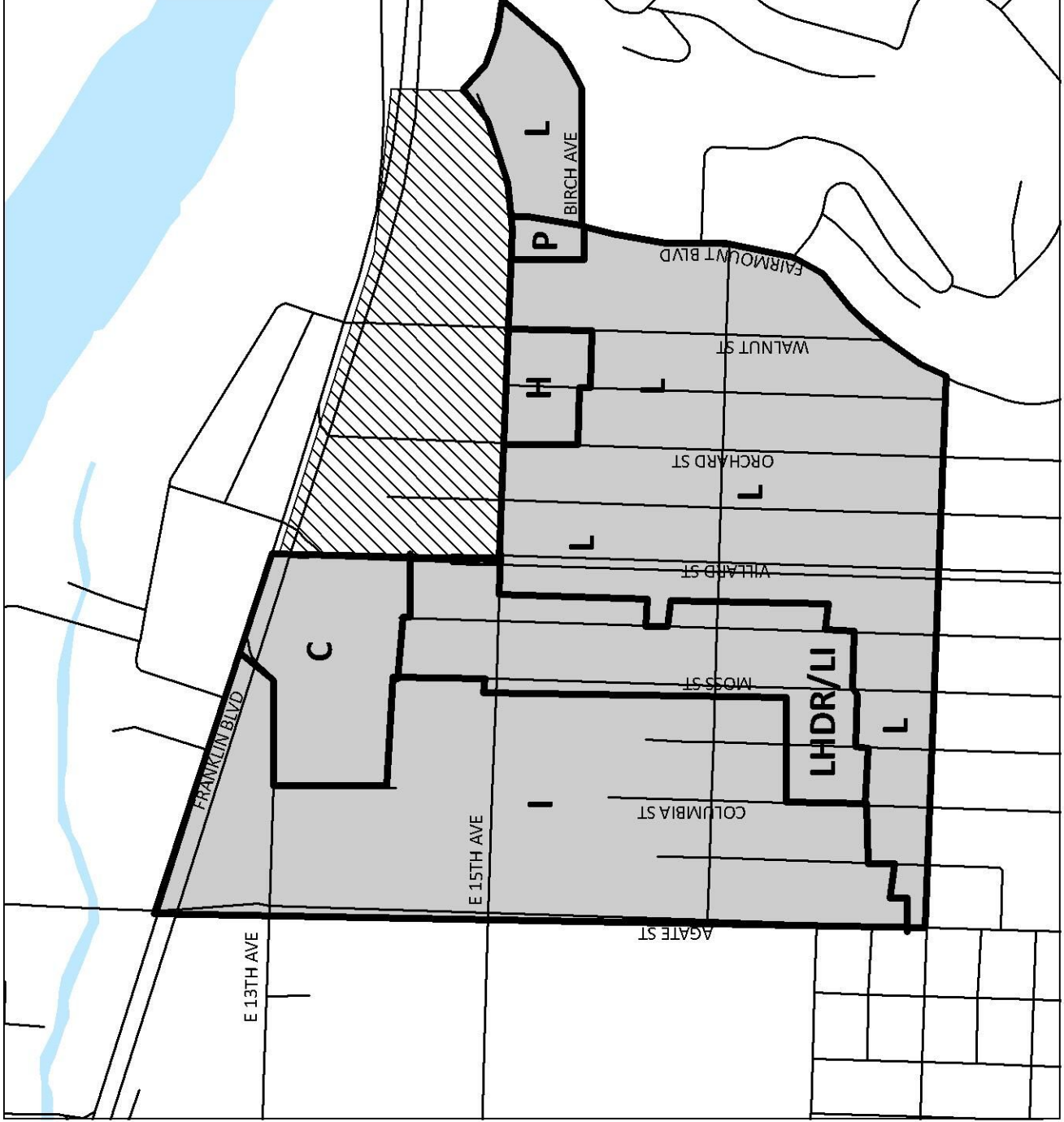
- High Density Residential
- Commercial
- Residence Halls
- Government & Education
- Parks & Open Space
- Mixed Residential/Commercial
- Area removed; included in Walnut Station Specific Area Plan




Land Use Diagram

(Generalized Future Land Use Patterns)

Map 6



- I** Institutional
- C** Commercial
- L** Low Density Residential
- LM** Low or Medium Density Residential
- H** High Density Residential
- P** Parks/Open Space
- S** Professional/Office
-  Area removed; included in Walnut Station Specific Area Plan



S-WS Walnut Station Special Area Zone



May 2010 Draft Form Based Code

S-WS Walnut Station Special Area Zone

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:

- (1) Recognize and enhance the Walnut Station Special Area Zone as a gateway to the City and the University of Oregon.
- (2) Recognize and enhance the open space and natural resources in the Walnut Station Special Area Zone. Treat the millrace as an amenity, enhance the Willamette River, and provide connections to these natural resource areas.
- (3) Foster building orientation, massing, articulation and façades that contribute positively to the surrounding environment.
- (4) Create a safe and attractive pedestrian environment through use of architectural and site design features such as high quality materials, outdoor seating, pedestrian-scaled lighting, prominent entries facing the street, multiple openings or windows, vegetation, and significant use of clear glass.
- (5) Provide for architectural variety and access to light, air and vegetation through variations in building massing, setbacks, stepbacks, screening and landscaping.
- (6) Promote a mixture of uses, including commercial, residential, and institutional uses.
- (7) Provide adequate parking while incorporating features that reduce the need for use of automobiles for travel within the Special Area Zone.
- (8) Encourage the use of transit, walking and biking through provision of attractive and safe bicycle and pedestrian facilities and direct connections between buildings, pathways, sidewalks and transit facilities.
- (9) Minimize the barrier effect of Franklin Boulevard.
- (10) Recognize 15th Avenue as a transition area between the predominantly single family residential neighborhood on the south side of the street and Walnut Station Special Area Zone on the north, to protect the residential character of the neighborhood.

9.3955 S-WS Walnut Station Special Area Zone Siting Requirements. In addition to the approval criteria at EC 9.8865 Zone Change Approval Criteria, the site must be included within the Walnut Station area depicted on Map 9.3955 S-WS Walnut Station Special Area Zone and Frontage District Plan. When a property is rezoned to S-WS, as part of the rezoning process the city shall identify the frontage district designation applicable to the property. Within the S-WS Walnut Station Special Area Zone, the four frontage districts are:

- (1) S-WS/FC (Franklin Corridor);
- (2) S-WS/GA (Garden Avenue);
- (3) S-WS/TE-15 (Transition Edge 15th);
- (4) S-WS/PRO (Park, Recreation and Open Space)

The boundaries of these frontage districts are shown on Map 9.3955, S-WS Walnut Station Special Area Zone and Frontage District Plan.

9.3960 S-WS/PRO Park, Recreation and Open Space Regulations. Land use and development within the S-WS/PRO frontage district shall be governed by the code sections applicable in the PRO Park, Recreation and Open Space Zone at EC 9.2600 - 9.2650.

9.3965 S-WS Walnut Station Special Area Zone Land Use and Permit Requirements.

(1) Permitted Uses. Unless listed in subsection (2) below as a conditional use or in subsection (3) below as a prohibited use, the following uses are permitted in the S-WS Walnut Station Special Area Zone, subject to applicable development standards:

- (a) Any uses listed under the Residential or Lodging use categories on Table 9740 Residential Zone Land Uses and Permit Requirements;
- (b) Any uses listed under any use category on Table 9.2160 Commercial Zone Land Uses and Permit Requirements except that Manufacturing uses are limited to those allowed in the C-2 and C-3 zones.

The permit requirements of Tables 9.2740 and 9.2160 are not applicable.

(2) Conditional Uses. The following uses are subject to a conditional use permit as per EC 9.8075 through EC 9.8113:

- (a) Agricultural Machinery Rental
- (b) Heavy Equipment Sales
- (c) Hospital
- (d) Indoor Arena
- (e) Manufactured Dwelling Sales
- (f) RV and Heavy Truck Sales
- (g) Train station

(3) Prohibited Uses. The following uses are prohibited:

- (a) Amusement Center, including Casinos, greater than 25,000 square feet
- (b) Cemeteries
- (c) Correctional facility, excluding residential treatment facilities
- (d) Indoor firing ranges
- (e) Kennels used for overnight animal boarding
- (f) Nuclear reactors
- (g) Recreational vehicle parks
- (h) Recycling centers or transfer stations with the exception of small recycling centers as defined in section EC 9.0500 of this code.

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

(1) Application of Standards. In addition to the standards contained in EC 9.3950 to EC 9.3980, the General Standards for All Development in EC 9.6000 through 9.6885 and The Special Development Standards for Certain Uses in EC 9.5000 through EC 9.5350 apply within this zone, except the multi-family standards found in EC 9.5500(1)-(14) are not applicable in the S-WS zone unless specified at EC 9.3970(2)(e) below. In the event of a conflict between those general development standards and the development standards in EC 9.3950 to EC 9.3980, the specific provisions of EC 9.3950 to EC 9.3980 shall control.

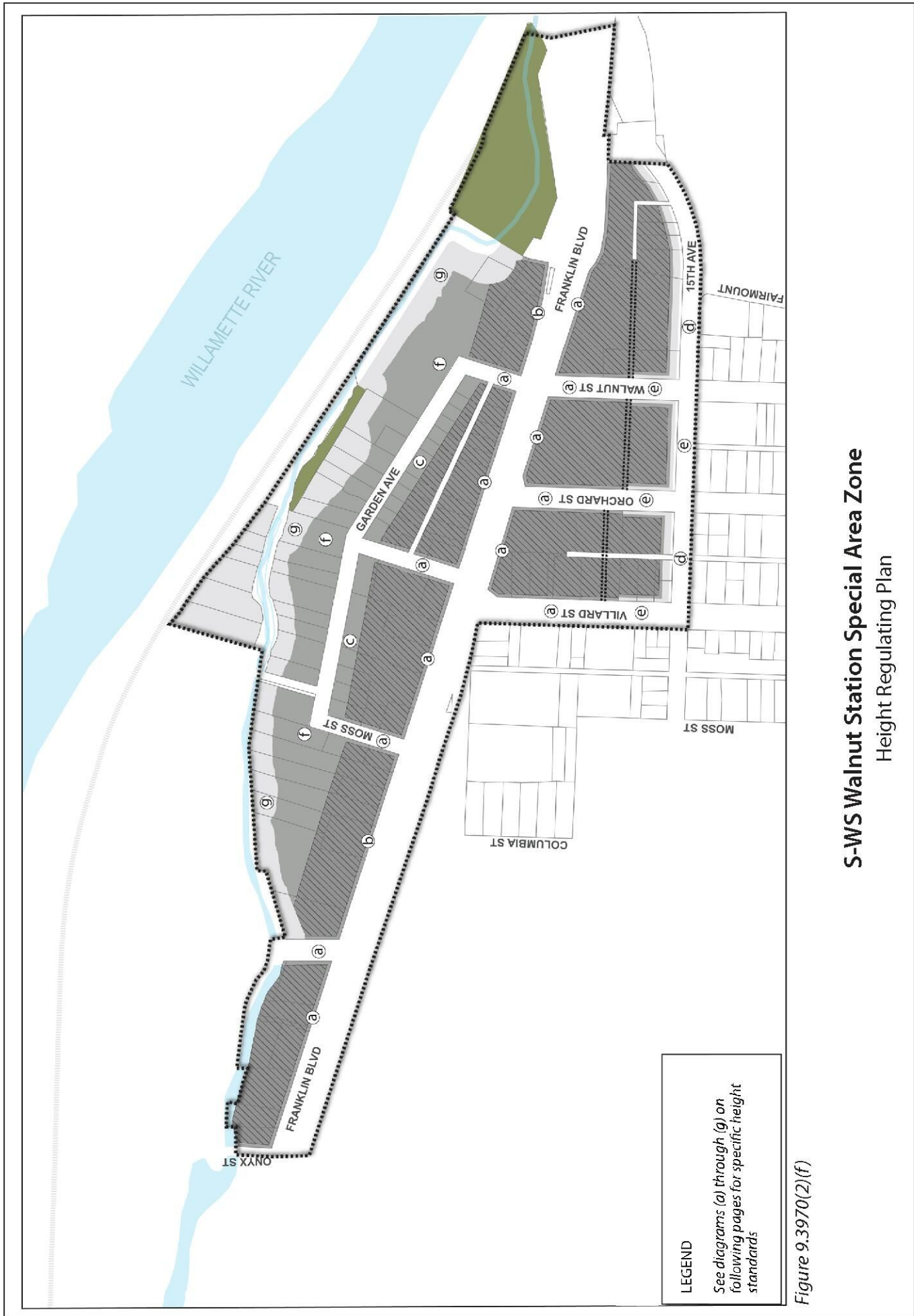
Telecommunication devices proposed to located in the S-WS zone shall adhere to the siting requirements and procedures applicable to the C-2 zone starting at EC 9.5750.

(2) Development Standards - General Standards Applicable to All Property.

- (a) Interior yards. There shall be no minimum setback requirement for interior yards except where these yards abut a different frontage district, in which case the minimum setback shall be five feet.
- (b) Lot Standards. The lot standards applicable in the S-WS zone shall be those set forth in EC 9.2180 Commercial Zone Lot Standards for the C-2 zone.
- (c) Front Lot Lines
 - 1. Corner lots. On corner lots, the front lot line will be established as follows:
 - a. If the corner lot has one lot line with frontage along Franklin Boulevard, that lot line shall be considered the front lot line
 - b. If the corner lot has one lot line with frontage along Garden Avenue or 15th Avenue, that lot line shall be considered the front lot line
 - c. For all other corner lots, all lot lines with street frontage shall be considered a front lot line.
 - 2. Through lots. On through lots, the front lot line will be established as follows:
 - a. If the through lot has one lot line with frontage along Franklin Boulevard, that lot line shall be considered the front lot line
 - b. If the through lot has one lot line with frontage along Garden Avenue or 15th Avenue, that lot line shall be considered the front lot line.
- (d) Weather protection. Weather protection features such as canopies, awnings or arcades shall be provided over at least the full width of all building entrances to a depth of at least 3 feet. Alternatively, building entrances may be set back a minimum of 3 feet behind the face of the building.
- (e) Multi-family Standards.
 - 1. Multi-family development sites shall contain a minimum of 400 square feet of common open space with no minimum dimension of the open space having less than 15 feet.
 - 2. Either 20% of the development site or 15% of the livable floor area, whichever is greater, shall be provided as common open space on the development site except that if the minimum net density for the development site is 45 units per acre or greater, the development site shall be exempt from these standards.
 - 3. The requirements in EC 9.5500(9)(a) through (d) are applicable within the S-WS Walnut Station Special Area Zone.
- (f) Building heights. Within the S-WS zone, building heights are measured in stories with a maximum height measured in feet. Maximum building heights and required building setbacks shall be determined using the S-WS Walnut Station Special Area Zone Height Regulating plan (Figure 9.3970(2)(f) and as shown in Plan's accompanying Figures "a" through "g". There is no minimum height except where a minimum ground floor story is required. For the purposes of this chapter, story is defined as that portion of a building included between the upper surface of any floor and the upper surface of the next floor above, except that the top story shall be that portion of a building included between the upper surface of the top floor and the ceiling above. Maximum building height shall be as regulated in the Eugene Code.
- (g) Lots Abutting Park, Recreation and Open Space. Development on a lot within the S-WS Walnut Station Special Area Zone that is adjacent to the Park, Recreation and Open Space Zone shall treat those lot lines that abut the Park, Recreation, and Open Space zone as street-fac-

ing lot lines and shall comply with the standards for the Transition Edge 15th Avenue (S-WS/TE-15).

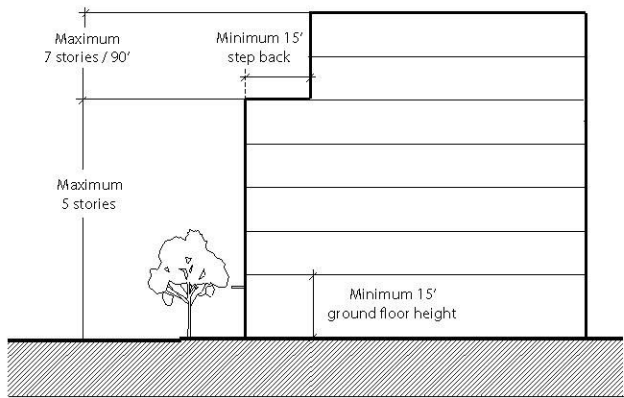
- (h) Structured Parking. 1% of the total cost of the structure must be used to include public art as a component of the parking structure.
- (i) Historic Properties. In the event that a property is subject to and approved through the Historic Property Alteration Approval Criteria at EC 9.8175, it is exempt from the standards in this code.



LEGEND
 See diagrams (a) through (g) on following pages for specific height standards

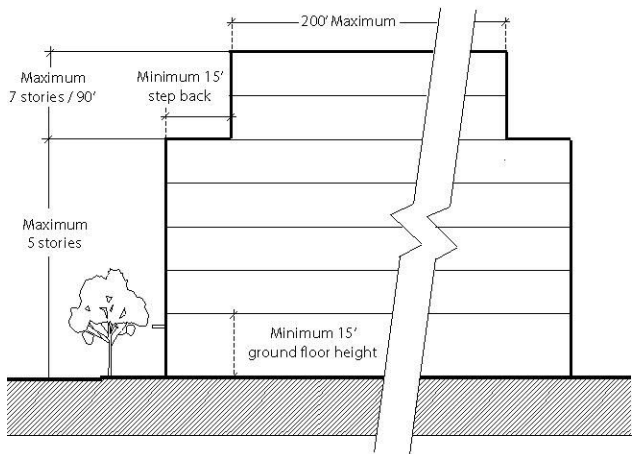
S-WS Walnut Station Special Area Zone
 Height Regulating Plan

Figure 9.3970(2)(f)



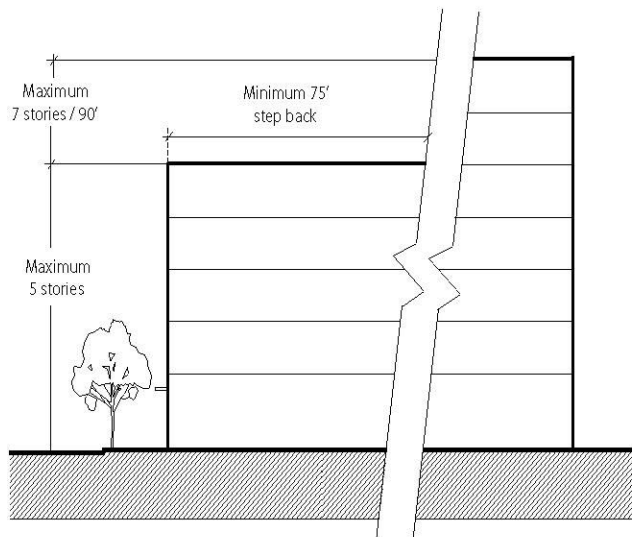
Height Standard "a"

Buildings shall be a maximum of 7 stories, not to exceed a maximum height of 90 feet. A minimum 15-foot stepback is required above the 5th story. Along Franklin Boulevard, the ground floor height shall be a minimum of 15 feet as measured from floor to floor.



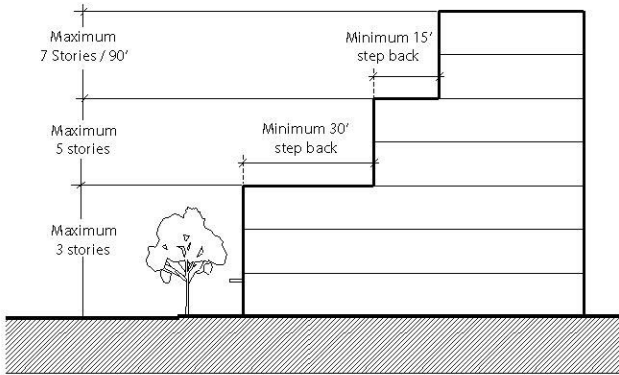
Height Standard "b"

Buildings shall be a maximum of 7 stories, not to exceed a height of 90 feet. A minimum 15-foot stepback is required above the 5th story. The 7 story maximum shall step down to a maximum of 5 stories no greater than 200 feet behind the front property line. Along Franklin Boulevard, the ground floor height shall be a minimum of 15 feet as measured from floor to floor.



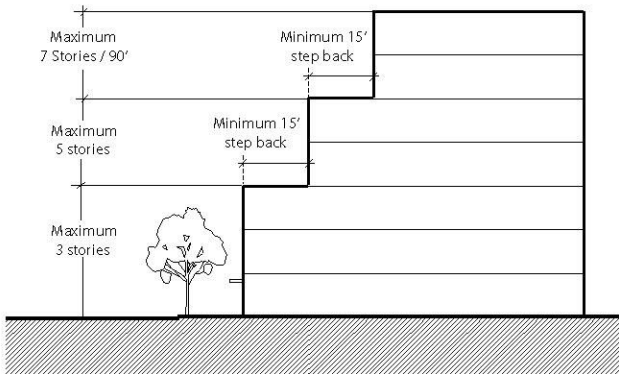
Height Standard "c"

Buildings shall be a maximum of 7 stories, not to exceed a height of 90 feet. A minimum 75-foot stepback is required above the 5th story.



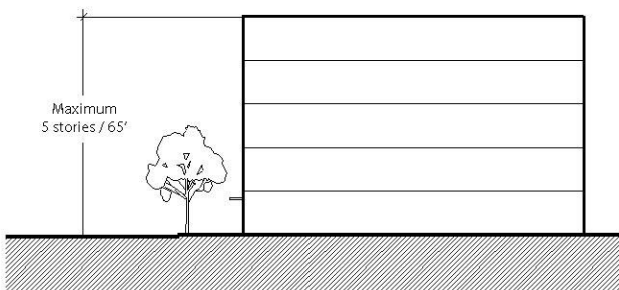
Height Standard "d"

Buildings shall be a maximum of 7 stories, not to exceed a height of 90 feet. A minimum 30-foot stepback is required above the 3rd story and a minimum 15-foot stepback is required above the 5th story.



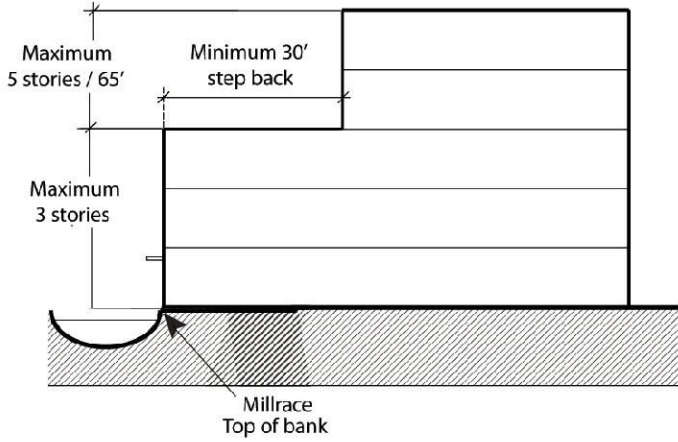
Height Standard "e"

Buildings shall be a maximum of 7 stories, not to exceed a height of 90 feet. A minimum 15-foot stepback is required above the 3rd story and a minimum 15-foot stepback is required above the 5th story.



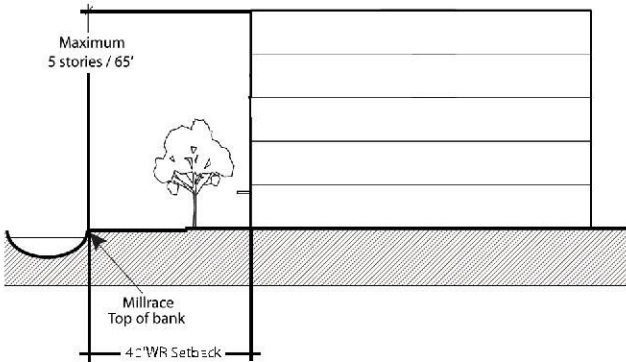
Height Standard "f"

Buildings shall be a maximum of 5 stories, not to exceed a height of 65 feet.



Height Standard "g"

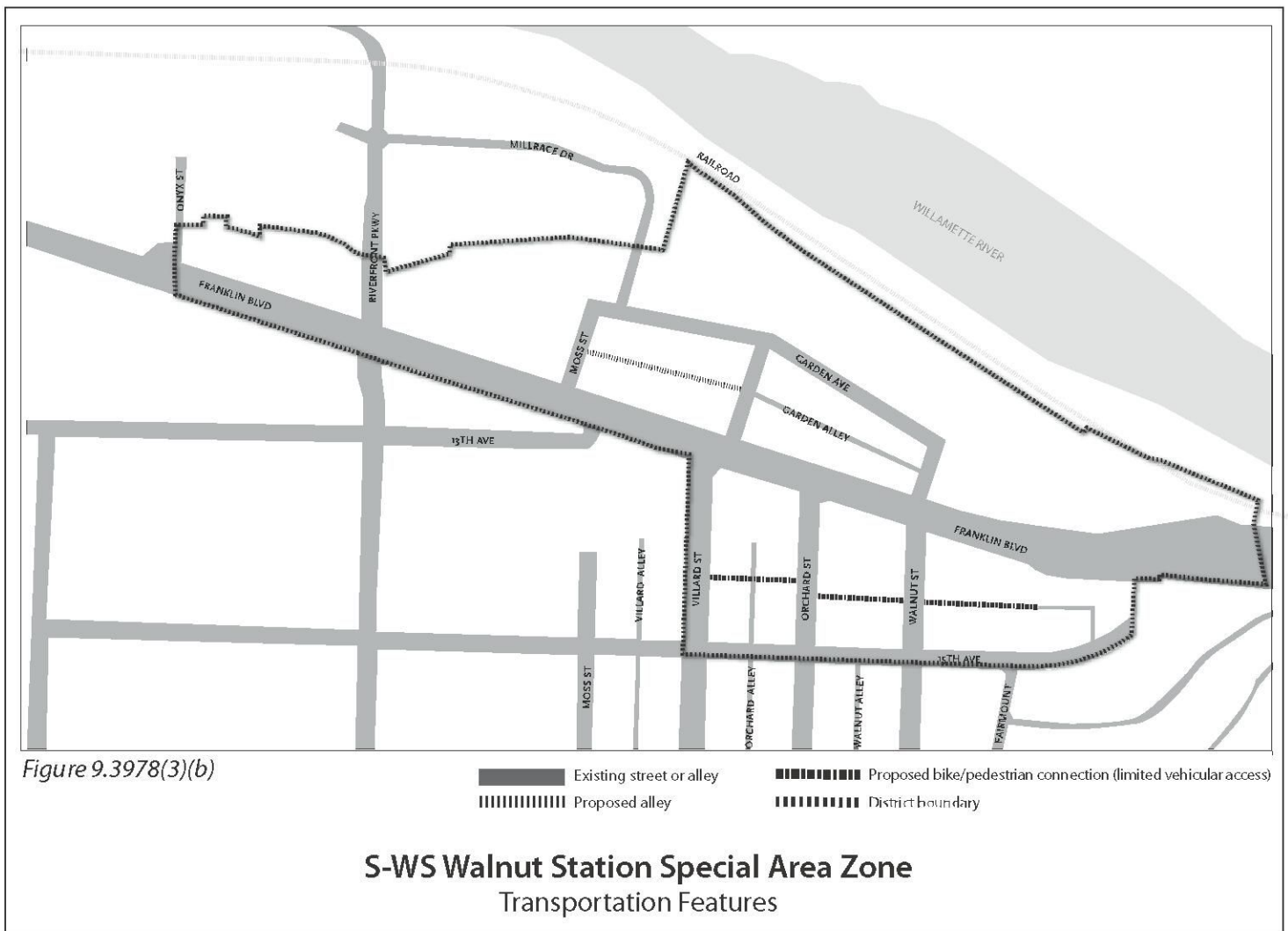
Buildings shall be a maximum of 5 stories, not to exceed a height of 65 feet. A minimum 30-foot stepback is required above the 3rd story. The Millrace top of bank shall function as the property line for the purposes of measuring the stepback for properties exempt from the /WR Goal 5 setback.



Height Standard "g" with /WR overlay; for properties that are subject to the /WR Goal setback, the three story maximum does not apply as the Goal 5 setback exceeds the 30 foot step-back requirement. Buildings shall be a maximum of 5 stories, not to exceed a height of 65'.

(3) Transportation System

- (a) General application of standards. Transportation facilities shall be located and constructed to standards in EC 9.6800 unless otherwise specified herein.
- (b) Access from and location of alleys.
 1. A public alley may be provided and constructed along 14th Avenue as shown on Figure 9.3970(3)(b).
 2. Mid-block private accessways may be provided and constructed in lieu of a public alley between Franklin Boulevard and Garden Avenue to provide access to properties fronting those streets.
 3. Parking access shall be from an alley where an alley exists or from a mid-block internal access lane or alley where proposed. In the absence of a proposed, planned or existing mid-block access, access may be from the front or side of the property, consistent with EC 9.3970(3)(b).



- (c) Minimum Rights-of-Way and Street Sections. Street rights-of-way and improvements shall be the widths indicated in Figures 9.3970(3)(e)1 - 4.
- (d) Franklin Boulevard. In accordance with EC 9.6750(2)(c), the center line of Franklin Boulevard between Walnut Street and Onyx Streets on the north side and between Walnut Street and Villard Street on the south side is precisely identified in the Walnut Station Specific Area Plan.
- (e) Street Cross Section Design Recommendations. The following street cross section design recommendations are for conceptual purposes only.

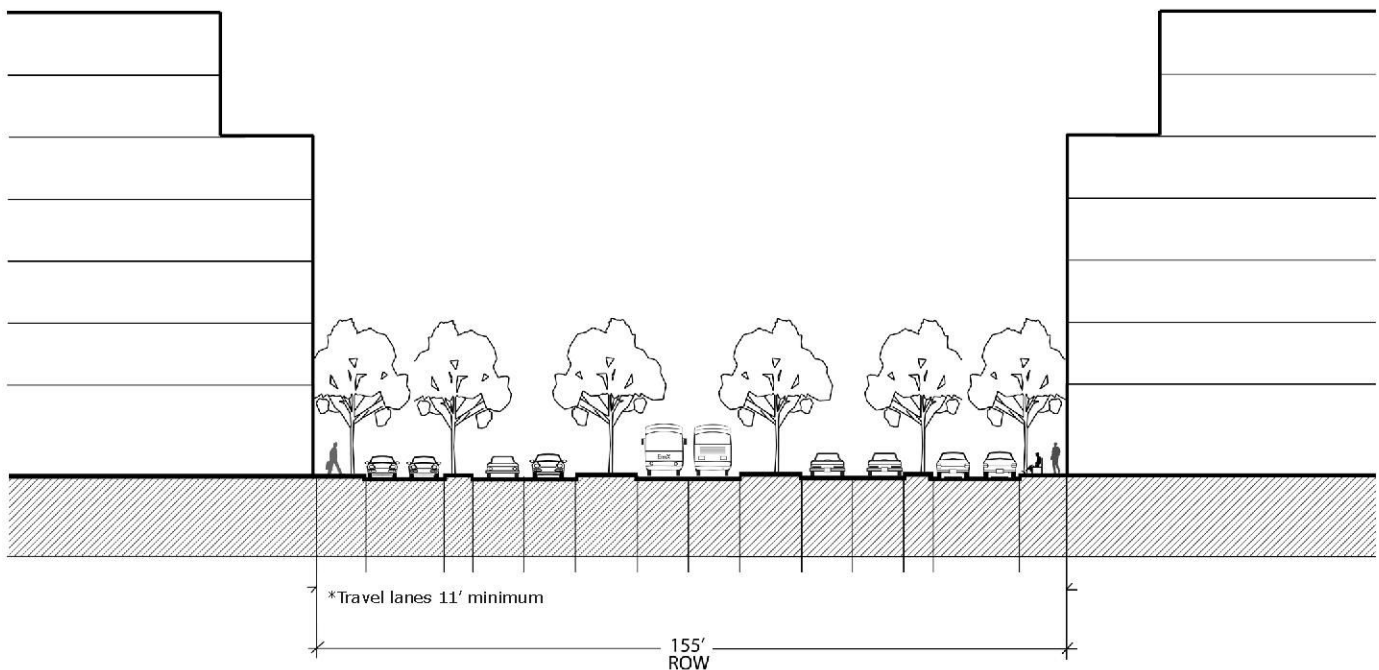


Figure 9.3970(3)(e)1 Franklin Boulevard

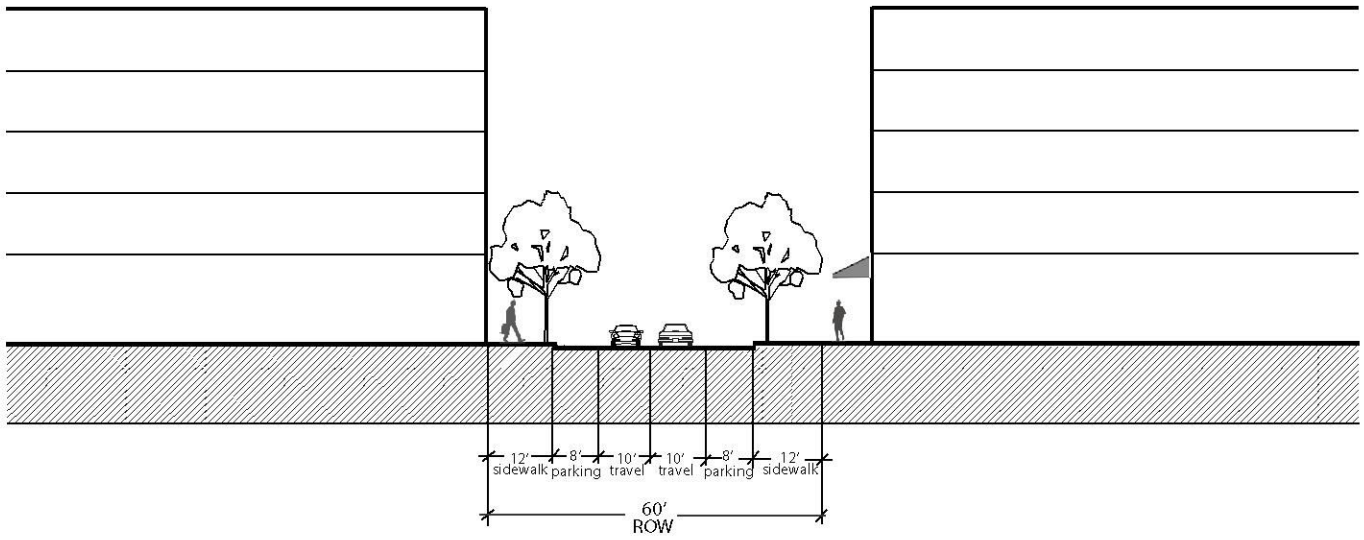


Figure 9.3970(3)(e)2 Streets North of Franklin Boulevard

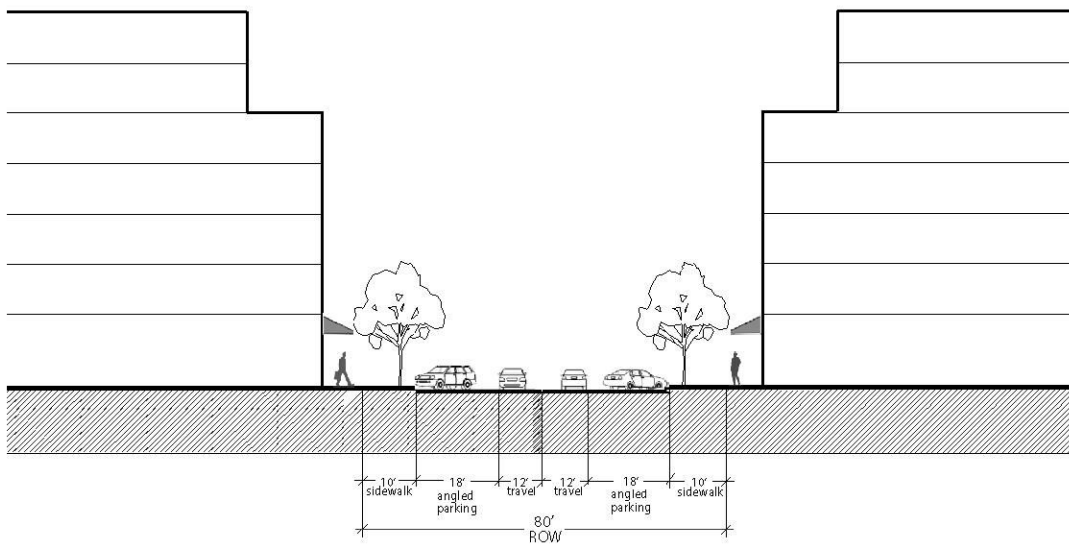


Figure 9.3970(3)(e)3 Streets South of Franklin Boulevard (Excluding Villard Street)

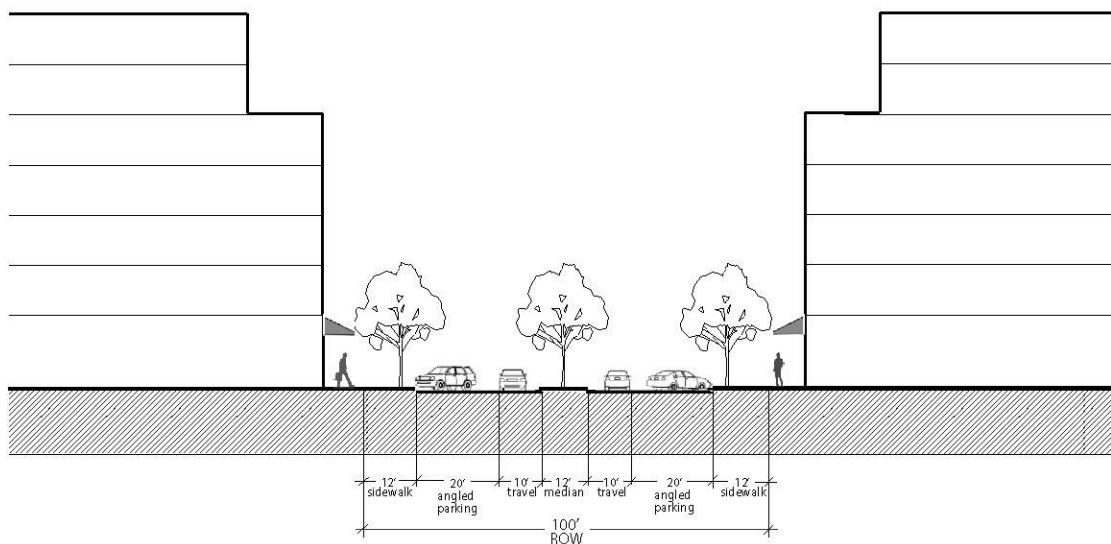


Figure 9.3970(3)(e)4 Villard Street

- (f) Street tree requirements. Locations and other specifications for street trees are found in Section EC 7.280 of this code.
- (g) Street lighting requirements. Locations and other specifications for street lighting, including pedestrian-scale lighting, are found in Section 9.3970(10) below.
- (h) Pedestrian circulation. All developments except single-family residences shall provide on-site pedestrian circulation in accordance with EC 9.6730 Pedestrian Circulation On-Site.

(4) Parking Requirements.

- (a) Required off-street motor vehicle parking. The following minimum and maximum parking standards apply instead of the standards in Table 9.6410. The provisions in EC 9.6410(1)(a) through (c), EC 9.6415 (1) through (3), EC 9.6420(1), (2), (3)(a), (b), and (e), (4), (5), and (6), apply to the siting and design of parking and loading facilities in the Walnut Station area. Uses not listed do not have a parking requirement.

Use	Minimum Number of Off-street Parking Spaces	Maximum Number of Off-Street Parking Spaces
Residential	Except as provided in an adjustment pursuant to EC 9.8030(29), the minimum number of required parking spaces shall be .5 parking spaces per dwelling unit.	Except for required parking spaces for persons with disabilities, a maximum of 2.25 parking spaces are allowed per dwelling unit.
Non-Residential Uses	Except as provided in an adjustment pursuant to EC 9.8030(29), the minimum number of required parking spaces shall be 1 parking space for every 660 square feet of gross floor area.	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.

- (b) Location of On-Site Parking. On-site parking must be located at the rear of the building or on the side of the building in the absence of alley access or a shared private alley.
- (c) Access. No new access connections shall be permitted on Franklin Boulevard
 1. When Franklin Boulevard has been developed consistent with EC 9.3970(3)(b) this street will be exempt from the access management standards adopted by Ordinances 20457 and 20458.
 2. Driveways and access connections shall be no more than 20 feet wide. No more than one access connection per tax lot per street frontage shall be allowed except as provided at EC 7.410.
- (d) Parking area landscaping. In addition to the standards for specific frontage districts as provided at EC 9.3975, the parking area landscaping standards in EC 9.6420(3) and EC 9.6205 apply to off-street parking areas in the S-WS zone.
- (e) Bicycle parking. The following minimum bicycle parking standards apply instead of the standards in Table 9.6105(4). Uses shall provide a minimum number of bicycle parking spaces as designated in Table 9.3970(4)(e) below. Where two options are provided (e.g., 4 spaces, or

1 per dwelling), the option resulting in more bicycle parking shall be used. The remaining standards in EC 9.6105 (1-3) and EC 9.6110 are applicable within the S-WS zone.

Table 9.3970(4)(e) - Minimum Required Bicycle Parking Spaces		
Use Categories	Specific Uses	Number of Required Spaces
Residential Categories		
Multifamily		4 minimum or 1 per dwelling
Dormitories		4 minimum or 1 bike space for every three occupants
Commercial Categories		
Trade		4 minimum or 1 per 3,000 sq. ft. of floor area
Eating and Drinking Establishments		4 minimum or 1 per 600 sq. ft. of floor area
Lodging		4 minimum or 1 per 10 rentable rooms
Office		4 minimum or 1 per 3,000 sq. ft. of floor area
Institutional Categories		
Government related uses		4 minimum or 1 per 500 sq. ft. of floor area
Parks		8 per park or playground
Schools	Elementary through High School	1 per 8 students
Universities/ Colleges		1 per 5 full-time students
Medical Centers		4, or 1 per 3,000 sq. ft. of floor area
Religious Institutions and Places of Worship		1 per 20 fixed seats or 40 feet of bench length or every 200 square feet in main auditorium where no permanent seats or benches are maintained
Parks and Open Spaces		
Park or playground		8 per park or playground
Transportation Related Uses		
	Structured parking	10% of vehicle spaces provided
	Transit park & ride	10% of vehicle spaces provided

(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 spaces shall be off the street, shall be in addition to required off-street parking spaces, 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 spaces 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).

(6) Drive-through Facilities.

- (a) Stacking area. Drive-through establishments shall provide a specially designed area for vehicle stacking located on private property between the public right-of-way and the pick-up window or service area. For a single row of vehicles, the specially designed area shall be at least 200 feet in length to allow for stacking of up to 10 cars. For a double row of vehicles, the specially designed area shall be at least 100 feet in length to allow for stacking of up to 5 cars. This area shall not interfere with safe and efficient circulation on the development site or abutting public right-of-way.
- (b) Access. No new direct access onto Franklin Boulevard is permitted for drive-through facilities. Drive-through establishments with frontage along Franklin Boulevard are required to take access from a side street or internal accessway.
- (c) Landscaping. All vehicle stacking areas shall be landscaped as required by EC 9.6420(3).

(7) Landscaping requirements. Development will conform to landscaping requirements in EC 9.6205 through 9.6255 except as noted in sections (a - c), below.

- (a) Instead of the provisions at EC 9.6205(1) - (3), the landscape standards reflected at EC 9.6207 - 9.6255 and in EC 9.3975 apply to: building expansions which increase the building square footage by 50% or more; the addition of three or more vehicle parking spaces; or new development on vacant sites. In the case that the development meets the threshold above, the landscape standards apply to the entire lot.
- (b) All portions of required front-yard setbacks not otherwise covered by legal driveways, buildings, or pedestrian amenities consistent with this chapter shall be landscaped and maintained to a minimum of the L-2 standard. Where no front yard is required and no structures are proposed or required, the minimum landscape bed width shall be five feet in width.
- (c) Enhanced pedestrian amenities (as defined in EC 9.0500) and urban plazas may be provided in lieu of landscaping, except that shade trees are still required at the ratio of one tree for every 250 square feet of urban plaza area. An urban plaza must be a public space with at least two of the following: patio-seating area, pedestrian plaza with benches, covered playground area, kiosk area, water feature, clock tower or other similar focal feature or amenity. Any such area shall have direct access to the public sidewalk network and be placed in a visible location.
- (d) For the L-2 landscape standard, a solid wall between 30 and 42 inches in height may be permitted as a substitute for the required shrubs and trees, but the other plant material is still required as described in the L-2 standard.

(8) Garbage and recycling collection. All outdoor garbage collection areas shall be screened on all sides with walls or gates that meet the following standards.

- (a) The collection area shall not be visible from streets and adjacent properties.
- (b) Required screening shall comply with EC 9.6210(6) Full Screen Fence Landscape Standard L-6. The width of the landscape beds shall be consistent with the width of parking lot landscape screening requirements for the subdistricts at 9.3975 below.
- (c) Trash and recycling receptacles for pedestrians are exempt from these requirements.
- (d) Garbage and recycling facilities shall not be located within required landscape areas.

(9) Outdoor storage areas. For non-residential development, outdoor storage is not permitted except for nurseries and overnight/temporary storage of sidewalk tables and chairs.

(10) Outdoor lighting. Outdoor lighting shall conform to standards specified in EC 9.6725 and as indicated in the following table.

Frontage District	Applicable Lighting Standard Section
Franklin Corridor (S-WS/FC)	High Ambient - EC 9.6725(8)(d)
Garden Avenue (S-WS/GA)	Medium Ambient - EC 9.6725(8)(c)
Transition Edge 15th (S-WS/TE-15)	Medium Ambient - EC 9.6725(8)(c)
Parks, Recreation and Open Space (S-WS/PRO)	Low Ambient - EC 9.6725(8)(b) except Intrinsically Dark EC - 9.6725(8)(a) within 40 feet of a /WR area

(11) Signs. Signs shall conform to standards specified in EC 9.6600 - EC 9.6670 as indicated in the following table

Frontage District	Applicable Sign Standard Section
Franklin Corridor (S-WS/FC)	Central Commercial - EC 9.6670
Garden Avenue (S-WS/GA)	Central Commercial - EC 9.6670
Transition Edge 15th Avenue (S-WS/TE-15)	General Office - EC 9.6655
Parks, Recreation and Open Space (S-WS/PRO)	Residential EC - 9.6650

(12) Park, Recreation Open Spaces and Facilities. Development of park, recreation and open space facilities shall be governed by the code sections applicable in the Park Recreation and Open Space

9.3975 S-WS Walnut Station Special Area Zone Development Standards Applicable in Specific Frontage Districts.

1. The following standards primarily regulate the relationship between building frontages and the street within specific sub-districts of the S-WS zone. This section includes standards related to building siting and façade, buildable area, and landscaping.
2. The applicable frontage district standards shall be determined based on Map 9.3955 S-WS Walnut Station Special Area Plan Zone and Frontage District Plan. For corner lots, the standards in the following sections shall apply only to the front property line(s) as established in section 9.3970(2)(b) exception that the frontage district standards and the window coverage standards apply along the front property line and all other street-facing property lines.
3. Visible Transmittance. For the purposes of this chapter, Visible Transmittance (VT) is an optical property measuring the fraction of visible light striking the glazing that is passed through, and is expressed as a ratio between 0 and 1. The higher the VT, the greater the light transmitted. It can be applied to both the glazing alone, and to the window as a whole including its frame and mullions. Information about visible transmittance typically is or can be provided by window manufacturers.

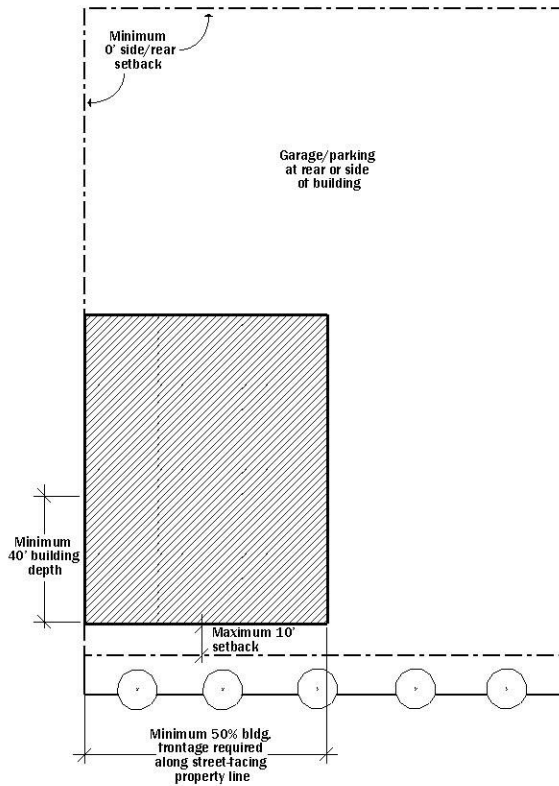


- LEGEND**
- ① Franklin Corridor / Station Core
 - ② Urban General
 - ③ 15th Avenue Transition Edge E
 - Park, Recreation & Open Space
 - Proposed Transportation Features

S-WS Walnut Station Special Area Zone
Frontage District Plan

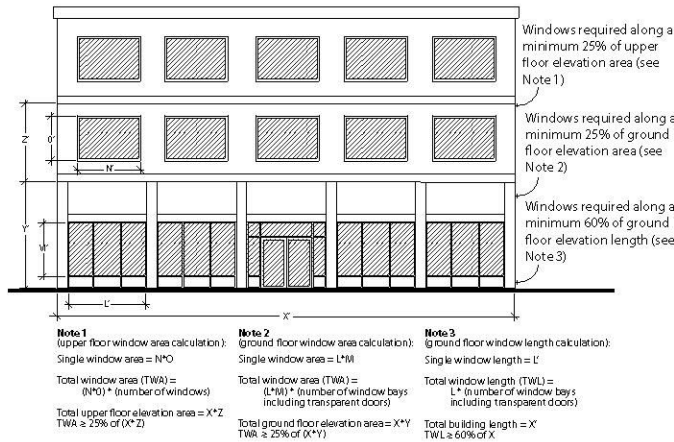
Figure 9.3955

(1) Franklin Corridor Frontage District (S-WS/FC)



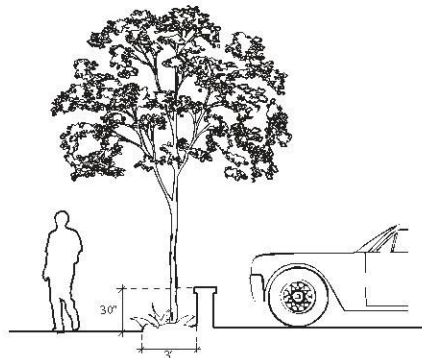
(a) Siting and Street Façade.

1. Buildings shall be provided along a minimum of 50 percent of the street facing property line no further than 10 feet from the front property line.
2. The 10-foot maximum setback can be exceeded if land between the building and front property line is landscaped or paved and includes enhanced pedestrian amenities as defined in Section EC 9.2175(6)(a) which are accessible to the public.
3. Buildings must be a minimum of 40 feet deep in order to accommodate retail uses.
4. Buildings fronting on Franklin Boulevard shall provide a main entrance on that street. Buildings fronting on other streets shall provide at least one main entrance on a street.
5. Vehicular parking and circulation is not permitted between the building and the portion of the front property line used to meet subsection (1-4) above.
6. Except for walls facing an alley, building facades 100 feet or greater in length shall incorporate wall plane projections/recessions having a combined depth of at least 3 percent of the length of the façade extending at least 20 percent of the length of the façade.



(b) Window Coverage.

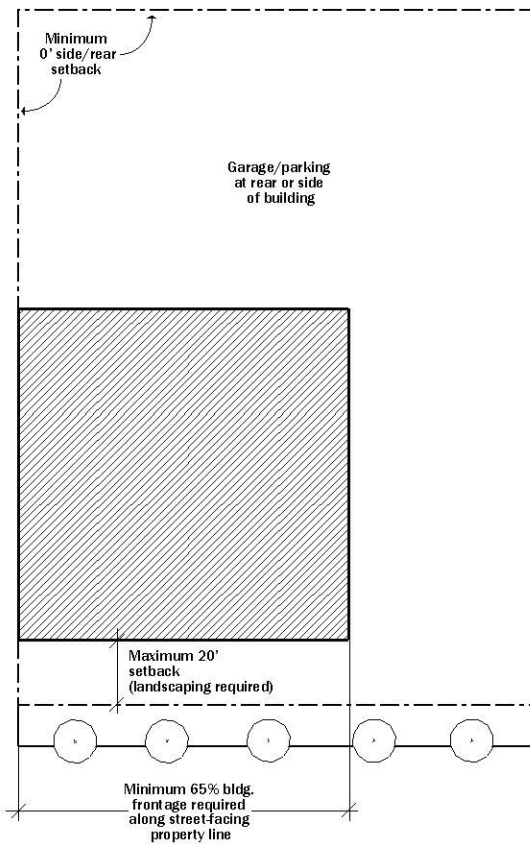
1. Windows are required along all street facing ground floor walls at a minimum of 60 % of the horizontal length and 25 % of the area of applicable ground floor walls.
2. Windows are required along all alley facing ground floor walls at a minimum of 30 % of the length and a minimum of 25 % of the area of applicable ground floor walls.
3. Windows shall cover a minimum of 25 % of the wall area for all floors above the ground floor, including alley-facing facades.
4. A blank length of wall more than 20 linear feet is prohibited along any street or alley façade, unless required for elevator shafts or utility facilities.
5. Structured parking is exempt from the window requirements, but shall provide openings at the percentages specified herein.
6. All windows shall have a minimum Visible Transmittance (VT) of 0.6 or higher.



(c) Landscape Specifications.

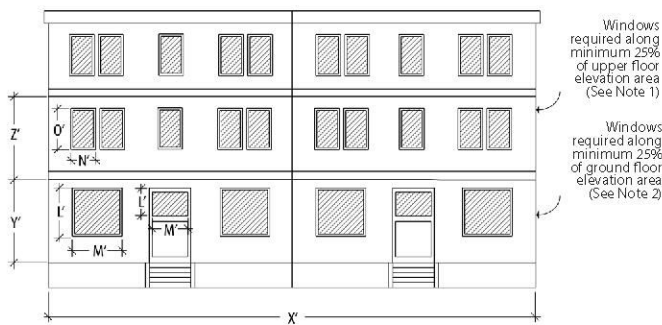
1. There is no minimum landscape requirement, except as specified in EC 9.3970(7).
2. All surface parking areas shall have a landscaped bed around the perimeter measuring five feet in width and landscaped to a minimum of the L-2 standard.
3. The width of the landscaped bed may be reduced to three feet when a solid wall measuring at least 30 inches in height is provided. The three foot bed shall be landscaped to the L-1 standard.

(2) Urban General Frontage District (S-WS/UG)



(a) Siting and Street Façade.

- Buildings shall be provided along a minimum of 65 percent of the street facing property line no further than 20 feet from the front property line. 50 percent of the street facing ground floor building façade shall be built to within 10 feet of the front property line.
- The 20 foot maximum can be exceeded if land between building and front property line is landscaped or paved and includes pedestrian amenities as defined in Section EC 9.2175(6)(a) which are accessible to the public.
- Buildings shall provide a main entrance on the street which they front.
- Vehicular parking and circulation is not permitted between the building and the portion of the front property line used to meet subsection (1-3) above.
- Except for walls facing an alley, building facades 100 feet or greater in length shall incorporate wall plane projections/recessions having a depth of at least 3 percent of the length of the façade extending at least 20 percent of the façade.

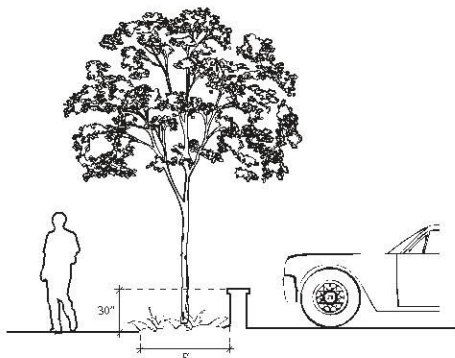


NOTE 1:
(upper floor window area calculation)
Single window area = $N \times O$
Total window area (TWA) =
 $(N \times O) \times (\text{number of windows})$
Total upper floor elevation area = $X \times Z$
TWA \geq 25% of $(X \times Z)$

NOTE 2:
(ground floor window area calculation)
Single window area = $L \times M$
Total window area (TWA) =
 $(L \times M) \times (\text{number of window bays including transparent doors})$
Total ground floor elevation area = $X \times Y$
TWA \geq 25% of $(X \times Y)$

(b) Window Coverage.

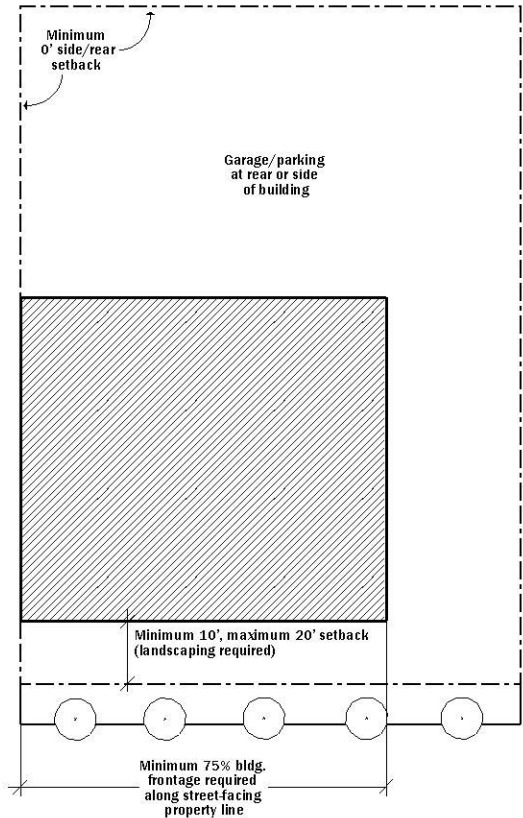
- Windows are required along a minimum of 25 percent of the area of all ground floor and upper floor walls facing a street.
- A blank length of wall more than 20 linear feet is prohibited along any façade. Windows, arcades, colonnades or balconies can be used to address this standard.
- All windows shall have a minimum Visible Transmittance (VT) of 0.6 or higher.
- Structured parking is exempt from the window requirements, but shall provide openings at the percentages specified herein.



(c) Landscape Specifications.

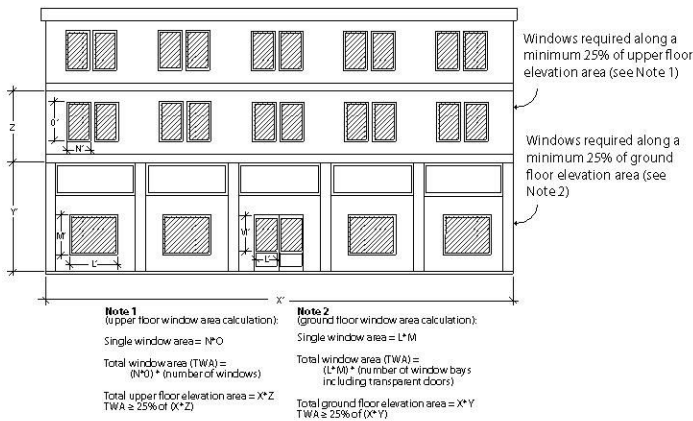
- Ten percent (10%) of the total area of all development sites shall be landscaped.
- All surface parking areas shall have a landscaped bed around the perimeter measuring seven feet in width and landscaped to a minimum of the L-2 standard. The width of the landscaped bed may be reduced to five feet when a solid wall measuring at least 30 inches in height is provided.

(3) Transition Edge 15th Avenue Frontage District (TE-15th including Orchard)



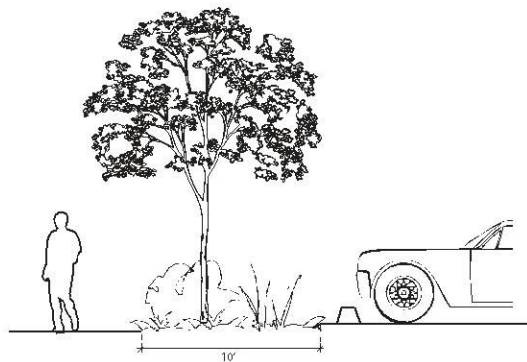
(a) Siting and Street Façade.

1. Buildings shall be provided along a minimum of 75 percent of the street facing property line no further than 20 feet from the property line.
2. Buildings shall have a 10-foot minimum front setback.
3. The 20 foot maximum setback can be exceeded if land between building and front property line is landscaped or paved and includes pedestrian amenities as defined in Section EC 9.2175(6)(a) which are accessible to the public.
4. Buildings shall provide a main entrance on the street which they front.
5. Vehicular parking and circulation is not permitted between the building and the portion of the front property line used to meet subsection (1-3) above.
6. Except for walls facing an alley, building facades 100 feet or greater in length shall incorporate wall plane projections/recessions having a depth of at least 3 percent of the length of the façade extending at least 20 percent of the façade.



(b) Window Coverage.

1. Windows are required along a minimum of 25 percent of the area of all street facing ground floor and upper floor walls. A blank length of wall more than 20 linear feet is prohibited along any façade. Windows, arcades, colonnades or balconies can be used to address this standard.
2. Structured parking is exempt from the window requirements, but shall provide openings at the percentages specified herein.
3. All windows shall have a minimum Visible Transmittance (VT) of 0.6 or higher.



(c) Landscape Specifications.

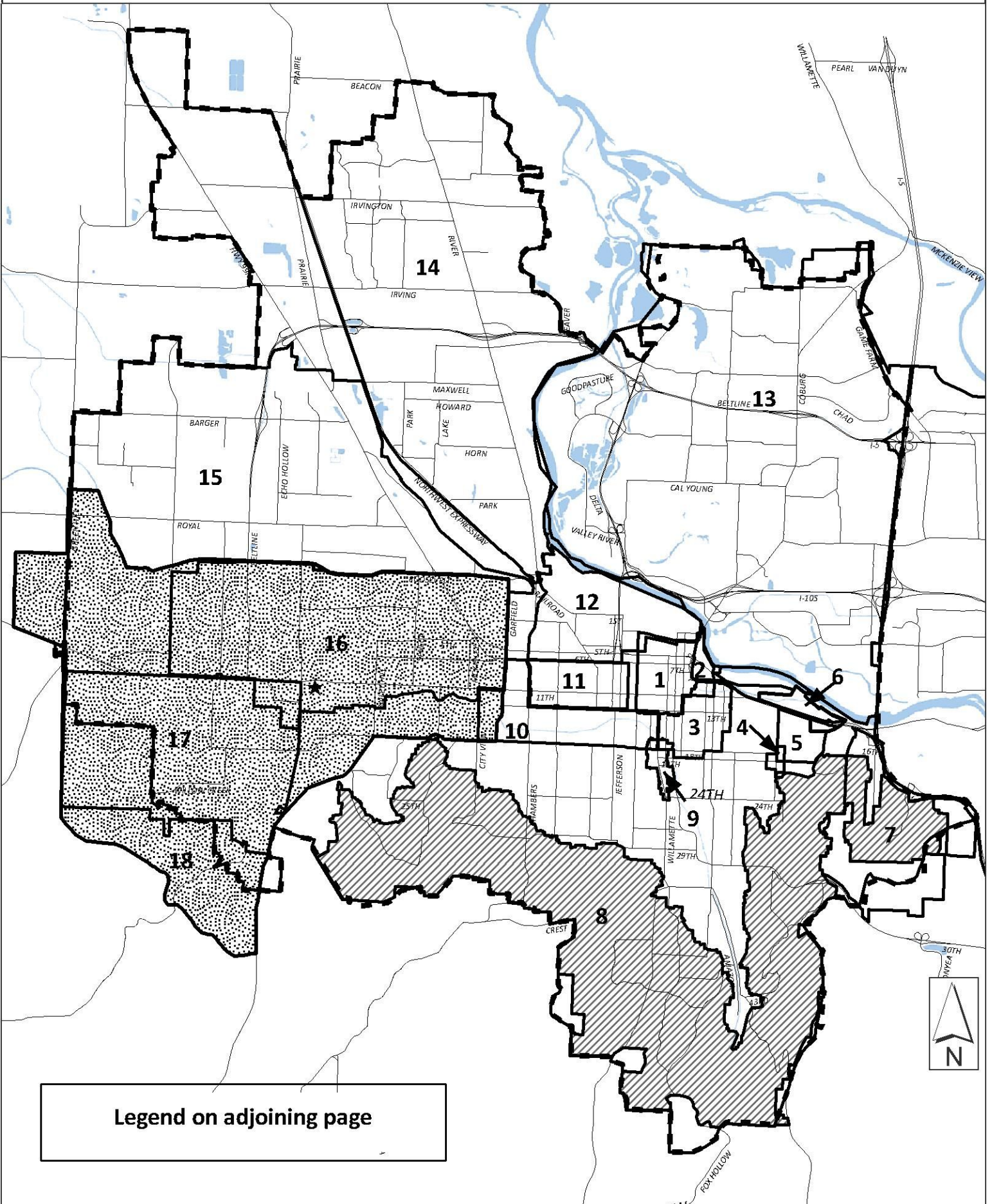
1. 15 percent (15%) of the total area of all development sites shall be landscaped.
2. All surface parking areas shall have a landscaped bed around the perimeter measuring ten feet in width and landscaped to a minimum of the L-2 standard.

9.3980 S-WS Walnut Station Special Area Zone Design Review

- (1) As an alternative to designing a development that complies with all of the development standards otherwise applicable in the S-WS Walnut Station Special Area Zone, an applicant may apply for city approval of a proposed development through the design review process beginning with EC 9.8110 Design Review-Purpose. Telecommunications facilities are not eligible for the design review option.
- (2) The planning director shall approve, conditionally approve, or deny a design review application based on compliance with the following criteria:
 - (a) Consistency with design objectives listed at EC 9.3950 Purpose of the S-WS Walnut Station Special Area Zone.
 - (b) The project seeking design review approval will achieve an equivalent or higher quality design than would result from strict adherence to the otherwise applicable standards through:
 1. A building orientation, massing, articulation, and façade that contributes positively to the surrounding urban environment and;
 2. An overall site and building design that creates a safe and attractive pedestrian environment. Design elements for this purpose may include special architectural features, high quality materials, outdoor seating, pedestrian scaled lighting, prominent entries facing the street, multiple openings or windows, and a significant use of clear, un-tinted glass.
 - (c) Impacts to any adjacent residentially zoned properties are minimized. Design elements for this purpose may include treatment of building massing, setbacks, stepbacks, screening and landscaping.
 - (d) New buildings shall not increase the shadow cast more than 20% of the maximum shadow area that would be cast by a building that complied with applicable height, stepback, and setback requirements of this Chapter. Building shadow shall be measured at 3:00 p.m. on April 21 of any year.
 - (e) The adverse effects of motor vehicle movement shall be mitigated as much as possible. Primary vehicular access to the lands north of 15th Avenue and east of Walnut Street should minimize impact on nearby residences and Fairmount Park.
 - (f) Proposed development shall mitigate the storage effects of motor vehicle parking and parking impacts on the surrounding neighborhood shall be reasonably mitigated by minimizing off-street parking. This can be accomplished through the use of shared parking agreements, car sharing and bus pass programs, and other Transportation Demand Management Strategies.

Map 9.8010

ADOPTED PLANS LEGEND


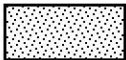


Legend on adjoining page

Map 9.8010

ADOPTED PLANS LEGEND

Specific Area Plans

1. Eugene Downtown Plan
 2. Riverfront Park Study
 3. West University Refinement Plan
 4. 19th & Agate Special Area Study
 5. Fairmount/University Special Area Study
 6. Walnut Station Specific Area Plan
 7. Laurel Hill Plan
 8. South Hills Study 
 9. South Willamette Subarea Study
 10. Jefferson/Far West Refinement Plan
 11. Westside Neighborhood Plan
 12. Whiteaker Plan
 13. Willakenzie Area Plan
 14. River Road-Santa Clara Urban Facilities Plan
 15. Bethel-Danebo Refinement Plan
 16. Bethel-Danebo Neighborhood Refinement Plan, Phase II, West Eugene Industrial Study
 17. Willow Creek Special Area Study
 18. West Eugene Wetlands Plan 
- ★ Resolution No. 3862 Adopting the West 11th Commercial Land Use Policy
Resolution No. 3885 Establishing Areas for the Application of C-4 Zoning

City or Metropolitan Area Plans

Urban Growth Boundary (UGB) = - - - -

Comprehensive Stormwater Management Plan = City Limits (not shown)

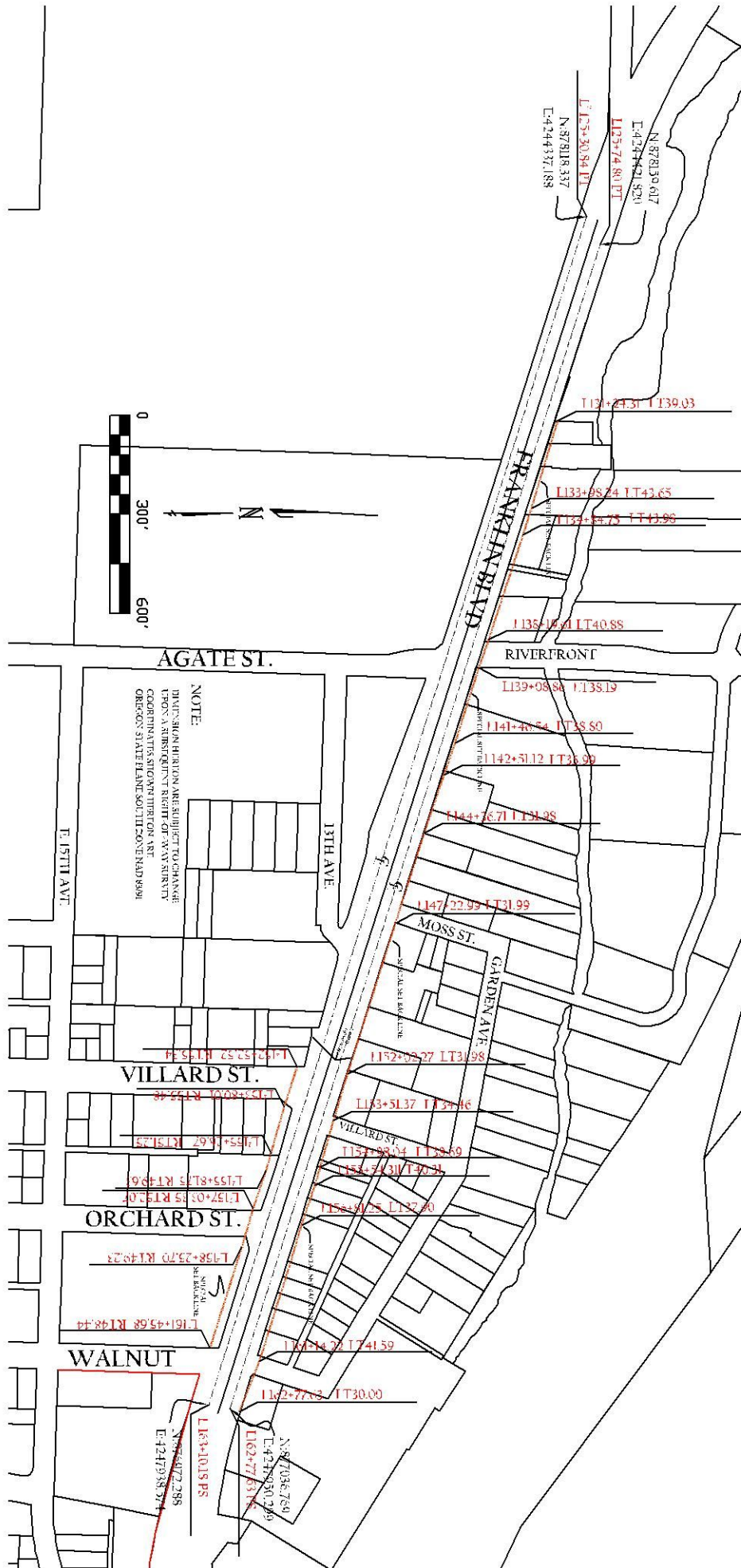
Eugene Commercial Lands Study = UGB

Eugene Parks & Recreation Plan = UGB

Metro Plan = Metro Area

TransPlan = Metro Area

This map is intended as general reference for the boundaries of plans adopted by the Eugene City Council. For specific boundaries, please refer to the plan. Map prepared by the Eugene Planning & Development Department. (Some plans have overlapping boundaries.)



Franklin Boulevard Special Setback Description

Preamble: Franklin Boulevard Right-of-Way is a combination of two 60 foot wide Right-of-Ways. Therefore, the special setback distances are measured from the respective centerline (Northerly centerline and Southerly centerline) as described below.

Franklin Boulevard southerly centerline description

Beginning at the Southwest corner of Lot 4, Block 3 of the Amended Plat of Fairmount as platted and recorded in Book 2, Page 12, Lane County Oregon Plat Records in Lane County, Oregon; thence South $1^{\circ}47'30''$ West 33.00 feet to the centerline of East 15th Avenue; thence North $87^{\circ}56'09''$ West 45.00 feet to the intersection of said East 15th Avenue and Agate Street; thence North $1^{\circ}47'30''$ East 328.38 feet along the centerline of said Agate Street to the Southerly centerline of Franklin Boulevard; thence North $72^{\circ}20'52''$ West 1420.98 feet along said southerly centerline of Franklin Boulevard to station L125+30.84 PT per Oregon Department of Transportation map drawing no. 7b-4-8 depicts and also being the TRUE POINT OF BEGINNING of the herein centerline description; thence from centerline station L125+30.84 PT, South $72^{\circ}20'52''$ East 3779.34 feet to centerline station L163+10.18 PS and there ending, all in Eugene, Lane County Oregon.

Station to Station	Width on Southerly side of centerline
L2 152+52.52 to l2 153+80.01	55.34 feet on a straight line to 55.48 feet
L2 153+80.01 to l2 155+26.67	55.48 feet on a straight line to 51.25 feet
L2 155+26.67 to l2 155+81.75	51.25 feet on a straight line to 49.63 feet
L2 155+81.75 to l2 157+03.35	49.63 feet on a straight line to 52.07 feet
L2 157+03.35 to l2 158+25.70	52.07 feet on a straight line to 49.23 feet
L2 158+25.70 to l2 161+45.68	49.23 feet on a straight line to 48.44 feet

Franklin Boulevard northerly centerline description

Beginning at the Southwest corner of Lot 4, Block 3 of the Amended Plat of Fairmount as platted and recorded in Book 2, Page 12, Lane County Oregon Plat Records in Lane County, Oregon; thence South $1^{\circ}47'30''$ West 33.00 feet to the centerline of East 15th Avenue; thence North $87^{\circ}56'09''$ West 45.00 feet to the intersection of said East 15th Avenue and Agate Street; thence North $1^{\circ}47'30''$ East 395.95 feet along the centerline of said Agate Street to the Northerly centerline of Franklin Boulevard; thence North $72^{\circ}20'52''$ West 1334.38 feet along said northerly centerline of Franklin Boulevard to station L2 125+74.8

PT per Oregon Department of Transportation map drawing no. 7b-4-8 depicts and also being the TRUE POINT OF BEGINNING of the herein centerline description; thence from centerline station L2 125+74.8 PT, South 72°20'52" East 3708.83 feet to centerline station L2 162+77.63 PS and there ending, all in Eugene, Lane County Oregon.

Station to Station	Width on Northerly side of centerline
L 131+24.31 to L 133+98.24	39.03 feet on a straight line to 43.65 feet
L 133+98.24 to L 134+84.75	43.65 feet on a straight line to 43.98 feet
L 134+84.75 to L 138+19.61	43.98 feet on a straight line to 40.88 feet
L138+19.61 to L139+08.86	40.88 feet on a straight line to 38.19 feet
L 139+08.86 to L 141+46.54	38.19 feet on a straight line to 38.80 feet
L 141+46.54 to L 142+51.12	38.80 feet on a straight line to 35.99 feet
L 142+51.12 to L 144+36.71	35.99 feet on a straight line to 31.98 feet
L 144+36.71 to L 147+22.99	31.98 feet on a straight line to 31.99 feet
L 147+22.99 to L 152+02.27	31.99 feet on a straight line to 31.98 feet
L 152+02.27 to L 153+51.37	31.98 feet on a straight line to 34.46 feet
L 153+51.37 to L 154+98.04	34.46 feet on a straight line to 38.69 feet
L 154+98.04 to L 155+54.31	38.69 feet on a straight line to 40.31 feet
L 155+54.31 to L 156+81.25	40.31 feet on a straight line to 37.90 feet
L 156+81.25 to L 161+14.22	37.90 feet on a straight line to 41.59 feet
L 161+14.22 to L 162.77.63	41.59 feet on a straight line to 30.00 feet

Findings of Consistency for Walnut Station Mixed Use Center

City Files MA 10-1, RA 10-1, CA 10-1 and Z 10-1

Walnut Station Mixed Use Center

The purpose of this planning project is to facilitate development of a mixed use center, to create development standards and urban design guidelines for the mixed use center, and to enable the transformation of this area into a vibrant, pedestrian friendly mixed use neighborhood. The following actions are necessary to implement the Walnut Station Mixed Use Center:

- Amendments to the Metro Plan land use diagram to re-designate ten properties to Commercial, resulting in all properties within the Walnut Station Mixed Use Center having a Commercial designation (with the exception of two City-owned park properties; a narrow strip along the south side of the Mill Race and Franklin Park, which will remain designated Parks and Open Space), and add the Nodal Development Area Overlay designation and the Mixed Use Area Overlay designation to all properties in the Walnut Station Mixed Use Center.
- Adoption of Walnut Station Specific Area Plan, including a land use diagram and policies to establish the Walnut Station Mixed Use Center.
- Amendments to the Fairmount/University of Oregon Special Area Study text and land use diagram to remove the Walnut Station Mixed Use Center from the boundaries of the study.
- Amendments to Riverfront Park Study text to clarify that the S-RP Riverfront Park Special Area Zone and development standards do not apply within the Walnut Station Mixed Use Center.
- Amendments to the land use code to establish the S-WS Walnut Station Special Area Zone, establish a design review land use process and criteria, add the Walnut Station Specific Area Plan as an adopted plan, and revisions other development standards and criteria for consistency with the S-WS Walnut Station Special Area Zone.
- Re-zoning of all properties within the Walnut Station Mixed Use Center to S-WS Walnut Station Special Area Zone. The /SR Site Review Overlay Zone will be removed from one property. All properties that have the existing /WR Water Resources Conservation Overlay Zone will retain that overlay.

The findings below establish the consistency of these actions with the applicable approval criteria from the Eugene Code.

Metro Plan Diagram Amendment (City File MA 10-1)

To implement the Walnut Station Mixed Use Center, the Metro Plan land use diagram must be amended; no text changes are needed. Specifically, the Metro Plan land use diagram is amended to ensure that all properties within the Walnut Station area (except two City-owned park properties; a narrow strip along the south side of the Mill Race and Franklin Park, which will remain designated Parks and Open Space) are shown on the Metro Plan land use diagram with a Commercial designation and the Nodal Development Area and Mixed Use Area Overlay designations.

The Metro Plan amendments will re-designate three properties (totaling approximately .5 acres) from Low Density Residential to Commercial, and re-designate seven properties (totaling approximately 4.8 acres) from Medium Density Residential to Commercial. Most lots in the Walnut Station area are already designated Commercial on the Metro Plan land use diagram.

Eugene Code (EC) Section 9.7730(3) requires that the following criteria (in bold and *italics*) be applied to a Metro Plan amendment:

- (a) *The amendment must be consistent with the relevant Statewide Planning Goals adopted by the Land Conservation and Development Commission; and***

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 has acknowledged provisions for citizen involvement which ensure the opportunity for citizens to be involved in all phases of the planning process and set out requirements for such involvement. The process for adopting the proposal was consistent with the City's requirements and provided numerous additional opportunities for interested parties to participate in development of the amendments. Highlights are listed below:

- Citizen Involvement Plan approved by the Eugene Planning Commission, August 2005.
- Issue Group meetings with neighborhood groups, property and business owners, and transit customers, August, September and October 2005.
- Steering Committee created August 2005, with Eugene Planning Commission, the University of Oregon, Lane Transit District, Oregon Department of Transportation, and the Governor's Office to provide advisory input on the project over a nine month period.
- Technical Advisory Committee I (TAC) formed in July 2005, to guide the project and insure interagency coordination over a nine month period.
- Newsletters distributed to approximately 2500 addresses, describing the study area and the planning process and the draft alternative concepts.
- Web page created, with postings of background materials, maps, technical documents, and on-going project updates. Project website: www.eugene-or.gov/walnut
- Stakeholder meetings. In 2009, a stakeholders group was created that included representatives from the Fairmount Neighborhood Association, the Chamber of Commerce, the University of Oregon and the City of Eugene. This group provided a forum to discuss issues and to mediate concerns with the plan.
- Technical Advisory Committee II. A TAC with representatives from each stakeholder group, interdepartmental City staff, LTD, and ODOT was created in 2008 and met through 2010 with the purpose of reviewing and editing the form-based code with staff and the consultants.
- Public Outreach Events. Six open house events were held throughout the planning process, including a three-day design charrette; an interactive and iterative process over the course of three days where the objective was for stakeholders and citizens to come to consensus regarding the desired urban form for four subareas within the Walnut Station area.
- Fairmount Neighborhood Association. The Fairmount Neighborhood Association created a Walnut Station subcommittee which met regularly throughout the process. Members of the subcommittee were included in the stakeholders group as well. Staff met with the subcommittee and the neighborhood association on several occasions. Earlier in the process, the meetings were focused on getting feedback on creating the vision. Subsequent meetings were held to provide information on the development of the implementation tools and to continue to receive feedback as the code developed.
- Planning Commission and City Council work sessions to review project progress.

The City of Eugene land use code implements Statewide Planning Goal 1 by requiring that notice of the proposed amendments be given and public hearings be held prior to adoption. Consideration of the amendments began with a Planning Commission public hearing on April 20, 2010.

Prior to the Planning Commission public hearing, notice of the proposed actions was mailed to the Department of Land Conservation and Development, as required by the Eugene Code and in accordance with State statutes. Referrals concerning the pending applications were also sent to the Oregon Department of Transportation (ODOT), City of Springfield, Lane County, and all Eugene neighborhood associations.

The Planning Commission public hearing was noticed and posted, in accordance with Eugene Code requirements. The City Council will then hold a duly noticed public hearing to consider approval, modification, or denial of the proposed ordinance. These processes afford ample opportunity for citizen involvement consistent with Goal 1.

The process for adopting the proposed amendments complies with Statewide Planning Goal 1 since it complies with, and exceeds, the requirements of the State's citizen involvement provisions.

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

The Eugene-Springfield Metropolitan Plan (Metro Plan) is the policy tool that provides a basis for decision making in this area. The Metro Plan was acknowledged by the State in 1982 to be in compliance with statewide planning goals. The Eugene land use code specifies the procedure and criteria that are to be used in considering these amendments to the code. The record for these amendments includes substantial factual information about the nature of existing development in the affected areas. 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. To comply with the Goal 2 coordination requirement, the City engaged in an exchange about the subject of these amendments with all of the affected governmental units. Specifically, the City provided notice of the proposed action and opportunity to comment to Lane County, Springfield, the Oregon Department of Transportation and the Department of Land Conservation and Development.

There are no Goal 2 exceptions required for these amendments. Therefore, the amendments are consistent with Statewide Planning Goal 2.

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

Goal 3 is not applicable to these amendments as the subject property and actions do not affect any agricultural plan designation or use. Goal 3 excludes lands inside an acknowledged urban growth boundary from the definition of agricultural lands. Since the subject property is entirely within the acknowledged urban growth boundary, Goal 3 is not relevant and the amendments do not affect the area's compliance with Statewide Planning Goal 3.

Goal 4 - Forest Land: *To conserve forest lands.*

Goal 4 is not applicable to these amendments as the subject property and actions do not affect any forest plan designation or use. Goal 4 does not apply within urban growth boundaries and, therefore, does not apply to the subject property, which is within the Eugene-Springfield urban growth boundary (OAR 660-006-0020). Therefore, Goal 4 is not relevant and the amendments do not affect the area's compliance 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.*

The following administrative rule (OAR 660-023-0250) is applicable to this post-acknowledgement plan amendment (PAPA) request:

- (3) *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.*

The subject project area includes one Goal 5 resource site as adopted by the City; the Millrace (riparian and wetland resource site) runs east to west through the northern portion of Walnut Station. However, the Walnut Station amendments do not: (a) create or amend the city's list of Goal 5 resources or amend a code provision adopted in order to protect a significant Goal 5 resource or to address specific requirements of Goal 5, (b) allow new uses that could be conflicting uses with a significant Goal 5 resource site; or (c) amend the acknowledged UGB. The Goal 5 measures adopted to protect the Millrace are contained in the /WR Water Resources Conservation Overlay Zone, which was previously applied to several of the tax lots in the Walnut Station area. The Walnut Station amendments do not remove the /WR Overlay Zone from those lots and do not change the level of protection that the /WR provisions provide. Therefore, the 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. Nothing in the proposal or the character of the site or potential uses indicates a future development that would compromise air, water and land resources. The proposal does not amend the metropolitan area's air, water quality or land resource policies. Further, the addition of the Nodal Development Area overlay designation to property within the subject area furthers implementation of the nodal development plan, an approach to integration of land use and transportation planning that seeks to increase the use of alternative modes of transportation, reduce per-person vehicle miles of travel and reduce demand for automobile-related transportation facilities. Increasing the use of alternative modes of transportation will help to improve regional and local air quality. The addition of the Mixed Use Area overlay designation to property within the subject area also supports the Nodal Development Area overlay designation. Therefore, these 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, earthquakes and related hazards, tsunamis and wildfires. This Goal prohibits development in natural hazard areas without appropriate safeguards. Consistent with this goal, the City of Eugene has adopted provisions regulating development in floodplains and floodways, and building codes regulations that address slopes and seismic concerns. No portion of the project area falls within the floodplain. These amendments do not affect the City's restrictions on development in areas subject to natural disasters and hazards. Further, the amendments do not allow for new development that could result in a natural hazard. Therefore, Statewide Planning Goal 7 does not apply.

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 the provision of recreational facilities to Oregon citizens and is primarily concerned with the provision of those facilities in non-urban areas of the state. Though not an issue under Statewide Planning Goal 8, it is worth noting that the subject area includes two City-owned park properties; a narrow strip along the south side of the Mill Race and Franklin Park, at the northeast end of the subject area. Currently, the properties are designated Parks and Open Space on the Metro Plan and these amendments do not include a change in plan designation for either property. Additionally, the Walnut Station Special Area Zone includes provisions for developing park property or developing next to a park that might be identified in the future. The proposal will not impact the provision of public recreational facilities, nor will they affect access to existing or future public recreational facilities. 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.*

The Administrative Rule for Statewide Planning Goal 9 (OAR 660 Division 9) requires that the City “[p]rovide for at least an adequate supply of sites of suitable sizes, types, location, and service levels for a variety of industrial and commercial uses consistent with plan policies[.]” Among other things, the rule requires that cities complete an “Economic Opportunities Analysis.” OAR 660-009-0015. Based on the Economic Opportunities Analysis, cities are to prepare Industrial and Commercial Development Policies. OAR 660-009-0020. Finally OAR 660-009-0025 requires that cities designate industrial and commercial lands sufficient to meet short and long term needs. OAR 660-009-0010(2) provides that the detailed planning requirements imposed by OAR 660 Division 9 apply “at the time of each periodic review of the plan (ORS 197.712(3)).” In addition, OAR 660-009-0010(4) provides that, when a city changes its plan designations of lands in excess of two acres to or from commercial or industrial use, pursuant to a post acknowledgment plan amendment, it must address all applicable planning requirements and (a) demonstrate that the proposed amendment is consistent with the parts of its acknowledged comprehensive plan which address the requirements of OAR 660 Division 9; or (b) amend its comprehensive plan to explain the proposed amendment pursuant to OAR 660 Division 9; or (c) adopt a combination of (a) and (b) consistent with the requirements of Division 9.

In the context of OAR 660-009-0010(4), the Eugene Commercial Lands Study (ECLS) is acknowledged for compliance with the requirements of Goal 9 and its Administrative Rule. The ECLS constitutes the City’s obligation under OAR 660 Division 9. With the exception of 12 properties, all the properties within the subject area are currently designated as Commercial on the Metro Plan. The proposed amendments will result in re-designating ten properties from Residential to Commercial as discussed further under Goal 10 below, and the two properties designated as Parks and Open Space will retain that designation. OAR 660-009-0010(4) states:

- (4) *For a post-acknowledgement plan amendment under OAR chapter 660, division 18, that changes the plan designation of land in excess of two acres within an existing urban growth boundary from an industrial use designation to a non-industrial use designation, or any other employment use designation to any other use designation, a city or county must address all applicable planning requirements, and:*
- (a) *Demonstrate that the proposed amendment is consistent with its most recent economic opportunities analysis and the parts of its acknowledged comprehensive plan which address the requirements of this division; or*
 - (b) *Amend its comprehensive plan to incorporate the proposed amendment, consistent with the requirements of this division; or*
 - (c) *Adopt a combination of the above, consistent with the requirements of this division.*

The proposed Metro Plan amendments would not change more than two acres of an employment designation to another designation, therefore subsection (4) above is not applicable. 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 that communities plan for and maintain an inventory of buildable residential land for needed housing units. The Administrative Rule for Statewide Planning Goal 10 (OAR 660 Division 8) states that “the mix and density of needed housing is determined in the housing needs projection. Sufficient buildable land shall be designated on the comprehensive plan map to satisfy housing needs by type and density range as determined in the housing needs projection. The local buildable lands inventory must document the amount of buildable land in each residential plan designation.” The comprehensive plan map for the City is the Metro Plan land use diagram. The 1999 Eugene-Springfield Metropolitan Area Residential Lands and Housing Study (RLS) is acknowledged for compliance with the requirements of Goal 10 and its Administrative Rule.

The proposed amendments re-designate three properties (approximately .5 acres) of Low Density Residential (LDR) and seven properties (approximately 4.8 acres) of Medium Density Residential (MDR) to Commercial. None of these properties were included in the documented supply of “buildable land” that is available for residential development as inventoried in the acknowledged 1999 Residential Lands Study. To the extent that the 1999 Residential Lands Study relied on infill and redevelopment of properties that were already designated for residential use and developed, substantial evidence in the record demonstrates that the proposal would not be inconsistent with that Study’s expectations. Currently, there are 129 units in the Walnut Station area (this equates to 129 units on 5.67 acres of residentially used property in the area; a net density of 22.8 dwelling units per acre). The market overview report for the Walnut Station area estimated a range of potential demand for multi-family housing units (apartments, condominiums, rowhouses) for the 80-acre Walnut Station area as being approximately 1,000 to 1,400 units by 2025. (StrategicEconomics. “*Key Findings from the Market Overview for Walnut Station and Implications for Future Development.*” January 2006). Using these estimates, it is reasonable to assume that the Walnut Station area will develop at a density of 12 to 17 dwelling units per gross acre or approximately 17 to 25 dwelling units per net acre, which is within medium to high density residential levels.

Therefore, based on the findings 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 area affected by the amendments is located entirely within the City limits of both of Eugene. The amendments do not affect the City’s provision of public facilities and services. 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), as defined in Oregon Administrative Rule OAR 660-012-0000, et seq. The Eugene-Springfield Metropolitan Area Transportation Plan (TransPlan) provides the regional policy framework through which the TPR is implemented at the local level. The TPR (OAR 660-012-0060) states that when land use changes, including amendments to acknowledged comprehensive plans, significantly affect an existing or planned transportation facility the local government shall put in place measures to assure that the allowed land uses are consistent with the identified function, capacity and performance standards (level of service, volume to capacity ratio, etc.) of the facility.

The subject proposal consists of amendments to the Metro Plan and the Fairmount/University of Oregon Special Area Study land use diagrams, corresponding zone changes, adoption of a new refinement plan land use diagram and policies (the Walnut Station Specific Area Plan), and code amendments (except when otherwise identified, collectively referred to as the “proposed amendments”). The current and proposed designation and zoning of the subject property is as follows:

Table 1: Current and Proposed Designations/Zoning

Location	Approximate acreage total	Current Metro Plan/Zoning*	Proposed Metro Plan / Zoning	Refinement Plan Changes
Most lots within Walnut Station	69.8 acres total	C / C-2 C / C-2/WR C / C-2/SR	C / S-WS C / S-WS/WR C / S-WS	<p><u>Fairmount Plan</u>: Remove Walnut Station area from Fairmount land use diagram boundary.</p> <p><u>Walnut Station Specific Area Plan</u>: Adopt new land use diagram with Walnut Station area delineated as Walnut Station Special Area Zone.</p>
<i>Remaining lots:</i>				
15 th & Villard 17-03-33-32 / 4800 / 4700 / 4600	.5 total acres	LDR / R-2 LDR / R-1 LDR / R-1	C / S-WS C / S-WS C / S-WS	
Between Franklin & 15 th Ave. 17-03-33-31 / 1000 / 1600 / 1500 / 2000	4.3 acres total	MDR / PL MDR / PL MDR / PL MDR / PL	C / S-WS C / S-WS C / S-WS C / S-WS	
On 15 th Ave. east of Fairmount Blvd. 17-03-33-31 / 1700 / 1800 / 1900	0.5 acres total	MDR / R-1 MDR / R-1 MDR / R-1	C / S-WS C / S-WS C / S-WS	
Between Franklin & the Willamette River 17-03-33-31 / 100 17-03-33-32/10100	4.5 acres total	POS / I-3/WR POS/C-2	POS / S-WS POS / S-WS	
On Franklin east of Onyx, south of Millrace 17-03-32-14/ 1800 (partial)/ 2000 (partial)/2100	1.1 acres total	C / S-RP/WR C / S-RP/WR C / S-RP/WR	C/ S-WS/WR C / S-WS/WR C / S-WS/WR	

* The key to the plan designation and zoning definitions is provided in Exhibit A to the ordinance.

A. Impacted/Analyzed Transportation Facilities:

The City consulted with Oregon Department of Transportation (ODOT) staff to determine the scope of the City’s transportation analysis. Based on that consultation, the following transportation facilities were determined to be potentially impacted by the proposed amendments:

Table 2: Transportation Facilities

Location	Classification	Jurisdiction
Franklin Boulevard @ Onyx Street	Major Arterial/Local	City of Eugene
Franklin Boulevard @ Agate Street	Major Arterial/Minor Arterial	City of Eugene
Franklin Boulevard @ 13 th /Moss St.	Major Arterial/Local	City of Eugene
Franklin Boulevard @ Villard Street	Major Arterial/Local	City of Eugene
Franklin Boulevard @ Orchard Street	Major Arterial/Local	City of Eugene
Franklin Boulevard @ Walnut Street	Major Arterial/Local	City of Eugene/ODOT

In addition to evaluating the above existing transportation facilities, the City also reviewed adopted transportation plans to determine whether any planned transportation facilities could be impacted by the proposed amendments. There are no planned transportation facilities, as that term is defined by OAR 660-012-0060(4), that will be impacted by the proposed amendments.

B. OAR 660-012-0060(1):

The TPR requires a determination of which existing and planned transportation facilities will experience a significant effect as a result of the proposed amendments, and defines what constitutes a significant effect. For example, an amendment will significantly affect an existing or planned transportation facility if, at the end of the planning period, the amendment will reduce the performance of a transportation facility below the minimum acceptable performance standard or will worsen the performance of a transportation facility that is otherwise projected to perform below the minimum acceptable performance standard (OAR 660-012-0060(1)(c)(B) and (C)).

In determining whether there is a significant effect, generally, Level of Service (LOS) D is the minimum acceptable performance standard for City of Eugene. However, within the boundary of the City's Central Area Transportation Study (CATS), LOS E is the minimum acceptable performance standard for signalized intersections. As identified in TransPlan, LOS A represents the least congested conditions and LOS F the most congested. Performance standards from the Oregon Highway Plan (OHP) are applied to state facilities that are located in the Eugene-Springfield metropolitan area. For state facilities that are not designated freight routes, the minimum acceptable performance standard specified in the OHP is a volume to capacity ratio (v/c) that does not exceed 0.85 at signalized intersections and v/c 1.0 at unsignalized intersections.

The "end of the planning period," for purposes of the TPR analysis concerning local facilities is the horizon year identified in the adopted transportation system plan (TransPlan), or 2015. When a state facility is impacted, the planning horizon is the planning period identified in the adopted local or regional transportation system plan (*i.e.*, TransPlan, 2015) or fifteen years from the date of the proposed amendments, (*i.e.*, 15 years from 2010 is 2025), whichever is later. Because 2025 is later than 2015, the planning horizon for state facility purposes is 2025.

1. Metro Plan/ Refinement Designations and Zone Changes

The proposed Metro Plan and refinement plan land use designations and zone changes do not change the functional classification of an existing or planned transportation facility (OAR 660-012-0060(1)(a)), change the standards implementing a functional classification system (OAR 660-012-0060(1)(b)), or, as measured at the end of the planning period identified in TransPlan, allow land uses or levels of development that would result in types or levels of travel or access that are inconsistent with the functional classification of an existing or planned transportation facility (OAR 660-012-0060(1)(c)(A)) or reduce the performance of an existing or planned transportation facility below the minimum acceptable performance standard identified in TransPlan

(OAR 660-012-0060(1)(c)(B)). The proposed Metro Plan and refinement plan designation amendments and zone changes will, however, worsen the performance of an existing or planned transportation facility that is otherwise projected to performance below the minimum acceptable performance standard identified in TransPlan (OAR 660-012-0060(1)(c)(C)).

As shown in Table 3, below, as a result of the proposed amendments, one intersection (Franklin/Walnut) will be significantly affected, as that term is defined by OAR 660-012-0060(1)(c)(C).

Table 3: Reasonable Worst Case Scenario in 2025

Transportation Facility	With Current Zoning/Designation		With Proposed Zoning/Designation		City Standard	ODOT Standard
	LOS	v/c	LOS	v/c	LOS	v/c
Franklin Boulevard @ Onyx Street	B-C	N/A	B-C	N/A	LOS E	N/A
Franklin Boulevard @ Agate Street	C-D	N/A	D-E	N/A	LOS E	N/A
13 th Avenue/ Moss Street @ Franklin Boulevard	A	N/A	B	N/A	LOS E	N/A
Franklin Boulevard @ Villard Street	C-D	N/A	D-E	N/A	LOS E	N/A
Franklin Boulevard @ Orchard Street	A	N/A	B	N/A	LOS E	N/A
Franklin Boulevard @ Walnut Street	B-C	0.86	C-D	0.87	LOS E	0.85 v/c

In the above-table, the reasonable worst-case scenario for the year 2025 for the current Metro Plan and refinement plan designations and zones analyzes the function of the impacted transportation facilities taking into account the subject property’s different Metro Plan and refinement plan designations and different zones. In the above-table, the 2025 reasonable worst-case scenario for the proposed Metro Plan and refinement plan designation and zone analyzes the function of the impacted transportation facilities if all of the subject property were Commercial (with the exception of the two park owned properties) and zoned S-WS Walnut Station Special Area Zone.

2. Code Amendments and Refinement Plan

Adoption of the proposed refinement plan text and code amendments will not significantly affect an existing or planned transportation facility, as that term is defined by the TPR. Specifically, the proposed amendments do not change the functional classification of an existing or planned transportation facility (OAR 660-012-0060(1)(a)), change the standards implementing a functional classification system (OAR 660-012-0060(1)(b)), or, as measured at the end of the planning period identified in TransPlan, allow land uses or levels of development that would result in types or levels of travel or access that are inconsistent with the functional classification of an existing or planned transportation facility (OAR 660-012-0060(1)(c)(A)), reduce the performance of an existing or planned transportation facility below the minimum acceptable performance standard identified in TransPlan (OAR 660-012-0060(1)(c)(B)) or worsen the performance of an existing or planned transportation facility that is otherwise projected to performance below the minimum acceptable performance standard identified in TransPlan (OAR 660-012-0060(1)(c)(C)). Further, none of the code provisions being amended were adopted to implement the TPR. Even if one or more of the amended code provisions had been adopted to implement the TPR, the amendments are consistent with the TPR and will not render any of the adopted code provisions inconsistent with the TPR. Therefore, regarding the proposed refinement plan text and code amendments, they are consistent with Goal 12 and no further analysis is needed.

C. OAR 660-012-0060(2):

Pursuant to OAR 660-012-0060(2), when a local government determines that a proposed amendment would

significantly affect an existing or planned transportation facility, the local government must put in place measures as provided in OAR 660-012-0060(2) to assure that the allowed land uses are consistent with the identified function, capacity and performance standards (level of service, volume to capacity ratio, etc.) of the facility. One method of providing the assurances required by OAR 660-012-0060(1) is stated in OAR 660-012-0060(2)(e). That TPR provision provides:

- (e) *Providing other measures as a condition of development or through a development agreement or similar funding method, including transportation system management measures, demand management or minor transportation improvements. Local governments shall as part of the amendment specify when measures or improvements provided pursuant to this subsection will be provided.*

To mitigate the impacts that the proposed Metro Plan and refinement plan re-designation and zoning amendments will have on the Franklin/Walnut intersection, the City will construct a set of upstream (east of Walnut Street) traffic signals for westbound movements on the two lanes from both the I-5 northbound off-ramp and Riverview local access connection, as well as the two lanes from Franklin Boulevard from the east (Glenwood and Springfield areas). This proposed mitigation measure is a “minor transportation improvement” (as that term is defined by OAR 660-012-0005(15)) and is specifically described as follows:

Construct two sets of traffic signal heads approximately six hundred (600) feet east of the Franklin/Walnut intersection programmed for direction separation (split-phased) between the two lanes from Franklin to the east and two lanes from the northbound Interstate 5 off-ramp to westbound Franklin (NB Hwy. 99), which includes the local connection from Riverview Street. The operation of this facility would eliminate the inside merge (from four lanes into three) and simplify the downstream diverge/weave section on the Franklin Boulevard approach to Walnut Street.

ODOT has given preliminary concurrence with the above-described mitigation measure. However, ODOT noted that construction of the proposed traffic signal would ultimately require approval from the State Traffic Engineer.

As shown in the table below, the proposed mitigation measure will assure that the significantly affected transportation facility (Walnut Street/Franklin Boulevard intersection) will function in accordance with the identified function, capacity and performance standards of that facility, *i.e.*, that the intersection will perform at 0.85 v/c or better.

Table 4: Performance

Transportation Facility	2025 with proposed plan amendments/zone change without mitigation	2025 with proposed plan amendments/ zone change with mitigation measures
Franklin Blvd. @ Walnut Street	0.87 v/c (PM) LOS C-D (PM)	0.76 v/c (PM) LOS B (PM)

In accordance with OAR 660-012-0060(2)(e), the City specifies that the mitigation measure described above will be provided prior to the end of the 2025 planning period, and will be incorporated into the City’s Capital Improvement Program (CIP) at the next update (2011).

Based on the findings set forth above, including the proposed mitigation measure, the amendments are consistent with Statewide Planning Goal 12.

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

Statewide Planning Goal 13 calls for land uses to be managed and controlled “so as to maximize the conservation of all forms of energy, based upon sound economic principles.” Goal 13 is directed at the development of local energy policies and implementing provisions and does not state requirements with respect to other types of land use decisions. It is not clear that the goal has any bearing on a decision such as the one at issue. There is no implementing rule that clarifies the requirements of Goal 13. To the extent that Goal 13 could be applied to the proposal, the proposal is consistent with Goal 13 nothing in the proposal or the character of the site or potential uses indicates a future development that would compromise conservation of energy. Based on the findings above, the proposal is consistent with Statewide Planning Goal 13.

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

The amendments do not affect the transition from rural to urban land use, as the project area is centrally located to the Metro Plan and is entirely within the Eugene-Springfield UGB. Therefore, Statewide Planning Goal 14 does not apply.

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

The areas north of the Millrace and Franklin Park are the only portions of the project area within the boundaries of the Willamette River Greenway. The proposal will not amend or otherwise conflict with the existing Willamette Greenway regulations adopted by the City of Eugene consistent with this goal; therefore Statewide Planning Goal 15 is not applicable.

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 property affected by these amendments. Therefore, these goals are not relevant and the amendments will not affect compliance with Statewide Planning Goals 16 through 19.

Based on the above findings, the proposed amendments are consistent with the applicable Statewide Planning Goals.

(b) Adoption of the amendment must not make the Metro Plan internally inconsistent.

As found below, the proposal will not create an internal conflict with the remainder of the Metro Plan. All Metro Plan policies were evaluated in relation to their applicability to the amendments and the following Metro Plan policies were found to be applicable to this request:

C. Growth Management Goals, Findings, and Policies

- C. 23 *Regulatory and fiscal incentives that direct the geographic allocation of growth and density according to adopted plans and policies shall be examined and, when practical, adopted.*
- C. 24 *To accomplish the Fundamental Principle of compact urban growth addressed in the text and on the Metro Plan Diagram, overall metropolitan-wide density of new residential construction, but not necessarily each project, shall average approximately six dwelling units per gross acre over the*

planning period.

Adoption of the Walnut Station Specific Area Plan, plan amendments and special area zone include provisions to facilitate growth in this area. The provisions are intended to make residential development easier in this mixed use area, consistent with these policies.

A. Residential Land Use and Housing Element

A.2 Residentially designated land within the UGB should be zoned consistent with the Metro Plan and applicable plans and policies; however, existing agricultural zoning may be continued within the area between the city limits and the UGB until rezoned for urban uses.

As part of this action, ten residentially designated properties will be re-designated to Commercial and re-zoned to S-WS Walnut Station Special Area Zone. Re-designation of the residentially zoned property is consistent with the Residential Land Study, as found under Statewide Planning Goal 10 above, which is incorporated herein by reference.

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

A.11 Generally locate higher density residential development near employment or commercial services, in proximity to major transportation systems or within transportation-efficient nodes.

A.12 Coordinate higher density residential development with the provision of adequate infrastructure and services, open space, and other urban amenities.

A.13 Increase overall residential density in the metropolitan area by creating more opportunities for effectively designed in-fill, redevelopment, and mixed use while considering impacts of increased residential density on historic, existing and future neighborhoods.

A.14 Review local zoning and development regulations periodically to remove barriers to higher density housing and to make provision for a full range of housing options.

A.15 Develop a wider range of zoning options such as new zoning districts, to fully utilize existing Metro Plan density ranges.

A.16 Allow for the development of zoning districts which allow overlap of the established Metro Plan density ranges to promote housing choice and result in either maintaining or increasing housing density in those districts. Under no circumstances, shall housing densities be allowed below existing Metro Plan density ranges.

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

A.18 Encourage a mix of structure types and densities within residential designations by reviewing and, if necessary, amending local zoning and development regulations.

A.22 Expand opportunities for a mix of uses in newly developing areas and existing neighborhoods through local zoning and development regulations.

Regarding the above policies, the Walnut Station Specific Area Plan, plan amendments and special area zone

include provisions that help make a variety of residential development types easier to establish in the Walnut Station area. As previously stated, the market overview report for Walnut Station area estimated a range of potential demand for multi-family housing units (apartments, condominiums, rowhouses) for the approximately 80-acre Walnut Station area as being about 1,000 to 1,400 units by 2025 (StrategicEconomics, January 2006). Using these estimates, it is reasonable to assume that the Walnut Station area will develop at a density of 12.5 to 17.5 dwelling units per gross acre or 17.8 to 25 dwelling units per net acre which is within medium to high density residential levels. The regulations support a mixed use center concept that uses land more efficiently by establishing the center near existing uses to support it including the University of Oregon, existing neighborhoods, and major existing and planned transportation facilities, consistent with these policies.

- A.23 *Reduce impacts of higher density residential and mixed-use development on surrounding uses by considering site, landscape, and architectural design standards or guidelines in local zoning and development regulations.*
- A.24 *Consider adopting or modifying local zoning and development regulations to provide a discretionary design review process or clear and objective design standards, in order to address issues of compatibility, aesthetics, open space, and other community concerns.*
- A.25 *Conserve the metropolitan area's supply of existing affordable housing and increase the stability and quality of older residential neighborhoods, through measures such as revitalization; code enforcement; appropriate zoning; rehabilitation programs; relocation of existing structures; traffic calming; parking requirements; or public safety considerations. These actions should support planned densities in these areas.*

As previously stated, the Walnut Station amendments support the special area zone provisions which include clear and objective development regulations regarding landscaping, building mass and scale, and architectural details. These provisions are intended to provide development that is more compatible with the adjacent existing neighborhood while also facilitating residential development in this mixed use area by removing barriers and streamlining development applications, consistent with these policies. There is an emphasis on providing a graceful transition from Walnut Station to the abutting residential neighborhood across 15th Avenue, to the Millrace, and for pedestrians along Franklin Boulevard (the core and most intense development area of Walnut Station), through the use of building form regulations (i.e. height reductions in transition areas, setbacks mimicking adjacent residential, parking locations and street façade requirements for pedestrian friendly streets) and traffic regulations (i.e. requiring additional traffic review for certain developments).

Additionally, the Walnut Station Special Area Zone provisions provide the opportunity to deviate from these clear and objective development standards through a new discretionary design review process (a Type II land use application process) where the development is reviewed based on design guidelines to address compatibility of the development with its surroundings. Therefore, the proposal is consistent with these policies.

- A.33 *Consider local zoning and development regulations impact on the cost of housing.*

The Walnut Station Special Area Zone provisions include reductions to minimum parking requirements consistent with existing nodal development areas throughout the City and allow a further reduction of parking spaces through a Transportation Demand Management Program agreement with the City. The plan encourages alternative transportation means where a mixture of uses facilitates fewer vehicle trips or needs. Each parking space associated with a residential unit typically increases the cost of that unit by up to 20% and decreases the number of units that can be built on a typical lot by up to 20% (Klipp, Luke H. "The Real Cost of San Francisco's Off-Street Residential Parking Requirements." *Livable City*. University of California at Berkeley,

May 27, 2004). Each vehicle that a household can eliminate can qualify it for an additional \$60,000 in mortgage (on-line Fannie Mae Location Efficient Mortgage (LEM) calculator). As such, allowing for reduced parking options may contribute to reducing the cost of housing in this area, consistent with this policy.

B. Economic Element

B.6 Increase the amount of undeveloped land zoned for light industrial and commercial uses correlating the effective supply in terms of suitability and availability with the projections of demand.

The proposal includes re-designating ten properties to a Commercial designation, including the former ODOT Motor Pool property between Franklin Boulevard and 15th Avenue. The former ODOT site includes some vacant, undeveloped area that would be re-designated to a Commercial designation, consistent with this policy. The findings under Statewide Planning Goal 9 regarding the Eugene Commercial Lands Study are also incorporated herein by reference.

B.22 Review local ordinances and revise them to promote greater flexibility for promoting appropriate commercial development in residential neighborhoods.

B.23 Provide for limited mixing of office, commercial, and industrial uses under procedures which clearly define the conditions under which such uses shall be permitted and which: (a) preserve the suitability of the affected areas for their primary uses; (b) assure compatibility; and (c) consider the potential for increased traffic congestion.

As previously stated re-designation of the Walnut Station area to the Commercial designation with both the Nodal Development Area and Mixed Uses Area overlay designations and re-zoning to the Walnut Station Special Area Zone will provide for a mixture of uses in this area. The special area zone includes provisions to encourage both residential and commercial development, such as by allowing a broad range of uses without requiring commercial uses on the ground floor but requiring minimum ground floor ceiling heights to encourage commercial in the Franklin Boulevard core area. The special area zone provisions also include development standards and design review criteria to facilitate development that is compatible with adjacent neighborhoods and natural resources, consistent with these policies.

C. Environmental Resources Element

C.8 Local governments shall develop plans and programs which carefully manage development on hillsides and in water bodies, and restrict development in wetlands in order to prevent erosion and protect the scenic quality, surface water and groundwater quality, forest values, vegetation, and wildlife values of those areas.

C.10 Local governments shall encourage further study (by specialists) of endangered and threatened plant and wildlife species in the metropolitan area.

C.11 Local governments shall protect endangered and threatened plant and wildlife species, as recognized on a legally adopted statewide list, after notice and opportunity for public input.

The City of Eugene has already adopted regulations, including adopting the /WR Water Resources Conservation Overlay Zone as discussed under Statewide Planning Goal 5 above, to protect these resources and nothing within the Walnut Station Special Area Zone provisions will amend, supersede or conflict with these existing protections.

C.21 When planning for and regulating development, local governments shall consider the need for protection of open spaces, including those characterized by significant vegetation and wildlife. Means of protecting open space include but are not limited to outright acquisition, conservation easements, planned unit development ordinances, streamside protection ordinances, open space tax deferrals, donations to the public, and performance zoning.

The Walnut Station area includes two City-owned properties, Franklin Park and a narrow strip of land along the north side of the Millrace. These two properties will continue to provide passive open space opportunities. There is also a neighborhood park, Fairmount Park, on the southern border of the study area. There is recognition of the need for additional developed neighborhood park land to serve the additional residential density expected in the area. The Walnut Station Specific Area Plan recommends that density, rather than just distance to a park, be an additional consideration when prioritizing park needs. The location and type of any additional park land would be determined through a separate City process with the Parks and Open Space Division. The special area zone includes provisions to facilitate compatible building form adjacent to current and future park sites.

C.25 Springfield, Lane County, and Eugene shall consider downstream impacts when planning for urbanization, flood control, urban storm runoff, recreation, and water quality along the Willamette and McKenzie Rivers.

Regarding Policies C.25, as discussed under Statewide Planning Goal 7, Natural Hazards, which is incorporated herein by reference, the City of Eugene has adopted provisions regulating development regarding stormwater and floodplains and floodways. As previously noted, the project site is not within the floodplain of the Willamette River. The proposed plan amendments and new special area zone provisions do not affect the City's restrictions on development with regard to these areas, consistent with these policies.

D. Willamette River Greenway, River Corridors, and Waterways Element

D.2 Land use regulations and acquisition programs along river corridors and waterways shall take into account all the concerns and needs of the community, including recreation, resource, and wildlife protection; enhancement of river corridor and waterway environments; potential for supporting non-automobile transportation; opportunities for residential development; and other compatible uses.

D.4 Lane County, Springfield, and Eugene shall continue to participate in efforts to determine the feasibility of an urban canal that would connect Eugene's historic Millrace to Amazon Creek. Likewise, Springfield's efforts to improve the scenic quality of its Millrace should be encouraged.

D.5 New development that locates along river corridors and waterways shall be limited to uses that are compatible with the natural, scenic, and environmental qualities of those water features.

D.9 Local and state governments shall continue to provide adequate public access to the Willamette River Greenway.

As previously stated, the City of Eugene has adopted Goal 5 (the /WR Water Resources Conservation Overlay Zone regulations) and Willamette River Greenway provisions that regulate development along the Millrace and the Willamette River, consistent with these policies. The proposed amendments do not amend those provisions. Further, the special area zone includes provisions designed to facilitate appropriate development (with regard to scale and massing) along the Millrace, recognizing it as a natural amenity in the project area. Regarding Policy D.4, the Walnut Station Specific Area Plan supports a more detailed analysis of the Millrace with regard to how it should best be utilized.

Regarding Policy D.9, the only portions of the project area within the Willamette River Greenway are the areas north of the Millrace and Franklin Park and these areas currently provide no direct access to the greenway because of the existing railroad which separates the project area from the river. Views to the riparian vegetation along the river are only available currently as viewed from street right-of-ways and Judkins Point (which is outside of the study area). View studies have been conducted which show that the special area zone provisions will not further impede views of the Willamette River riparian vegetation from Judkins Point. Further, the special area zone provisions requiring building height stepbacks along all rights-of-way further minimize the possibility of obstructing views of the riparian vegetation, to the extent that those views currently exist. Based on these findings, the proposal is consistent with these policies.

E. Environmental Design Element

E.1 In order to promote the greatest possible degree of diversity, a broad variety of commercial, residential, and recreational land uses shall be encouraged when consistent with other planning policies.

As previously discussed, the amendments are intended to facilitate a broad range of commercial, residential and recreational land uses while being compatible with adjacent neighborhoods and resources. The special area zone provisions are focused less on regulating specific use types and more on providing a building form appropriate to the area and encouraging a mixture of uses, consistent with this policy.

E.2 Natural vegetation, natural water features, and drainage-ways shall be protected and retained to the maximum extent practical. Landscaping shall be utilized to enhance those natural features. This policy does not preclude increasing their conveyance capacity in an environmentally responsible manner.

As previously stated, the City of Eugene has adopted Goal 5 (/WR Water Resources Conservation Zone) and Willamette River Greenway provisions that regulate development along the Millrace and the Willamette River. The proposed plan amendments and special area zone provisions will not amend those provisions.

E.4 Public and private facilities shall be designed and located in a manner that preserves and enhances desirable features of local and neighborhood areas and promotes their sense of identity.

E.5 Carefully develop sites that provide visual diversity to the urban area and optimize their visual and personal accessibility to residents.

E.6 Local jurisdictions shall carefully evaluate their development regulations to ensure that they address environmental design considerations, such as, but not limited to, safety, crime prevention, aesthetics, and compatibility with existing and anticipated adjacent uses (particularly considering high and medium density development locating adjacent to low density residential).

E.7 The development of urban design elements as part of local and refinement plans shall be encouraged.

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.

E.9 Refinement plans shall be developed to address compatibility of land uses, safety, crime prevention, and visual impact along arterial and collector streets, within mixed-use areas. During the interim period before the adoption of a refinement plan, these considerations shall be addressed by cities in approving land use applications in mixed use areas by requiring conditions of approval where necessary.

Regarding Policies E.4 – E.9, as previously stated the amendments support the special area zone provisions which include clear and objective development standards regarding landscaping, mass and scale, and architectural details to provide development that is more compatible with the adjacent existing neighborhood while also making residential development easier for this mixed use area.

The Walnut Station Specific Area Plan and special area zone provisions include an emphasis on providing a graceful transition from the Walnut Station area to the abutting residential neighborhood across 15th Avenue, transition to the Millrace, and transition for pedestrians along Franklin Boulevard (the core and most intense development area of Walnut Station) primarily through the use of building form regulations. For instance, the provisions reduce heights in transition areas near 15th Avenue, the Millrace and along Franklin Boulevard. The provisions include pedestrian-friendly requirements, such as street-facing façade and entry requirements, parking locations to minimize pedestrian conflicts and allow for continuous area for outdoor furniture and a pedestrian zone. Additionally, the Walnut Station Special Area Zone provides the opportunity to deviate from these clear and objective development standards through a discretionary design review process (a land use application process) where the development is reviewed based on design criteria to address compatibility of the development with its surroundings.

Regarding safety and crime, the special area zone provisions focus on the building form to create public space that includes more “eyes on the street” and activity along the street; fostering a safer environment for pedestrians. The planning process has included working with neighborhoods to address impacts from existing issues (i.e. cut-through traffic and parking issues) by working with street design elements to differentiate between the Walnut Station area and the adjacent neighborhood and including the specific area plan that encourages property access to be taken off of streets other than 15th Avenue. Additionally, the (alternative path) design review process also includes criteria to address potential impacts from traffic. Based on these findings, the proposal is consistent with these policies.

F. Transportation Element

F.1 Apply the nodal development strategy in areas selected by each jurisdiction that have identified potential for this type of transportation-efficient land use pattern.

Nodal Development is defined in the Metro Plan on page V-4 as follows:

Nodal development (node): Nodal development is a mixed-use, pedestrian-friendly land use pattern that seeks to increase concentrations of population and employment in well defined areas with good transit service, a mix of diverse and compatible land uses, and public and private improvements designed to be pedestrian and transit oriented. Fundamental characteristics of nodal development require:

- *Design elements that support pedestrian environments and encourage transit use, walking and bicycling;*
- *A transit stop which is within walking distance (generally ¼ mile of anywhere in the node);*
- *Mixed uses so that services are available within walking distance;*
- *Public spaces, such as parks, public and private open space, and public facilities, that can be reached without driving; and*
- *A mix of housing types and residential densities that achieve an overall net density of at least 12 units per net acre.*

Nodal developments will vary in the amount, type, and orientation of commercial, civic, and

employment uses; target commercial floor area ratios; size of building; and the amount and types of residential uses.

- F.2 Support application of the nodal development strategy in designated areas through information, technical assistance, or incentives.*
- F.3 Provide for transit-supportive land use patterns and development, including higher intensity, transit-oriented development along major transit corridors and near transit stations; medium- and high-density residential development within ¼ mile of transit stations, major transit corridors, employment centers, and downtown areas; and development and redevelopment in designated areas that are or could be well served by existing or planned transit.*
- F.4 Require improvements that encourage transit, bicycles, and pedestrians in new commercial, public, mixed use, and multi-unit residential development.*

Regarding Policies F.1 – F.4, as previously discussed, the Walnut Station Specific Area Plan, plan amendments and the special area zone provisions implement a nodal development approach and land use efficiency measure by integrating land use and transportation planning; it seeks to increase the use of alternative modes of transportation; reduce per-person vehicle miles of travel; and reduce demand for automobile-related transportation facilities. The regulations appropriately support a mixed use center in Walnut Station which is near the University of Oregon, established neighborhoods, and major existing and planned transportation facilities.

Regarding the 12 units per net acre, the market overview (StrategicEconomics. January 2006) estimates approximately 1,000 to 1,400 dwelling units in the subject area if the Walnut Station Special Area Zone provisions are implemented, which would result in approximately 17 to 25 units per net acre. The subject area already includes 129 units existing however there are two pending building permits that add 75 more dwelling units to the Walnut Station area. Given this evidence, it is reasonable to assume that at the project area will result in 12 units per net acre consistent with this nodal development objective. The market overview also finds that the Walnut Station area is highly likely to develop with commercial (less likely for office) developments. The study notes that the Walnut Station area demographics support an increase in multi-family (apartments, condominiums, rowhouses) due to the proximity to the University, to a desirable neighborhood (Fairmount) and bus-rapid transit. The market study notes that commercial would be well supported here due to the proximity to the populations previously mentioned as well as those from the new arena and existing lodging. The market study notes that the area has an underserved retail market, Franklin Boulevard lots are underutilized, and a major travel road through Eugene (Franklin) runs through this gateway area providing opportunities to and from Eugene. These are some of the supporting factors that contribute to establishing this area as a nodal development, mixed use area. Accordingly, the proposed amendments include amending the Metro Plan diagram to add the overlay designation of Nodal Development Area and Mixed Use Area to the entire project area, consistent with these policies.

- F.5 Within three years of TransPlan adoption, apply the ND, Nodal Development, designation to areas selected by each jurisdiction, adopt and apply measures to protect designated nodes from incompatible development and adopt a schedule for completion of nodal plans and implementing ordinances.*

TransPlan was adopted in 2001. Amending the Metro Plan to add the Nodal Development Area overlay designation to the Walnut Station Mixed Use Center area was initiated in 2003. The Walnut Station area boundaries were revised based on public comment and with those new boundaries, the project continued until present. The proposal is consistent with this policy.

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

F.8 Implement TDM strategies to manage demand at congested locations.

Regarding Policies F.7 and F.8, as previously mentioned, the proposed parking ratios for the Walnut Station area are consistent with the minimum parking ratios in nodal development areas throughout the City, which reflect a projected lower vehicle parking need based on the mixture of uses and emphasis on creating a pedestrian and alternative transportation friendly environment. There is also an allowance to further reduce parking requirements by using TDM (transportation demand management) programs through a land use application process. Therefore, the proposal is consistent with these policies.

F.11 Develop or promote intermodal linkages for connectivity and ease of transfer among all transportation modes.

F.13 Support transportation strategies that enhance neighborhood livability.

F.14 Address the mobility and safety needs of motorists, transit users, bicyclists, pedestrians and the needs of emergency vehicles when planning and constructing roadway system improvements.

F.15 Motor vehicle level of service policy:

a. Use motor vehicle level of service standards to maintain acceptable and reliable performance on the roadway system. These standards shall be used for:

(1) Identifying capacity deficiencies on the roadway system.

(2) Evaluating the impacts on roadways of amendments to transportation plans, acknowledged comprehensive plans and land-use regulations, pursuant to the TPR (OAR 660-012-0060).

(3) Evaluating development applications for consistency with the land-use regulations of the applicable local government jurisdiction.

b. Acceptable and reliable performance is defined by the following levels of service under peak hour traffic conditions: LOS E within Eugene's Central Area Transportation Study (CATS) area, and LOS D elsewhere.

c. Performance standards from the OHP shall be applied on state facilities in the Eugene-Springfield metropolitan area.

In some cases, the level of service on a facility may be substandard. The local government jurisdiction may find that transportation system improvements to bring performance up to standard within the planning horizon may not be feasible, and safety will not be compromised, and broader community goals would be better served by allowing a substandard level of service. The limitation on the feasibility of a transportation system improvement may arise from severe constraints, including but not limited to environmental conditions, lack of public agency financial resources, or land use constraint factors. It is not the intent of TSI Roadway Policy #2: Motor Vehicle Level of Service to require deferral of development in such cases. The intent is to defer motor vehicle capacity increasing transportation system improvements until existing constraints can be overcome or develop an alternative mix of strategies (such as: land use measures, TDM, short-term safety improvements) to address the problem.

F.18 Improve transit service and facilities to increase the system's accessibility, attractiveness, and convenience for all users, including the transportation disadvantaged population.

F.20 Implement traffic management strategies and other actions, where appropriate and practical, that give

priority to transit and other high occupancy vehicles.

- F.23 Require bikeways along new and reconstructed arterial and major collector streets.*
- F.26 Provide for a pedestrian environment that is well integrated with adjacent land uses and is designed to enhance the safety, comfort, and convenience of walking.*
- F.27 Provide for a continuous pedestrian network with reasonably direct travel routes between destination points.*
- F.28 Construct sidewalks along urban area arterial and collector roadways, except freeways.*
- F.17 Manage the roadway system to preserve safety and operational efficiency by adopting regulations to manage access to roadways and applying these regulations to decisions related to approving new or modified access to the roadway system.*
- F.34 Operate and maintain transportation facilities in a way that reduces the need for more expensive future repair.*

As previously noted, the Walnut Station amendments implement a nodal development approach by integrating land use and transportation planning; to increase the use of alternative modes of transportation; reduce per-person vehicle miles of travel; and reduce demand for automobile-related transportation facilities. The regulations appropriately support a mixed use center in Walnut Station which is near the University of Oregon, established neighborhoods, and major existing and planned transportation facilities. The multiway boulevard design concept for Franklin Boulevard will address the mobility and safety needs of modes of traffic and pedestrians. While the multiway boulevard is not being adopted, a typical street design for the multiway boulevard concept is included in the Walnut Station Special Area Zone standards and specific area plan for reference when the boulevard is ready for implementation. In addition, a special setback is being adopted along Franklin Boulevard in order to accommodate a multiway boulevard design. The special setback can accommodate a second future bus-rapid transit line in this area. The findings under Statewide Planning Goal 12 regarding transportation are incorporated herein by reference as demonstration of consistency with these policies.

G. Public Facilities and Services Element

- G.5 The cities shall continue joint planning coordination with major institutions, such as universities and hospitals, due to their relatively large impact on local facilities and services.*

Consistent with this policy, the City has facilitated and maintained consistent communication with University of Oregon staff on the Walnut Station project, and the University of Oregon has consistently participated on the stakeholders group and as a member of the Technical Advisory committee.

- G.23 Support the retention of University of Oregon and LCC facilities in central city areas to increase opportunities for public transit and housing and to retain these schools' attractiveness to students and faculty.*

The Walnut Station Specific Area Plan and special area zone provisions recognize and include provisions for future University of Oregon development, and compliment existing development. The existing bus rapid transit system is planned to be expanded with a second lane as part of the multiway boulevard concept, which could be accommodated through the proposed special setback along Franklin Boulevard. Additionally, the proposed

amendments include re-designating the former ODOT property, which is currently owned by a University of Oregon related owner, to a Commercial designation and re-zoning the site to S-WS Walnut Station Special Area Zone, consistent with the Walnut Station Specific Area Plan. The proposal supports the retention of the University of Oregon in its current location and expands on public transit and housing attractiveness, consistent with this policy.

J. Energy Element

- J.7 Encourage medium- and high-density residential uses when balanced with other planning policies in order to maximize the efficient utilization of all forms of energy. The greatest energy savings can be made in the areas of space heating and cooling and transportation. For example, the highest relative densities of residential development shall be concentrated to the greatest extent possible in areas that are or can be well served by mass transit, paratransit, and foot and bicycle paths.*
- J.8 Commercial, residential, and recreational land uses shall be integrated to the greatest extent possible, balanced with all planning policies to reduce travel distances, optimize reuse of waste heat, and optimize potential on-site energy generation.*

As previously stated, the addition of the proposed Nodal Development Area Overlay Metro Plan designation to property within the subject area furthers implementation of the nodal development plan, an approach to integration of land use and transportation planning that seeks to increase the use of alternative modes of transportation, reduce per-person vehicle miles of travel and reduce demand for automobile-related transportation facilities. Increasing the use of alternative modes of transportation may result in energy savings. The addition of the Metro Plan's Mixed Use Area Overlay designation to property within the subject area also supports the Nodal Development Area Overlay designation. Designation of the Walnut Station area as a nodal development and mixed use area is appropriate and consistent with these policies given the proximity to the University of Oregon, existing neighborhoods and the bus-rapid transit system, and the special area zone provisions with emphasis on pedestrian friendly design.

K. Citizen Involvement Element

While none of these policies appear specifically applicable to this project, the findings under Statewide Planning Goal 1 are incorporated herein by reference.

Metro Plan Amendment Conclusion

Based on the findings above, the amendments are consistent with the Statewide Planning Goals and the remainder of the Metro Plan.

Refinement Plan Adoption/Amendments (City File RA 10-1)

Implementation of the Walnut Station Mixed Use Center is accomplished, in part, by the adoption of a new refinement plan: the Walnut Station Specific Area Plan. In addition, as the Walnut Station Mixed Use Center falls partially within the boundaries of two existing refinement plans, amendments are necessary to these plans to reconcile the three plans. The existing plans are the Fairmount/University of Oregon Special Area Study, which encompasses the portion of Walnut Station located south of Franklin Boulevard, and the Riverfront Park Study, which is applicable to the portion of Walnut Station located north of Franklin Boulevard. The refinement plan amendments associated with this request consist of:

- Adoption of Walnut Station Specific Area Plan, including a land use diagram and policies, to establish the Walnut Station Mixed Use Center.

- Amendments to the Fairmount/University of Oregon Special Area Study text, polices and land use diagram to remove approximately 16 acres of the Walnut Station Mixed Use Center from the study.
- Amendments to Riverfront Park Study text to clarify that the Riverfront Park Special Area Zone and development standards do not apply within the Walnut Station Specific Area Plan boundaries.

As a result of these amendments, the Walnut Station Specific Area Plan will be the guiding planning document for the Walnut Station area. This plan contains a number of recommendations regarding design standards for streets; locations, width and design of sidewalk and bike facilities; information on infrastructure needed for development to occur, and specific design and development standards, such as for building form, parking and landscaping, as well as recommendations for parks and the millrace, in the context of the planning process that occurred. Design and development standards resulting from the process are being adopted and codified to implement the Walnut Station Mixed Use Center. Only the land use diagram and select policies adopted as part of the Walnut Station Specific Area Plan will be applicable as mandatory approval criterion for certain land use applications, the remaining portions of the plan are to be used to provide context for future planning decisions and a guide for development of future actions.

Eugene Code (EC) Section 9.8424 requires that the following criteria (in bold and *italics*) be applied to Refinement Plan Amendments and Refinement Plan Adoptions:

- (1) The refinement plan amendment is consistent with all of the following:***
(a) Statewide planning goals.

The findings above, at EC 9.7730(3)(a), incorporated herein by reference, demonstrate the project’s consistency with the applicable Statewide Planning Goals, consistent with this criterion.

- (b) Applicable provisions of the Metro Plan.***

The findings above, at EC 9.7730(3)(b), incorporated herein by reference, demonstrate the project’s consistency with the applicable provisions of the Metro Plan, consistent with this criterion.

- (c) Remaining portions of the refinement plan.***

The criterion applies to the amendments of the Fairmount/University of Oregon Special Area Study (1982) and the Riverfront Park Study (1986), and requires determination of whether the amendments to those plans related to the Walnut Station area are consistent with the remaining portions of the plans.

Fairmount/University of Oregon Special Area Study

The amendments to the Fairmount/University of Oregon Special Area Study include both text, policy and diagram amendments to remove of the Walnut Station area from the plan boundaries, and to reflect that the Walnut Station Specific Area Plan and Walnut Station Special Area Zone include this area. The area subject to these amendments consists of approximately 16 acres located east of Villard Street, between East 15th Avenue and Franklin Boulevard.

A total of 13 policies, plus numerous text and three maps (Map 3 “Land Use Study Areas,” Map 4 “Generalized Existing Land Use” and Map 6 “Land Use Diagram”) have been revised to reconcile the removal of the portion of Walnut Station area from the plan. For instance, policies and text that specifically reference the former Oregon Department of Motor Vehicles site, which is located within the Walnut Station area, have been revised to eliminate references to this site, and the land use diagram has also been revised to not include this site.

The following text to be added to the end of Introduction Section of the Fairmount/University of Oregon

Special Area Study further explains how the removal of the Walnut Station area is consistent with the remaining portions of the plan, particularly those portions pertaining to providing a transition between residential and non-residential:

“With the adoption of the Walnut Station Specific Area Plan, the City Council removed from the Fairmount / University of Oregon Special Area Study most of the area north of East 15th Avenue. The Land Use Diagram (Map 6) reflects the Fairmount/University of Oregon Special Area Study boundaries after the removal of Walnut Station area’s Commercial, Office and Low or Medium Residential areas. In moving these properties from the Fairmount/University of Oregon Special Area Study to the Walnut Station Specific Plan and Special Area Zone, careful consideration was given to the Metro Plan Diagram as refined by the Fairmount/University of Oregon Special Area Study and to the zoning conditions at that time. As East 15th Avenue acts as a transition from primarily commercial zoning and uses, special emphasis was placed on East 15th Avenue as a transition edge. Development standards adopted for the Walnut Station Special Area Zone include a height step-down to three stories along East 15th Avenue, and an increased setback from 0 to 10’ to match residential properties across the street and design standards were included to provide a residential scale. Policies relevant to these properties were also included in the Walnut Station Specific Area Plan.”

The amendments to the Fairmount/University of Oregon Special Area Study are consistent with the remaining portions of the plan, as the text, policies and maps pertaining to the Walnut Station area have been revised to remove this area from the plan and reflect the incorporation of this area into the Walnut Station Specific Area Plan. With these amendments, any inconsistencies are reconciled and the remainder of the plan can function independently. Furthermore, the relevant policy language from the Fairmount/University of Oregon Special Area Study is incorporated into the new Walnut Station Specific Area Plan so that they continue to apply to the area, and reflect the considerations given the area previously in the Fairmount/University of Oregon Special Area Study.

Riverfront Park Study

The amendments to the Riverfront Park Study are limited to revisions of two policies to remove the ability of the S-RP Riverfront Park Special Area Zone from being applied within the area of the plan also included in the Walnut Station Specific Area Plan. As the Riverfront Park Study does not include a land use diagram that provides guidance for future land use patterns, no diagram amendments are necessary. The area subject to these amendments is the portion of Walnut Station located north of Franklin Boulevard.

The relevant policies, Land Use Policies 1 and 2, require that the Special Development District (later renamed the Riverfront Park Special Area Zone) apply to University owned land in that area, and allow the City to consider applying the Special District zoning for other properties within the Riverfront Park Study area only at the request of affected property owners. Both policies are amended to include the statement “*except for property included in the boundaries of the Walnut Station Specific Area Plan boundaries*” to ensure that although the area remains within the Riverfront Park Study, it is clear that the S-RP Riverfront Park Special Area Zone does not apply.

As amended, the policies will remain applicable to the remaining properties in the Riverfront Park Study that are not included in the Walnut Station area, and thus consistent with the remainder of the plan. The remaining policies in the plan were evaluated for consistency with the amendments described above, and the majority of which are not affected by the amendments. Of those policies, the several were determined to be applicable to the proposal and are further addressed below. Based on the following evaluation, the amendments are consistent with the remaining portions of the plan.

TRANSPORTATION POLICIES (Pages 6-8)

- 2. The City shall work with the Lane Transit District, the University of Oregon, and employers in the Riverfront area to maximize the use of alternate modes of transportation. Facilities and programs will be developed to work toward the goal of accommodating a substantial number of the trips made to new development within the Riverfront Park Study area through modes other than the single-occupancy automobile.*

One of the fundamental principles of the Walnut Station Mixed Use Center provisions is to facilitate a nodal development approach of integration of land use and transportation planning. The proposal seeks to increase the use of alternative modes of transportation, reduce per-person vehicle miles of travel and reduce demand for automobile-related transportation facilities. The regulations appropriately support a mixed use center in Walnut Station, which is poised for such a mixed use development. Additionally, the station area is adjacent to the University of Oregon and established neighborhoods. The existing major existing bus-rapid transit line is proposed to be expanded as part of the planned multiway boulevard facility concept which would convert the existing auto-oriented Franklin Boulevard to a multi-modal transportation system, providing for alternative transportation systems. As such, the proposal is consistent with this above policy.

- 4. The City shall pursue construction of projects intended, by design and timing, to avoid Level of Service "E" in the Franklin Boulevard corridor.*

Although the Walnut Station Specific Area Plan includes the multiway boulevard concept for Franklin Boulevard, the plan does not include implementation of the multiway boulevard as a requirement of development. As noted in the Goal 12 Transportation Planning Rule analysis above, with mitigation, if the multiway boulevard concept is pursued, it will, by design avoid the Level of Service "E" consistent with this policy.

- 7. The City, in cooperation with the University and developers, shall develop a plan for a comprehensive bicycle path network for the Riverfront Study area including: 1) the South Bank Bike Trail; 2) the Mill Race Bike Path (included in the Eugene Bikeways Master Plan); and 3) new paths providing access between Franklin Boulevard and the south Bank Trail and to destinations within the study area.*

The refinement plan amendments do not impact the effect of this policy. In January 2008, in cooperation with numerous stakeholders Eugene completed its Pedestrian and Bicycle Strategic Plan. The Plan used a community visioning process to develop goals and strategies to improve walking and bicycling. An updated Bike/Pedestrian Master Plan is required to develop infrastructure improvements that support the Strategic Plan. As part of the strategic plan in response to Fairmount Neighbors input several bike access along the Millrace that also provides access between Franklin Boulevard and the South Bank Trail are planned. An update to the Bike/Pedestrian master plan will be completed to allow construction of these bike paths consistent with this policy.

The Walnut Station Specific Area Plan recommends an east/west connection somewhere along the millrace, however the bicycle/pedestrian master plan process will determine the final alignment, consistent with this policy.

ENVIRONMENT POLICIES (Pages 9-10)

- 1. The City of Eugene shall protect the riparian strip along the southern bank of the Willamette River within the study boundaries by: 1) directing future development away from this environmentally sensitive area; 2) establishing a buffer strip beginning at the top of the bank and extending a minimum of 35 feet to the south; 3) establishing a deeper setback to protect the east Millrace outfall and the*

heavily used bicycle/pedestrian area around the south approaches of the Autzen Bike Bridge; and 4) developing, with the University of Oregon and the Eugene Water & Electric Board and other major property owners along the river's banks, an active management plan intended to enhance the environment of the natural vegetation along the river's edge.

In this area, the riparian strip refers to the narrow vegetative strip along the steep south bank of the river. This policy is intended to protect the riparian strip along the river which will result in: 1) preservation of valuable natural elements; 2) riverbank stabilization; and 3) protection of developable property from potential debris during major flooding (a rare possibility). This policy also recognizes that development within the Riverfront Park Study area provides unique opportunities to create more of an urban edge along portions of the river through sensitive location of buildings along the river, and that location of some public improvements can occur within the buffer and riparian strip. For example, a bicycle/pedestrian path could appropriately be included within the buffer strip and a public plaza and public access improvements could appropriately extend to the river through the riparian strip.

The Walnut Station area is separated from the “riparian strip” referred to in this policy by the Southern Pacific Railroad Tracks. The City of Eugene has adopted Goal 5 (/WR Water Resources Conservation Overlay Zone) and Willamette River Greenway provisions that regulate development along the Willamette River. The proposed plan amendments and special area zone provisions will not amend those provisions.

Restoration of the riparian edge by removing invasive species and replanting native species was recommended during early phases of the Walnut Station project. The boundary of the Walnut Station Mixed Use Center was subsequently clarified to not include the area north of the railroad tracks, but does include Franklin Park which could be considered part of the riparian strip along the river. The Walnut Station Specific Area Plan does recommend restoration of Franklin Park as a natural area which will include invasive species removal and replanting of native species consistent with this policy.

2. *The existing Millrace which passes through a portion of the study area is an important environmental and historic city feature. Development occurring in the Riverfront Park shall maintain or improve visual and bicycle/pedestrian access to and along the Millrace, expanding its use for public recreation while at the same time recognizing its role as a storm runoff channel.*

The existing Millrace that passes through the Walnut Station area is identified and protected as a Goal 5 resource with a 40 foot conservation setback. Development within the resource area and setback is regulated by the /WR Water Resources Conservation overlay and is limited in areas that have not been developed. The Walnut Station Special Area Zone provisions include an emphasis on providing adequate transition from Walnut Station to the Millrace. For instance, the provisions reduce heights in transition areas near the Millrace. Additionally, the Walnut Station Specific Area Zone provisions provide the opportunity to deviate from these clear and objective development standards through a discretionary design review process (a land use application process) where the development is reviewed based on design guidelines address compatibility of the development with its surroundings.

Millrace treatment was approached with many options including Millrace providing a South bank promenade, enhancing the north bank for habitat, providing a multi-use path and providing building step backs. The Millrace stormwater function will be used as a way to enhance water quality flowing back into the Willamette River, allow for consolidated stormwater treatment and the creation of Green Streets.

In the process of developing transitions to the Millrace, stakeholders drafting the form-based code considered requiring development to “face” the millrace, consistent with the vision for this area. Requiring a multi-modal access lane along the Millrace was also considered. Due to the uncertain future of the millrace in regards to

the University of Oregon continuing to pump water through it, the recommendation in the Walnut Station Specific Area Plan is to study the entire Millrace before any additional regulations are applied to the area.

Given the proposed treatment and future study recommend above in regard to the Millrace, this proposal is consistent with the above policy.

3. *Development occurring in the Riverfront Park area shall be designed to preserve a significant cluster of black locust, English oak, and redbud trees located just east of the current location of the bicycle path.*
4. *Development in the Riverfront Park area shall, when possible, maintain and enhance the public's physical access to the river and the riparian strip along its banks.*

The Walnut Station Mixed Use Center area is mostly separated from the trees and "riparian strip" referred to in this policy by the Southern Pacific Railroad Tracks. Franklin Park could be considered as part of the "riparian strip" but is also separated from the Willamette River and its banks by the railroad tracks. The City of Eugene has adopted Goal 5 (/WR Water Resources Conservation Overlay Zone) and Willamette River Greenway provisions that regulate development along the Willamette River. The proposed plan amendments and special area zone provisions will not amend those provisions.

In summary, the proposal is found to be consistent with the remaining provisions of the Fairmount/U of O Special Area Study and the Riverfront Park Study.

- (2) The refinement plan amendment addresses one or more of the following:**
- (a) An error in the publication of the refinement plan.**
 - (b) New inventory material which relates to a statewide planning goal.**
 - (c) New or amended community policies.**
 - (d) New or amended provisions in a federal law or regulation, state statute, state regulation, statewide planning goal, or state agency land use plan.**
 - (e) A change of circumstances in a substantial manner that was not anticipated at the time the refinement plan was adopted.**

The proposed amendments do not address an error in the publication of the applicable refinement plans, new inventory materials related to statewide planning goals, new or amended state or federal laws, regulations or policies or a change of circumstances not anticipated at the time of plan adoption. Therefore, criteria EC 9.8424(2)(a), (b), (d) and (e) above are not applicable to these amendments. Regarding subsection (c), the refinement plan actions address new or amended community policies, as further described below.

In 2001, the Eugene City Council adopted amendments to TransPlan, the Metro Plan and the land use code to implement a nodal development strategy. The new Metro Plan policies and amended land use diagram support nodal development and call for the city to apply the nodal development strategy in selected areas that have identified potential. The Walnut Station area/Franklin Boulevard Corridor was identified as one of these potential nodal development areas in TransPlan, and designation of the area as a Nodal Development Area was initiated in 2003. The Walnut Station Mixed Use Center implements the nodal development strategy, as further described under the findings addressing consistency with the Metro Plan policies at EC 9.7730(3)(b), consistent with this criterion.

Refinement Plan Amendments Conclusion

Based on the findings above, the actions are consistent with the refinement plan amendment criteria.

Code Amendments (City File CA 10-1)

To implement the Walnut Station Specific Area Plan, as well as the related Metro Plan and other refinement plan amendments, the following amendments to the land use code (Chapter 9 of the Eugene Code) are included:

- Establishment of the S-WS Walnut Station Special Area Zone
- Establishment of a Design Review land use application process and related approval criteria
- Requirement for a Neighborhood/Applicant Meeting prior to submittal of a Design Review application
- Addition of Adjustment Review criteria specific to Walnut Station
- Addition of the Walnut Station Specific Area Plan as an adopted plan
- Revisions of other development standards and criteria for consistency with the S-WS Walnut Station Special Area Zone.

Eugene Code Section 9.8065 requires that the following approval criteria (in bold and *italics*) be applied to a code amendment:

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

The findings at EC 9.7730(3)(a) above, incorporated herein by reference, demonstrate compliance with the applicable statewide planning goals, consistent with this criterion.

- (2) *The amendment is consistent with applicable provisions of the Metro Plan and applicable adopted refinement plans.***

The findings at EC 9.7730(3)(b) addressing consistency with the Metro Plan and the findings at EC 9.8424(1)(c) addressing consistency with applicable refinement plans, are incorporated herein by reference as demonstration of compliance with this criterion.

- (3) *The amendment is consistent with EC 9.3020 Criteria for Establishment of an S Special Area Zone, in the case of establishment of a special area zone.***

As the amendments include the establishment of the S-WS Walnut Station Special Area Zone, this criterion is applicable. Consistency with EC 9.3020 is addressed below.

EC 9.3020 Criteria for Establishment of an S Special Area Zone. Before adopting an ordinance adopting an S Special Area Zone, the city council shall find that the proposal is in compliance with the following criteria:

- (1) *The area to which the S Special Area Zone is being applied meets at least one of the following criteria:***
- a. *is identified in the Metro Plan or in a refinement plan as appropriate for nodal development or for a special range of uses or development that can best be achieved with the use of a special area zone, or***
 - b. *Possesses distinctive buildings or natural features that require special consideration to ensure appropriate development, preservation, or rehabilitation. In order to be considered distinctive, it must be demonstrated that:***
 - i. *The area is characterized by buildings that merit preservation in order to protect their special features; or***
 - ii. *The area contains natural features that have been identified by the city as worthy of special treatment or preservation.***

Approval of the establishment of the S-WS Walnut Station Special Area Zone is dependent upon approval of the concurrent Metro Plan diagram amendment (MA 10-1) to add the Nodal Development Area and Mixed Use Area Overlay designations to the entire Walnut Station area and upon approval of the concurrent refinement plan amendments (RA 10-1) designating the area as appropriate for nodal development/mixed use development. Findings addressing the identification of the site as a potential nodal development area, and addressing consistency with the Metro Plan and applicable refinement plans, at EC 9.7730(3)(b) and EC 9.8424 are incorporated herein by reference as demonstration of compliance with this criterion.

To facilitate the nodal development or mixed use concept, the code amendments include the adoption of a form-based code. Form-based codes foster predictable built results and a high-quality public realm by using physical form (rather than separation of uses) as the organizing principle for the code. Such codes typically include illustrations of development standards and principles. While this is a departure from the rest of the city's code and requires the creation of a special area zone, a form-based code was chosen following reasons:

- Eugene's current policies and growth management strategies call for mixed use development, but the current code does not necessarily facilitate or encourage that type of development in this area.
- The mix of uses contemplated in the Walnut Station area lends itself to a set of code provisions that allow for a broad range of uses rather than compartmentalizing uses by district or sub-district.
- Significant issues for nearby residents and property owners are often focused on the form of development – i.e., the height, size and appearance of new development. The form-based code provides specific standards for these aspects of the development and includes a clear set of graphics to illustrate the standards so they are clear at the outset.
- Facilitating mixed use development addresses other planning objectives, including meeting development targets to support transit, creating a pedestrian friendly environment, encouraging and providing opportunities for people to use transit and other alternative modes of transit, and creating buildings that allow for a flexible set of uses.

The Walnut Station Special Area Zone will facilitate nodal or mixed use development, as identified in the Metro Plan and applicable refinement plans, consistent with this criterion.

- (2) *An analysis of the area demonstrates how the uses and development standards of the S Special Area Zone ordinance will facilitate implementation of the planned use of the property or the preservation or rehabilitation of distinctive buildings or natural features of benefit to the community.***

The Walnut Station Mixed Use Center project included an early visioning process which established a shared vision for the area as a vibrant pedestrian friendly mixed use center. The planned uses for the properties, their development and the development intensities arose out of this process. Eugene's current land use code allows for a mixture of commercial and residential uses within a commercial zone; however, this mix of uses is only permitted if specific requirements are met, which are perceived as barriers to mixed use development. These barriers precipitated the analysis of other approaches to developing land use regulations, and form-based codes arose as a potential tool to facilitate mixed use development, while also addressing compatibility with surrounding residential neighborhoods and natural resource areas. Form-based codes emphasize requirements related to building form and de-emphasize restrictions on the types of activities which take place within buildings, and the form-based code for the Walnut Station Special Area Zone follows this model. Uses are still regulated, but within broad categories. All uses identified as permitted outright and conditionally in those use tables will be allowed in the Walnut Station area. A list of prohibited and conditional uses was also agreed to. These measures are a means to facilitate implementation of the planned uses.

The development standards proposed for the Walnut Station Special Area Zone address building height by creating a “step down” effect from the Franklin Boulevard corridor which is proposed to have a seven story or 90-foot height maximum, to the neighborhood to the south and the millrace and river to the north, where there is a three story height maximum. Development standards were developed which focused on creation of pedestrian friendly buildings.

Further specific analysis of the area is included in the Walnut Station Specific Area Plan which is incorporated here by reference. This new refinement plan for the area provides detailed information on land uses; specifies the locations, classifications and design standards for streets; specifies the locations, width and design of sidewalk and bike facilities; provides information on infrastructure needed for development to occur, including phasing and allocation of infrastructure costs; and specifies design and development standards, such as for building form, parking and landscaping, that will apply to new development.

The need for this special area zone is to develop a zoning tool that allows for mixed use development and implementation of the planned use of the properties within the Walnut Station area. Based on the above findings, this criterion is met.

- (3) Except for areas zone S-H Historic Special Area Zone, the area to be classified S Special Area includes at least ½ acre in area.***

The areas proposed for S-WS zoning totals approximately 80 acres, consistent with this criterion.

- (4) The application of the zone to the properties proposed for inclusion in the S Special Area Zone and the required provisions of a special area zone ordinance are consistent with the criteria for approval of a zone change, according to EC 9.8865 Zone Change Approval Criteria.***

The findings below at EC 9.8865 Zone Change Approval Criteria demonstrate consistency with this criterion and incorporated herein by reference.

Code Amendments Conclusion

Based on the above findings, the code amendments will comply with the applicable criteria.

Zone Change (City File Z 10-1)

Properties in the Walnut Station Mixed Use Center are currently zoned R-1 Low-Density Residential, R-2 Medium Density Residential, PL Public Land, I-3 Heavy Industrial, S-RP Riverfront Park Special Area zone and C-2 Community Commercial (see Exhibit A to the ordinance). As part of this request, all properties will be re-zoned to the S-WS Walnut Station Special Area Zone, which is established under the concurrent amendments to the land use code (CA 10-1). All properties that have the existing /WR Water Resources Conservation Overlay Zone will retain that overlay. The /SR Site Review Overlay Zone will be removed from one property along Villard Street. The /SR overlay was added to this property in 1971 to address access and traffic circulation, buffering and landscaping, and lighting impacts. City records indicate that the subject property has been in use a parking lot for property to the north (currently Villard Street Pub) since 1972.

Eugene Code Section EC 9.8865 requires that the following approval criteria (in bold and italics) be applied to a zone change:

- (1) The proposed change is consistent with applicable provisions of the Metro Plan. The written text of the Metro Plan shall take precedence over the Metro Plan diagram where apparent conflicts***

or inconsistencies exist.

As noted previously, the Metro Plan diagram currently designates the subject properties for low density residential, medium density residential, parks and open space and commercial. Approval of the zone change is dependent upon approval of the Metro Plan diagram amendment (MA 10-1) to re-designate ten properties to commercial, and add the Nodal Development Area and Mixed Use Area Overlay designations. As a result, the entire Walnut Station Mixed Use Center will be designated for Commercial except for two park properties, which will remain designated Parks and Open Space. As established previously, the S-WS Walnut Station Special Area Zone is designed to implement the Metro Plan designations of Commercial and Parks and Open Space, as well as the Nodal Development Area and Mixed Use Area overlays designations. The findings under EC 9.7730(3)(b), above, incorporated herein by reference, demonstrate the zone change's consistency with the Metro Plan. Regarding removal of the /SR Site Review Overlay Zone, there are no Metro Plan policies or other text related to the application or removal of the /SR Site Review Overlay Zone relative to the subject property, or would otherwise present a conflict with this removal. Based on the above findings, the proposed zone change is consistent with this criterion.

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

The Fairmount/University of Oregon Special Area Study and the Riverfront Park Study are currently the applicable adopted refinement plans for this area. As part of the implementation of the Walnut Station Mixed Use Center, the Walnut Station Specific Area Plan, a new refinement plan, is being adopted for the area. Concurrently, the Fairmount/University of Oregon Special Area Study and the Riverfront Park Study are being amended to reflect that the new refinement plan incorporates the Walnut Station area. Approval of the zone change is dependent upon the approval of these refinement plan diagram and text amendments (RA 10-1).

Included in the Walnut Station Specific Area Plan is a land use diagram that designates all of the properties within the Walnut Station area for S –WS Walnut Station Special Area Zone, consistent with this zone change request. The Fairmount/University of Oregon Special Area Study land use diagram is being amended to remove the area included in the Walnut Station Mixed Use Center and text is amended to ensure consistency with this proposal. Policy text in the Riverfront Park Study is being amended to ensure consistency with this proposal by not allowing properties within the Walnut Station area to be re-zoned to the Riverfront Park Special Area Zone. Although the Riverfront Park Study includes a land use map, it is not intended to guide future development and rather provides a snapshot of land uses at the time the study occurred. The findings at EC 9.8424(1)(c) are incorporated here by reference as further demonstration of consistency with the applicable adopted refinement plans. Regarding the removal of the /SR Site Review Overlay Zone from one property, there is no policy basis in any of the applicable refinement plans to support the retention of the overlay, nor does the applicable land use diagram designate the property for the /SR Site Review Overlay Zone. It is further noted that the land use code has undergone extensive updates since 1971, and that the current code provisions, along with the S-WS Walnut Station Special Area Zone, adequately address factors related compatibility, including access and circulation, landscaping and buffering, and lighting. As such, the /SR Site Review Overlay Zone is no longer warranted. Based on the above findings, this criterion has been met.

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

The minimum level of key urban facilities and services are defined in the Metro Plan as including wastewater service, stormwater service, transportation, solid waste management, water service, fire and emergency medical services, police protection, City-wide parks and recreation programs, electric service, land use controls, communication facilities, and public schools on a district wide basis (Metro Plan, Glossary page V-3).

Wastewater, stormwater, and transportation facilities are currently available or can be extended in an orderly and efficient manner within a reasonable time frame as needed, consistent with this criterion. The discussion of compliance with Statewide Planning Goals 11 and 12 (Public Facilities and Transportation, respectively) in the findings above at EC 9.7730(3) is incorporated herein by reference as further demonstration of compliance with this criterion. All other services mentioned above are available to all properties within Eugene's Urban Growth Boundary and are therefore available to serve the subject property. Removal of the /SR Site Review Overlay Zone would not affect the provision of these key urban services. Based on the above findings, this criterion is satisfied.

- (4) The proposed zone change is consistent with the applicable siting requirements set out for the specific zone in:**
- (a) EC 9.2150 Commercial Zone Siting Requirements.**
 - (b) EC 9.2430 Industrial Zone Siting Requirements.**
 - (c) EC 9.2510 Natural Resource Zone Siting Requirements.**
 - (d) EC 9.2610 Park, Recreation, and Open Space Siting Requirements.**
 - (e) EC 9.2681 Public Land Zone Siting Requirements.**
 - (f) EC 9.2735 Residential Zone Siting Requirements.**
 - (g) EC 9.3055 S-C Chambers Special Area Zone Siting Requirements.**
 - (h) EC 9.3105 S-CN Chase Node Special Area Zone Siting Requirements.**
 - (i) EC 9.3205 S-DW Downtown Westside Special Area Zone Siting Requirements.**
 - (j) EC 9.3305 S-E Elmira Road Special Area Zone Siting Requirements.**
 - (k) EC 9.3605 S-JW Jefferson Westside Special Area Zone Siting Requirements.**
 - (l) EC 9.3705 S-RP Riverfront Park Special Area Zone Siting Requirements.**
 - (m) EC 9.3805 S-RN Royal Node Special Area Zone Siting Requirements.**
 - (n) EC 9.3905 S-W Whiteaker Special Area Zone Siting Requirements.**
 - (o) EC 9.4205 /EC East Campus Overlay Zone Siting Requirements.**
 - (p) EC 9.4715 /WP Waterside Protection Overlay Zone Siting Requirements.**
 - (q) EC 9.4776 /WQ Water Quality Overlay Zone Siting Requirements (only for the purposes of adding the overlay zone. See EC 9.4786.).**
 - (r) EC 9.4915 /WR Water Resources Conservation Overlay Zone Siting Requirements (only for the purposes of adding the overlay zone. See EC 9.4960.).**
 - (s) EC 9.4815 /WB Wetland Buffer Overlay Zone Siting Requirements.**
 - (t) An uncodified ordinance establishing a site specific S-H Historic Special Area Zone, a copy of which is maintained at the city's planning and development department.**

As part of the implementation for the Walnut Station Mixed Use Center, the S-WS Walnut Station Special Area Zone is being established in the land use code. Approval of this zone change is dependent upon the approval of these code amendments (CA 10-1).

The S-WS Walnut Station Special Area Zone includes siting requirements, which require, in addition to the approval criteria at EC 9.8865, that the site to be rezoned must be included within the Walnut Station area depicted on the codified map showing the S-WS Walnut Station Special Area Zone and Frontage Districts. Consistent with these requirements, all properties to be rezoned are depicted on the referenced map, and compliance with the approval criteria at EC 9.8865 is established in these findings. The City is required, as part of the rezoning process, to identify the frontage district designation applicable to the property, and has met this obligation by including this information within the code amendments establishing the zone. Regarding the removal of the /SR Site Review overlay zone from one property and the retention of the /WR Water Resources Conservation Overlay Zone, there are no siting requirements related to the /SR Site Review Overlay Zone, and the /WR Water Resources Conservation Overlay Zone siting requirements only apply for the purposes of adding the overlay zone. Based on the above findings, the zone change will comply with the applicable

criterion

- (5) *In cases where the NR zone is applied based on EC 9.2510(3), the property owner shall enter into a contractual arrangement with the city to ensure the area is maintained as a natural resource area for a minimum of 50 years.***

As the requested zone change does not involve the application of the NR zone, this criterion is not applicable.

Zone Change Conclusion

Based on the available information, the zone change will comply with the applicable criteria.

CONCLUSION: Based on the available information and materials in the record, and the above findings, the proposal is found to be consistent with the applicable approval criteria.