



Eugene City Council

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www.eugene-or.gov

EUGENE CITY COUNCIL AGENDA

July 22, 2013

5:30 p.m. CITY COUNCIL WORK SESSION

Harris Hall

125 East 8th Avenue

Eugene, Oregon 97401

7:30 p.m. CITY COUNCIL MEETING

Harris Hall

125 East 8th Avenue

Eugene, Oregon 97401

**Meeting of July 22, 2013;
Her Honor Mayor Kitty Piercy Presiding**

Councilors

George Brown, President

Pat Farr, Vice President

Mike Clark

George Poling

Chris Pryor

Claire Syrett

Betty Taylor

Alan Zelenka

CITY COUNCIL WORK SESSION

Harris Hall

5:30 p.m. A. COMMITTEE REPORTS AND ITEMS OF INTEREST FROM MAYOR, CITY COUNCIL, AND CITY MANAGER

6:00 p.m. **B. WORK SESSION:
Community Health Assessment Action Plan**

**CITY COUNCIL MEETING
Harris Hall**

1. PUBLIC FORUM

2. CONSENT CALENDAR

(Note: Time permitting, action on the Consent Calendar may be taken at the 5:30 p.m. work session.)

- A. Approval of City Council Minutes**
- B. Approval of Tentative Working Agenda**
- C. Approval of Resolution No. 5093 Annexing Land to the City of Eugene (Pennington Family Trust - A 13-3)**
- D. Approval of Resolution No. 5094 Annexing Land to the City of Eugene (Bruce Wiechert Custom Homes - A 13-4)**
- E. Call for Public Hearing on Ordinance Change Related to Publication of Snow Map**
- F. Approval of Police Commission FY 2014 – 2015 Work Plan**
- G. Approval of Land Lease for Hotel on Airport Property**

3. PUBLIC HEARING:

An Ordinance Amending Ordinance No. 20508 to Extend the Temporary Suspension of Multiple Unit Property Tax Exemptions under Sections 2.945 and 2.947 of the Eugene Code, 1971, through January 31, 2014

4. ACTION: An Ordinance Concerning Downtown and Mixed Use Development and Amending Sections 9.2160, 9.2161, 9.2170, 9.2171, 9.2173, 9.4280, 9.4290, 9.4530, 9.8030, 9.8670, and 9.9650 of the Eugene Code, 1971, TSI Roadway Policy #2 of the Eugene-Springfield Transportation System Plan (TransPlan) And Policy F.15 of the Eugene-Springfield Metropolitan Area General Plan(City Files CA 13-1 and MA 13-1)

**time approximate*

The Eugene City Council welcomes your interest in these agenda items. This meeting location is wheelchair-accessible. For the hearing impaired, FM assistive-listening devices are available or an interpreter can be provided with 48 hours' notice prior to the meeting. Spanish-language interpretation will also be provided with 48 hours' notice. To arrange for these services, contact the receptionist at 541-682-5010. City Council meetings are telecast live on Metro Television, Comcast channel 21, and rebroadcast later in the week.

City Council meetings and work sessions are broadcast live on the City's Web site. In addition to the live broadcasts, an indexed archive of past City Council webcasts is also available. To access past and present meeting webcasts, locate the links at the bottom of the City's main Web page (www.eugene-or.gov).

El Consejo de la Ciudad de Eugene aprecia su interés en estos asuntos de la agenda. El sitio de la reunión tiene acceso para sillas de ruedas. Hay accesorios disponibles para personas con afecciones del oído, o se les puede proveer un interprete avisando con 48 horas de anticipación. También se provee el servicio de interpretes en idioma español avisando con 48 horas de anticipación. Para reservar estos servicios llame a la recepcionista al 541-682-5010. Todas las reuniones del consejo estan gravados en vivo en Metro Television, canal 21 de Comcast y despues en la semana se pasan de nuevo.

For more information, contact the Council Coordinator at 541-682-5010,

council@eugene-or.gov

EUGENE CITY COUNCIL

AGENDA ITEM SUMMARY



Work Session: Lane County Community Health Assessment Action Plan

Meeting Date: July 22, 2013
 Department: Library, Recreation and Cultural Services
www.eugene-or.gov

Agenda Item Number: B
 Staff Contacts: Renee Grube
 Contact Telephone Numbers: 541-682-5067

ISSUE STATEMENT

This work session will provide an overview of the Lane County Community Health Assessment and Community Health Improvement Plan.

BACKGROUND

Lane County Public Health, Trillium Community Health Plans, PeaceHealth Oregon West, the United Way of Lane County, and Lane County residents have been engaged in a community health assessment and community health improvement planning process.

Non-profit hospitals (PeaceHealth) and Coordinated Care Organizations in Oregon (Trillium) are both required, through federal and state legislations, to engage with public health in parallel processes to assess health needs in the community and develop a plan to collaboratively address those needs. Additionally, Lane County Public Health is required to complete a similar process in order to meet the requirements for national accreditation as a Public Health Department. Due to the similar requirements, the three entities and the United Way of Lane County decided to pursue the processes together.

As a team, they completed one community health assessment process and developed one collaborative plan for how they will work together with community members to improve the health of Lane County residents. This work session will provide an overview of their findings.

RELATED CITY POLICIES

Effective, Accountable Municipal Government: A government that works openly, collaboratively, and fairly with the community to achieve measureable and positive outcomes and provide effective, efficient services.

Sustainable Development: A community that meets its present environmental, economic and social needs without compromising the ability of future generations to meet their own needs.

COUNCIL OPTIONS

No options are provided; this item is for information only.

CITY MANAGER'S RECOMMENDATION

No recommendation is suggested; this item is for information only.

SUGGESTED MOTION

No suggested motion; this item is for information only.

ATTACHMENTS

- A. Community Health Assessment
- B. Community Health Improvement Plan

FOR MORE INFORMATION

Staff Contacts: Renee Grube
Telephone: 541-682-5067
Staff E-Mail: renee.l.grube@ci.eugene.or.us

Lane County Community Health Assessment

Spring 2013 – Version 1.0

A Collaborative Project between Lane County Public Health, Peace Health Oregon West,
Trillium CCO, and United Way of Lane County



PeaceHealth





Lane County Community Health Assessment

Spring 2013 – Version 1.0

Overview

Lane County Public Health, Peace Health Oregon West, and Trillium, Lane County's Coordinated Care Organization, launched a comprehensive community health assessment and planning process in spring 2012. Undertaken in collaboration with many community partners, the overall goal of this work was to identify key priority areas where the community can take action to improve overall population health. The assessment and improvement plan also fulfills public health accreditation and health care regulatory requirements.

Improving the health and wellbeing of Lane County residents is core work of the partnering organizations. How to improve health and quality of life in a community is always a challenge as many social, economic, environmental, and individual factors impact health and wellness. The Lane County Community Health Assessment team initiated the Community Health Assessment process in order to both examine these factors and engage community members in discussions around health.

Using the Mobilizing for Action through Planning and Partnerships (MAPP) tool made available by NACCHO, the Community Health Assessment team analyzed public health data, engaged with community members to solicit feedback around priority areas and key concerns, interviewed key community leaders, and presented the data across the county, all in the hopes of engaging a diverse group

MAPP Method



Over 30 data and process presentations to community partners

Community health survey of over 700 residents

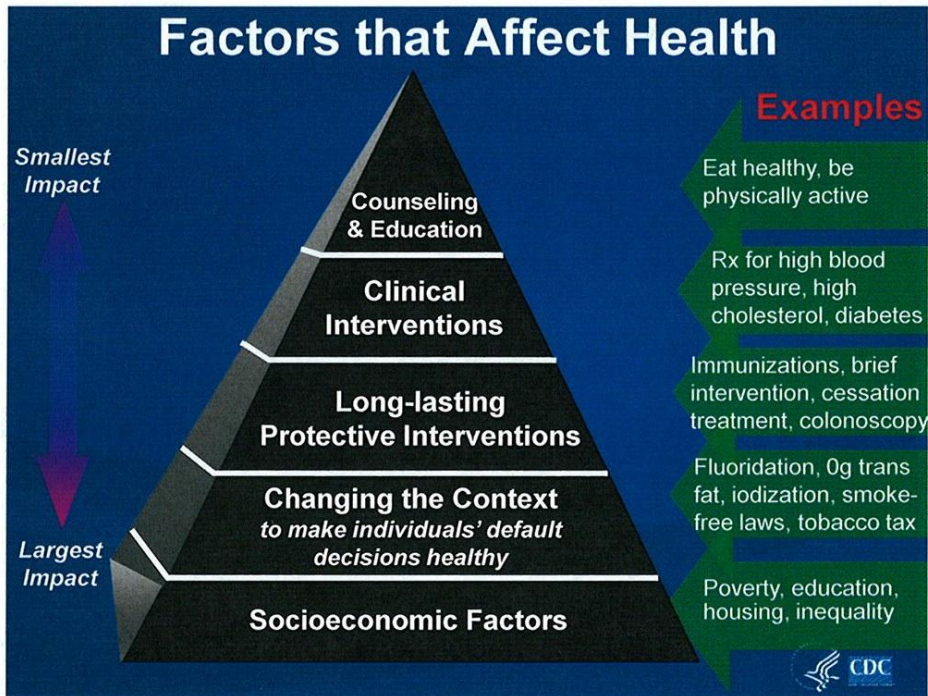
Key informant interviews with community leaders

Lane County Community Health Assessment



of people dedicated to improving health in Lane County.

Special attention was given to identifying the social and economic factors that impact individual's ability to achieve and maintain health. These factors include income/poverty, educational attainment, discrimination, and the built environment, among many others.



Steering Committee

Dan Reese, LCSW, Peace Health Manager Network of Care

Rick Kincade, MD, Network V.P. for Medical Affairs

May Anne McMurren, Administrator, Cottage Grove Hospital

Rick Yecny, CEO, Peace Harbor Hospital

James Boyle, Senior Analyst, PeaceHealth Oregon West

Jennifer Jordan, MPH, Lane County Public Health

Ellen Syverson, MPH, Lane County Public Health, Trillium Health Plan

Chelsea Clinton, United Way of Lane County 100% Access Coalition

David Parker, Trillium Community Advisory Council

Tara DeVee, Trillium Community Advisory Council

Anne Celovsky, Lane County Public Health

Lindsey Adkisson, Lane County Public Health

Mardel Chinburg, Public Health Advisory Committee, University of North Carolina MPH Practicum Student

Jody Corona, Health Facilities Planning & Development Consultant for Peace Health

Lane County Public Health Prevention Team

Lane County Community Members



Summary of Findings

Community Health Status

- Lane County residents' overall physical health tends to be better than the state or nation
- Despite good physical health, Lane County residents are much more likely to experience poor mental health and substance abuse issues than the rest of Oregon or the nation
- Cost remains a significant barrier to access for many residents
- Tobacco use among pregnant women has increased in recent years and is a major concern for the health of both mother and child
- Childhood vaccination rates in Lane County are too low to effectively protect against some communicable diseases like pertussis and measles

Forces of Change and Community Themes

- Certain communities in Lane County have a significantly older population than the rest of the county/state/nation
- Lane County is growing more ethnically diverse, with an increasing Hispanic population
- In community forums, residents identified behavioral health, tobacco use, obesity, and diabetes as the most pressing needs in Lane County
- Increased access to oral health care was identified by both consumers and providers as a priority
- Due to budgetary constraints and the economic downturn, Lane County and other community service providers have been forced to cut back on services

Priority Areas for Community Health Improvement

- Advance and Improve Health Equity
- Prevent and Reduce Tobacco Use
- Slow the Increase of Obesity
- Prevent and Reduce Substance Abuse and Mental Illness
- Improve Access to Health Care



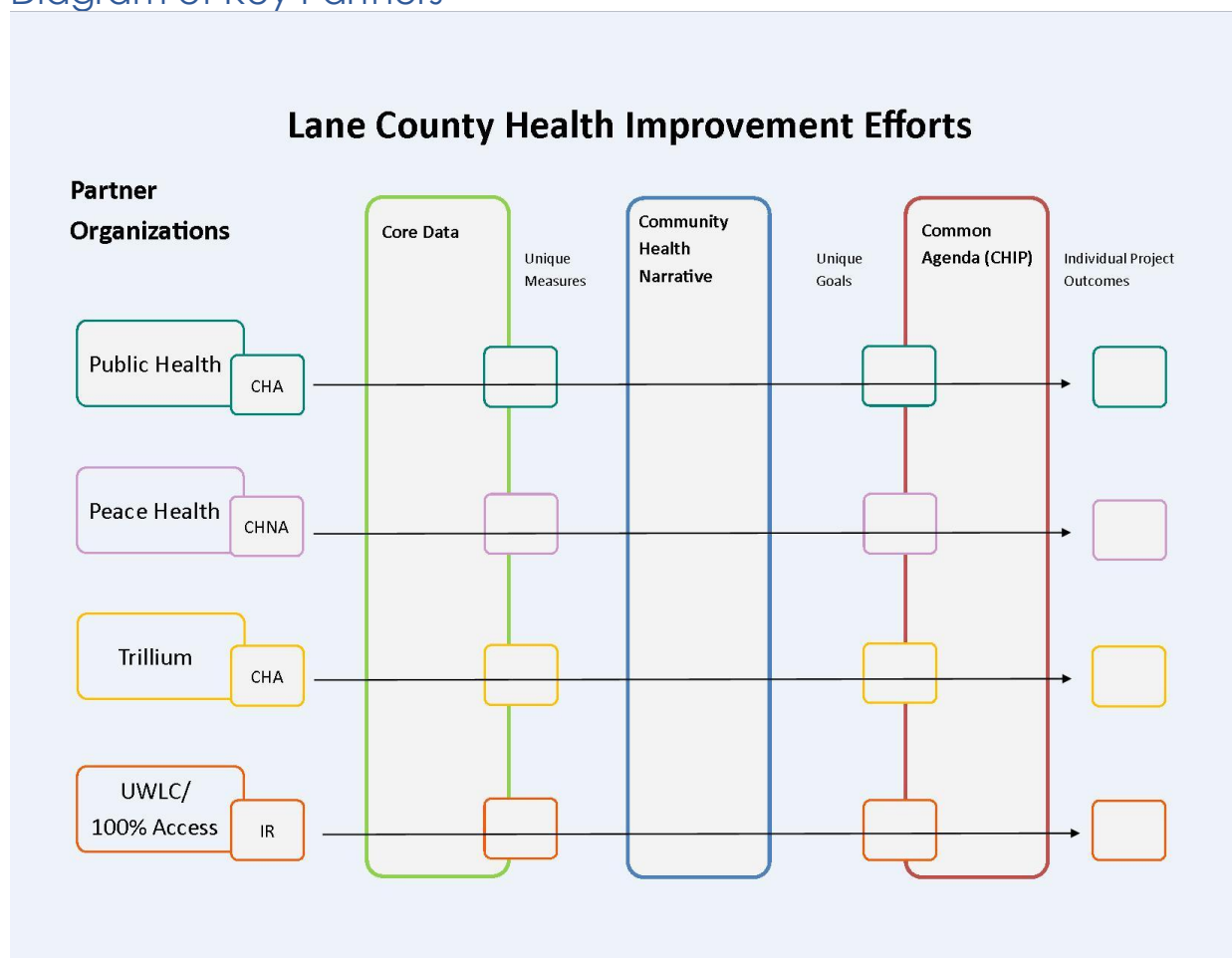
Overview of CHA Process

Narrative

In the early 2012, staff from Lane County Public Health and the Peace Health Oregon hospital system met to discuss the new incentives for each organization to engage in a Community Health Assessment and Improvement Planning process. The newly formed Public Health Accreditation Board (PHAB) released Standards and Measures requiring every health department seeking accreditation to complete a comprehensive Community Health Assessment in partnership with other health and social services organizations. The hospitals had also been newly incentivized by the Affordable Care Act, which included new IRS requirements that non-profit hospitals complete Community Health Assessments in conjunction with the local public health department. Staff members from both organizations attended a MAPP seminar in Denver in the Spring of 2012. Presented by NACCHO staff, this seminar provided invaluable assistance in understanding and utilizing the MAPP tool within Lane County.

When the Coordinated Care Organization for Lane County, Trillium, was formed in 2012, language was included in its governing documents that requires the CCO to participate in this Community Health Assessment as well.

Diagram of Key Partners





Method

The assessment process utilized by the Lane County partnership was adapted from the national Mobilizing for Action through Planning and Partnerships (MAPP) model, an evidence-based community-wide strategic planning process for improving community health. MAPP was developed by the National Association of County and City Health Officials (NACCHO) in order to help communities improve health through collaborative, community-driven strategic planning.

Rather than focusing on medical health outcomes and indicators to assess community health, MAPP takes a comprehensive approach of looking at the myriad factors that affect individual, family, and community health. Through a series of different assessments, the Lane County Health Assessment team looked at data that addressed quality of life, socioeconomic factors, systems and policy level infrastructure, as well as traditional physical and mental health indicators. By considering such wide-ranging information, the Lane County Health Assessment gives a full picture of health in our community.

MAPP includes four different community assessments: the Community Health Status Assessment (looking at data), the Community Themes and Strengths Assessment (surveys, key informant interviews, and conversations with the community), the Forces of Change Assessment (identifying the broad forces that would help or hinder the implementation of a Community Health Improvement Plan), and a Local Public Health System Assessment (assesses the capacity of the entire community public health system). To date, Lane County has completed the first two assessments. As we develop the action plan to implement the Community Health Improvement Plan, the Forces of Change and Local Public Health System Assessments will be completed and added to this report as an addendum.

Community Presentations

During the course of the collecting information for the Community Health Assessment, the Lane County Community Health Assessment Team presented community health data and information on the assessment process to over thirty (30) community groups. Responses from the various audiences were tallied and are reflected in the Community Themes and Strengths Assessment at the end of this document.

	Group	Date
1.	100% Access Coalition	8/30
2.	Cottage Grove Health & Human Services Coalition	9/11
3.	PeaceHealth Clinical Council	9/17
4.	PeaceHealth Health & Wellness Committee	9/26
5.	Emerald Rotary	10/10
6.	Cottage Grove Hospital Foundation	10/10
7.	Cottage Grove Community Foundation	10/11

Lane County Community Health Assessment



8.	Trillium Community Advisory Council	10/15
9.	Volunteers in Medicine Board Retreat	10/18
10.	Eugene Metro Rotary	10/23
11.	Cottage Grove Hospital Leadership Team	10/24
12.	Governing Board of CGCH & Clinics	10/25
13.	PeaceHealth Bridge Assistance Team	10/30
14.	Springfield Rotary	10/31
15.	Florence Area Coordinating Council	11/7
16.	Cottage Grove Rotary	11/7
17.	Primary Care Breakfast Group	11/13
18.	Florence Rotary	11/13
19.	Lane Livability Consortium	11/13
20.	Lane County Public Health Advisory Committee	11/13
21.	Lane County Board of Commissioners/Board of Health	11/20
22.	Trillium – open forum	11/29
23.	Public Health Management	11/30
24.	Trillium’s Rural Advisory Council	12/6
25.	Cottage Grove Rotary	12/6
26.	Lane County Public Health Staff	12/6
27.	Local DHS Managers	12/7
28.	Lion’s Club	12/13
29.	Springfield City Club	12/20
30.	All Non-Profits Chamber of Commerce Cottage Grove	1/8
31.	Eugene City Council	
32.	Springfield City Council	
33.	Springfield School Board	2/11
34.	Lane County Mental Health Advisory/Local Alcohol & Drug Planning Committee	1/23
35.	UW Community Conversation	



Demographics of Lane County

Lane County has a population of 351,715 residents according to the 2010 U.S. Census. The Eugene-Springfield area is the third-largest Metropolitan Statistical Area in the state. The Eugene-Springfield area is home to roughly 60% of Lane County residents and contains the majority of county health and social services. Lane County is 4,722 square miles, or roughly the size of the state of Connecticut. The county extends from the Pacific Ocean on the west to the Cascade mountain range on the east. Outside of the Eugene-Springfield area, Lane County is largely rural and unincorporated. The large geographic area of the county creates disparities in social service delivery, distance to health care facilities, and in access to healthy foods or safe environments to walk or bike between rural and urban community members.

Socioeconomic Indicators

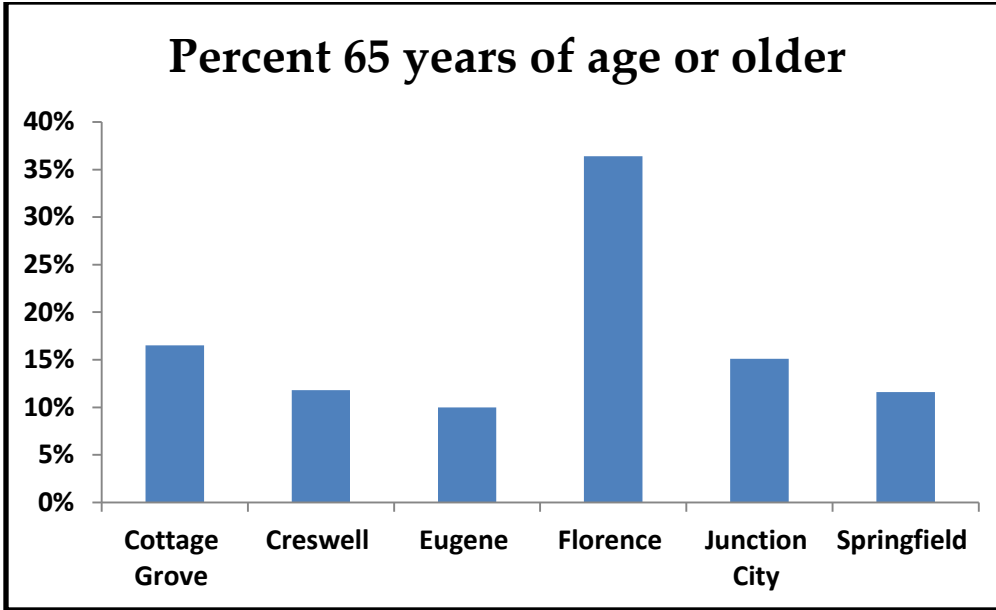
Race/Ethnicity/Age

While Lane County as a whole is predominately white, several communities have much larger populations of Hispanic residents. The Springfield and Eugene metro area, along with several communities in south Lane County, are projected to continue this trend of an increasing Hispanic population.

Race and Ethnicity of Lane County Residents, 2010							
City	Total Population	White	Black	American Indian	Pacific Islander	Asian	Hispanic
Cottage Grove	9,686	90.4%	0.3%	1.3%	0.1%	1.1%	8.0%
Creswell	5,031	89.6%	0.4%	1.0%	0.1%	1.0%	8.6%
Eugene	156,185	85.8%	1.4%	1.0%	0.2%	4.0%	7.8%
Florence	8,466	92.5%	0.3%	1.3%	0.3%	1.0%	5.4%
Junction City	5,392	90.4%	0.7%	1.3%	0.1%	0.6%	9.0%
Springfield	59,403	85.9%	1.1%	1.4%	0.3%	1.3%	12.1%
Lane County	351,715	88.3	1.0%	1.2%	0.2%	2.4%	7.4%
Oregon	3,831,074	83.6%	1.8%	1.4%	0.3%	2.4%	11.4%
United States	308,745,538	72.4%	12.6%	0.9%	0.2%	4.8%	16.3%

Source: United States 2010 Census

Several rural communities in Lane County have significantly older populations than the county as a whole. While in Eugene only 10% of residents are 65 years of age or older, in Florence 36.4% of residents are 65 or older. Aging populations require different (and increasing) services and care than communities of younger residents.



Income/Poverty

Poverty is correlated with poor health. In Lane County the poverty rate is slightly higher than both the state and nation, with several communities experiencing significantly higher rates of poverty. Racial and ethnic minority groups, women, and children are disproportionately impacted by poverty. Half of all children in Lane County are enrolled in the Oregon Health Plan, Oregon’s Medicaid program.

City	Median Household Income	Per Capita Income	Percent living below the poverty line	Percent on Oregon Health Plan
Cottage Grove	\$41,720	\$19,605	15.6%	36.6%
Creswell	\$45,956	\$21,090	16.9%	31.9%
Eugene	\$51,233	\$27,141	20.7%	17.8%
Florence	\$33,586	\$24,663	12.7%	
Junction City	\$40,195	\$20,496	13.4%	40.4%
Springfield	\$36,198	\$19,023	19.0%	29.5%
Lane County	\$42,923	\$23,869	16.7%	17.7%
Oregon	\$49,260	\$26,171	14.0%	
United States	\$51,914	\$27,334	13.8%	---

Source: United States 2010 Census; LIPA enrollment data

Education

An individual’s income and education level are known to be linked to health status, quality of life, and longevity. Those individuals with a college degree live an average of seven (7) years longer than those



who don't finish high school¹. While more educated individuals are more likely to have “good health behaviors” this does not entirely account for the difference in health status. They are also more likely to have better access to health care.

In general, Lane County residents are more likely than the state or nation as a whole to complete high school, Springfield being the notable exception with only 83.9% of residents holding a high school diploma. Eugene, home to the University of Oregon, has the highest number of adults over the age of 25 holding a bachelor's degree.

Educational Attainment in Lane County		
City	Percent with High School Diploma	Percent with Bachelor's Degree
Cottage Grove	88.0%	11.7%
Creswell	86.0%	12.3%
Eugene	89.3%	40.2%
Florence	90.5%	19.6%
Junction City	86.1%	11.5%
Springfield	83.9%	15.3%
Lane County	89.9%	27.7%
Oregon	88.6%	28.6%
United States	85.0%	27.9%

Source: United States 2010 Census

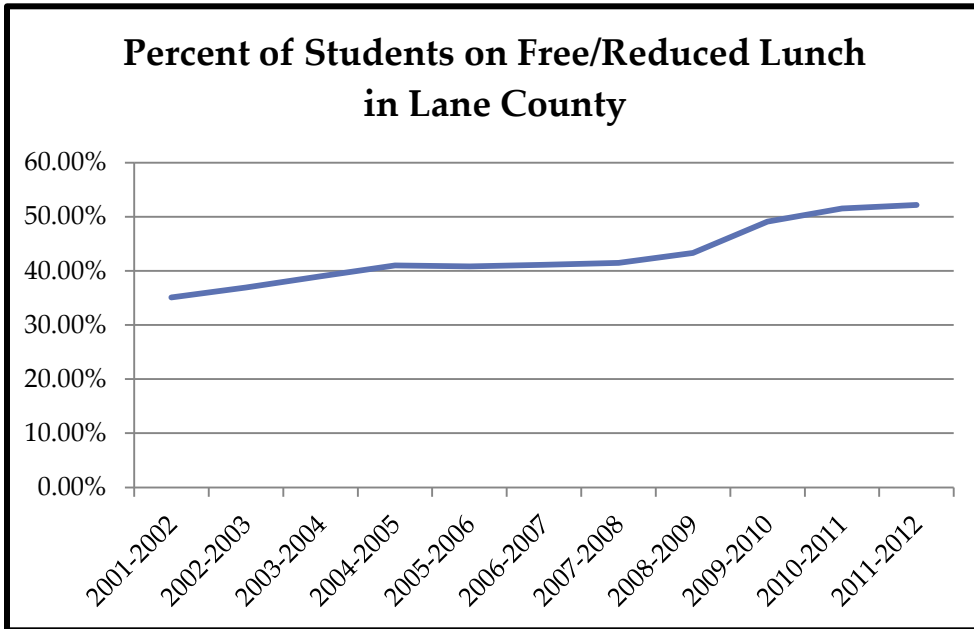
¹ Meara et al, 2008.

Lane County Community Health Assessment



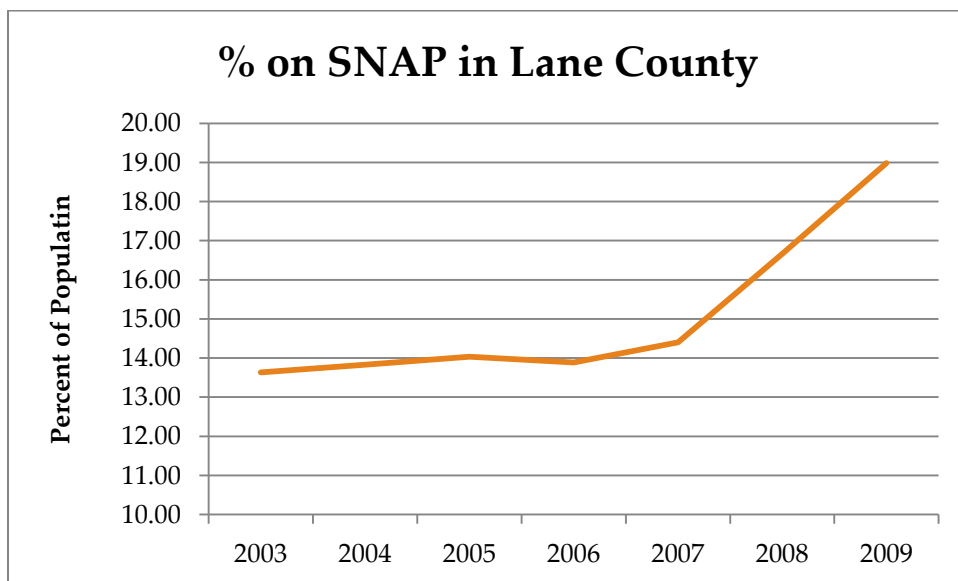
Food Security

The number of school children receiving free or reduced price school lunches is a strong indicator of childhood and family poverty within a community. The percent of students receiving such lunches at school has risen steadily over the last decade. Currently more than half of children in Lane County receive free or reduced price school lunches.



Source: Oregon Department of Education, CNP Statistics

The number of individuals enrolled in the Supplemental Nutrition Assistance Program (sometimes referred to as “food stamps”) has increased dramatically in recent years. In 2009 (the most recent available data) 18.9% of Lane County residents received some SNAP benefits.



Source: Economic Research Service, US Department of Agriculture

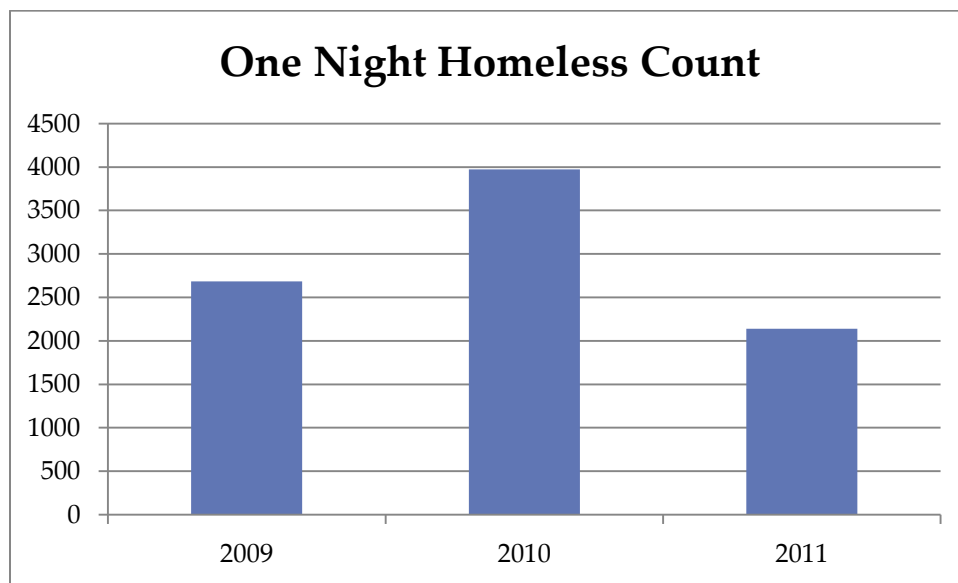


Unemployment

The economic recession of the mid-2000s caused significant unemployment in Lane County and has contributed to the decline in services provided by municipalities, government agencies, and non-profit organizations. While unemployment is slowly improving, many families in Lane County continue to experience economic distress.

Homelessness

Homelessness is a significant issue in several Lane County communities. In the 2010-2011 school year 5% of students (2285 children) were homeless (source: Oregon Department of Education). Additionally, an annual count in January of homeless individuals (both sheltered and unsheltered) enumerates thousands of unhoused individuals in Lane County.



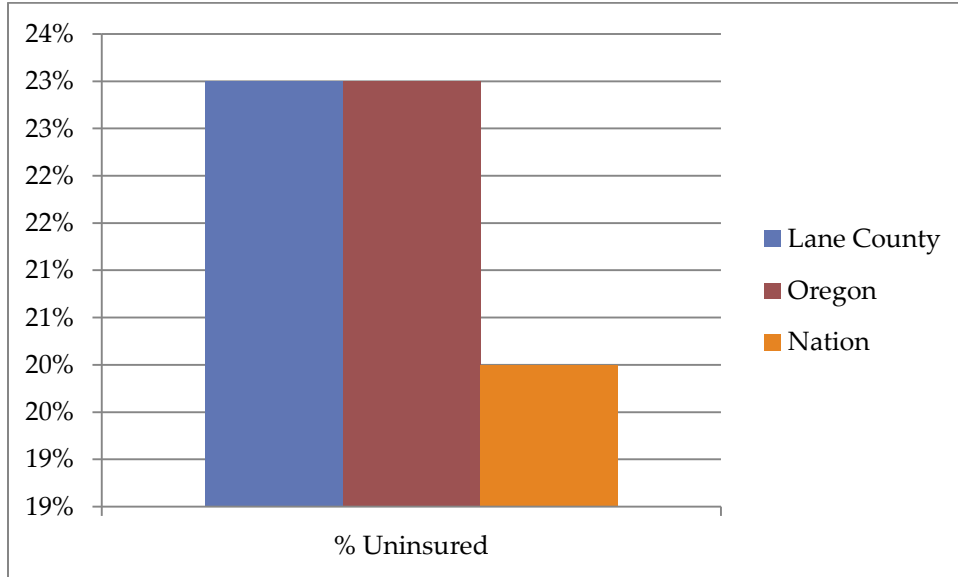
Source: Lane County Human Services Commission; One Night Homeless Count 2009-2011

Lane County Community Health Assessment



Access to Care – Health Insurance

In comparison to the Nation, Lane County and Oregon residents are more likely to be uninsured, with 23% of residents uninsured. In 2014, The Affordable Care Act could make a dramatic impact on these rates.



Source: Oregon BRFSS 2006-2009; National BRFSS 2010

Oregon Health Plan Members

Lane County’s CCO, Trillium, manages the Oregon Health Plan, OHP, benefits for Lane County residents. Due to the eligibility criteria for OHP, Trillium’s members represent a much larger share of children and young people less than 18 years of age than is reflected in countywide data. One in five members is under the age of six. Demographic differences include:

Demographic	Trillium	Lane County
Working Age Individuals	34%	53%
Seniors	6%	15%
Females	55%	50%
White/Non-Hispanic	80%	84%
Under 18 years of age	51%	19%

Although the five identified priorities for the county assessment apply to OHP members, strategies to address these priorities specifically for this population may take a more preventive approach. Behavioral health, tobacco use, chronic diseases and are the leading healthcare cost drivers and most common health conditions reported among all Trillium consumers. Most of these conditions are preventable. Given that more than half of Trillium consumers are children, there is substantial potential to improve targeted prevention activities for youth that would improve health outcomes later in life.



Assessment Findings

This section details the community health indicators that were considered by the Lane County Community Health Assessment team. Data was compiled from national, state, and local sources and include a broad sampling of community health measures.

In Lane County, as throughout the rest of the nation, health status and quality of life are intimately tied to numerous social and environmental factors including income, poverty, race/ethnicity, education level, geographic location, and employment status. These factors are known as the *social determinants of health*. Individuals who are experiencing poverty, unemployment, are less educated, or are Hispanic, Black, or Native American are more likely to experience poorer health, have higher rates of chronic conditions such as obesity and diabetes, and are more likely to smoke than those individuals of a higher socioeconomic status. Concerted efforts aimed at reducing these health disparities will be a priority area for the Lane County community moving forward in health improvement efforts.

The following table lists health indicators included on the annual County Health Rankings published by the Robert Wood Johnson Foundation. “Strengths” reflect the indicators on which Lane County performed better than the state and national averages or benchmarks. Those indicators under “Room for Improvement” were similar to the Oregon averages but are areas of concern for certain Lane County communities. “Challenges” are areas where Lane County is doing worse than Oregon and the nation and where additional attention is needed.

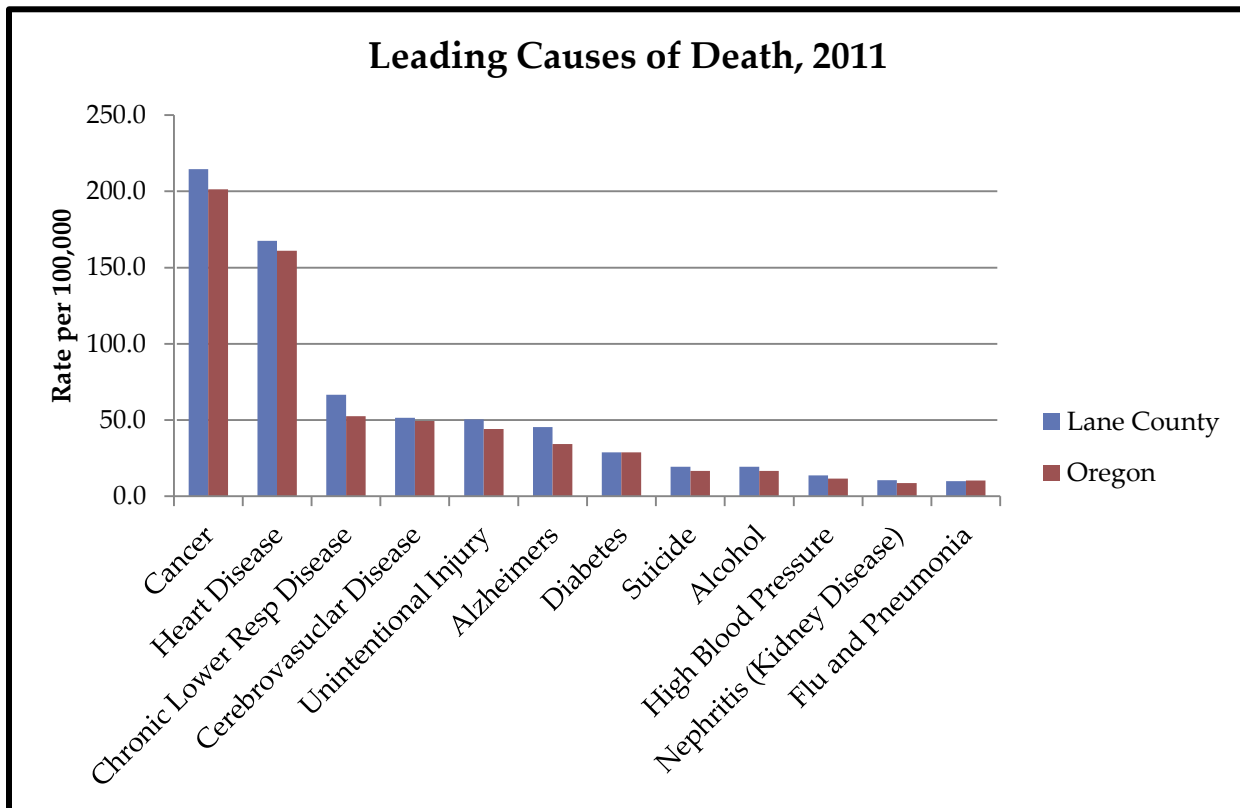
	Strengths	Room for Improvement	Challenges
Mortality	Premature death rate		
Socioeconomics		Unemployment High School Graduation Inadequate social support	Children in poverty Violent Crime Rate Children in single-parent households
Environment		Fast food restaurants Daily fine particulate matter Limited access to healthy foods	
Health Behaviors and Outcomes	Teen birth rate Physical activity		STIs (Chlamydia) Adult smoking Adult obesity
Clinical Care	Preventable hospital stays	Mammography screening Primary Care Physicians Diabetic screening Dentists	Uninsured



Community Health Status

Leading Causes of Death

The leading causes of morbidity and mortality in Lane County are chronic diseases such as cancer, heart disease, respiratory illness, and Alzheimer’s. Behavioral risk factors such as physical inactivity, poor nutrition, and tobacco and substance abuse contribute to many of these cases of chronic disease. Tobacco and obesity are the two leading root causes of death in both Lane County and Oregon.

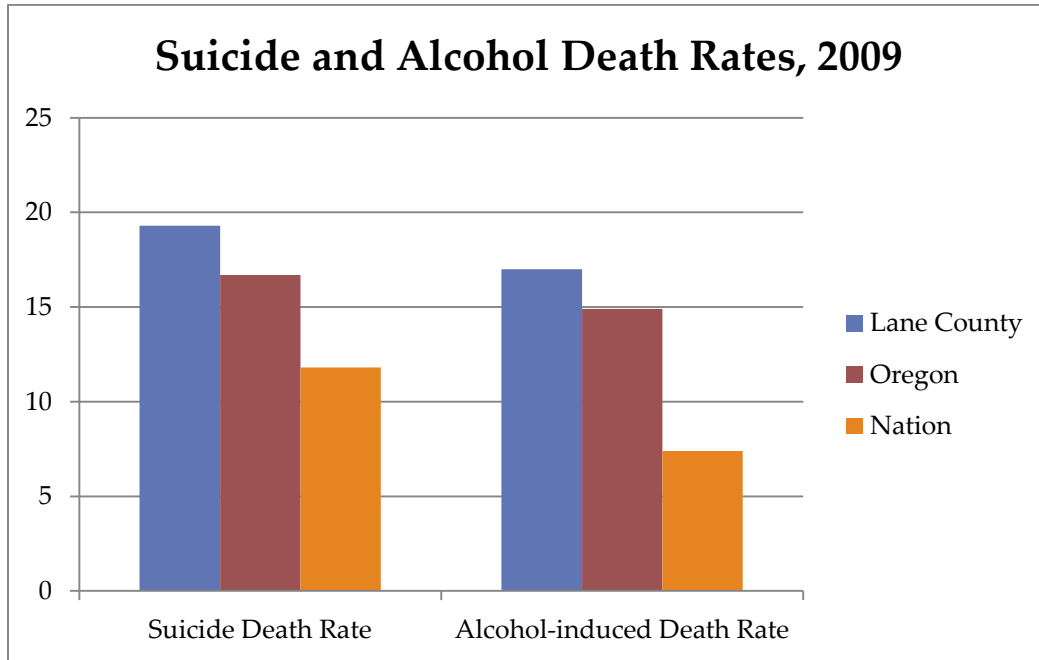


Source: Oregon Vital Statistics County Databook, 2011



Suicide and Alcohol-Related Deaths

Lane County has significantly higher rates of suicide and alcohol-induced deaths than the nation as a whole. These high rates indicate a heavy burden of mental illness and substance abuse within the community.



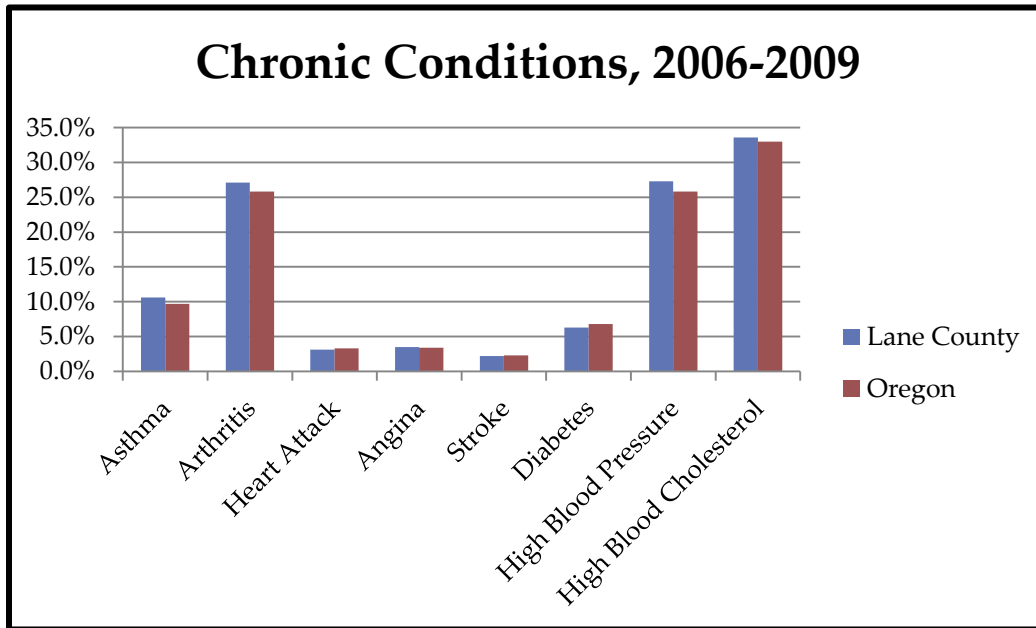
Source: Oregon Vital Statistics County Databook 2009; National Vital Statistics Report 2009

Lane County Community Health Assessment



Chronic Conditions Prevalence

Chronic conditions are those illnesses and conditions that individuals live with for years. These conditions can have a significant effect on quality of life. Chronic conditions are more prevalent as individuals age. As the population of Lane County grows older, management and mitigation of chronic conditions will continue to be an important aspect of community health work.

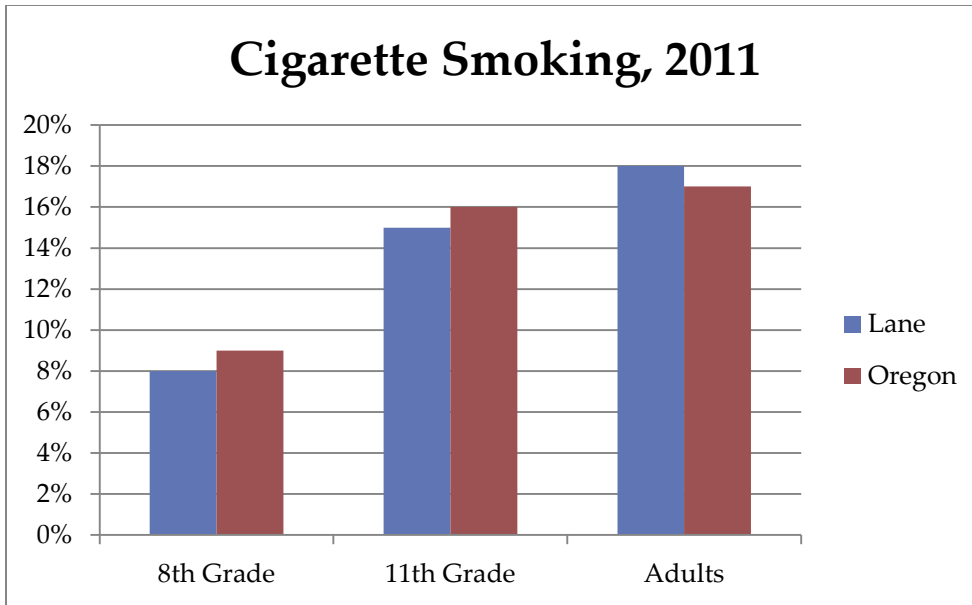


Source: Oregon BRFSS, 2006-2009 County Results

Tobacco

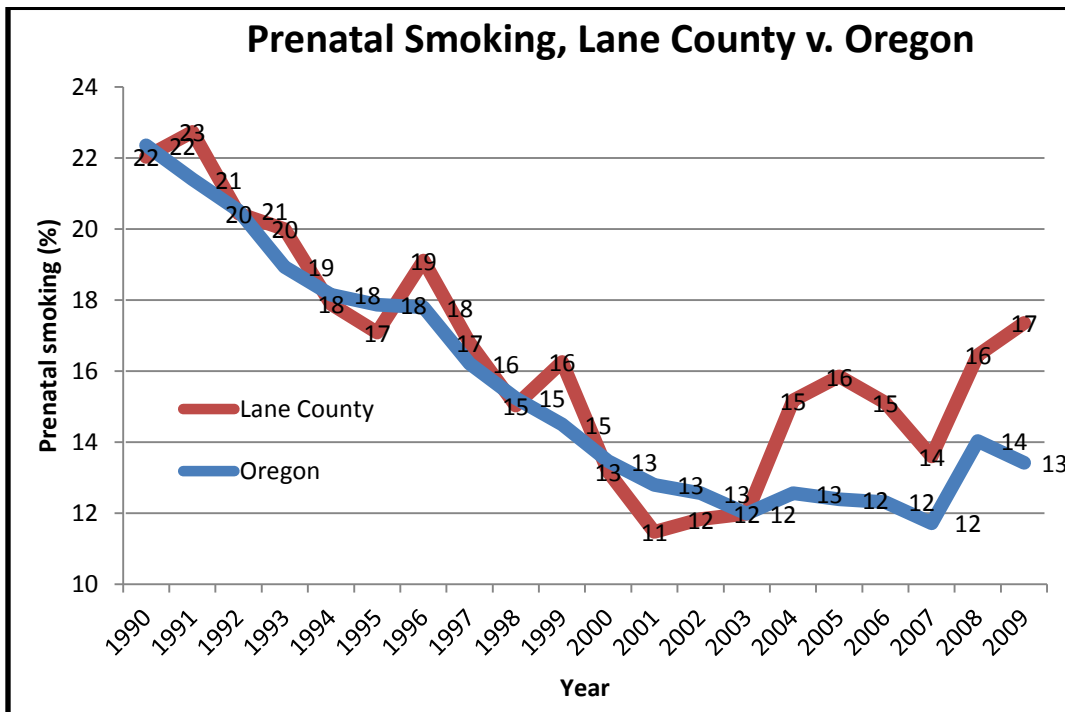
Tobacco remains the leading cause of preventable death in Lane County, contributing to 23% of all deaths in the county. 18% of Lane County adults report being current smokers. Use of tobacco is significantly higher among persons experiencing poverty, mental illness, and substance abuse. Statewide data indicate that smoking rates vary significantly by income: over 30% of residents with an income under \$15,000 smoke, while fewer than 10% of residents with an income of at least \$50,000 are current smokers. Ethnic minorities are also more likely to smoke – over 30% of Native Americans and 29% of African Americans smoke in comparison to 14% of non-Hispanic whites².

² Oregon Tobacco Facts and Laws, 2011



Source: Lane County Tobacco Fact Sheet, 2011

Prenatal smoking is of particular concern to the Lane County community as reflected in both the data and in responses from community members and leaders. While the state of Oregon has seen a general decrease in the rate of tobacco use among pregnant women, the rate in Lane County has begun climbing upwards once more, reaching 17% in 2009 compared with a rate of 13% for the state.



Source: Oregon Vital Records data

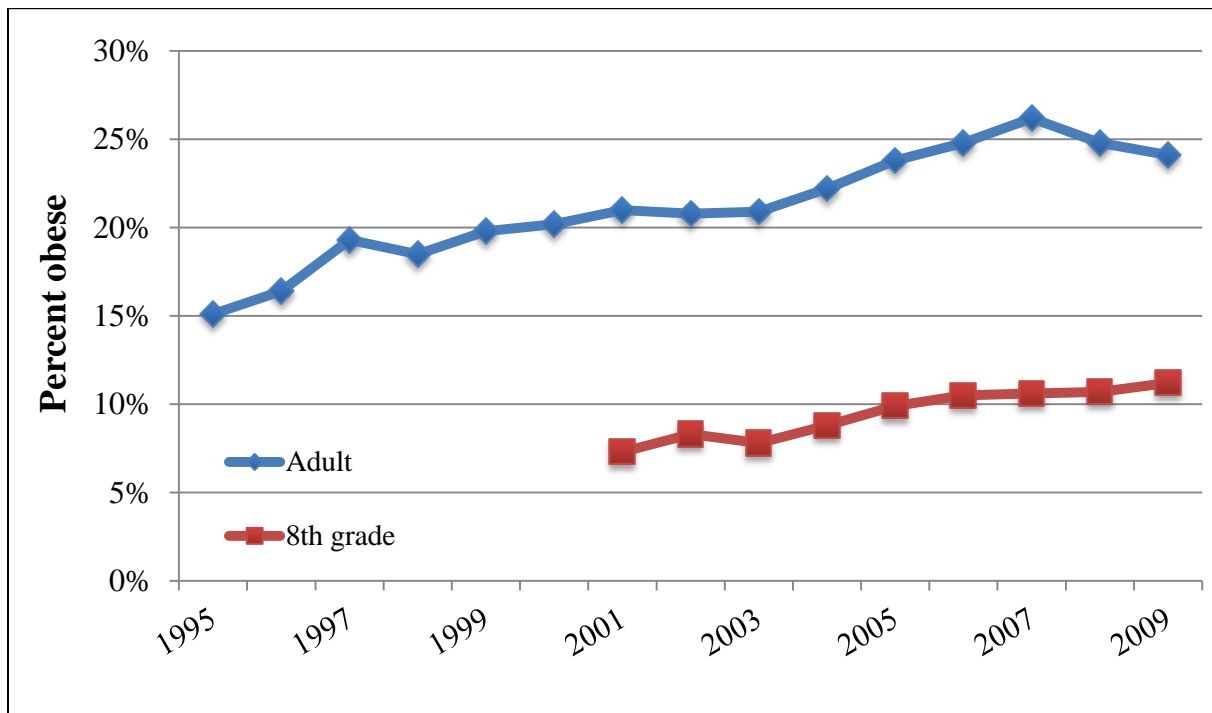
Lane County Community Health Assessment



Youth smoking rates in Lane County are similar to those of the state. Cigarette smoking among youth has been declining in recent decades. 8.4% of Lane County 8th graders and 15% of 11th graders report smoking cigarettes in the past month³

Obesity

Overweight and obesity together are the second leading cause of preventable death in Oregon. Obesity is a major contributing factor to many chronic conditions such as diabetes, heart disease, high cholesterol, and mobility problems. Obesity rates in Lane County have followed the national trend of dramatic increases over the past two decades. Over half of adults in Lane County are obese or overweight; these rates are projected to continue to increase in the future.



Source: Oregon BRFSS

Obesity and overweight are inequitably distributed throughout our society, impacting low-income minority populations at higher rates. Persons with mental illnesses are also far more likely to be obese than those without such conditions. Major depressive disorder and bipolar disorder symptoms often disrupt appetite, motivation, energy, and sleep, all of which can contribute to weight gain⁴ Efforts to

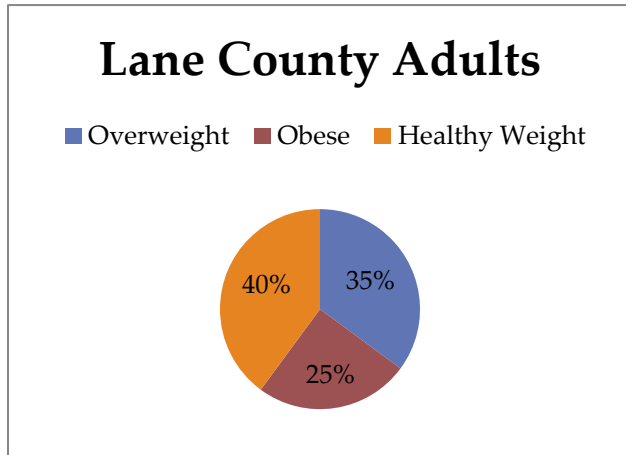
³ Oregon Healthy Teens survey 2007-2008 combined data

⁴ Taylor, Valerie MD. "Beyond Pharmacotherapy: Understanding the Links Between Obesity and Chronic Mental Illness." *Canadian Review of Psychiatry*, 2012 January; 57(1): 13-20.

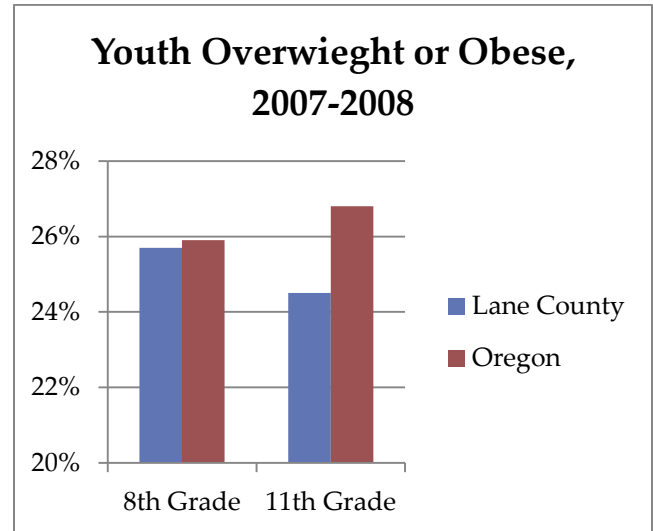


drive the obesity rate down must target specific populations and the environments in which those individuals conduct their lives.

Statewide, Oregon Health Plan consumers are roughly 50% more likely to be obese than the general population; this difference is expected to be similar although somewhat less pronounced in Lane County due to the demographic make-up of the county.



Source: Behavioral Risk Factor Surveillance System, 2006-2009 age-adjusted



Source: Oregon Healthy Teens Survey

Oregon and Lane County youth have not been immune to the rising rates of obesity. Approximately 25% of youth in both 8th and 11th grades are either overweight or obese. Lack of physical education in schools, excess consumption of sugar-sweetened beverages, poor nutrition, and increased time in front of computer and television screens have all contributed to this increase in youth overweight.

Substance Abuse

Alcohol

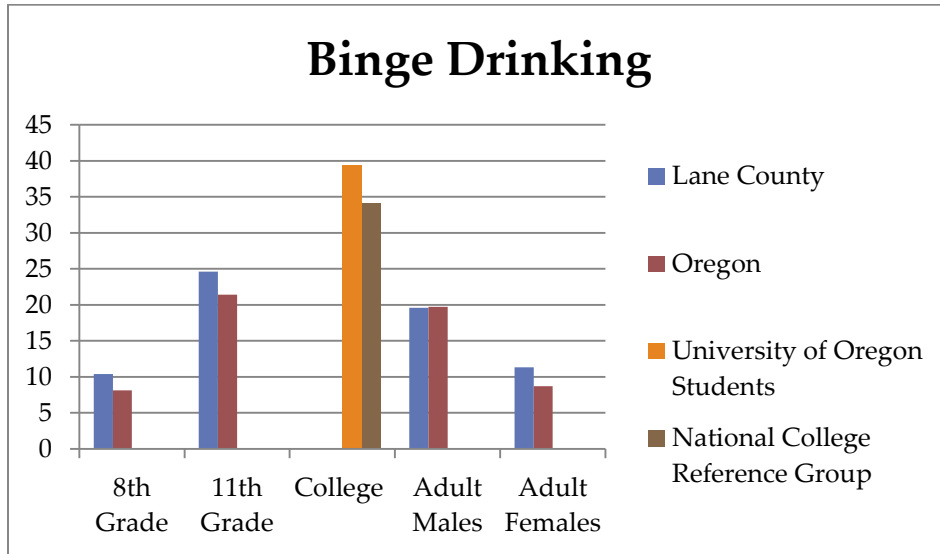
Alcohol is the most commonly used/abused drug among youth in the United States; more than tobacco, marijuana and methamphetamine. Preventing underage drinking is important because of the consequences associated with underage drinking; including accidents, unplanned or unwanted sexual activity, legal problems, effects on brain development and the potential for developing other lifelong problems. People who start drinking before the age 15 are five (5) times more likely to develop abuse or dependence later in life than those who start after age 21.

Additionally, binge drinking is a significant risk factor for injury, violence, and chronic substance abuse, and is of particular concern in Oregon given the high number of alcohol-induced deaths. Binge drinking is defined as 5 or more drinks (4 for females) in a single sitting. More than 90% of the alcohol youth drink is while binge drinking. Binge drinking generally results in a Blood Alcohol Content (BAC)

Lane County Community Health Assessment

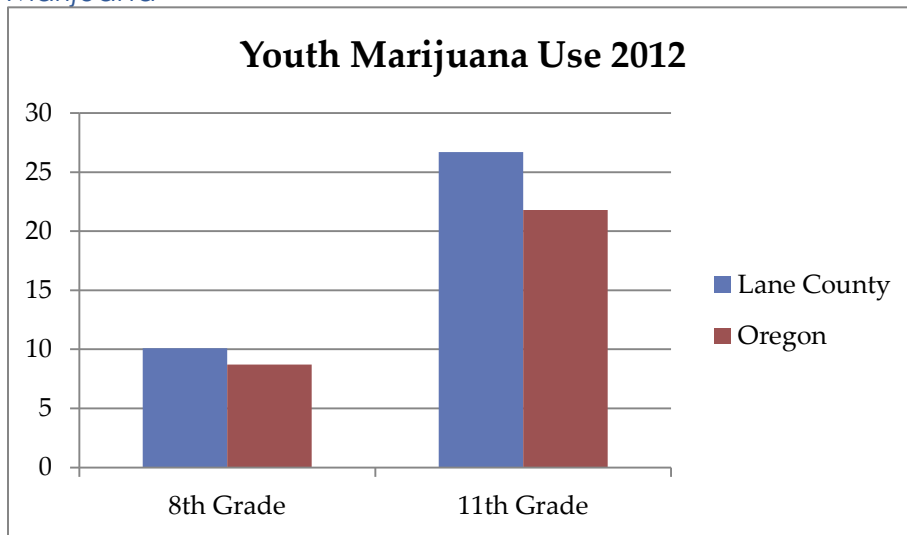


of at least 0.8 (the legal limit for driving). People who binge drink are 14 times more likely to report drinking and driving⁵ than those who do not.



Source: Oregon Student Wellness Survey; American College Health Association National College Health Assessment; Oregon Behavioral Risk Factor Surveillance System

Marijuana



Use of marijuana among youth in Lane County is higher than the rates of the state. Over 26% of Lane County 11th graders report smoking marijuana in the past 30 days compared to 21.8% of Oregon teens on average.

Source: Oregon School Wellness Survey, 2012

⁵ CDC Vital Signs Binge Drinking, 2012



Dental/Oral

Access to dental care has been identified by medical and social services providers as a significant problem in Lane County. In 2005-2006 there were 6,718 emergency department visits for dental problems; 48% of these patients were uninsured. From 2002-2007 tooth decay, untreated tooth decay, and rampant decay among Oregon 1st and 2nd graders worsened, and there is no reason to suspect that Lane County children were immune from this decline.

Mental Health

Mental illness refers to a wide range of mental conditions, including disorders that affect mood, thinking and behavior. Mental illness can be highly stigmatized, often underdiagnosed and undertreated. According to 2011 Client Process Monitor System, CPMS, data, Lane County provided mental health treatment services to over 14, 000 residents; 8,628 adults and 5,532 youth. Individuals with a current mental illness are more than twice as likely to smoke cigarettes and more than 50% more likely to be overweight/obese than those without a mental illness.⁶ Mental illnesses have significant impacts on an individual's quality of life, often negatively affecting employment, family ties and social networks, physical health, resiliency to stressors, and connection to the community. Prejudice and discrimination are major barriers to recovery for people who have mental health problems. They are among the reasons why nearly two-thirds of all people with diagnosable mental illness do not seek treatment.⁷

Depression

Depression can have a significant impact on one's life. It can affect your physical health, sleep, increase weight, withdrawal from social contact, increase use and abuse of alcohol and other drugs and increase suicidal tendencies. 64.1% of Lane County adults reported that they had no poor mental health in the past 30 days, compared to 66.4% of Oregon adults⁸. 25% of Lane County adults reported limitations in their usual activities due to poor physical or mental health.

BRFSS Fair/Poor Mental Health Days: "For how many days during the past 30 days was your mental health not good?"

Lane County	Oregon	National Benchmark
3.7	3.3	2.3

Lane County youth experience depression at a higher rate than the state average. According to the 2011 Student Wellness Survey, 21.3% of 6th graders, 24% of 8th graders and 29% of 11th graders

⁶ Compton, MT. "Cigarette smoking and overweight/obesity among individuals with serious mental illnesses: a preventive perspective." *Harvard Review of Psychiatry*. 2006 July-August; 14(4):212-22

⁷ SAMHSA ADS Center, 2008

⁸ Oregon Behavioral Risk Factor Surveillance Survey, 2006-2009 (age-adjusted)

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answered 'Yes' to the question: 'During the past 12 months, did you ever feel so sad or hopeless almost every day for two weeks or more in a row that you stopped doing some usual activities?'

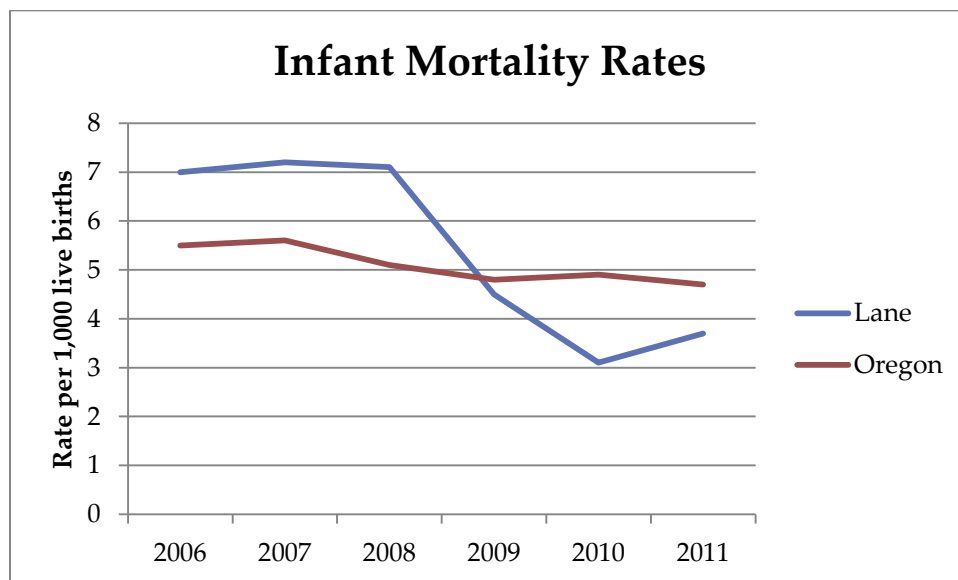
Depression has been identified as a top priority for Trillium, Lane County's Coordinated Care Organization. Depression is the most common illness/condition for which Oregon Health Plan members seek care (9% of OHP members were treated for depression between August 2011 and August 2012).

The county is required to submit a Biennial Mental Health and Addictions Plan to the State Oregon Health Division. The 2013-2015 plan was submitted earlier this year and includes more detail on the needs, gaps and priorities regarding these issues.

Maternal/Child Health

Infant Mortality

Infant mortality rates are a traditional measure of maternal health and wellbeing. Infant mortality is intricately tied to prenatal care, smoking during pregnancy, and poor nutrition. The recent trend in Lane County is very promising, with declining rates of infant mortality in the past few years from well above the state average to slightly below.

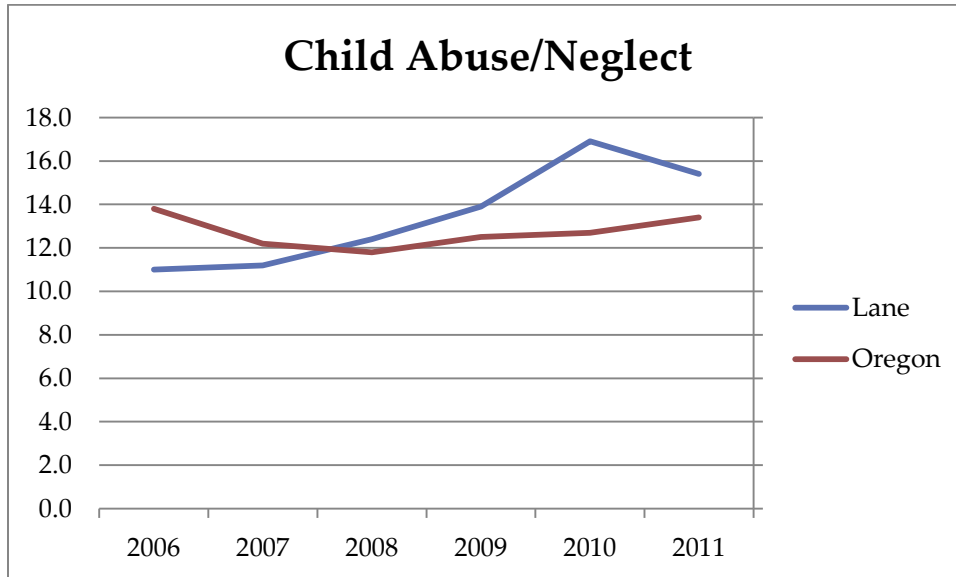


Source: Oregon Vital Statistics County Databook



Child Abuse/Neglect

Child maltreatment is a serious concern in Lane County, one that is reflected in both the data and in conversations with community members and local leaders. Rates of victimization in Lane County have been higher than the state for the past several years, as seen the chart below.



Source: Oregon Child Welfare Data Book, Oregon CAF; rate is per 1,000 children

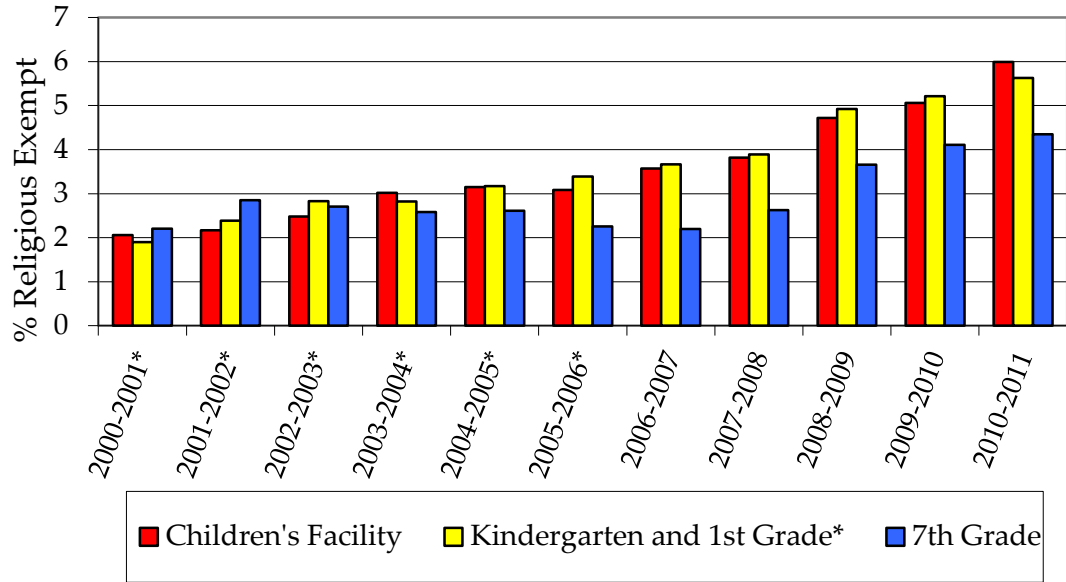
Immunizations

Effective vaccines have played a crucial role in the reduction in child mortality seen in the past hundred years. Many of the diseases that children are vaccinated against are highly contagious and spread quickly through unvaccinated populations. In Lane County, 77.2% of two-year-olds receive the MMR vaccine which is insufficient to prevent outbreaks of measles (a vaccination rate of between 83-94% is required). Lane County has one of the highest rates of religious exemptions in the state, placing the community at a heightened risk of outbreak among unvaccinated groups. OHP members, however, are somewhat more likely to be immunized than non-OHP members.

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Religious Exemption Rates, 2000-2011





OHP Population – Most Prevalent Conditions

Oregon Health Plan members, while generally in line with the health trends and concerns of the general county population, have several unique health burdens and priority areas. Depression is the most common health condition for which OHP members seek medical care (9% of all members). As these statistics were compiled from claims data, they are under-representative of the true burden of these conditions in the OHP population.

Adult smoking rates among Oregon Health Plan adult consumers are almost twice as high as non-OHP consumers. Statewide, OHP consumers are nearly twice as likely to have asthma as the general population.

ACA Condition	Number of Members	% of Members
Depression	4919	9%
Asthma	3886	7%
Bipolar Disorder	3658	7%
Tobacco Use	3205	6%
PTSD	2615	5%
Attention Deficit Disorder	2325	4%
Child Obesity	2238	4%
Diabetes	2238	4%
Chemical Dependency	1920	3%
Adult Obesity	1865	3%

Source: ACA Conditions in the Trillium Community Health Plan Medicaid Population, 2012



Community Themes and Strengths Assessment

Presentation feedback/questionnaires

When the Lane County Community Health Assessment team began presenting data to community groups in August of 2012, attendees were asked to respond to the presentations and suggest additional areas of focus for the team. Over 50 responses were returned, with a wide range of suggested priorities and additional data sources. The vast majority of these suggested priorities closely mirrored the themes that emerged from the data. Respondents were asked eight open-ended questions and encouraged to write their responses during the presentations. Below is a snapshot of the most prevalent responses.

1. Are there vulnerable populations that were not mentioned that we should look at?

Populations that were recommended for additional focus included veterans, the homeless, undocumented persons, single-parent households, people with mental and behavioral health issues, rural residents, and the un/under-employed.

2. What drivers or root causes of these deaths should we focus on?

Top drivers were: tobacco prevention and cessation, healthy nutrition and eating, physical activity, poverty and socioeconomic status, and mental illness.

3. What chronic conditions are of particular concern to you?

Those conditions mentioned most frequently were diabetes, obesity, depression/mental health, asthma, chronic pain, and addiction.

4. Which social determinants of health (those factors of our social, economic, and physical environments that improve or impede a healthy lifestyle) should we focus on?

Respondents indicated that affordable housing, poverty, education, access to health care, food security, and local economic development all had a significant impact on health in the community.

5. What, if any, healthcare access issues not addressed in the presentation are of particular interest to you?

Transportation, dental care and lack of providers, mental health & substance abuse treatment, access to naturopathic care, recruitment of providers, access to care for rural patients, and affordability of medications were cited as additional access issues in Lane County.

6. Which behavioral risk behaviors are of most concern to you?



Drug use, inadequate physical activity, tobacco, diet, alcohol, and prenatal smoking were the behavioral risk factors of most concern to respondents.

7. Are there other areas concerning maternal/child health that we as a community need to address?

Tobacco, prenatal drug/alcohol exposure, contraception access, parenting education and guidance, poverty, maternal obesity, immunization rates, and adverse childhood events (ACEs) were all requested as areas for additional focus.

Community Advisory Coalition Feedback

The Community Advisory Coalition (CAC) has been involved throughout much of the Community Health Assessment and Community Health Improvement Plan (CHIP) process. CAC members participated in the health assessment where appropriate and took the surveys back to their home organizations for distribution. Two CAC consumer members were part of the larger agency planning workgroup, and the CAC also has a workgroup focused specifically on the health assessment and health improvement plan. This workgroup of the CAC has been giving input throughout the process and most recently has been discussing how to prioritize the CHIP for the Trillium population. The larger CAC as well as the Rural Advisory Committee (RAC) have heard presentations about the health assessment and more recently about the CHIP. At a March CAC meeting, members, including the three RAC members on the CAC, heard a formal presentation about the CHIP, and the advisory council had the opportunity to share their input, ideas and feedback.

Since the CAC is looking at the community health assessment from the perspective of the Oregon Health Plan (OHP) population, particular health issues stood out and were concerning to members.

- Tobacco use is among the top five reported claims for Trillium, and the prevention workgroup of the CAC has already put forth a tobacco prevention plan to address this issue that was approved by the Trillium Board of Directors.
- From the data, we also know that depression and other behavioral health conditions pose a significant, preventable health burden for OHP members.
- Statewide, OHP consumers are 50% more likely to be obese than the general population and this difference is expected to be fairly similar in Lane County. Obesity is one of the more commonly diagnosed conditions among OHP consumers.

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- Qualitative data from the community health needs assessment points to affordable transportation options, access to care for rural consumers to be greater needs for OHP consumers than for the general population.

Key Informant interviews

Between August 27 and October 15, 2012, thirty-six key informants with strong leadership and policy knowledge were personally interviewed using a questionnaire instrument made available through NACCHO resources.

The key informants were selected from the following sectors: social services, medical services, law, business, government, education, environment, faith, media, emergency services, philanthropy, and community service. The average length of residence in Lane County was slightly over 32 years and the average number of years in their current position exceeded 14 years except for those key informants who were currently retired. Nearly two-thirds of the key informants were female.

Key informants by sector (percent of total):

Social Services	19.4
Medical Services	16.7
Law	11.1
Business	11.1
Government	8.3
Education	8.3
Community	8.3
Environment	5.5
Faith	2.8
Media	2.8
Emergency Services	2.8
Philanthropy	2.8
TOTAL	99.9

Regarding whether our residents' health and quality of life have improved, stayed the same, or declined, the majority opinion concluded that there has been a decline over the past few years. A quarter of the interviewees thought things were about the same and a few informants expressed a rosier view with improvements in our health and quality of life.

Nearly two-thirds of the responses were overwhelmingly centered on social determinants of health factors including employment, poverty, access to affordable healthcare and housing due to the stressful economic recession and cuts in services as the basis for their opinions regarding health and quality of

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life in Lane County. There was a small set of positive responses (17.4%) about our county's improvements, including improving air quality, increased access to tobacco free sites, tourism and recreational opportunities, and appreciation for community collaborative efforts. Behavioral risk factors were also cited as basis for opinions regarding declining health and quality of life, including obesity, substance abuse, stress, tobacco use, and mental health concerns.

Q: In general, how would you rate health and quality of life in Lane County?

	Number	%
Good to Excellent	11	30.5
Fair – Medium – Moderate	6	16.7
Better than Other Places	9	25
Depends on SES	10	27.8
TOTAL	36	100

Q: Why do you think it has improved, declined, or stayed the same?

	Number	%
Social Determinants Total	37	64.9
Employment	16	28.0
Poverty/Access to Healthcare	11	19.3
Child Mistreatment	4	7.0
Education	3	5.3
Affordable Housing	3	5.3
Behavioral Risk Factors Total	8	14.0
Obesity	3	5.3
Stress	2	3.5
Alcohol/drug/Mental Health	2	3.5
Positive Comments Total	7	12.3
Smoking Bans	1	1.8
Improved Behavioral Risks	1	1.8
Fewer in hazardous jobs	1	1.8
Access improved	1	1.8
More social cohesion	1	1.8
New hospital	1	1.8
Air quality improved	1	1.8
Other Factors Total	5	8.8
Infant Mortality	2	3.5
Air Quality still bad	1	1.8
Hard to implement change	1	1.8

Lane County Community Health Assessment



Loss of sense of community	1	1.8
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The key informants were unanimous in their recognition that our county has groups of people whose health or quality of life is not as good as others. When asked to describe who is not as healthy or likely to have as good a quality of life, over 60% of the opinions centered on the conditions in which people live and how poverty, employment, access to affordable housing, educational opportunities, and child maltreatment affect them. In addition, there was nearly equal concern expressed for those struggling with the behavioral risk factors of substance abuse, obesity, and tobacco use and other factors, primarily the elderly and disabled vulnerable populations.

Further, the key informants clearly recognized poverty and obesity issues as the top critical issues for our county with nearly equal responses given (22.1% and 19.5%, respectively). The key informants clearly voiced support for interventions to prevent obesity (17.2%) and opportunity for increased community collaborations to improve health and quality of life in Lane County (15.5%) (q.8). When probed for additional priorities, key informants continued to select obesity prevention as critical with substance abuse prevention as the second top concern (17.1% and 14.6%, respectively), increasing employment opportunities, access to affordable housing, strengthening educational opportunities, poverty and access to health and dental care, and improving our funding for the above with a reliable tax base were also identified as critical to improving our communities.

Q: What barriers, if any, exist to improving health and quality of life in Lane County?

	Number	%
Income/Employment	21	30.4
Lack of access to & knowledge for healthy practices; lack of resources for policy changes thereof	10	14.5
Access to healthcare	9	13.0
Education	8	11.6
Affordable housing	5	7.2
Transportation	4	5.8
Lack of funding for services	4	5.8
Drug Abuse	3	4.3
Elderly & Disabled Srvs.	2	2.9
Rural/isolated	2	2.9
Non-English speaking	1	1.4

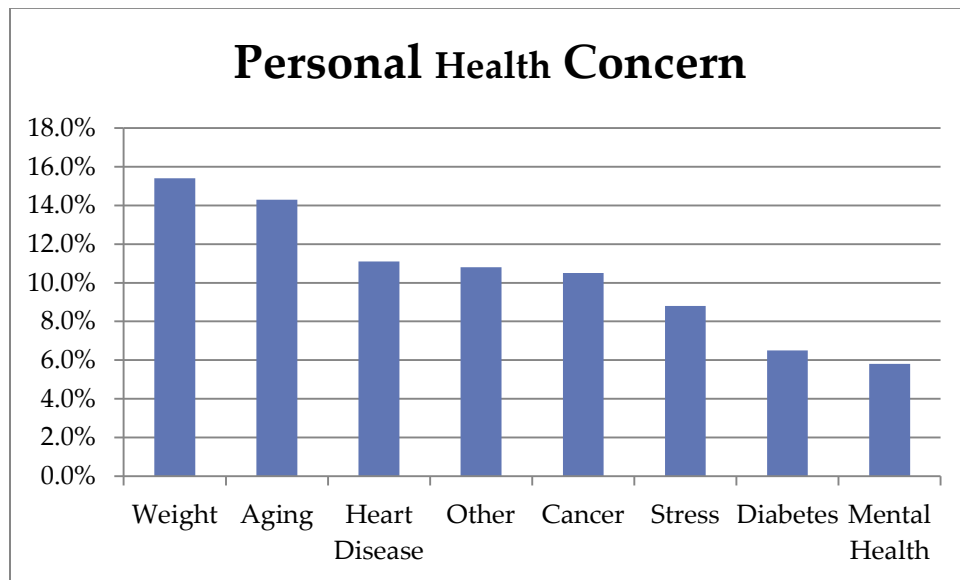
Community Survey

In order to solicit additional community feedback on health, wellbeing, and quality of life in Lane County, the CHA Team distributed a Quality of Life survey at all presentations of the data, as well as at



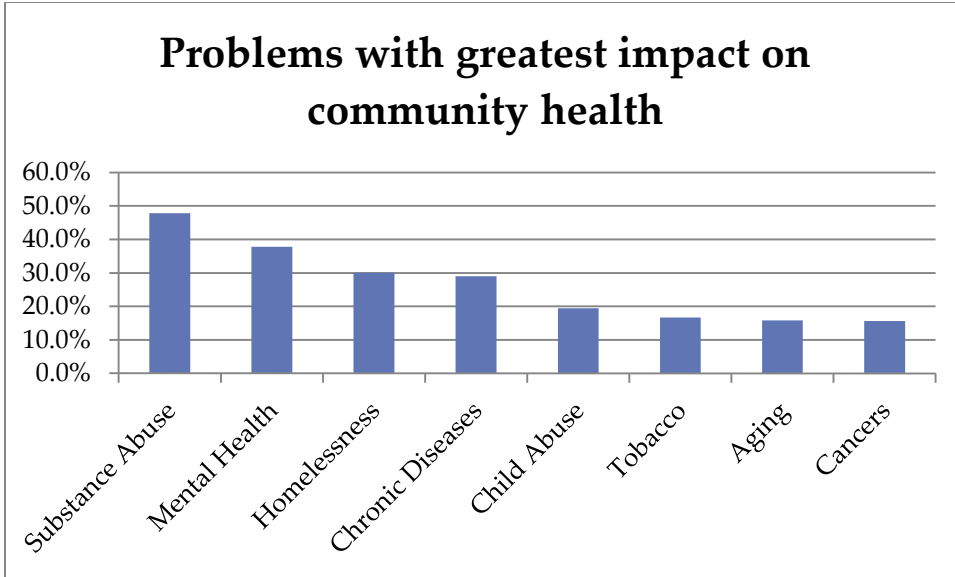
local social service agencies, non-profits, and other community locations. 732 completed surveys were returned. As the survey was conducted via convenience sampling (i.e. non-random), the demographics of the survey population are not entirely representative of the county at large. The Eugene-Springfield area is heavily represented within the survey with fewer responses from the rural and unincorporated areas of the county. The majority (67.3%) of respondents were female; a limited number of responses were from young residents (only 16.8% of responses were from residents younger than 40 years old). However, the surveys do provide some insight into community opinions and perceptions of health in the county.

When asked about their most pressing personal health concern, the top responses were:

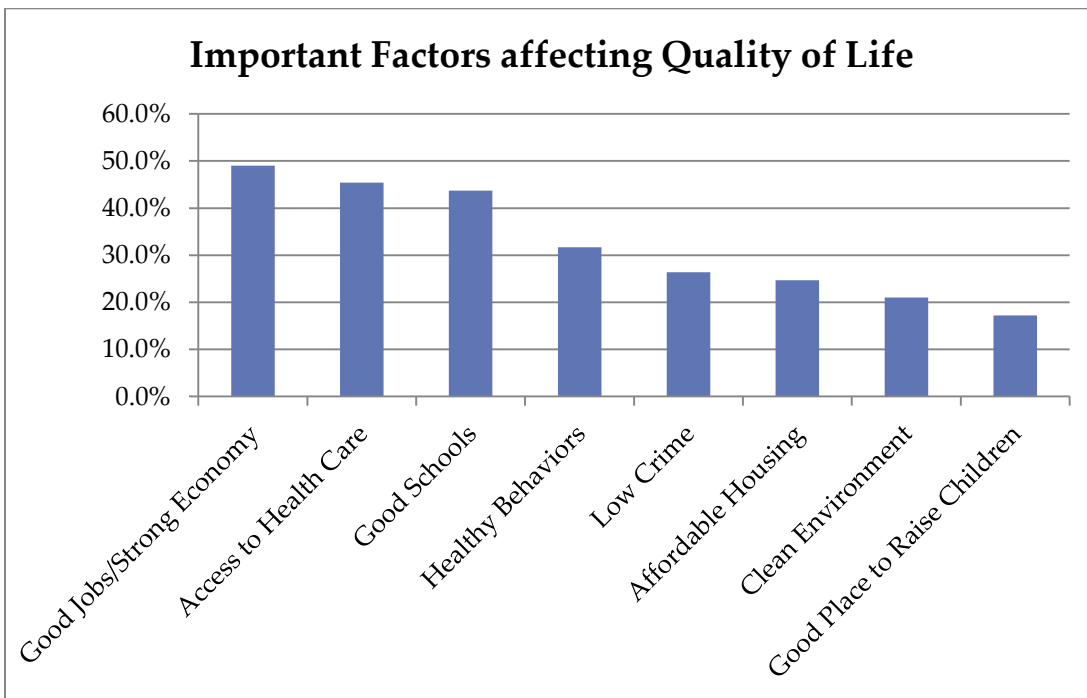


When asked what they thought the top health concerns were for the community as a whole, substance abuse and mental health jumped to the top of the list. Homelessness and child abuse also emerged as significant concerns, reflecting some of the data presented in the socio-economic indicators section of this report. As respondents could choose up to three factors, the percentages add up to more than 100%.

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Respondents were also asked about which socio-economic factors help to make up a “Healthy Community”:



United Way Community Conversations

United Way of Lane County (UWLC) staff and volunteers have conducted dozens of Community Conversations across the County over the last two years. Community Conversations, a model



developed by the Harwood Institute, are facilitator-led discussions with community members from various walks of life.

UWLC staff and volunteers have hosted several Community Conversations focused on health and wellness in our community over the last six months. These Conversations included speaking with community members from low-income housing from across the county, community members from Florence, and Spanish-speaking community members from Cottage Grove and Creswell. The purpose of the conversations was to inform the Community Health Needs Assessment and Improvement Plan about the aspirations and concerns of different groups in the community regarding health and wellness.

**United Way is asking people from across Lane County –
*What do you want health and wellness to be like
in our community?***

Here's what we heard:



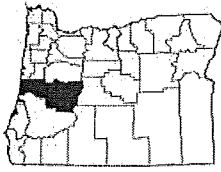
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ACKNOWLEDGEMENTS

Many individuals representing public, private and nonprofit groups worked on the Lane County's Healthy Future Version 1.0, Lane County's community health improvement plan. Their time, dedication and efforts are greatly appreciated. The following is a list of key contributors:

- Lindsey Adkisson, Community Health Analyst, Lane County Public Health
- James Boyle, PeaceHealth, Senior Analyst, PeaceHealth Oregon West
- Anne Celovsky, AmeriCorps VISTA Volunteer, Lane County Public Health
- Mardel Chinburg, Lane County Public Health Advisory Committee Member & University of North Carolina Practicum Student with Lane County Public Health
- Chelsea Clinton, MS, MPA Health Program Specialist, United Way of Lane County/100% Access Coalition
- Jody Corona, Health Facilities Planning & Development, Consultant for PeaceHealth
- Tara DeVee, Trillium Community Advisory Committee
- Jennifer Jordan, MPH, Senior Community Health Analyst, Lane County Public Health
- Rick Kincade, MD, PeaceHealth, Network V.P. for Medical Affairs
- Patrick Luedtke, MD, MPH, Public Health Officer, Lane County Public Health
- Mary Anne McMurren, Administrator, PeaceHealth, Cottage Grove Hospital representing the Cottage Grove Community
- David Parker, Chair, Trillium Community Advisory Committee
- Dan Reece, LCSW, PeaceHealth, Peace Health Manager Network of Care
- Ellen Severson, MPH, Community Health Analyst, Lane County Public Health/Trillium Community Health Plans
- Rick Yecny, CEO, PeaceHealth, Peace Harbor Hospital, representing the Florence area community
- Lane County Public Health Prevention Team
- Lane County Community Members



Lane County, Oregon

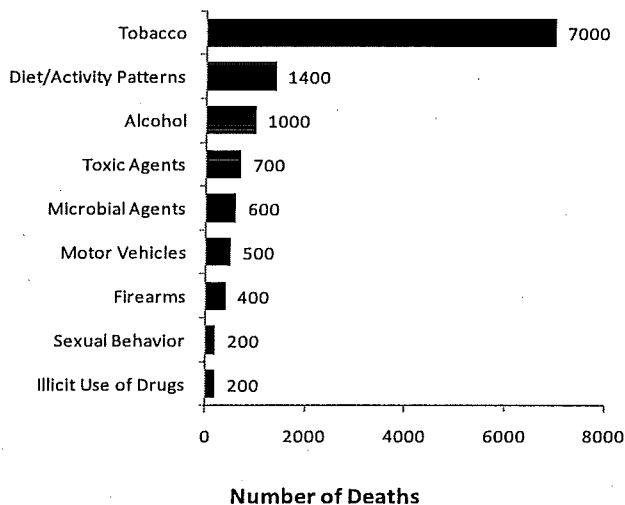
Executive Summary

WELCOME TO LANE COUNTY'S HEALTHY FUTURE!

Lane County has a strong foundation as a healthy community built around abundant natural resources, collaboration across organizations, hardworking residents, caring neighbors, and innovation. We are proud of these assets, but we know there is still much work to be done.

Even though there has been decades of progress in reducing disease and early death, tobacco use continues to be the leading preventable cause of death and disease in Lane County; obesity and diabetes affect more people every year; rates of substance abuse and poor mental health are of serious concern; and access to health care remains a challenge for many. Additionally, health inequities persist for communities of color, low-income populations, sexual minorities, and others. These are complex challenges. Addressing them successfully requires resources, effort, innovation and participation from everyone.

Actual Causes of Death in Oregon*



*Risk factors or the **actual** reasons people die. For example, tobacco smoking is the most common actual cause of death from lung cancer. These data are crucial for monitoring the reasons why people die and for targeting where, when, and how health resources should be expended to reduce morbidity and early mortality.

This Lane County wide community health improvement plan is the product of a collaborative effort by Lane County community members, Lane County Public Health, PeaceHealth, Trillium Community Health Plans (Lane County's Coordinated Care Organization coordinating health care for local Medicaid beneficiaries), and the United Way of Lane County. In order to collaboratively develop this community health improvement plan, the team led an extensive community health assessment and community health improvement planning process over the last year (May 2012-April 2013). Please see the companion document, Lane County's Community Health Assessment Version 1.0, for further details on the process and data collected.

Based on the review of local public health data, it was found that there are more similarities than differences in the health of Lane County residents and that of the rest of the state. For this reason, and in order to align efforts at the state and local level to increase impact, the local team has worked to closely match our community health improvement plan priorities and strategies with those included in the State of Oregon's health improvement plan. We would like to thank the state's community health improvement planning team for their leadership in this work. In addition to aligning priority areas and strategies, much of the background language for each of the five health priority areas in this plan was pulled directly from the State of Oregon's Health Improvement Plan (The 2012 Oregon's Healthy Future, Version 1.0; A Plan for Empowering Communities). We would also like to credit the state team for the work they have done in drafting that and other language we have borrowed from their plan.

Based upon the review of local community health data from a variety of sources, these five priority areas are offered to focus the attention and work of policy-makers and public, private and nonprofits organizations over the course of the implementation of this three year plan (July 2013 – June 2016):

1. Advance and Improve Health Equity
2. Prevent and Reduce Tobacco Use
3. Slow the Increase of Obesity
4. Prevent and Reduce Substance Abuse and Mental Illness
5. Improve Access to Health Care

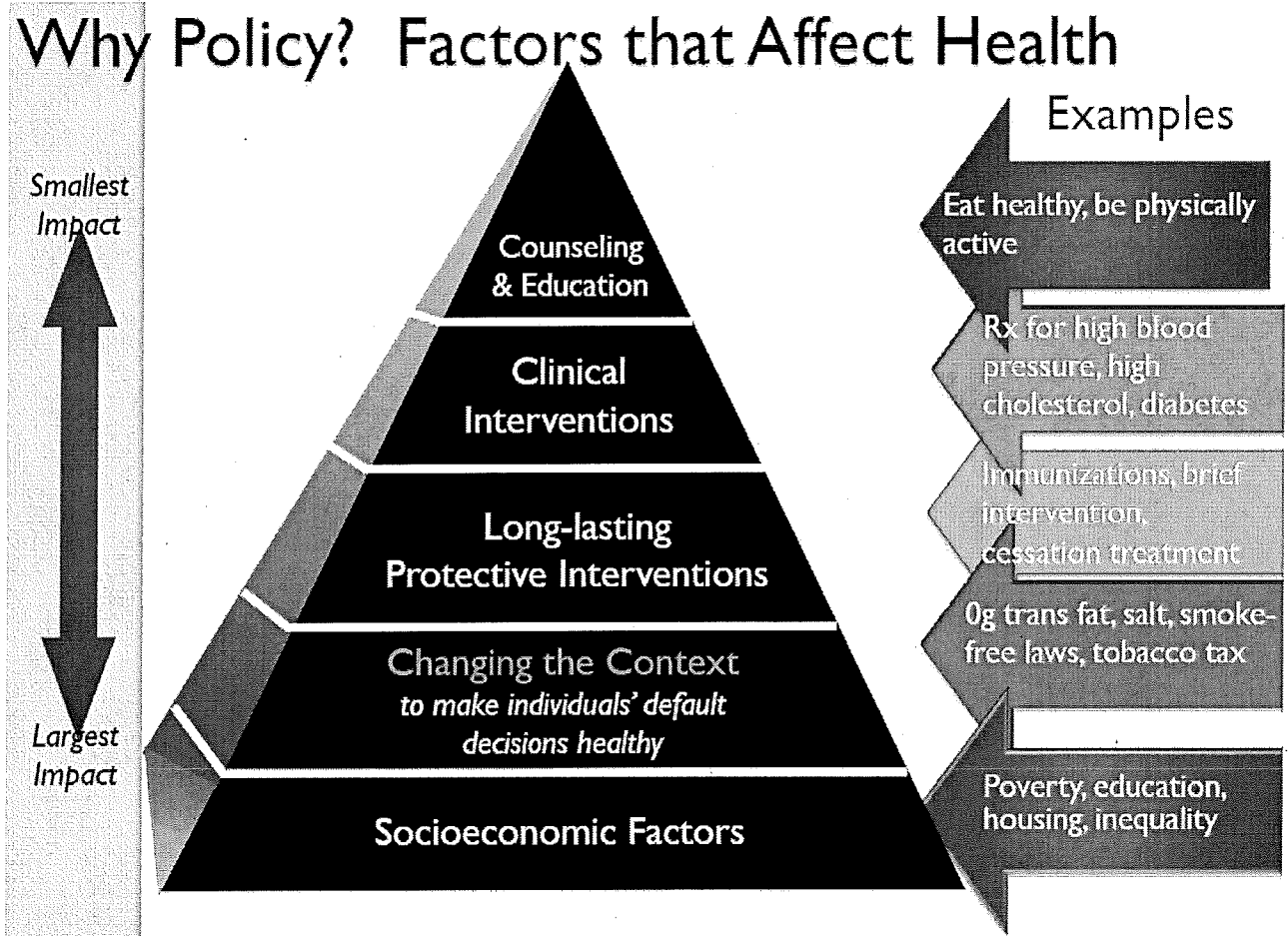
These priorities were chosen based on which accomplishments would offer the greatest improvements in lifelong health, advance health equity, and promote equal access to conditions

that allow people to be healthy. This plan outlines improvement strategies that will address each of these priorities and allow us to advance toward our vision.

While this plan outlines key areas for action over the next 3 years, Lane County's Healthy Future Version 1.0 is a living dynamic document. While the priorities are clear, the details of the means of addressing them will be further developed and evolve and grow over time.

We envision a Lane County where everyone in the community is empowered to participate in efforts to improve the lifelong health of all people in the community. Through this effort, we will work to raise awareness that working toward better health is not just the job of the individual. There are many things we can do at the community and organizational level to ensure that, when residents decide to live healthier, the systems and people around them support and encourage that decision. These changes to the environments where we live, learn, work, and play will make it easier for everyone in the community to achieve better health and improve health equity.

Background & Introduction/Framework



Socioeconomic Factors:

The community health assessment and community health improvement team was encouraged by the level of community interest expressed in efforts that focus on the “social determinants of health”. Work in this area would fall into the bottom and most impactful level of the pyramid above – Socioeconomic Factors. Work in this area – e.g. poverty reduction, ensuring access to affordable housing, increasing formal educational attainment at the community level – has generally been outside the purview of public health interventions. The community health assessment and community health improvement plan leadership team looks forward to supporting and coordinating community efforts to engage in work in this area. Our top priority - advancing and improving health equity - an element in this work plan still at a very early stage of development, will be a place to focus work in this area. Work in each of the four other priority areas will also be prioritized to focus community energy on efforts with the greatest potential to improve health equity.

Changing the Context to Make Individuals’ Default Decisions Healthy:

The majority of the strategies in this plan focus on efforts to encourage public and organizational policy adoption and implementation here in Lane County. As depicted in the visual above developed by Dr. Thomas Frieden, MD, MPH, the Director of the U.S. Centers for Disease Control and Prevention (CDC), it is at the lower levels of the pyramid where we can expect the greatest impact for the effort exerted. This is true both in terms of the resources necessary to lead the intervention and on the impacted community members.

According to CDC Director Dr. Thomas Frieden:

“Public action and interventions represented by the base of the pyramid require less individual effort and have the greatest population impact.”...“Interventions at the top tiers are designed to help individuals rather than entire populations, but they could theoretically have a large population impact if universally and effectively applied. In practice, however, even the best programs at the pyramid’s higher levels achieve limited public health impact, largely because of their dependence on long-term individual behavior change”(A Framework for Public Health Action: The Health Impact Pyramid, *American Journal of Public Health*, April 2010, Vol 100, No 4, pages 590-595). [A complete PDF of this article is available online free of charge].

Because public health is inherently political, unless we build community understanding and support for work at the lower levels of the pyramid, we cannot expect to gain the level of support necessary to encourage the policy changes needed to get ahead of health problems of this

complexity. It is not the intent of this plan to devalue or ignore the importance of working at all levels, in fact Dr. Frieden argues that implementing interventions at each of the levels can lead to maximum sustained impact. This plan instead works to direct limited community attention and resources to efforts where we can expect to achieve the greatest community health benefit. Interventions at the top of the pyramid are better understood and don't require as much leadership support to implement.

To quote Dr. Frieden again: "The biggest obstacle to making fundamental societal changes is often not a shortage of funds but lack of political will; the health sector is well positioned to build the support and develop the partnerships required for change".

HEALTH PRIORITY ONE:

ADVANCE AND IMPROVE HEALTH EQUITY

Background

Health equity has been identified as the first and most important health priority in this plan. In addition to stand-alone work in this area, health equity is to be incorporated into each of the other four health priorities in this plan- tobacco, obesity, substance abuse/behavioral health and access to health care. Impacts on health equity were considered in the selection of health improvement strategies for these other four priorities. When data are available, each of the measurable objectives, performance measures, and health outcomes should be analyzed by race/ethnicity, geography, income, educational attainment, language spoken, sexual orientation, disability status, and other population characteristics that can be associated with health disparities. This workplan will also support efforts to improve data collection efforts in this area so that we are better able to demonstrate health equity improvements.

Health disparities are population-specific differences in health outcomes. Examples of health disparities are when a specific population (defined by race/ethnicity, income, education or other factors) has an increased likelihood of using tobacco, having heart disease or dying prematurely. Some health disparities cannot be eliminated, for example, older adults are more likely to have heart disease than younger adults.

Health inequities are the unfair, avoidable and unjust social and community conditions that lead to disparities in health outcomes. Examples of health inequities include neighborhoods with less access to healthy food options, areas with higher air pollution, communities with lower-achieving schools, and populations that have less access to appropriate health care.

Achieving health equity requires structural, social and political changes to equalize the conditions that promote health for all people, especially populations that have experienced historical injustices or face socioeconomic disadvantages.

According to the most recent U.S. Census, Oregon's population is becoming more racially and ethnically diverse. From 2000 to 2010, the total population of Oregon increased 12%, while the population of Oregon's communities of color increased 46%, almost four times as fast. Communities of color now comprise 22% of the total state population, up from 16% in 2000. This trend is likely to continue, as 34% of Oregon youth under 18 years old are members of communities of color. Among the population receiving services from the Oregon Health Plan (Medicaid), 40% are from communities of color.

Effects of health inequities

Health inequities result in unnecessary loss of life and also increase the costs of the health care system. A national study by Johns Hopkins University and University of Maryland researchers found that almost one-third of the medical care expenditures for African Americans, Asians and Hispanics were excess costs due to health inequities.¹

Data from Oregon's State Health Profile show the extent of some current health disparities. For example, adult obesity rates are higher for Latinos (31%), American Indians/Alaska Natives (30%), and African Americans (29%) compared to non-Latino whites (24%). The prevalence of asthma is twice as high for economically disadvantaged adults (defined by educational attainment and household income) compared to non-economically disadvantaged adults. Compared to the overall adult smoking prevalence of 20%, the smoking prevalence is higher for adults who are economically disadvantaged (33%), American Indian/Alaska Native (38%), and African American (30%).

Factors that influence health equity

There are many causes for the adverse health outcomes experienced by certain communities. Populations experiencing health disparities may be less likely to live in neighborhoods with easy access to fresh produce, less likely to be tobacco-free, less likely to have health insurance, and less likely to receive the appropriate care when seeing a health care provider. Equity must be considered in all health issues, spanning from preconception to the end of life.

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Health outcomes are also strongly influenced by factors that are not always seen as directly related to health. Such factors include housing, transportation, economic development and educational opportunities. It is critical to address equity in all the areas that affect a person's health. And, it should be recognized that health affects a person's ability to succeed in other areas. For example, a healthy youth is more likely to do well academically, and a healthy adult can be a more productive worker.

Equity lens

An equity lens process is a method for identifying and addressing health inequities. The equity lens is used to assess policies and programs for disproportionate effects on specific populations. Then, necessary modifications can be made that would improve health equity. The equity lens process is an intentional method for making more informed decisions and moving toward the goal of achieving health equity. An equity lens can be applied to any policy or program that affects health.

¹LaVeist TA, Gaskin DJ, Richard P. The Economic Burden of Health Inequalities in the United States.2009.http://www.jointcenter.org/hpi/sites/all/files/Burden_Of_Health_FINAL_0.pdf

For example, the equity lens was used to review the improvement strategies for the four other health priorities in this plan relating to tobacco, obesity, oral health and substance abuse/behavioral health. Among the improvement strategies developed for these four health priorities, the following strategies have the greatest potential to promote health equity, although they are not strategies that have been adopted into the identified health equity priority strategies.

Over the first six months of implementation of this plan, a community-wide Health Equity Advisory Group will be established. During this time, the team will also participate in related training and a facilitated process to further develop improvement strategies, performance measures and targets in this area for the remaining two and a half years of this three-year plan (through June of 2016).

Health Priority #1: Improving Health Equity

Health outcomes	Age-adjusted death rates by race/ethnicity														
Measurable Objectives	<p>A few examples of baseline data the state is considering and which we might also consider (additional work in this area to be completed by to-be-established Health Equity Advisory Group)</p> <p>High school graduation rates by race/ethnicity – baseline state data (2010), targets to be determined</p> <table data-bbox="941 945 1136 1470"> <tr> <td>African American</td> <td>49.8%</td> </tr> <tr> <td>American Indian/Alaska Native</td> <td>59.3%</td> </tr> <tr> <td>Asian/Pacific Islander</td> <td>76.1%</td> </tr> <tr> <td>Hispanic</td> <td>55.2%</td> </tr> <tr> <td>White</td> <td>69.9%</td> </tr> </table> <p>Percentage of babies with low birthweight babies by race/ethnicity – baseline state data (2010), targets to be determined</p> <table data-bbox="1250 945 1331 1470"> <tr> <td>African American</td> <td>10.9%</td> </tr> <tr> <td>American Indian/Alaska Native</td> <td>7.4%</td> </tr> </table>	African American	49.8%	American Indian/Alaska Native	59.3%	Asian/Pacific Islander	76.1%	Hispanic	55.2%	White	69.9%	African American	10.9%	American Indian/Alaska Native	7.4%
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African American	10.9%														
American Indian/Alaska Native	7.4%														

	<p>Asian 7.8%</p> <p>Hawaiian/Pacific Islander 11.1%</p> <p>Hispanic 6.1%</p> <p>White 6.0%</p>		
<p>Incarceration rates per 100,000 by race/ethnicity – baseline state data (2005), targets to be determined</p>			
	<p>African American 2,930</p> <p>Hispanic 573</p> <p>White 502</p>		
	<p>Performance Measure</p> <p>TBD by Health Equity Advisory Group</p>	<p>Target by July 2016</p> <p>TBD by Health Equity Advisory Group</p>	<p>Responsible Parties</p> <p>CHIP Leadership Team, Health Equity Advisory Group, all people and organizations working on the underlying health priority</p>
<p>Improvement Strategies</p> <p>Strategy 1: Examine the implementation of all Community Health Improvement Plan strategies through an “equity lens” to assess any disproportionate impacts on specific populations and make any necessary modifications to improve health equity</p>			

Health Priority #1: Improving Health Equity			
Improvement Strategies	Performance Measure	Target by July 2016	Responsible Parties
<p>Strategy 2: Increase CHIP Leadership Team's and other community leaders and stakeholders understanding of health disparities in order to build capacity to address disparities</p> <p>Strategy 3: Engage diverse communities in policy initiatives to help ensure that the impacts on health equity are considered when implementing policies</p> <p>Strategy 4: Increase the capacity of Lane County's diverse populations to participate in community health improvement activities</p> <p>Strategy 5: Collaborate with educational institutions and employers to diversify the workforce in health-related fields</p>	<p>TBD by Health Equity Advisory Group</p>	<p>TBD by Health Equity Advisory Group</p>	<p>CHIP Leadership Team, Health Equity Advisory Group, all people and organizations working on the underlying health priority</p>

Health Priority #1: Improving Health Equity			
Improvement Strategies	Performance Measure	Target by July 2016	Responsible Parties
<p>Strategy 6: Increase the level of cultural competency of the workforce in health-related fields</p> <p>Strategy 7: When determining priorities for improving health, set measurable goals for reducing health disparities</p> <p>Strategy 8: Ensure that health information systems include data on race/ethnicity and other characteristics (e.g. rural, urban, income and educational attainment) necessary to monitor health equity</p> <p>Strategy 9: Disseminate lessons learned</p>	<p>TBD by Health Equity Advisory Group</p>	<p>TBD by Health Equity Advisory Group</p>	<p>CHIP Leadership Team, Health Equity Advisory Group, all people and organizations working on the underlying health priority</p>

HEALTH PRIORITY TWO:

PREVENT AND REDUCE TOBACCO USE

Background

Tobacco use remains the number one cause of preventable death in Lane County, in Oregon and the nation. Tobacco kills about 7,000 Oregonians each year and nearly 700 people a year in Lane County alone. About 800 additional deaths are caused by secondhand smoke each year across the state.

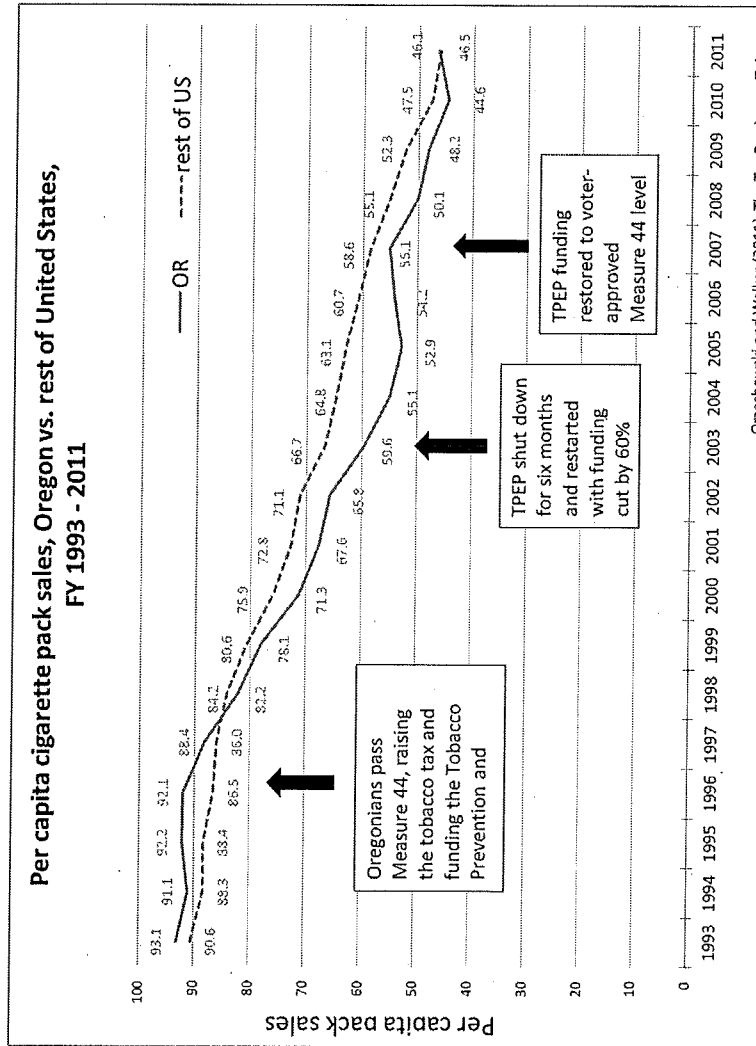
In order to get a sufficient sample size, it is often necessary to combine multiple years of county-level data. Data availability can also lag behind a few years depending upon sample size, participation levels, and data analysis resources. The data below were the most recent data available at the drafting of this report. All data are either from the 2011 Oregon Tobacco Facts & Laws report or the Oregon BRFSS County Combined Dataset for 2008-2011

- 18.1% of Lane County adults smoked cigarettes 2008-2011 (state rate during this period was 16.3%)
- 15% of Lane County 11th graders reported smoking during the 2007-2008 school year
- 8.4% of 8th graders reported smoking during the 2007-2008 school year
- 14.3% of pregnant women reported prenatal tobacco use in 2003-2007 (state rate during this period was 12.2%)
- 47% of Lane County adults reported trying to quit each year from 2008-2011

Tobacco use costs Oregon more than \$243 million annually in direct medical expenditures and indirect costs due to premature death. At the state level, treating smoking-related disease costs Oregon Medicaid \$374 million per year. In 2011, Oregon smokers paid an average of \$5.41 per pack, in contrast with the true cost to society of \$13.97 per pack (Oregon Tobacco Facts & Laws, 2011). Almost every chronic disease is either caused, or worsened, by tobacco. Chronic diseases account for approximately \$0.85 of every \$1.00 spent of health care costs. For Lane County to achieve success with health system transformation and the Triple Aim components of better health and health care at lower cost, Lane County must reduce tobacco use and exposure to secondhand smoke.

To reduce tobacco use, Lane County must take a comprehensive approach. To provide a framework for a comprehensive tobacco control program, the World Health Organization created the MPOWER framework. The US Centers for Disease Control and Prevention and the Oregon Public Health Division have adopted and provide technical support to local jurisdictions in the implementation of this framework. The strategies below represent the application of this framework to Lane County's current status.

Oregonians voted in 1996 for Measure 44, which raised cigarette taxes and funded the Tobacco Prevention and Education Program. As shown in the chart below, cigarette consumption has declined in Oregon during the past 15 years.



The MPOWER framework is not well known or broadly understood by community leaders in Lane County. Over the first six months of the implementation of this plan the community health assessment and community health improvement leadership team will organize a series of training events to build community leaders and decision makers understanding of this framework.

Tracking and Monitoring Policy, Systems and Environmental Change

The performance measures recommended in the table below will be tracked by Lane County Public Health's Tobacco Prevention and Education Program staff and shared with the local community health improvement plan leadership team, the community and the Oregon Public Health Division's Health Promotion and Chronic Disease Prevention Section. Oregon's public health system routinely collects and analyzes data on the prevalence of diseases and risk factors across the population and among sub-populations, and monitors state and local policies that prevent disease and support healthy living. To capture local and state policies, the Health Promotion and Chronic Disease Prevention Section established a policy database to track local and state policies to prevent tobacco use, obesity, and active living. Components of the database include, but are not limited to:

- Type of policy
- Data policy adopted and implemented
- Population-reach
- Jurisdiction
- Contact Information

Health Priority #2: Prevent and Reduce Tobacco Use	
Health outcomes	Reduce the prevalence of asthma, arthritis, cancer, diabetes, heart disease, and stroke among children and adults
Health equity focus	Ensure that policy, systems and environmental strategies are prioritized to address specific populations (e.g. racial and ethnic minorities, pregnant women, people with mental illness, low income people, LGBT community) and reduce health disparities

<p>Measurable Objectives</p>	<p>Reduce the percentage of adults who smoke</p> <ul style="list-style-type: none"> • Baseline: 18.1% (2008-2011 BRFSS) <p>Reduce the percentage of 8th and 11th graders who smoke</p> <ul style="list-style-type: none"> • Baseline: 8th graders: 8% (2007/2008, OHT) • Baseline: 11th graders 15% (2007/2008, OHT) 		
<p>Strategy 1: Build community leaders and decision makers understanding of the WHO MPOWER framework for tobacco control, the history of tobacco control in Lane County and the strategies below</p>	<p>Key community leaders and decision makers understand and support local implementation of the WHO MPOWER framework for tobacco control</p>	<p>Key leaders and decision makers participate in a process to build understanding of the WHO MPOWER framework</p>	<p>CHIP leadership team</p>
<p>Strategy 2: Engage in efforts to encourage support for statewide legislation to increase the price of cigarettes by \$1/pack excise tax (and proportionate amount on other tobacco products) and dedicate 10% (\$40 million) to comprehensive and effective efforts at the state and local levels to reduce tobacco use and exposure in adults and children</p>	<ul style="list-style-type: none"> • The amount of state tax on a pack of cigarettes • Allocations to the Tobacco Use Reduction Account are secured 	<ul style="list-style-type: none"> • \$2.18 tax/pack • Baseline: \$1.18 (2013) • Approximately \$20 million annually allocated to the Tobacco Use Reduction Account • Baseline: \$12.5 million (2009-2011 Biennium) 	<p>CHIP leadership team, Tobacco-Free Lane County Coalition, new community leader champions to be developed, Statewide tobacco control advocacy partners: American Heart Association, American Cancer Society, and American Lung Association, Campaign for Tobacco Free Kids</p>

Health Priority #2: Prevent and Reduce Tobacco Use			
Improvement Strategies	Performance Measure	Target by July 2016	Responsible Parties
<p>Strategy 3: Increase the number of environments where tobacco use is prohibited:</p> <ul style="list-style-type: none"> • City & county operated campuses • Parks and outdoor recreational spaces • Early through higher education campuses • Places where people connect with physical and mental health services and support services • Worksites 	<ul style="list-style-type: none"> • Number of local government entities that adopt and implement tobacco-free campus policies • Number of public places that are tobacco-free including parks and recreational properties • Number of early through higher education properties that are tobacco free • Number of places where people connect with physical and mental health services and support services that are tobacco-free • Number of other worksites that are tobacco-free 	<ul style="list-style-type: none"> • All Lane County worksite properties are tobacco-free <p>Baseline: All Lane County Health and Human Services Department properties will be tobacco-free by June 30th, 2013</p> <ul style="list-style-type: none"> • Increase the number of cities in Lane County that adopt and implement tobacco-free campus policies <p>Baseline: No cities in Lane County have adopted tobacco-free campus policies</p> <ul style="list-style-type: none"> • Increase the number of local park jurisdictions in Lane County that adopt 	<p>CHIP leadership team (Lane County, PeaceHealth, Trillium, United Way), Lane County Public Health's Tobacco Prevention and Education Program Team, parks district staff, county and city government officials, education officials, large employers, physical, mental, dental and social service providers, Tobacco-Free Lane County Coalition, new community leader champions to be encouraged</p>

Health Priority #2: Prevent and Reduce Tobacco Use			
Improvement Strategies	Performance Measure	Target by July 2016	Responsible Parties
		and implement tobacco-free parks policies Baseline: No park jurisdictions in Lane County are tobacco-free; assessment of recreational properties policies needed <ul style="list-style-type: none"> • Increase the number of places where people connect with physical and mental health services and support services that adopt and implement tobacco-free campus policies Baseline: All four PeaceHealth hospitals in Lane County are tobacco-free, Planned Parenthood is tobacco-free but may not have a written policy, McKenzie-Willamette	

Health Priority #2: Prevent and Reduce Tobacco Use			
Improvement Strategies	Performance Measure	Target by July 2016	Responsible Parties
		<p>hospital allows smoking in designated areas, all state-funded residential addictions and mental health facilities are required to be tobacco-free by June 30th, 2013 but may need support, assessment of policies at other places where people connect with physical and mental health services and support services needed</p> <ul style="list-style-type: none"> • All early through higher education properties are tobacco-free <p>Baseline: All K-12 schools in Oregon are tobacco-free, the University of Oregon adopted a tobacco-free campus policy in September of 2012, Lane</p>	

Health Priority #2: Prevent and Reduce Tobacco Use			
Improvement Strategies	Performance Measure	Target by July 2016	Responsible Parties
		<p>Community College allows smoking in designated areas, Head Start campuses are tobacco-free, assessment of other properties needed</p> <ul style="list-style-type: none"> Increase the number of other worksites that adopt and implement tobacco-free campus policies <p>Baseline: Assessment of current policies needed</p>	
<p>Strategy 4: Support adoption and implementation of tobacco-free multi-unit housing complex policies (indoors)</p>	<ul style="list-style-type: none"> Number of multi-unit housing properties that are tobacco-free 	<ul style="list-style-type: none"> Increase number of multi-unit properties that adopt tobacco-free indoor policies <p>Baseline: The Housing and Community Services Agency of Lane County implemented a tobacco-free policy banning smoking inside all of their complexes in 2010;</p>	<p>CHIP leadership team, Lane County Public Health's Tobacco Prevention and Education Program, Tobacco-Free Lane County Coalition, new community leader champions to be developed</p>

Health Priority #2: Prevent and Reduce Tobacco Use			
Improvement Strategies	Performance Measure	Target by July 2016	Responsible Parties
<p>Strategy 5: Promote the Oregon Tobacco Quitline as part of every local tobacco-free initiative</p>	<ul style="list-style-type: none"> Number of calls to the Oregon Tobacco Quitline from Lane County residents Number of Lane County residents using the Quitline's web-based service 	<p>assessment of other multi-unit property policies needed</p> <ul style="list-style-type: none"> Increase the number of tobacco users from Lane County who call the Quitline to at least 2% <p>Baseline: In FY 11/12 1.2% of tobacco users in Lane County called the Quitline</p>	<p>Lane County Public Health's Tobacco Prevention and Education Program, CHIP leadership team, new community leader champions to be encouraged, physical, mental, dental and social service providers through referrals</p>
<p>Strategy 6: Promote the Oregon Tobacco Quitline and incorporate Healthy Communities, Healthy People messaging developed by the state Public Health Division's media contractor into all earned media and other communications</p>	<ul style="list-style-type: none"> Number of times Healthy People, Healthy Communities messaging appears in local media Number of times Oregon Tobacco Quitline messaging appears in local media 	<ul style="list-style-type: none"> Increase the number of times Oregon Tobacco Quitline messaging appears in local media <p>Baseline: System to track messaging needed</p> <ul style="list-style-type: none"> Increase the number of times the Healthy Communities, Healthy People messaging appears in local media <p>Baseline: Messaging has not yet been used with</p>	<p>CHIP Leadership Team, local and statewide advocacy organizations, community members</p>

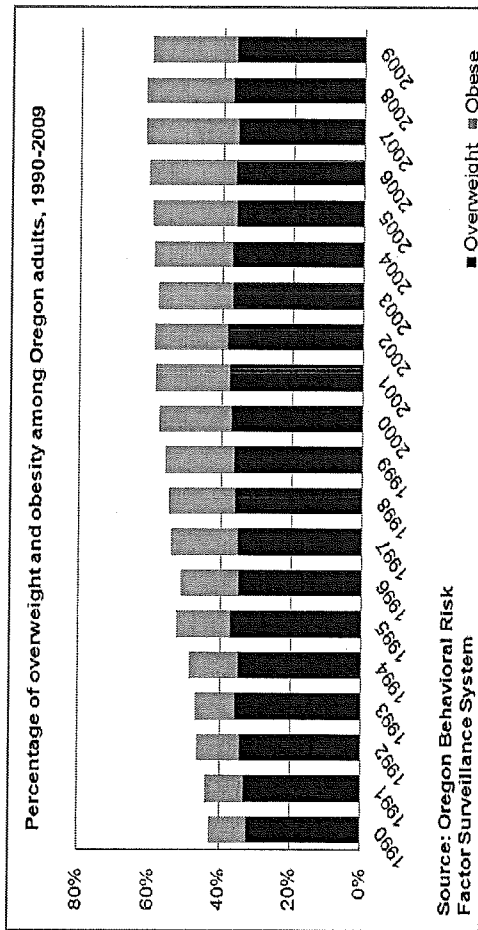
Health Priority #2: Prevent and Reduce Tobacco Use			
Improvement Strategies	Performance Measure	Target by July 2016	Responsible Parties
<p>Strategy 7: Support and encourage the City of Eugene to conduct annual compliance inspections of all licensed tobacco retail outlets and ensure enforcement action is taken against those outlets out of compliance.</p>	<ul style="list-style-type: none"> Number of licensed tobacco retail outlets in Eugene receiving an unannounced site inspection Number of licensed tobacco retail outlets in Eugene that received enforcement action taken against them for being out of compliance 	<p>media</p> <ul style="list-style-type: none"> 100% of tobacco retail outlets will be inspected <p>Baseline: None</p> <ul style="list-style-type: none"> Enforcement action will be taken against 100% of tobacco retail outlets found out of compliance <p>Baseline: None</p>	<p>CHIP Leadership Team, Lane County Tobacco Prevention and Education Program, City of Eugene</p>

**HEALTH PRIORITY THREE:
PREVENT AND REDUCE OBESITY**

Background

Obesity is the second cause of preventable death in Lane County, in Oregon and the nation, second only to tobacco use. Obesity-related illnesses annually account for about 1,500 deaths in Oregon. Between 2001 and 2009, the percentage of Oregon students who were obese increased 53 percent for 8th graders and 55 percent for 11th graders. Since 1990, Oregon's adult obesity rate has increased 121 percent (Oregon Overweight, Obesity, Physical Activity and Nutrition Facts, 2012). The increasing trend can be seen in the chart below. The goal is to decelerate this upward trend in obesity.

Preventing obesity among Lane County residents lowers the risk of diabetes, heart disease, stroke, high blood pressure, stress and depression. Children and adolescents who are obese are at increased risk for becoming obese as adults and face a lifetime of negative health consequences.



A public health approach to obesity prevention is not well known or broadly understood by community leaders in Lane County. Over the first six months of the implementation of this plan the community health assessment and community health improvement leadership team will organize a series of training events to build community leaders and decision makers understanding of this work.

Oregon the State Public Health Division, Health Promotion and Chronic Disease Prevention Section compiles and combines 4 years of county-level data on many chronic disease risk factors, including obesity.

Among Lane County adults for the 2008-2011 combined years:

- 60 percent of adults living in Lane County were overweight or obese
- 27 percent of adults met recommendations for fruit and vegetable consumption
- 60 percent of adults met minimum recommendations for physical activity

Among Lane County eighth-graders for the 2007-2008 school year:

- 26 percent of eighth-graders were overweight or obese
- 18 percent of eighth-graders drank seven or more soft drinks a week
- 22 percent met minimum recommendations for fruit and vegetable consumptions
- 53 percent participated in daily physical education
- 23 percent of eighth-graders played video games, computer games or used the Internet for non-school work for three or more hours in an average day

Among Lane County eleventh-graders for the 2007-2008 school year:

- 25 percent of eleventh-graders were overweight or obese
- 18 percent drank seven or more soft drinks a week

- 23 percent participated in daily physical education

Each year, Oregon spends about \$1.6 billion (\$339 million paid by Medicaid) in medical expenses for obesity-related chronic diseases, such as diabetes and heart disease. Annual medical costs of persons who are obese are estimated to be \$1,429 higher per person than those of persons who are not obese (Oregon Overweight, Obesity, Physical Activity and Nutrition Facts, 2012).

Chronic diseases account for approximately \$.085 of every \$1.00 spent on health care costs. For Lane County to achieve success with health system transformation and attain better health and reduce health care costs, Lane County must reduce and prevent obesity.

Health Priority #3: Prevent and Reduce Obesity

Health outcomes	Reduce the prevalence of asthma, arthritis, cancer, diabetes, heart disease, and stroke among children and adults
Health equity focus	Ensure that policy, systems and environmental strategies are prioritized to address specific populations (e.g. racial and ethnic minorities, pregnant women, people with mental illness, low income people) and reduce health disparities
Measurable Objectives	<p>Adoption and implementation of public and organizational policies:</p> <ul style="list-style-type: none"> • Type of policy • Date policy adopted and implemented • Population-reach • Jurisdiction • Contact Information <p>Decelerate the increase in obesity:</p> <ul style="list-style-type: none"> • Adults to 30% or less (2008-2011: 27%) • 11th graders to 11% or less (2009 11%) • 8th graders to 10% or less (2009: 10%)

Health Priority #2: Prevent and Reduce Obesity			
Improvement Strategies	Performance Measure	Target by July 2016	Responsible Parties
<p>Strategy 1: Build community leaders and decision makers understanding of a public health approach to obesity prevention and the history of obesity prevention efforts in Lane County and across the nation and of the obesity prevention strategies below</p>	<ul style="list-style-type: none"> Key community leaders and decision makers understand a public health approach to obesity prevention and support local implementation of this plan 	<p>Key leaders and decision makers participate in a process to build understanding of obesity prevention and this plan</p>	<p>CHIP leadership team</p>
<p>Strategy 2: Support adoption and implementation of healthy meetings and events policies for food and beverages provided to staff, partners and the public at local government agencies, schools, health care facilities, social service organizations, community organizations and workites at meetings and events including eliminating the provision of sugary drinks</p>	<ul style="list-style-type: none"> Percentage of local government agencies, local school districts, universities, community colleges, health and social service agencies, community organizations and other workites with written policies requiring that foods and beverages served meet certain criteria 	<ul style="list-style-type: none"> At least one of each of the categories of organizations listed will have adopted a policy regarding the food they provide to staff, partners and the public at meetings and events including eliminating the provision of sugary drinks <p>Baseline: In 2011 Lane County Public Health</p>	<p>CHIP Leadership Team, local and statewide advocacy organizations, old and new local obesity prevention champions</p>

Health Priority #2: Prevent and Reduce Obesity

Improvement Strategies	Performance Measure	Target by July 2016	Responsible Parties
<p>Strategy 3: Support adoption and implementation of healthy food and beverage policies for items sold in vending machines, in on site restaurants cafeterias and cafes, and in on site stores at local government agencies, schools, health care facilities, social service organizations, community organizations, and other worksites including eliminating the sale of sugary beverages on site</p>	<ul style="list-style-type: none"> Percentage of local government agencies, local school districts, universities, community colleges, health and social service agencies, community organizations and other worksites with written policies requiring that foods and beverages sold served meet certain criteria 	<p>adopted a policy with nutrition standards for food and beverages served at meetings and events for items that are purchased using any public health funds</p> <ul style="list-style-type: none"> At least one of each of the categories of organizations listed will have adopted a policy regarding the food available for sale to staff, partners and the public at their worksites including eliminating the sale of sugary drinks <p>Baseline: All K-12 schools in Oregon are required to sell only items that meet nutrition standards outlined in HB 2650/Oregon Law</p>	<p>CHIP Leadership Team, local and statewide advocacy organizations, old and new local obesity prevention champions</p>

Health Priority #2: Prevent and Reduce Obesity

Improvement Strategies	Performance Measure	Target by July 2016	Responsible Parties
<p>Strategy 4: Build local support for legislative efforts to raise the price of sugary drinks through a statewide excise tax. Dedicate a portion of proceeds to reach recommended funding (\$22 million/year) for comprehensive efforts to reduce obesity and chronic disease in adults and children, especially in</p>	<ul style="list-style-type: none"> The amount of state tax on sugary beverages 	<p>336.423 during school hours; PeaceHealth Oregon Region adopted a healthy vending machine policy in 2013; the City of Eugene’s Library, Cultural and Recreation Services Department is on the cusp of adopting a similar policy; some baseline assessment conducted recently, but additional assessment needed</p> <ul style="list-style-type: none"> Sugar sweetened beverages taxed and funding to obesity prevention allocated Baseline: No current tax 	<p>CHIP Leadership Team, local and statewide advocacy organizations, old and new local obesity prevention champions</p>

Health Priority #2: Prevent and Reduce Obesity			
Improvement Strategies	Performance Measure	Target by July 2016	Responsible Parties
<p>populations experiencing disparities including implementation of best and promising practice interventions by the county, schools, coalitions, and community-based organizations</p> <p>Strategy 5: Build local support for implementation of the 2017 legislative PE mandate</p>	<ul style="list-style-type: none"> Participate in local and statewide efforts to ensure that the overall health and academic contributions of physical education are recognized, valued and supported 	<ul style="list-style-type: none"> All school districts in Lane County are on track to meet minimum PE requirements (grades K-5 = 150 minutes/week grades 6-8 225 minutes/week) outlined in ORS 329.496 by 2017 deadline <p>Baseline: Statewide data from 2011-2012 school year suggests that schools have a long way to go before meeting mandates, local assessment needed</p>	<p>CHIP Leadership Team, local Superintendents, parents, PE champions, local and statewide advocacy organizations, old and new local obesity prevention champions</p>

Health Priority #2: Prevent and Reduce Obesity

Improvement Strategies	Performance Measure	Target by July 2016	Responsible Parties
<p>Strategy 6: Support statewide efforts to secure funds to support active transportation projects, such as public transit, inter-city rail, and bicycle and pedestrian projects</p>	<ul style="list-style-type: none"> Participate in statewide efforts to secure \$50 million each biennium in dedicated funds to support active transportation projects outside of the road right of way, such as public transit, inter-city rail, and bicycle and pedestrian projects 	<p>\$50 million (in state budget) dedicated annually</p>	<p>CHIP Leadership Team, local and statewide advocacy organizations, old and new obesity local prevention champions</p>
<p>Strategy 7: Promote and support physical activity throughout the work and school day for employees and students including accessible stairs, breaks for stretching, walking meetings, recess, and after school play time</p>	<ul style="list-style-type: none"> Number of workplaces and schools that consistently promote and support physical activity throughout the work and school day for employees and students 	<ul style="list-style-type: none"> Increase the number of workplaces and schools that consistently promote and support physical activity throughout the work and school day for employees and students Baseline: Unknown, assessment needed 	<p>CHIP Leadership Team, local and statewide advocacy organizations, old and new obesity local prevention champions</p>

Health Priority #2: Prevent and Reduce Obesity

Improvement Strategies	Performance Measure	Target by July 2016	Responsible Parties
<p>Strategy 8: Support statewide legislative efforts to fund the Farm to School, Farm to Institution, School Gardens Nutrition Programs and similar legislative efforts</p>	<ul style="list-style-type: none"> Legislation passed and/or sustaining legislation passed 	<ul style="list-style-type: none"> Farm to School funding legislation renewed and Farm to Institution legislation developed and passed 	<p>CHIP leadership Team, local and statewide advocacy organizations, old and new obesity local prevention champions</p>
<p>Strategy 9: Explore feasibility of healthy food zoning policies near schools</p>	<ul style="list-style-type: none"> Conduct local political feasibility assessment 	<ul style="list-style-type: none"> Assessment summary document 	<p>CHIP Leadership Team, local and statewide advocacy organizations, old and new obesity local prevention champions</p>
<p>Strategy 10: Incorporate Healthy Communities, Healthy People messaging developed by the state Public Health Division's media contractor into all earned media and other communications</p>	<ul style="list-style-type: none"> Number of times Healthy People, Healthy Communities messaging appears in local media 	<ul style="list-style-type: none"> Increase the number of times the Healthy Communities, Healthy People messaging appears in local media Baseline: need to develop tracking system 	<p>CHIP Leadership Team, local and statewide advocacy organizations, old and new obesity local prevention champions</p>

HEALTH PRIORITY FOUR:

PREVENT AND REDUCE SUBSTANCE ABUSE AND MENTAL ILLNESS

Background

Untreated behavioral health issues, including substance abuse and mental illness, substantially contribute to disease and premature death in Oregon. Behavioral health is a general term that encompasses the promotion of emotional health; the prevention of substance abuse and mental illness; and treatments and services for substance abuse and mental illness, according to the Substance Abuse Mental Health Services Administration (SAMHSA). The Oregon State Health Profile shows that Oregon's death rates were higher than those of the overall U.S. death rates for liver disease (28% higher) and suicide (36% higher). Suicide kills more people in Oregon than motor vehicle crashes. The majority of Oregon suicide victims had a diagnosed mental disorder, alcohol and /or substance use problems, or depressed mood at time of death. Efforts to treat behavioral health and reduce the abuse of alcohol, opioids (painkillers), and other drugs, will decrease deaths from liver disease and suicide and improve Oregonians' overall health.

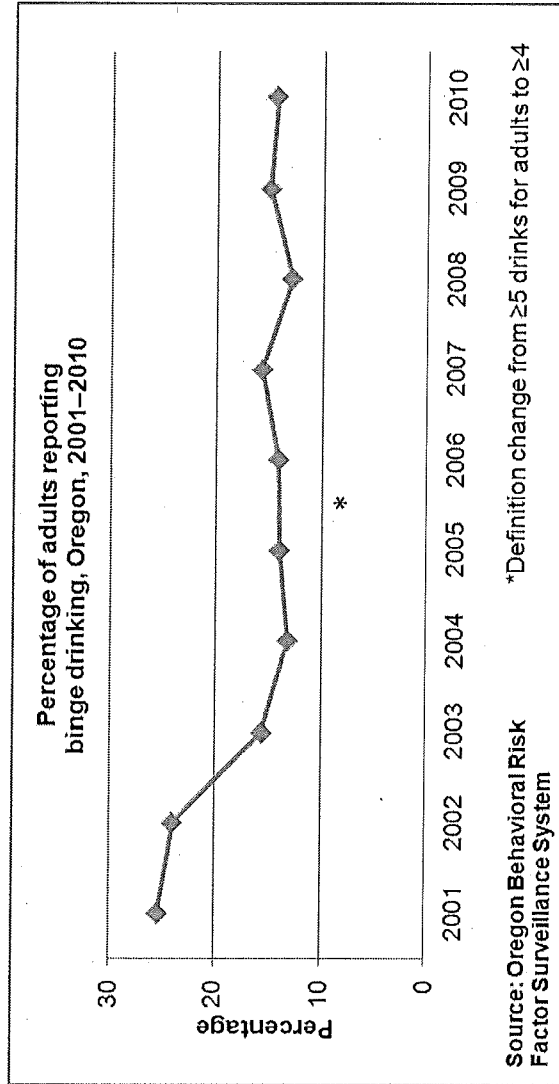
Alcohol use

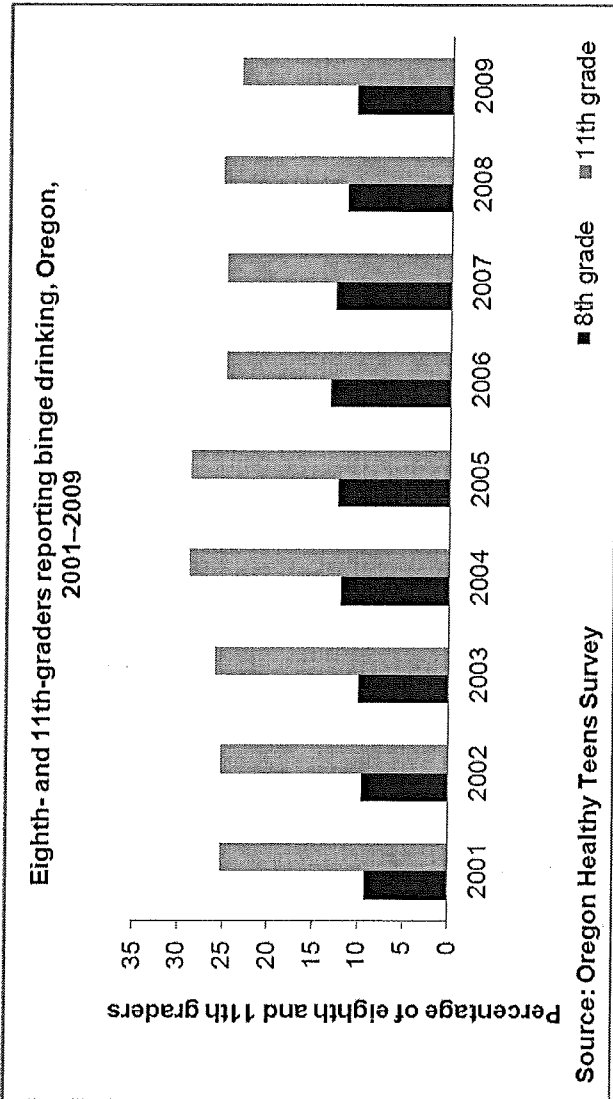
Age of first use of alcohol and alcohol dependency are closely related. Supporting youth to delay first use could yield immediate and long-term health benefits. Research shows that approximately four in 10 youth who first used alcohol by age 14 were diagnosed with alcohol dependency at some time in their lives. Only one in 10 people who first use alcohol at age 21 have that same risk.

Alcohol use during pregnancy increases the risk of fetal alcohol spectrum disorder (FASD), the leading preventable cause of mental retardation. In Oregon, 51.7% of new mothers reported drinking alcohol before they knew they were pregnant and 8.7% consumed alcoholic beverages during their last trimester (Oregon Pregnancy Risk Assessment and Monitoring System, 2007). Pregnant women are advised to abstain from any alcohol use.

Binge drinking

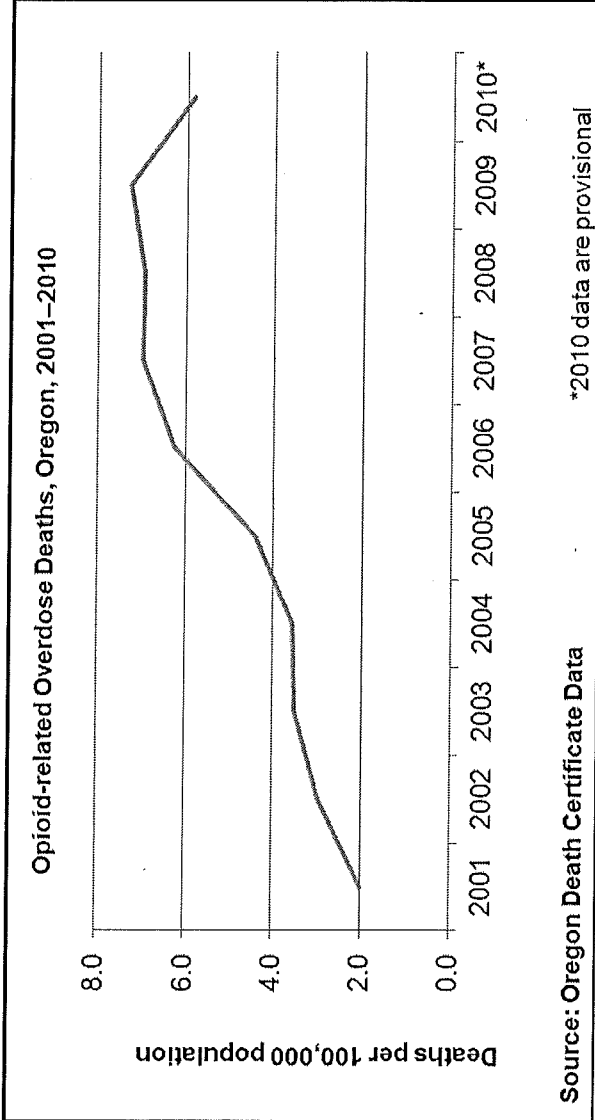
Binge drinking is a significant risk factor for injury, violence and chronic substance abuse. During 2010, 14.4% of adults reported binge drinking on at least one occasion during the past 30 days. Self-reported binge drinking declined from 2001 to 2004 but has not changed much since that time (see line chart below). Males, in general, report binge drinking more frequently than women. Male binge drinking peaks (29.5%) in the 25–34-year age group; female binge drinking peaks (18.1%) in the 18–24-year age group. Among youth in 2009, 10.7% of Oregon eighth-graders and 23.4% of Oregon 11th-graders reported binge drinking in the past 30 days (see bar chart below). Levels of binge drinking were similar among boys and girls (Oregon State Health Profile, 2012).





Opioid-related overdose

Unintentional opioid-related overdose is one of the leading causes of injury mortality in Oregon, and has increased three- to four-fold during the past decade (from 69 total deaths during 2001 to 225 during 2010). The numbers of Oregonians killed in motor vehicle crashes has declined substantially during the past decade, but the numbers dying from opioid overdoses have been steadily increasing (see chart below). Efforts targeted at patients who use opioids as well as clinicians who prescribe them are needed to address this emerging public health problem.



Untreated mental illnesses cost the United States at least \$105 billion in lost productivity annually, including 35 million lost workdays each year, according to Harvard University Medical School research. In 2010 alone, 678 Oregonians died by suicide; the estimate of total lifetime cost of suicidal deaths was nearly \$680 million. Annual health care expenditures associated with fetal alcohol spectrum disorder total \$78 million (Oregon Department of Human Services, 2009).

Health Priority #4: Prevent and Reduce Substance Abuse and Mental Illness	
Health outcomes	Prevent and reduce morbidity and mortality related to mental illness and alcohol and other drugs
Health equity focus	Ensure that systems and strategies are prioritized to address specific populations (e.g. racial and ethnic minority groups, pregnant women, people with mental illness, low income people, veterans, and adolescents ages 10-24) and reduce health disparities.
Measurable Objectives	<p>Reduce:</p> <ul style="list-style-type: none"> • Rate of death from suicide: 18 per 100,000 (2007-2011 Death Certificate Data) • Rate of death from alcohol-induced disease: 16 per 100,000 (2007-2011 Death Certificate Data) • Rate of drug-induced death: 18 per 100,000 (2007-2011 Death Certificate Data) • Youth depression: 24% 8th grade, 29% 11th grade (2012 Oregon Student Wellness Survey) • Underage drinking: 24% 8th grade, 38% 11th grade (2012 Oregon Student Wellness Survey) • Adult binge drinking: 11% females 18+, 20% males 18+ (2006-2009 Oregon Behavioral Risk Factor Surveillance System) • Youth use of marijuana: 11% 8th grade, 28% 11th grade (2012 Oregon Student Wellness Survey) • Youth prescription drug abuse: 6% 8th grade, 10% 11th grade (2012 Oregon Student Wellness Survey) • Youth and Adult prescription pain reliever abuse: 9% 12-17 years old, 17% 18-25 years old, 5% 26 or older (2008-2010 National Survey on Drug Use and Health) <p>*All of the above information is found in the Lane County Epidemiological Data on Alcohol, Drugs and Mental Health 2000 to 2012 (Oregon Health Authority)</p>

Health Priority #4: Prevent and Reduce Substance abuse and Mental Illness			
Improvement Strategies	Performance Measure	Target by July 2016	Responsible Parties
<p>Strategy 1: Increase public, educator and healthcare provider awareness and education of substance abuse and mental health, including:</p> <ul style="list-style-type: none"> • Risk and protective factors; • Mental health promotion strategies • Adverse Childhood Experiences; • Stigma reduction; and • Positive social norms 	<ul style="list-style-type: none"> • Number of trainings, awareness campaigns, and presentations related to substance abuse, suicide, and mental health • Percent of Lane County youth that recall hearing, reading, or watching an advertisement about prevention of substance abuse • Number of Lane County schools implementing evidence-based curricula specific to substance abuse and mental health 	<ul style="list-style-type: none"> • Increase the number of substance abuse, suicide and mental health educational and awareness activities <p>Baseline: Assessment needed—to be completed by December 2013</p> <ul style="list-style-type: none"> • Increase the percent of Lane County youth in 6th and 8th grade that recall hearing, reading or watching an advertisement about prevention of substance abuse <p>Baseline: 48% 6th grade, 59% 8th grade (2012 Oregon Student Wellness Survey)</p>	CHIP leadership team

Health Priority #4: Prevent and Reduce Substance abuse and Mental Illness			
Improvement Strategies	Performance Measure	Target by July 2016	Responsible Parties
		<ul style="list-style-type: none"> Increase the number of schools implementing substance abuse and mental health curricula <p>Baseline: Assessment needed—to be completed by December 2013</p>	
<p>Strategy 2: Support the adoption and implementation of mental health- friendly workplace environments to promote mental health and reduce substance abuse.</p>	<ul style="list-style-type: none"> Number of Lane County employers who complete an assessment of their practices and policies related to mental health Number of Lane County employers with stress management and other mental health friendly workplace policies 	<ul style="list-style-type: none"> Increase the number of Lane County employers that implement stress management and other mental health-friendly policies Baseline: Assessment needed—to be completed by June 2014 	CHIP Leadership Team (Public Health, PeaceHealth, Trillium, United Way), healthcare and social service providers, local employers
<p>Strategy 3: Implement policies to reduce access to lethal means of self-harm (firearms, poisons, prescription medications, alcohol and drugs)</p>	<ul style="list-style-type: none"> Number of healthcare and mental health providers counseling on access to lethal means 	<ul style="list-style-type: none"> Increase the number of healthcare and mental health providers counseling on access to 	CHIP Leadership Team (Public Health, PeaceHealth, Trillium, United Way), healthcare and social service providers

Health Priority #4: Prevent and Reduce Substance abuse and Mental Illness			
Improvement Strategies	Performance Measure	Target by July 2016	Responsible Parties
		lethal means. Baseline: Assessment needed	
Strategy 4: Implement policies that reduce the retail and social availability of alcohol and other drugs	<ul style="list-style-type: none"> • Number of alcohol retailers in compliance with not selling to minors • Conduct feasibility studies on <ol style="list-style-type: none"> 1. Social host liability laws in municipalities within Lane County, 2. Increasing the local beer/wine tax, 3. Local alcohol outlet density/saturation policies in Lane County municipalities 4. Prescription drop boxes, 5. Prescription medication tracking 	Assessments completed by July of 2016	CHIP leadership team
Strategy 5: Support healthcare	<ul style="list-style-type: none"> • Number of healthcare and 	<ul style="list-style-type: none"> • Increase the number of 	CHIP Leadership Team (Public

Health Priority #4: Prevent and Reduce Substance abuse and Mental Illness

Improvement Strategies	Performance Measure	Target by July 2016	Responsible Parties
and social service providers in adopting evidence-based and trauma-informed mental health and substance abuse screening, assessment, and referral policies	social service providers that routinely screen, assess and refer using evidence-based tools and procedures	healthcare and social service providers that provide recommended policies and procedures Baseline: Assessment needed	Health, PeaceHealth, Trillium, United Way), healthcare and social service providers

Health Priority #5: Improve Access to Care	
Health outcomes	Improved health outcomes for people living with chronic conditions
Measurable Objectives	<ul style="list-style-type: none"> • Increase number of people with health insurance • Increase number of people with a primary care medical home • Increase number of people participating in chronic disease self-management programs • Increase immunization rates • Increase access to health care for rural residents • Reduce incidence of dental cavities • Improve connectivity for physical, behavioral and oral health care • Expand health care workforce

Health Priority #5: Improve Access to Care			
Improvement Strategies	Performance Measure	Target by July 2016	Responsible Parties
<p>Strategy 1: Increase the number of people enrolled in a health insurance plan</p>	<ul style="list-style-type: none"> Percentage of Lane County residents with health insurance Percentage of eligible people enrolled in Medicaid 	<ul style="list-style-type: none"> Target for percentage of residents with health insurance: To be determined by Access to Health Care committee <p>Baseline: 23%</p> <ul style="list-style-type: none"> Target for percentage of eligible people enrolled in Medicaid: To be determined by Access to Health Care committee <p>Baseline: assessment needed</p>	<p>CHIP Leadership Team, Access to Care Advisory Group</p>
<p>Strategy 2: Increase the number of people with a medical home</p>	<ul style="list-style-type: none"> Percentage of Lane County Residents with a medical home 	<ul style="list-style-type: none"> Target: TBD by Access to Health Care committee <ul style="list-style-type: none"> Baseline: Assessment needed 	<p>CHIP Leadership Team, Access to Care Advisory Group</p>

Health Priority #5: Improve Access to Care

Improvement Strategies	Performance Measure	Target by July 2016	Responsible Parties
<p>Strategy 3: Increase access to disease self-management programs</p>	<ul style="list-style-type: none"> • Sustainable local program infrastructure with sufficient capacity to meet need • Systematic referrals of appropriate patients to self-management programs 	<ul style="list-style-type: none"> • Number and breadth of disease self-management programs available <p>Baseline: Assessment needed</p> <ul style="list-style-type: none"> • Number of Lane County residents with one or more chronic conditions participating in a self-management program <p>Baseline: Assessment needed</p>	<p>CHIP Leadership Team, Access to Care Advisory Group</p>
<p>Strategy 4: Increase immunization rates</p>	<ul style="list-style-type: none"> • Support statewide legislation to increase barriers to parents opting out of immunizations for their children • Support statewide efforts to remove legislative preemption that prohibits requiring any adult 	<ul style="list-style-type: none"> • Increase the percentage of immunized children in Lane County <p>Baseline: 94% of children in pre-school children's facilities; 94% in Kindergarten & 1st grade; 95% in 7th grade</p>	<p>CHIP Leadership Team, Access to Care Advisory Group</p>

Health Priority #5: Improve Access to Care			
Improvement Strategies	Performance Measure	Target by July 2016	Responsible Parties
	immunizations that are not required in federal legislation (ORS 416.133)	<ul style="list-style-type: none"> Increase percentage of people classified as Health Care Workers (by CDC definition) that receive CDC recommended vaccinations (influenza, MMR, Varicella, Tetanus/Diphtheria and Meningococcal) Baseline: Assessment needed	
Strategy 5: Improve access to health care for rural Lane County residents	<ul style="list-style-type: none"> Percentage of rural Lane County residents that have access to health care 	<ul style="list-style-type: none"> Increase access to affordable transportation options Baseline: Assessment needed <ul style="list-style-type: none"> Expand telehealth, virtual visits and home monitoring initiatives Baseline: Assessment	CHIP Leadership Team, Access to Care Advisory Group

Health Priority #5: Improve Access to Care

Improvement Strategies	Performance Measure	Target by July 2016	Responsible Parties
<p>Strategy 6: Improve oral health</p>	<ul style="list-style-type: none"> Percentage of children and adults with tooth decay, untreated decay and rampant decay 	<p>needed</p> <ul style="list-style-type: none"> Increase access to fluoride treatment Baseline: Assessment needed Increase access to dental care Baseline: Assessment needed Explore political feasibility of water fluoridation in Lane County and local cities Baseline: assessment needed Decrease number of dental-related emergency room visits Baseline: Assessment 	<p>CHIP Leadership Team, Access to Care Advisory Group</p>

Health Priority #5: Improve Access to Care

Improvement Strategies	Performance Measure	Target by July 2016	Responsible Parties
<p>Strategy 7: Improve patient connectivity with physical, mental and behavioral health services</p>	<p>TBD by Access to Care Advisory Group</p>	<p>needed TBD by Access to Care Advisory Group</p>	<p>CHIP Leadership Team, Access to Care Advisory Group</p>
<p>Strategy 8: Expand health care workforce</p>	<p>Increase the number of health care providers in Lane County</p>	<p>TBD by Access to Care Advisory Group</p>	<p>CHIP Leadership Team, Access to Care Advisory Group</p>

CONCLUSION

This plan outlines strategies for our community to work together to improve the health of Lane County residents. Lane County's Healthy Future is a living document. While the priorities are clear, the methods for addressing each of them will evolve over time. The community health assessment and community health improvement plan leadership team and the community recognize this collective effort as a powerful means to improve critical health indicators. Across the state of Oregon and Lane County, diverse stakeholders are working together to better understand and outline ways to achieve health equity and to support lifelong health.

As the numbers of those engaged in this effort grow, we envision a future where everyone in Lane County is empowered to improve the lifelong health of all people in Lane County.

EUGENE CITY COUNCIL

AGENDA ITEM SUMMARY



Public Forum

Meeting Date: July 22, 2013
Department: City Manager's Office
www.eugene-or.gov

Agenda Item Number: 1
Staff Contact: Beth Forrest
Contact Telephone Number: 541-682-5882

ISSUE STATEMENT

This segment allows citizens the opportunity to express opinions and provide information to the council. Testimony presented during the Public Forum should be on City-related issues and should not address items which have already been heard by a Hearings Official, or are on the present agenda as a public hearing item.

SUGGESTED MOTION

No action is required; this is an informational item only.

FOR MORE INFORMATION

Staff Contact: Beth Forrest
Telephone: 541-682-5882
Staff E-Mail: beth.l.forrest@ci.eugene.or.us

EUGENE CITY COUNCIL

AGENDA ITEM SUMMARY



Approval of City Council Minutes

Meeting Date: July 22, 2013
Department: City Manager's Office
www.eugene-or.gov

Agenda Item Number: 2A
Staff Contact: Kris Bloch
Contact Telephone Number: 541-682-8497

ISSUE STATEMENT

This is a routine item to approve City Council minutes.

SUGGESTED MOTION

Move to approve the minutes of the June 26, 2013, Work Session, July 8, 2013, Work Session, July 8, 2013, Meeting, July 10, 2013, Work Session, and July 15, 2013, Public Hearing.

ATTACHMENTS

- A. June 26, 2013, Work Session
- B. July 8, 2013, Work Session
- C. July 8, 2013, Meeting
- D. July 10, Work Session
- E. July 15, 2013, Public Hearing

FOR MORE INFORMATION

Staff Contact: Kris Bloch
Telephone: 541-682-8497
Staff E-Mail: kris.d.bloch@ci.eugene.or.us

ATTACHMENT A

MINUTES

**Eugene City Council
Harris Hall, 125 East 8th Avenue
Eugene, Oregon 97401**

**June 26, 2013
12:00 p.m.**

Councilors Present: George Brown, George Poling, Mike Clark, Chris Pryor, Claire Syrett, Greg Evans, Alan Zelenka (via conference phone).

Councilors Absent: Betty Taylor

Her Honor Mayor Piercy convened the June 26, 2013, City Council meeting.

A. WORK SESSION: Police Auditor Annual Performance Review

Denise Smith, Human Resources, provided information about the evaluation process and noted that feedback received about Mr. Gissiner's performance was excellent. Councilors commented and acknowledged that because he is at the top of his pay scale, their options to reward his performance were limited. Mr. Gissiner shared his perspective, noting that it is a pleasure to work in this community.

MOTION AND VOTE: Councilor Poling, seconded by Councilor Pryor, moved to give Mr. Gissiner a one-time 3% contribution to deferred compensation, plus 40 hours of vacation time. **PASSED:** 6:1, Councilor Clark opposed.

B. WORK SESSION: Homeless Camping

Public Works Director Kurt Corey recapped some of the issues previously addressed by council about homeless camping, including:

- Expanding Car Camping Program from three to six campers per location
- Allowing religious institutions to expand to five campers per location
- Amending the overnight sleeping ordinance to allow legal sleeping from 10 p.m. to 7 am on undeveloped, city-owned, vacant lots. A revised list of potential locations included some park lands.
- Liability/Legal Opinion: depending on policy and implementation, this could be similar risk as other City-sponsored activities.

Council Discussion:

- City of Eugene shouldn't be expected to find and fund the solution to this multifaceted problem; it is a community issue.

Item 2.A.

- City of Eugene should not become a service provider; instead it should network with other agencies.
- There is interest in creating an interactive public network to connect homeless people to those who will allow backyard sleeping or camping on privately owned land. A cost estimate for IT staff to create this registry was requested.
- Several sites on the list were deemed to be inappropriate for use as overnight homeless camps.
- There is support for expanding the car camping program.
- Suggestion made to use hotel vouchers for immediate, emergency needs.
- There is support for establishing a homeless committee.
- Camping ban can't be enforced, parks being used as camps/bathrooms, safety concerns, liability is fairly significant, collaborate with local agencies for bathrooms, security, garbage, etc.
- Suggestion made to implement a 120-day pilot program, beginning with one site, and addressing issues as they arise.

The meeting adjourned at 1:33 p.m.

Respectfully submitted,

Michelle Mortensen,
Deputy City Recorder

ATTACHMENT B**MINUTES**

**Eugene City Council
Harris Hall, 125 East 8th Avenue
Eugene, Oregon 97401**

**July 8, 2013
5:30 p.m.**

Councilors Present: George Brown, Betty Taylor, Alan Zelenka, George Poling, Mike Clark, Chris Pryor, Claire Syrett, Greg Evans

Her Honor, Mayor Piercy, convened the July 8, 2013, City Council work session.

A. COMMITTEE REPORTS

Councilors provided brief updates about the events and activities taking place in various boards, commissions and committees.

- Lane Council of Governments adopted its budget; things are going well.
- Human Rights Commission is considering code language to protect transgendered individuals.
- Kudos to the Eugene Track Club for sponsoring the Butte to Butte run.
- Peace Health downtown will be moving the Johnson Unit.
- Sustainability Commission is planning its work plan retreat; carbon pricing bill and internal climate planning efforts underway.

B. WORK SESSION and ACTION:

An Ordinance Concerning the Eugene Water & Electric Board Downtown Riverfront Property (City Files MA 12-1, RA 12-1, CA 12-4, Z 12-6 and WG 12-4)

Senior Planner Gabe Flock reviewed the EWEB Master Plan and its elements, including the policies, code amendments, form-based code components, zone change needs and Willamette Greenway Permit for all development on that site.

Council Discussion:

- City's investment in bringing project to fruition should be considered.
- Incentives for developer should be identified.
- The possible effects of eliminating the Riverfront Urban Renewal District should be examined.
- There are concerns about form-based code being too prescriptive.
- The Willamette Greenway and riverfront should remain in public hands.

MOTION: Councilor Poling, seconded by Councilor Pryor, moved to adopt Council Bill 5095, an ordinance concerning the EWEB Downtown Riverfront Property.

MOTION AND VOTE: Councilor Taylor, seconded by Councilor Brown, moved to postpone the vote to July 22, 2013. **FAILED** 4:5, councilors Clark, Poling, Pryor and Syrett opposed, Mayor broke the tie in opposition.

MAIN MOTION: PASSED 6:2, councilors Brown and Taylor opposed.

The meeting adjourned at 6:55 p.m.

Respectfully submitted,

Michelle Mortensen
Deputy City Recorder

ATTACHMENT C

MINUTES

**Eugene City Council
Harris Hall, 125 East 8th Avenue
Eugene, Oregon 97401**

**July 8, 2013
7:30 p.m.**

Councilors Present: George Brown, Betty Taylor, Alan Zelenka, George Poling, Mike Clark, Chris Pryor, Claire Syrett, Greg Evans

Her Honor, Mayor Piercy, opened the July 8, 2013, City Council meeting.

1. PLEDGE OF ALLEGIANCE TO THE FLAG AND READING OF THE DECLARATION OF INDEPENDENCE

The Eugene Police Honor Guard presented the colors and led a recitation of the Pledge of Allegiance to the Flag. Officer in Command Steve Williams read the Declaration of Independence.

2. CEREMONIAL MATTERS:

- The Eugene Police Forensics Unit was recognized for its recent accreditation by the American Society of Crime Laboratory Director – Laboratory Accreditation Board.
- Councilor Evans read a proclamation acknowledging the League of United Latin-American Citizens' (LULAC) legacy of protecting the human rights of Latin-American citizens.

3. CONSENT CALENDAR

MOTION AND VOTE: Councilor Poling, seconded by Councilor Pryor, moved to approve the items on the Consent Calendar. **PASSED 8:0.**

4. PUBLIC FORUM

1. *Helen Liguori* – spoke about homelessness and tax incentives for developers.
2. *Jim Hale* - expressed concern about peak oil and supported the 5-cent-per-bag fee.
3. *Leonard Epstein* – expressed concern about the July 4th noise and fireworks dangers.
4. *Bruce Wald* – said the July 4th noise and explosions were traumatic for animals.
5. *Alley Valkyrie* – discussed homeless camping issues and neighborhood opposition.
6. *Sabra Marcroft* – expressed concerns moving the homeless off BLM's land.
7. *Wayne Martin* – asked council to honor the promises it made to help the homeless.

8. *Lynn Porter* - expressed concerns about homelessness and the need for more housing.
9. *Michael Carrigan* – voiced concern about homelessness and advocated the right to sleep.
10. *Rich Love* - asked the council to keep the bag fee in place.
11. *Art Bowman* - advocated being a sweat-free city and creating more living wage jobs.
12. *Allison Knight* – supported continued funding for Teen Court program.
13. *Max Diaz* - supported the Teen Court program, noting it changes lives.
14. *Nick Urhausen* – opposed plastic bag ban, and the paper bag fee.
15. *Wes Sweitzer* – supported the plastic bag ban and giving the program a chance to work.

5. ACTION: An Ordinance Suspending the Paper Bag Pass-through Charge During Reevaluation of the Fee.

Concerns were raised about the fee’s effect on retailers and on other resources. Some expressed a desire give the public adequate time to adjust to the bag ban and fee. Council will revisit this topic at a later date and discuss possible changes to the ordinance.

MOTION AND VOTE: Councilor Poling, seconded by Councilor Pryor, moved to adopt Council Bill 5094, an ordinance suspending the paper bag pass-through charge during reevaluation of the fee. **FAILED** 5:3, Councilors Poling, Taylor and Clark in favor.

The meeting adjourned at 9:00 p.m.

Respectfully submitted,

Michelle Mortensen,
Deputy City Recorder

ATTACHMENT D**MINUTES**

**Eugene City Council
Harris Hall, 125 East 8th Avenue
Eugene, Oregon 97401**

**July 10, 2013
12:00 PM**

Councilors Present: George Brown, Betty Taylor, Alan Zelenka, George Poling, Mike Clark, Chris Pryor, Claire Syrett,

Councilors Absent: Greg Evans

Her Honor, Mayor Piercy, opened the July 10, 2013, City Council work session.

A. WORK SESSION: Homeless Camping

Public Works Executive Director Kurt Corey introduced the topic and provided background from previous meetings.

Council discussion, questions, requests and concerns:

- Cost to City if code is changed to allow six vehicles in the car camping program.
- Cost to develop a network registry connecting campers to property owners who have space
- Pilot program between public/private agencies for developing temporary sites for overnight sleeping
- Impacts of homelessness on neighborhoods and residents
- Long-term funding for shelter, affordable housing and camping locations.
- Costs over time for clean-up, relocation, etc.
- Council work session on Community Development Block Grant funds for shelter.
- Creation of new problems by trying to solve existing ones.
- Temporary shelter a transitional goal –not funding a way of life for homeless people who choose to remain homeless.

MOTION AND VOTE: Councilor Poling, seconded by Councilor Pryor, moved to direct the City Manager to include in a proposed ordinance a provision removing the sunset on the ordinance authorizing Conestoga huts. **PASSED 7:0.**

MOTION AND VOTE: Councilor Poling, seconded by Councilor Pryor, moved to direct the City Manager to remove from the list of potential homeless camping any site located in a residential area or close to a school.

PASSED 7:0.

MOTION AND VOTE: Councilor Clark, seconded by Councilor Poling, moved to direct the City Manager to bring back to council for approval a plan to create and operate a homeless temporary overnight camping resource network to match up those with appropriate space to those with need. **PASSED 5:2**, councilors Taylor and Brown opposed.

MOTION: Councilor Zelenka, seconded by Councilor Syrett, moved to direct the City Manager to bring back an ordinance that develops and establishes rules for a 90-day pilot overnight sleeping program or "Rest Stop" with the following elements:

- One site shall be recommended by the City Manager and approved by the Council at a city-owned site, religious institution, non-profit organization or business located in a commercial or industrial zone.
- The site shall allow no more than 15 people at the site in vehicles, tents campers, or trailers.
- City Manager shall develop a public-private partnership whereby the private partner shall provide for adequate garbage, toilets and supervision at the site at no cost to the City.
- Overnight camping at this site shall be allowed between 9 pm and 7 am.
- Each day the site shall be completely cleaned-up by 7 am and all personal property shall be removed so that the site does not become a 24-hour site.

A friendly amendment to add the following language was accepted:

1. The 90-day start of the program shall begin after things are fully up and running.
2. The agency that provides site supervision should work with surrounding and nearby neighbors (businesses or residences) to address any concerns.

VOTE: PASSED 6:1, Councilor Brown opposed.

The meeting adjourned at 1:15 p.m.

Respectfully submitted,

Michelle Mortensen,
Deputy City Recorder

ATTACHMENT E

MINUTES

**Eugene City Council
Harris Hall, 125 East 8th Avenue
Eugene, Oregon 97401**

**July 15, 2013
7:30 p.m.**

Councilors Present: George Brown, Betty Taylor, George Poling, Chris Pryor, Claire Syrett, Greg Evans, Alan Zelenka (via conference phone).

Councilors Absent: Mike Clark

Her Honor, Mayor Piercy, convened the July 15, 2013, City Council meeting and opened the public hearing.

1. PUBLIC HEARING:

An Ordinance Concerning Downtown and Mixed Use Development and Amending Sections 9.2160, 9.2161, 9.2170, 9.2171, 9.2173, 9.4280, 9.4290, 9.4530, 9.8030, 9.8670, and 9.9650 of the Eugene Code, 1971, TSI Roadway Policy #2 of the Eugene-Springfield Transportation System Plan (TransPlan) and Policy F.15 of the Eugene-Springfield Metropolitan Area General Plan (City Files CA 13-1 and MA 13-1)

Senior Planner Alissa Hansen provided a brief overview of the proposed code amendments.

1. *Laura Potter*, Chamber of Commerce, supported the code amendments, noting they help realize goals in Envision Eugene.

The meeting adjourned at 7:50 p.m.

Respectfully submitted,

Michelle Mortensen,
Deputy City Recorder

EUGENE CITY COUNCIL

AGENDA ITEM SUMMARY



Approval of Tentative Working Agenda

Meeting Date: July 22, 2013
Department: City Manager's Office
www.eugene-or.gov

Agenda Item Number: 2B
Staff Contact: Beth Forrest
Contact Telephone Number: 541-682-5882

ISSUE STATEMENT

This is a routine item to approve City Council Tentative Working Agenda.

BACKGROUND

On July 31, 2000, the City Council held a process session and discussed the Operating Agreements. Section 2, notes in part that, "The City Manager shall recommend monthly to the council which items should be placed on the council agenda. This recommendation shall be placed on the consent calendar at the regular City Council meetings (regular meetings are those meetings held on the second and fourth Monday of each month in the Council Chamber). If the recommendation contained in the consent calendar is approved, the items shall be brought before the council on a future agenda. If there are concerns about an item, the item may be pulled from the consent calendar at the request of any councilor or the Mayor. A vote shall occur to determine if the item should be included as future council business." Scheduling of this item is in accordance with the Council Operating Agreements.

RELATED CITY POLICIES

There are no policy issues related to this item.

COUNCIL OPTIONS

The council may choose to approve, amend or not approve the tentative agenda.

CITY MANAGER'S RECOMMENDATION

Staff has no recommendation on this item.

SUGGESTED MOTION

Move to approve the items on the Tentative Working Agenda.

ATTACHMENTS

A. Tentative Working Agenda

FOR MORE INFORMATION

Staff Contact: Beth Forrest
Telephone: 541-682-5882
Staff E-Mail: beth.l.forrest@ci.eugene.or.us

EUGENE CITY COUNCIL TENTATIVE WORKING AGENDA

July 17, 2013

JULY 22	MONDAY	
5:30 p.m.	Council Work Session	
Harris Hall	Expected Absences:	
A. Committee Reports and Items of Interest from Mayor, City Council, and City Manager		30 mins
B. WS: Community Health Assessment Action Plan		60 mins – LRCS/Grube
7:30 p.m.	Council Meeting	
Harris Hall	Expected Absences:	
1. Public Forum		
2. Consent Calendar		
a. Approval of City Council Minutes		CS/Forrest
b. Approval of Tentative Working Agenda		CS/Forrest
c. Approval of Annexation - Pennington Family Trust (A 13-3)		PDD/Ochs
d. Approval of Annexation - Bruce Wiechert Custom Homes (A 13-4).		PDD/Ochs
e. Call for Public Hearing on Ordinance Change Related to Publication of Snow Map		PW/Jones
f. Approval of Police Commission Work Plan and Annual Report		EPD/Hawley
g. Approval of Land Lease for Hotel on Airport Property		PW/Doll
3. PH: Ordinance Extending MUPTTE Suspension		PDD/Braud
4. Action: Ordinance on Facilitating Downtown and Mixed Use Development		PDD/Hansen

JULY 23	TUESDAY	** NOTE: MEETING ADDED **
9:00 a.m. – 4:00 p.m.	Budget Committee Workshop	
The Studio/Hult Ctr.	Expected Absences:	
A. WS: Budget Committee Workshop		CS/Silvers

JULY 24	WEDNESDAY	
Noon	Council Work Session	
Harris Hall	Expected Absences: Evans, Zelenka	
A. Action: Ordinance Extending MUPTTE Suspension		30 mins – PDD/Braud
B. WS:		

JULY 31	WEDNESDAY	
Noon	Council Work Session	
Harris Hall	Expected Absences:	
A. Executive Session – <i>pursuant to ORS 192.660(2)(i)</i>		45 mins – CS/Smith
B. WS: City Manager Performance Evaluation		45 mins – PW/ Björklund
C. WS: Bethel Community Park/YMCA Project Update		

COUNCIL BREAK: August 1, 2013 – September 9, 2013

SEPTEMBER 9	MONDAY	
5:30 p.m.	Council Work Session	
Harris Hall	Expected Absences:	
A. Committee Reports: Police Comm, Lane Metro, LTD (EmX), Lane Workforce, OMPOC, McKenzie Watershed		
B. WS:		
7:30 p.m.	Council Meeting	
Harris Hall	Expected Absences:	
1. Public Forum		
2. Consent Calendar		
a. Approval of City Council Minutes		CS/Forrest
b. Approval of Tentative Working Agenda		CS/Forrest
c. Kaufman Community Center Lease		LRCS/Grube

A=action; PH=public hearing; WS=work session

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EUGENE CITY COUNCIL TENTATIVE WORKING AGENDA

July 17, 2013

SEPTEMBER 11	WEDNESDAY	
Noon	Council Work Session	
Harris Hall	Expected Absences:	
A. WS: Toxics Program Update		45 mins – Fire EMS/Eppli
B. WS: Re-designation of Striker Field		45 mins – PW/Björklund
SEPTEMBER 16	MONDAY	
7:30 p.m.	Council Public Hearing	
Harris Hall	Expected Absences:	
1. PH:		
SEPTEMBER 18	WEDNESDAY	
Noon	Council Work Session	
Harris Hall	Expected Absences:	
A. WS: City Hall Update		45 mins – CS/Perry
B. WS: Municipal Court Update		45 mins – CS/Stone
SEPTEMBER 23	MONDAY	
5:30 p.m.	Budget Committee Meeting	
Harris Hall	Expected Absences:	
A. WS: Budget Committee		90 mins – CS/Silvers
7:30 p.m.	Council Meeting	
Harris Hall	Expected Absences:	
1. Public Forum		
2. Consent Calendar		
a. Approval of City Council Minutes		CS/Forrest
b. Approval of Tentative Working Agenda		CS/Forrest
SEPTEMBER 25	WEDNESDAY	
Noon	Council Work Session	
Harris Hall	Expected Absences:	
A. Committee Reports and Items of Interest from Mayor, City Council, and City Manager		30 mins
B. WS: Climate Action Planning		60 mins – CS/O'Sullivan
OCTOBER 9	WEDNESDAY	
Noon	Council Work Session	
Harris Hall	Expected Absences:	
A. WS: Joint Meeting with Human Rights Commission		45 mins – CS/Kinnison
B. WS: Public Works Department Update		45 mins – PW/Corey
OCTOBER 14	MONDAY	
5:30 p.m.	Budget Committee Meeting	
Harris Hall	Expected Absences:	
A. WS: Budget Committee		90 mins – CS/Silvers
7:30 p.m.	Council Meeting	
Harris Hall	Expected Absences:	
1. Public Forum		
2. Consent Calendar		
a. Approval of City Council Minutes		CS/Forrest
b. Approval of Tentative Working Agenda		CS/Forrest

A=action; PH=public hearing; WS=work session

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EUGENE CITY COUNCIL TENTATIVE WORKING AGENDA

July 17, 2013

OCTOBER 16	WEDNESDAY	
Noon	Council Work Session	
Harris Hall	Expected Absences:	
A. Committee Reports: HRC, SC, Travel LC, HSC, LCOG, MPC, PSCC		30 mins
B. WS:		
C. WS:		
OCTOBER 21	MONDAY	
7:30 p.m.	Council Public Hearing	
Harris Hall	Expected Absences:	
1. PH: Ordinance Removing Substance and Updating Tracking Instructions for Toxics Program		Fire/EMS/Eppli
2. PH: Amendments to Stormwater Development Standards		PW/Kepler
OCTOBER 23	WEDNESDAY	
Noon	Council Work Session	
Harris Hall	Expected Absences: Piercy	
A. WS:		
B. WS:		
OCTOBER 28	MONDAY	
5:30 p.m.	Budget Committee Meeting	
Harris Hall	Expected Absences:	
A. WS: Budget Committee		90 mins – CS/Silvers
7:30 p.m.	Council Meeting	
Harris Hall	Expected Absences:	
1. Public Forum		
2. Consent Calendar		
a. Approval of City Council Minutes		CS/Forrest
b. Approval of Tentative Working Agenda		CS/Forrest
3. Action: Ordinance Removing Substance and Updating Tracking Instructions for Toxics Program		Fire/EMS - Eppli
OCTOBER 30	WEDNESDAY	
Noon	Council Work Session	
Harris Hall	Expected Absences:	
A. Committee Reports and Items of Interest from Mayor, City Council, and City Manager		30 mins
B. WS: Fence Regulations		45 mins – PDD/McKerrow
C. WS:		
NOVEMBER 12	TUESDAY	** NOTE: LOCATION CHANGE **
5:30 p.m.	Budget Committee Meeting	
B/T Room - Library	Expected Absences: Taylor	
A. WS: Budget Committee		90 mins – CS/Silvers
7:30 p.m.		
B/T Room - Library	Expected Absences: Taylor	
1. Pledge of Allegiance to the Flag (Veterans Day)		
2. Public Forum		
3. Consent Calendar		
a. Approval of City Council Minutes		CS/Forrest
b. Approval of Tentative Working Agenda		CS/Forrest
4. Action: Amendments to Stormwater Development Standards		PW/Kepler

A=action; PH=public hearing; WS=work session

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EUGENE CITY COUNCIL TENTATIVE WORKING AGENDA

July 17, 2013

NOVEMBER 13	WEDNESDAY	
Noon	Council Work Session	
Harris Hall	Expected Absences: Taylor	
A. Committee Reports: Chamber of Commerce, HPB, LRAPA, MWMC,		
B. WS: Update on Plastic Bag Ban Ordinance		45 mins – PDD/Nelson
C. WS:		
NOVEMBER 18	MONDAY	
7:30 p.m.	Council Public Hearing	
Harris Hall	Expected Absences:	
1. PH:		
NOVEMBER 20	WEDNESDAY	
Noon	Council Work Session	
Harris Hall	Expected Absences:	
A. WS: Planning and Development Department Update		45 mins – PDD/Medary
B. WS:		
NOVEMBER 25	MONDAY	
5:30 p.m.	Budget Committee Meeting	
Harris Hall	Expected Absences:	
A. WS: Budget Committee		90 mins – CS/Silvers
7:30 p.m.	Council Meeting	
Harris Hall	Expected Absences:	
1. Public Forum		
2. Consent Calendar		
a. Approval of City Council Minutes		CS/Forrest
b. Approval of Tentative Working Agenda		CS/Forrest
NOVEMBER 27	WEDNESDAY	
Noon	Council Work Session	
Harris Hall	Expected Absences:	
A. Committee Reports and Items of Interest from Mayor, City Council, and City Manager		30 mins
B. WS:		
DECEMBER 9	MONDAY	
5:30 p.m.	Council Work Session	
Harris Hall	Expected Absences:	
A. WS: Budget Committee		90 mins – CS/Silvers
7:30 p.m.	Council Meeting	
Harris Hall	Expected Absences:	
1. Public Forum		
2. Consent Calendar		
a. Approval of City Council Minutes		CS/Forrest
b. Approval of Tentative Working Agenda		CS/Forrest
3. Public Hearing and Action: City of Eugene FY14 Supplemental Budget #1		CS/Silvers
4. Public Hearing and Action: Urban Renewal Agency FY14 Supplemental Budget #1		CS/Silvers

A=action; PH=public hearing; WS=work session

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EUGENE CITY COUNCIL TENTATIVE WORKING AGENDA

July 17, 2013

DECEMBER 11**WEDNESDAY****Noon****Council Work Session****Harris Hall****Expected Absences:**

- A. Committee Reports: Police Comm, Lane Metro, LTD (EmX), Lane Workforce, OMPOC, McKenzie Watershed
- B. WS:
- C. WS:

COUNCIL BREAK: December 12, 2013 – January 8, 2014

JANUARY 8**WEDNESDAY****5:30 p.m.****State of the City Address****Hult Center****Expected Absences:**

- A. State of the City

JANUARY 13**MONDAY****5:30 p.m.****Council Work Session****Harris Hall****Expected Absences:**

- A. Committee Reports: HRC, SC, Travel LC, HSC, LCOG, MPC, PSCC
- B. WS:

30 mins

7:30 p.m.**Council Meeting****Harris Hall****Expected Absences:**

- 1. Public Forum
- 2. Consent Calendar
 - a. Approval of City Council Minutes
 - b. Approval of Tentative Working Agenda

CS/Forrest
CS/Forrest**JANUARY 15****WEDNESDAY****Noon****Council Work Session****Harris Hall****Expected Absences:**

- A. WS:
- B. WS:

JANUARY 21**TUESDAY****7:30 p.m.****Council Public Hearing****Harris Hall****Expected Absences:**

- 1. PH:

JANUARY 22**WEDNESDAY****Noon****Council Work Session****Harris Hall****Expected Absences:**

- A. WS:
- B. WS:

JANUARY 27**MONDAY****5:30 p.m.****Council Work Session****Harris Hall****Expected Absences:**

- A. Committee Reports and Items of Interest from Mayor, City Council, and City Manager
- B. WS:

30 mins

A=action; PH=public hearing; WS=work session

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**EUGENE CITY COUNCIL
TENTATIVE WORKING AGENDA**

July 17, 2013

**7:30 p.m.
Harris Hall**

**Council Meeting
Expected Absences:**

1. Public Forum
2. Consent Calendar
 - a. Approval of City Council Minutes
 - b. Approval of Tentative Working Agenda

CS/Forrest
CS/Forrest

JANUARY 29

WEDNESDAY

**Noon
Harris Hall**

**Council Work Session
Expected Absences:**

- A. WS: Planning and Development Department Update
- B. WS:

45 mins – PDD/Medary

EUGENE CITY COUNCIL

AGENDA ITEM SUMMARY



Approval of Resolution No. 5093 Annexing Land to the City of Eugene (Pennington Family Trust - A 13-3)

Meeting Date: July 22, 2013
 Department: Planning and Development
www.eugene-or.gov

Agenda Item Number: 2C
 Staff Contact: Steve Ochs
 Contact Telephone Number: 541-682-5453

ISSUE STATEMENT

This item is a request to annex 17.55 acres of vacant land located near the intersection of Maxwell Road and North Park Avenue that is currently zoned for low-density residential and neighborhood commercial and is designated by the Metro Plan for medium density residential and commercial uses. The annexation is being requested by the property owner, Pennington Family Trust.

BACKGROUND

In December 2007, the City Council adopted an ordinance establishing the procedures for annexation requests and amending Chapter 9 of the Eugene Code (EC) to include these procedures. These annexation procedures provide for the council to adopt a resolution approving, modifying and approving, denying an application for annexation, or provide for the council to hold a public hearing before consideration of the annexation request.

Approval of annexation requests are based on the criteria at EC 9.7825 which require that (1) the land proposed to be annexed is within the city's Urban Growth Boundary (UGB) and is contiguous to the city limits or separated from city limits only by a right-of-way or water body; (2) the proposed annexation is consistent with the applicable policies in the Metro Plan and in any applicable refinement plans and (3) the proposed annexation will result in a boundary in which the minimal level of key urban facilities and services can be provided in an orderly, efficient, and timely manner. Draft findings demonstrating that the annexation request is consistent with these approval criteria are included as Exhibit C to the draft resolution (Attachment B).

Public notice for this annexation request was provided in accordance with Eugene Code requirements, and no written testimony has been received. Referral comments were provided by affected agencies including City of Eugene Public Works, Eugene Water & Electric Board and Lane County. These referral comments confirm that the property can be provided with the minimum level of key urban services consistent with the approval criteria. Given the findings of compliance and lack of testimony received, a public hearing is not recommended in this instance.

Additional background information regarding this request, including relevant application materials, is included for reference as Attachment C. A full copy of all materials in the record is

also available at the Permit and Information Center located at 99 West 10th Avenue.

RELATED CITY POLICIES

The Metro Plan contains the policies that are related to this annexation request. The River Road Santa Clara Urban Facilities Plan is the refinement plan applicable to the subject property. The policies applicable to this request are addressed in the Planning Director's findings and recommendation (Exhibit C to Attachment B).

COUNCIL OPTIONS

City Council may consider the following options:

1. Adopt the draft resolution
2. Adopt the draft resolution with specific modifications as determined by the City Council
3. Deny the draft resolution
4. Defer action until after the council holds a public hearing on the proposed annexation

CITY MANAGER'S RECOMMENDATION

The City Manager recommends that the City Council adopt the draft resolution by finding that the request complies with all applicable approval criteria, and that the annexation is approved.

SUGGESTED MOTION

Move to adopt Resolution No. 5093, which approves the proposed annexation request, consistent with the applicable approval criteria.

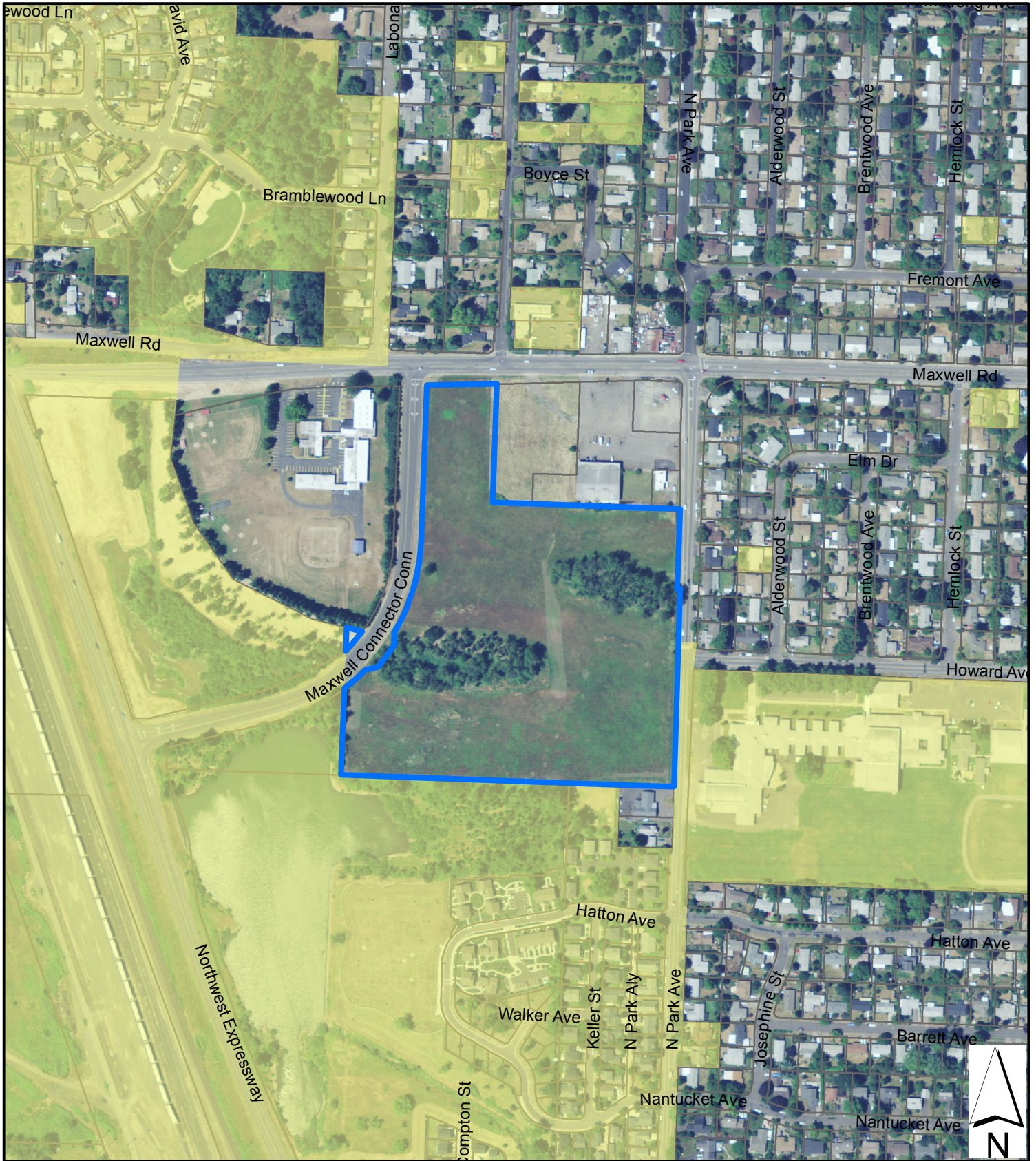
ATTACHMENTS



- A. Map of Annexation Request
- B. Draft Annexation Resolution with Exhibits A through C
 - Exhibit A: Map of Annexation Request
 - Exhibit B: Legal Description
 - Exhibit C: Planning Director Findings and Recommendation
- C. Application Materials for Annexation Request

FOR MORE INFORMATION

Staff Contact: Steve Ochs, Associate Planner
Telephone: 541-682-5453
Email: steve.p.ochs@ci.eugene.or.us

Attachment A - Area of Annexation Request



-  Annexation Area
-  Eugene City Limits



ATTACHMENT B**RESOLUTION NO. _____****A RESOLUTION ANNEXING LAND TO THE CITY OF EUGENE
(PROPERTY IDENTIFIED AS ASSESSOR'S MAP 17-04-14-32, TAX LOT
3800).****The City Council of the City of Eugene finds that:**

A. An annexation application was submitted by John W. Pennington Family Trust (Trustee: Thomas W. Pennington) on May 22, 2013, in accordance with the provisions of Section 9.7810(2) of the Eugene Code, 1971, ("EC") for annexation to the City of Eugene of the property identified as Assessor's Map 17-04-14-32, Tax Lot 3800.

B. The territory proposed to be annexed is depicted on the map attached as Exhibit A to this Resolution. The legal description of the property described is attached to this Resolution as Exhibit B.

C. The City's Planning Director has submitted a written recommendation that the application be approved based on the criteria of EC 9.7825. The Planning Director's Recommendation is attached as Exhibit C.

D. On June 19, 2013, a notice containing the street address and assessor's map and tax lot number, a description of the land proposed to be annexed, and the Planning Director's preliminary recommendation was mailed to the applicants, owners and occupants of property within 500 feet of the subject property, and the River Road Community Organization. The notice advised that the City Council would consider the Planning Director's full recommendation on the proposed annexation on July 22, 2013.

E. After considering the Planning Director's recommendation, the City Council finds that the application should be approved.

NOW, THEREFORE,

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EUGENE, a
Municipal Corporation of the State of Oregon, as follows:**

Section 1. Based on the above findings and the Planning Director's Recommendation and Findings attached as Exhibit C which are adopted in support of this Resolution, it is ordered that the land identified as Assessor's Map 17-04-14-32, Tax Lot 3800 on the map attached as Exhibit A, and described in the attached Exhibit B, is annexed to the City of Eugene.



Section 2. This Resolution is effective immediately upon its passage by the City Council. The annexation and automatic rezoning of the land from R-1/UL/WR; C-1/UL/WR to R-1/WR; C-1/WR pursuant to EC 9.7820(3) shall be effective upon the date a copy of this Resolution is filed with the Secretary of the State of Oregon.

The foregoing Resolution adopted the ____ day of July, 2013.

City Recorder

Pennington Family Trust (A 13-3)



-  Eugene City Limits
-  Annexation Area



Legal Description of Affected Territory to be Annexed

Map and Tax Lot 17-04-14-32-03800

A unit of land being situated in Southwest $\frac{1}{4}$ Section 14, Township 17 South, Range 4 West of the Willamette Meridian, said unit of land being more particularly described as follows:

Commencing at the Northeast corner of the James E. McCabe Donation Land Claim No. 46, in Township 17 South, Range 4 West of the Willamette Meridian;

Thence South $89^{\circ}59'00''$ West 2229.50 feet and South $00^{\circ}00'00''$ East 1226.50 feet to a point in the centerline of County Road No. 1008 (known as Maxwell Road), said point being the **POINT OF BEGINNING** of this unit of land;

Thence along said centerline, South $89^{\circ}59'00''$ West 282.27 feet to the Northeast corner of that certain parcel of land described in deed to the Archdiocese of Portland in Oregon, recorded July 19, 1965, Reception No. 11500, Lane County Oregon Deed Records;

Thence along the East line of said parcel, South $00^{\circ}01'00''$ East 821.60 feet to the Southeast corner thereof;

Thence along the Southerly line of said parcel, North $78^{\circ}26'00''$ West 131.73 feet to a corner in the most Easterly line of that certain parcel of land described in deed to Lane County, a political subdivision of the State of Oregon, recorded May 10, 1963, Reception No. 10072, Lane County Oregon Deed Records;

Thence along the East line of said parcel, South $0^{\circ}11'20''$ East 429.00 feet to a point on the South line of that certain parcel of land described in deed to John W. Pennington recorded in Book 233, Page 187, Lane County Oregon Deed Records;

Thence along said South line, North $00^{\circ}00'00''$ East 987.79 feet to a point on the centerline of County Road No. 1008 (known as Park Avenue);

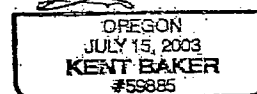
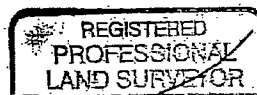
Thence along said centerline, North $00^{\circ}00'00''$ East 577.15 feet to the point of intersection with the most Southerly line of that certain parcel of land described in deed to Lane County, a political subdivision of the State of Oregon, recorded December 24, 1964, Reception No. 86613, Lane County Oregon Deed Records;

Thence along said Southerly line, South $89^{\circ}59'00''$ West 30.00 feet to the Southwest corner thereof;

Thence along the West line of said parcel, North $0^{\circ}10'00''$ East 233.36 feet to a point on the South line of that certain parcel of land described in deed to George F. Wingard and Rhee Wingard recorded October 8, 1964, Reception No. 77372, Lane County Oregon Deed Records;

Thence along said South line, South $89^{\circ}59'00''$ West 550.00 feet to the Southwest corner thereof;

Thence along the West line of said parcel, North $0^{\circ}10'00''$ East, 413.93 feet to the Point of Beginning, in Lane County, Oregon.



Expires 12-31-2013



**Planning Director’s Recommendations and Findings:
Pennington Family Trust (A 12-3)**

Application Submitted: May 22, 2013	
Applicant: John W. Pennington Family Trust	
Map/Lot(s): 17-04-14-32 Lot 3800	
Zoning: R-1/UL/WR; C-1/UL/WR	
Location: South side of Maxwell Road between Maxwell Connector and North Park	
Representative: Rick Satre	
Lead City Staff:	Steve Ochs, Associate Planner, (541) 682-5453

EVALUATION:

Based on the information provided by the applicant, the City has determined that this request complies with Eugene Code (EC) Section 9.7805 Annexation - Applicability. As such, it is subject to review and approval in accordance with the requirements, application criteria and procedures of EC 9.7800 through 9.7835. The applicable approval criteria are presented below in bold typeface with findings and conclusions following each.

<p>EC 9.7825(1) The land proposed to be annexed is within the city’s urban growth boundary and is: (a) Contiguous to the city limits; or (b) Separated from the city only by a public right of way or a stream, bay, lake or other body of water.</p>	
<p>Complies</p> <p><input checked="" type="checkbox"/> YES <input type="checkbox"/> NO</p>	<p>Findings: The annexation area is within the City's urban growth boundary (UGB), and is contiguous to the City limits, consistent with subsection (a). The City limits are contiguous with the subject area of land along the south, western and eastern boundaries of the property.</p>
<p>EC 9.7825(2) The proposed annexation is consistent with applicable policies in the Metro Plan and in any applicable refinement plans.</p>	
<p>Complies</p> <p><input checked="" type="checkbox"/> YES <input type="checkbox"/> NO</p>	<p>Findings: The proposed annexation area is within the UGB. Several policies from the <u>Metro Plan</u> generally support this annexation by encouraging compact urban growth to achieve efficient use of land and urban service provisions within the UGB, including the following:</p> <p>C. Growth Management, Goals, Findings and Policies: <i>Policy 8. Land within the UGB may be converted from urbanizable to urban only through annexation to a city when it is found that:</i></p> <p style="padding-left: 40px;"><i>a. A minimum level of key urban facilities and services can be provided to the area in an orderly and efficient manner.</i></p>

		<p><i>b. There will be a logical area and time within which to deliver urban services and facilities. Conversion of urbanizable land to urban shall also be consistent with the Metro Plan. (page II-C-4)</i></p> <p><i>Policy 10. Annexation to a city through normal processes shall continue to be the highest priority. (page II-C-4).</i></p> <p><i>Policy 16. Ultimately, land within the UGB shall be annexed to a city and provided with the required minimum level of urban facilities and services. While the time frame for annexation may vary, annexation should occur as land transitions from urbanizable to urban. (page II-C-5)</i></p> <p>The <u>Metro Plan</u> designates the annexation area as appropriate for residential use. The adopted refinement plan the <u>River Road Santa Clara Urban Facilities Plan (RR/SC UFP)</u> is the adopted refinement plan for the subject properties and designates the area for medium density residential and commercial uses. If the annexation is approved, per EC 9.7820(3), the annexation area will remain zoned C-1/WR and R-1/WR, and the /UL overlay will be automatically removed from the annexation area.</p> <p>With regard to applicable policies of the <u>RR/SC UFP</u>, the subject property is in the Maxwell/Park Avenue subarea. The recommendations in this area apply to the designation and zoning of properties but not annexation. The general “Residential Land Use Policies” at Section 2.2, none appear to be directly applicable to the subject request. The “Public Facilities and Services Element” policies of the <u>RR/SC UFP</u> are directed at local government; however, the premise of these policies for the provision of urban services is the assumption that the properties within the UGB will be annexed.</p> <p>As previously discussed in this subsection, and further detailed under subsection (3) below, the proposed annexation is consistent with <u>Metro Plan</u> growth management policies and can be served by the minimum level of key urban services. The annexation procedures beginning at EC 9.7800 are consistent with State law and therefore, as found throughout this report, the annexation is consistent with State law.</p>
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EC 9.7825(3) The proposed annexation will result in a boundary in which the minimum level of key urban facilities and services, as defined in the Metro Plan, can be provided in an orderly, efficient, and timely manner.

Complies		<p>Findings: The proposed annexation will result in a boundary in which the minimum level of key urban facilities and services can be provided in an orderly, efficient, and timely manner as detailed below:</p> <p>Wastewater Public wastewater is available; there is an 8-inch public line within N. Park Ave and an 8-inch stub to serve the vacant property (per as-construct record, micro file no. 3040.040).</p>
<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	

Exhibit C
Page 3 of 4

	<p>Additionally, there is an 8-inch public line within Maxwell, though there doesn't appear to be an existing stub to the property from this line. Related wastewater assessments have not yet been paid, and will be due at the time of development.</p> <p>Stormwater There are no existing public stormwater lines available for collection of stormwater runoff from the property, though on-site retention may be feasible for future development. Infiltration facilities would need to be sized to store and infiltrate the Flood Control Design Storm and on-site tests must demonstrate the viability of infiltration. At the time of development, applicants must address all applicable stormwater management standards such as: destination, pollution reduction, oil control, easements, and operation and maintenance.</p> <p>Streets The property has frontage on Maxwell Road, Maxwell Connector, and North Park Avenue. Lane County referral comments indicate that Maxwell Connector and North Park Avenue are both Lane County roads functionally classified as urban Local Roads. Both Maxwell Connector and North Park Avenue are maintained by the City of Eugene per intergovernmental agreement. Maxwell Road is a Lane County road, maintained by Lane County and is functionally classified as an urban Minor Arterial. Street standards must be addressed with future development which may require right of way dedication, special setbacks and street improvements.</p> <p>Solid Waste Collection service is provided by private firms. Regional disposal sites and the Short Mountain Landfill are operated by Lane County.</p> <p>Water Eugene Water and Electric Board (EWEB) staff notes that there is an existing 8-inch cast iron water main along the east side of North Park and a 6-inch cast iron water main on the north side of Maxwell Road. The River Road Water District currently serves the subject property. EWEB will take over water service once property is removed from the special district and adequate service can be made at the time of development.</p> <p>Electric EWEB currently serves the subject properties and has no objections to the annexation.</p> <p>Public Safety Police protection can be extended to this site upon annexation consistent with service provision through the City. Fire protection services and ambulance services are currently provided to the subject property by the City of Eugene. Emergency medical services are currently provided on a regional basis by the cities of Eugene and Springfield to central Lane County and will continue in the same manner upon annexation.</p> <p>Parks and Recreation A minimum level of park service can be provided to the proposal area as prescribed in</p>
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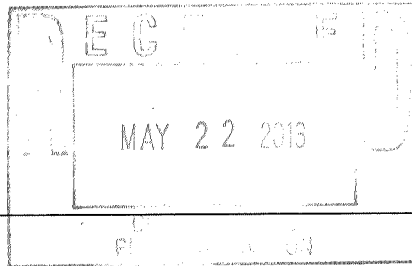
		<p>the Metro Plan. The property is currently located the River Road – Santa Clara parks planning district with Walnut Grove park just to the south and Bramblewood Park just north of Maxwell being the nearest parks serving that area.</p> <p>Planning and Development Services Planning and building permit services are provided for all properties located within the urban growth boundary by the City of Eugene. The Eugene Code, Chapter 9, will provide the required land use controls for future development of the subject property upon annexation.</p> <p>Communications Qwest communications and a variety of other telecommunications providers offer communications services throughout the Eugene/Springfield area.</p> <p>Public Schools The subject property is within the 4J School district and is served by Howard Elementary School, Kelly Middle School and North Eugene High School.</p>
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CONCLUSION:

Based on the above findings, information submitted to date, and the criteria set forth in EC 9.7825, the proposed annexation is found to be consistent with the applicable approval criteria. Based upon findings above, the Planning Director recommends that City Council approve this annexation proposal. A map and legal description showing the area subject to annexation are included in the application file for reference. The effective date is set in accordance with State law.

INFORMATION:

- ◆ Approval of this annexation does not relieve the applicant from complying with applicable codes and statutory requirements.
- ◆ Future development of the property will require a feasible stormwater proposal and demonstration that all applicable stormwater management standards have been met, including establishing capacity of the receiving system, pre-treating impervious areas prior to discharge, and possibly oil and source controls, depending on proposed development.



Planning & Development Planning

ANNEXATION APPLICATION

City of Eugene
 99 West 10th Avenue
 Eugene, Oregon 97401
 (541) 682-5377
 (541) 682-5572 Fax
 www.eugene-or.gov

Please complete the following application checklist. Note that additional information may be required upon further review in order to adequately address the applicable criteria for approval. If you have any questions about filling out this application, please contact Planning staff at the Permit and Information Center, phone (541)682-5377, 99 West 10th Avenue, Eugene.

List all Assessor's Map and Tax Lot numbers of the property included in the request.

Assessor's Map	Tax Lot	Zoning	Acreage
17-04-14-32	03800	R-1/UL/WR;	17.52
		C-1/UL/WR	

Property Address: N/A

Plans for Future Development & Permit Number (if applicable): N/A

Public Service Districts:

Name			
Parks:	River Road Park and Recreation District		
Electric:	EWEB		
Water:	EWEB		
Sanitary Sewer:	City of Eugene		
Fire:	River Road WD		
Schools:	Elementary: Howard	Middle: Kelly	High: North Eugene
Other:			

Filing Fee

A filing fee must accompany all applications. The fee varies depending upon the type of application and is adjusted periodically by the City Manager. Check with Planning staff at the Permit and Information Center to determine the required fee or check website at www.eugeneplanning.org

Written Statement (Submit 5 copies)

- Submit a detailed written statement describing **how** this request is consistent with all applicable criteria (Section 9.7825 of the Eugene Code).

Site Plan Requirements

Submit 8 copies of a site plan, drawn to an engineer's scale on 8 1/2" x 14" sheet of paper. Site plans shall include the following information:

- Show the date & north arrow on site plan.
- Show the Assessor's Map and Tax Lot number(s) on the site plan.
- Show a vicinity map on the site plan (vicinity map does not need to be to scale).
- Show city limits & UGB (if applicable)
- Clearly label the affected territory and any public right of ways to be annexed.
- Show all adjacent streets, alleys, and accessways.
- Show all dimensions of existing public utility easements and any other areas restricting use of the parcels, such as conservation areas, slope easements, access easements, etc.
- Show the location of all existing structures.

Other Application Requirements (Submit 5 copies of all)

- Petition for Annexation form listing all owners, including partial owners, and electors. This form includes the Certification of Electors which must be signed by the Lane County Elections/Voter Registration Department and also includes the Verification (Certification) of Property Owners which must be signed by the Lane County Department of Assessment and Taxation. *This form is required even if the land is vacant.*
- Notarized Consent to Annexation form.
- A legal description of the land proposed for annexation, including any public right of way prepared by a registered land surveyor. Oregon Revised Statutes (ORS) 308.225 requires submittal of a closing metes and bounds description or subdivision block and lot number description. Please see example of acceptable legal descriptions contained in the application packet. The legal description must exactly correspond with the map included with the application or the Assessor's map.
- Summary of Urban Service Provision form.
- A county Assessor's cadastral map. *(Available at Lane County Assessment & Taxation)*
- Census Information Sheet.

Note: This is not a complete list of requirements. Additional information may be required after further review in order to adequately address the applicable approval criteria.

By signing, the undersigned certifies that he/she has read and understood the submittal requirements outlined, and that he/she understands that omission of any listed item may cause delay in processing the application. I (We), the undersigned, acknowledge that the information supplied in this application is complete and accurate to the best of my (our) knowledge.

PROPERTY OWNER OF TAX LOT: 03800

Name (print): John W. Pennington Family Trust (Trustee: Thomas W. Pennington)

Address: 5117 Dudley Lane 302 Email: tom.pennington@areva.com

City/State/Zip: Bethesda, MD 20814 Phone: 301-941-1690 Fax:

Signature: Thomas W. Pennington - Trustee Date: May 14, 2013

PROPERTY OWNER OF TAX LOT: _____

Name (print): _____

Address: _____ Email: _____

City/State/Zip: _____ Phone: _____ Fax: _____

Signature: _____ Date: _____

PROPERTY OWNER OF TAX LOT: _____

Name (print): _____

Address: _____ Email: _____

City/State/Zip: _____ Phone: _____ Fax: _____

Signature: _____ Date: _____

SURVEYOR:

Name (print): _____

Company/Organization: _____

Address: _____

City/State/Zip: _____ Phone: _____ Fax: _____

E-mail: _____

Signature: _____ Date: _____

REPRESENTATIVE (If different from Surveyor):

Name (print): Rick Satre

Company/Organization: Schirmer Satre Group

Address: 375 W. 4th Avenue. Suite 201

City/State/Zip: Eugene, OR 97401 Phone: 541-686-4540 x 2 Fax: 541-686-4577

E-mail: rick@schirmersatre.com

Signature:  Date: 5/17/13

****Attached additional sheets if necessary.**

April 26, 2013

PENNINGTON FAMILY TRUST
 Annexation Application
 Map 17-04-14-32, Tax Lot 3800

WRITTEN STATEMENT

In accordance with EC 9.7800, Annexation Application Procedures and Criteria, the applicant, the John W. Pennington Family Trust (Trustee: Thomas W. Pennington), is requesting that the City of Eugene review this annexation request and determine that the proposal complies with criteria contained in EC 9.7825 and that the requested annexation can be approved. To aid Eugene staff in this endeavor, the following information is provided.

I. The Site and Existing Conditions

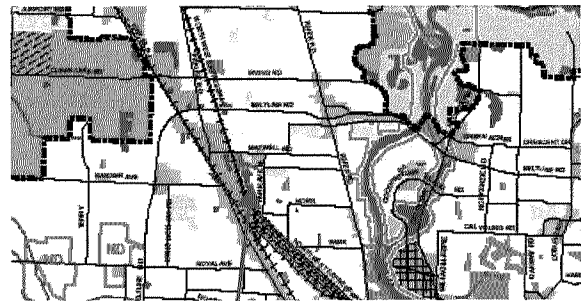
A. Planning Context

The Pennington property has a split Metro Plan land use designation of Medium Density Residential (MDR) and Commercial (C)¹. The applicable neighborhood refinement plan (the River Road-Santa Clara Urban Facilities Plan), shows a similar Medium Density Residential and Commercial land use split. The site has split zoning with Low Density Residential (R-1)² to the south and west and Neighborhood Commercial (C-1) to the northeast. Development of the property is subject to the Eugene-Springfield Metropolitan Area General Plan (Metro Plan), the River Road-Santa Clara Urban Facilities Plan, and the Eugene Code, in particular Chapter 9 which governs land use.

The site is inside the Urban Grown Boundary (UGB) and outside the City Limits of Eugene (CL). The site is contiguous to existing City of Eugene city limits along its southwest, south and southeast boundaries. There is an overlay zone of Urbanizable Land (/UL/*) which regulates and limits land use on the site until annexation. It would be extinguished upon annexation.

Additional planning documents also apply to the subject property, including TransPlan, Parks and Open Space Plan (not adopted), Goal 5 Water Resources Conservation Plan, and the in-process Envision Eugene project (not adopted but provides helpful direction).

While not directly applicable to annexation approval criteria, each of these planning documents, and their applicability to the Pennington property, will become pertinent with later planning applications and/or development permits.



Excerpt
 Metro Plan Diagram
 December 2010

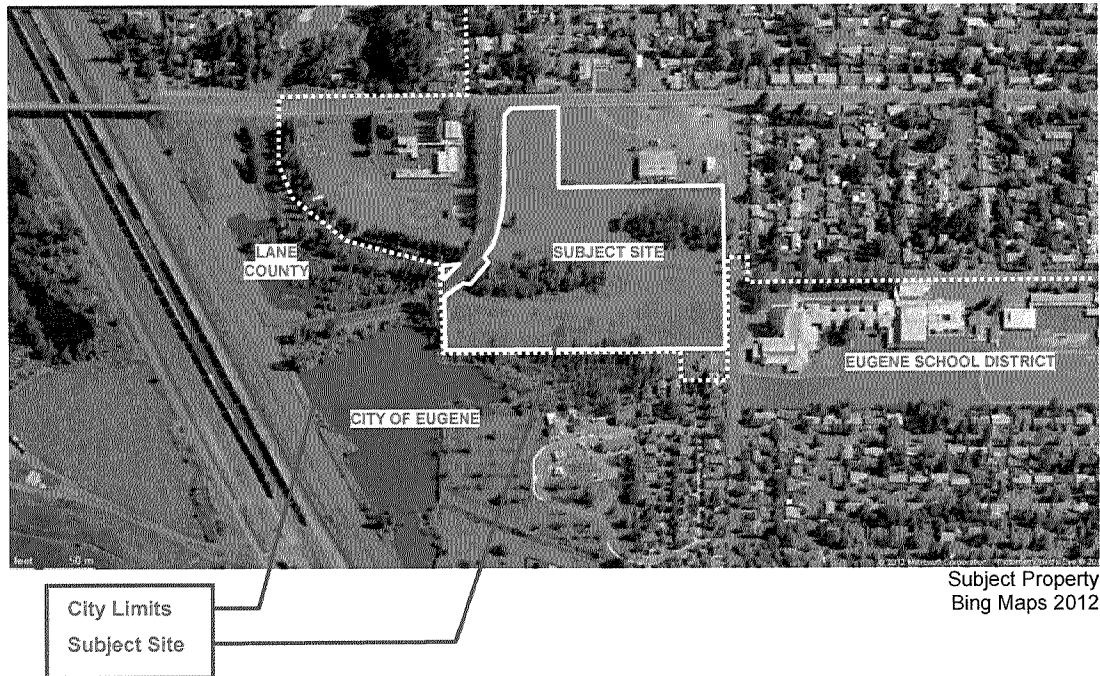
¹ The adopted Metro Plan Diagram is not tax lot specific, nor are the boundaries between different land use designations. Furthermore, the Metro Plan Diagram is valid at an 11x17 inch scale only. For the subject property, the southern portion of the site is Medium Density Residential with the northern portion designated Commercial. The dividing line runs east-west, more or less in alignment with Howard Avenue to the east.
² It is not uncommon for current zoning on a property to not coincide with land use jurisdictions. Land use designations represent the future use of the land. Zoning would need to be changed to match the long term designation prior to development approval.



B. Subject Site

The property is located in the northwest area of Eugene, in what is known as the River Road-Santa Clara neighborhood. The site itself is approximately 17.55 acres in size and is undeveloped. It is located to the south of Maxwell Road, abutting Maxwell Connector to the west and North Park Avenue to the east. To the west, across Maxwell Connector is a church with Lane County property to the west of that. To the south is City of Eugene park land. Southeast, across North Park Avenue is Eugene School District's Kelly Middle School and Howard Elementary School. To the east is existing low density residential use. North of the site, between the site and Maxwell Road at the corner of North Park Avenue is partially developed commercial property.

A short distance to the west is the Northwest Expressway, with the parallel Burlington-Northern rail line. Maxwell Road itself contains an overpass over the rail line and expressway. Maxwell Connector connects to the expressway. Northwest Expressway is a limited access minor arterial and the Burlington-Northern line is a main north-south rail line for the western United States. West of the expressway about 0.4 miles is Highway 99 North, a major arterial. East of the subject site, about 0.9 miles, is River Road, a major arterial. In addition to nearby schools and parks, regional shopping and employment centers are not too distant along both Highway 99 and River Road. Maxwell Road is a minor arterial.



The site is fairly flat and open. There are two jurisdictional riparian corridors/wetlands on the site. Known as Middle Flat Creek and Middle Flat Creek Wetlands, one of these (the westernmost one) is designated for protection and the other is not.

Soils are a mixture of gravelly silts with a few lenses of silty clay. Depth to ground water has not been mapped but is thought to be about 6 to 10 feet below the surface. The 100-year flood plain exists on the adjacent city and county property and occupies only a narrow strip of the subject property along its south and west property lines. The site historically drains to Middle Flat Creek to the west across Maxwell Connector.

II. Annexation – Approval Criteria

Annexation Approval Criteria are found in Section 9.7825 of the Eugene Code. Applicable sections of the Code are in *italics*, followed by proposed findings of facts in normal text.

9.7825 Annexation – Approval Criteria. *The city council shall approve, modify and approve, or deny a proposed annexation based on the application's consistency with the following:*

- (1) *The land proposed to be annexed is within the city's urban growth boundary and is:*
- (a) *Contiguous to the city limits; or*
 - (b) *Separated from the city only by a public right of way or a stream, bay, lake or other body of water.*

Response: The Pennington property is contiguous to existing City of Eugene city limits on its southwest, south and southeast boundaries. Therefore, this criterion is met.

- (2) *The proposed annexation is consistent with applicable policies in the Metro Plan and in any applicable refinement plans.*

METRO PLAN: Applicable Metro Plan policies and findings in support of this annexation request are as follows:

Growth Management

- *Policy 8a. Land within the UGB may be converted from urbanizable to urban only through annexation to a city when it is found that: A minimum of key urban facilities and services can be provided to the area in an orderly and efficient manner.*

Response: Minimum key urban facilities and services as defined in the Metro Plan includes wastewater, stormwater, transportation, solid waste management, water service, fire and emergency medical service, 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, Chapter V, Glossary, definition 24). As documented elsewhere in this Written Statement these key urban facilities and services can be provided to the subject site in an orderly and efficient manner.

- *Policy 10. Annexation to a city through normal processes shall continue to be the highest priority.*

Response: Annexation into the corporate limits of the City of Eugene is codified in the Eugene Code (EC) 9.7800-9.7835. Processes and procedures regarding application, annexation, approval criteria, effective date and notice, and withdrawal from special districts are, by submittal and processing of this Annexation Application, being followed.

- *Policy 16. Ultimately, land within the UGB shall be annexed to a city and provided with the required minimum level of urban facilities and services.*

Response: The subject site is inside the Eugene jurisdiction of the metro area's Urban Growth Boundary. By this Annexation Application herein land within the UGB (the subject site) is being annexed and, as required by applicable approval criteria, will be provided with the minimum level of urban facilities and services.

- *Policy 18. As annexations to cities occur over time, existing special service districts within the UGB shall dissolve. The cities should consider developing intergovernmental agreements, which address transition issues raised by annexation, with the affected special service districts.*

Response: Special districts providing services to the subject property include River Road Park and Recreation District (for parks and recreation programs) and River Road Water District (for fire protection). The city of Eugene has intergovernmental agreements with these two entities. As codified in Eugene Code (EC) 9.7835, Annexation – Withdrawal from Public Service Districts Following Annexation, the Eugene City Council utilizes a set process to facilitate withdrawals from special districts.

- *Policy 21a. When unincorporated territory within the UGB is provided with any new urban service, that service shall be provided by the following method: Annexation to a city.*

Response: Future development of the vacant subject property will require the provision of urban services. Annexation is the preferred method to enable urban service provision. Approval of this Annexation Application herein will satisfy this Metro Plan policy.

APPLICABLE REFINEMENT PLAN: The applicable refinement plan is the River Road-Santa Clara Urban Facilities Plan. Applicable annexation criteria and findings in support of the annexation request are as follows:

Chapter 1 – Sanitary Sewer Service Element

1.1 EXISTING POLICIES AND SITUATION

Policy 3 - The Metropolitan Plan specifies that cities are the sole providers of sewers in the metro area. The plan states that Eugene, through annexation, or a new city, will provide sewers to the River Road Santa Clara area.

Response: Eugene remains the responsible party for sanitary sewer service provision. Approval of this annexation application will enable this policy to be followed.

Chapter 2 – Lane Use Element

2.1 GENERAL LAND USE

Policy 1.0 - Minimize land use conflicts by promoting compatibility between land uses, especially among residential, commercial industrial, and commercial agricultural uses.

Policy 2.0 - Adopt zoning that is consistent with the land use diagram and policies contained in the land use element of the Urban Facilities Plan.

Policy 3.0 - Provide for land uses that conform to Metropolitan Plan goals and policies and that consider the provision of a full range of urban services in an efficient and cost-effective manner.

Response: Annexation into the corporate limits of Eugene will ensure land use conflicts are minimized through the eventual re-zoning in conformance with adopted plans and the use of development standards found in the Eugene Code. Annexation will allow for the full provision of key urban facilities and services.

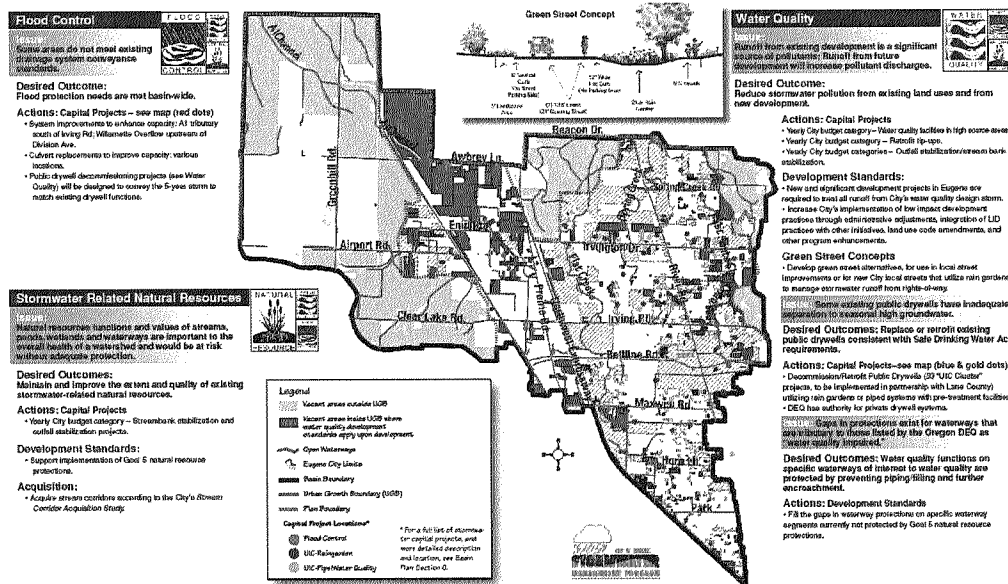
Response: The subject property's existing land use designations are MDR and C. The site is adjacent to natural features to the west and a natural feature/city park to the south. It is adjacent to existing commercial land use, where the existing commercial designation would remain. Annexation to the City of Eugene would enable the implementation of site development standards and process requirements, including Site Review.

Chapter 3 – Public Facilities and Services Element
3.1 STORM SEWERS/DRAINAGE

Policy 3 - As annexation or incorporation occurs; a comprehensive drainage plan for the area shall be developed in cooperation with Lane County and other appropriate agencies.

- a. Identify and implement means of improving maintenance of existing drainage systems serving the area, recognizing that without maintenance the existing system will become inadequate.
- b. Identify those portions of the open storm drainageways which can be retained and those which should be eliminated and provide sufficient right-of-way or easements for their continued maintenance.

Response: The city of Eugene and Lane County have developed a comprehensive stormwater drainage plan. In the River Road-Santa Clara drainage basin, Water Quality Development Standards will apply. All site stormwater runoff will be required to be treated (vegetative treatment is preferred) before leaving the property.



3.2 FIRE

Policy 1 - As annexation occurs, Eugene shall provide for a level of fire and emergency services comparable to that received in the remainder of the city.

Policy 3 - As annexations or incorporation occur in the area, maintain or enhance present response times and levels of service to non-annexed areas.

Response: River Road Water District provides fire and ambulance service to the subject property (by and through a contract with the City of Eugene). Upon annexation, service will be provided directly by the City of Eugene. As the service provider is already the city, present response times will be maintained.

3.3 PUBLIC UTILITIES

Policy 1 - In accordance with the acknowledged Metropolitan Plan, special purpose water districts within the urban growth boundary ultimately shall be extinguished.

Policy 2 - EWEB shall continue to provide electrical service to its existing service area unless a newly-incorporated city, working through the Public Utility Commission, obtains service from another utility.

Response: EWEB is the current water and electric service provider for the subject site. Upon annexation, this will continue.

3.8 POLICE PROTECTION

Policy 1 – As annexation occurs, Eugene shall provide for a level of police service comparable to that received in the remainder of the city.

Response: Annexation of the subject property will enable city police protection to serve the subject property. Efficiency and economy of service will benefit in that existing city police services are present in the adjacent area already inside the city limits.

3.9 PARK AND RECREATION SERVICE

The River Road Park and Recreation District and the City of Eugene have entered into intergovernmental agreements which specify the process of transition from district to city operation of the park and recreation service.

Policy 2 - If an annexation involving at least 25 percent of River Road, Santa Clara, and/or a park subarea's undeveloped land occurs, the City of Eugene shall begin amending its Parks Master Plan to include the area annexed.

Response: Annexation of the subject property will not materially affect existing intergovernmental agreements. The subject annexation, together with all annexations since the adoption of the River Road Santa Clara Urban Facilities Plan, does not yet meet the 25 percent threshold.

Chapter 4 – Environmental Design Element

4.3 REUSE OF BORROW PITS AT MAXWELL AND NORTHWEST EXPRESSWAY

Policy 1 – Lane County shall investigate the possibility of developing the Maxwell gravel pits for recreational use or open space.

4.9 VEGETATED SLOUGHS

Policy 1 - During the development of a comprehensive drainage plan, existing vegetated sloughs shall be evaluated and mapped to establish those sections considered to be significant environmental resources for the plan area.

Response: While not directly related to annexation per-se, these two policies are related to the provision of a key urban service – storm drainage. The borrow pit directly west of the subject property, across Maxwell Connector, and the borrow pit south of the subject property, now part of a city park, continues to serve today as two components of the area's storm drainage system. As the City of Eugene and Lane County manage the comprehensive drainage plan, these borrow pits, which are also, in part, vegetated sloughs, should not only remain vegetated sloughs, riparian corridors, open space elements and, most importantly, an important link in the neighborhood's storm drainage system, they should also function to assist with drainage needs for neighboring property.

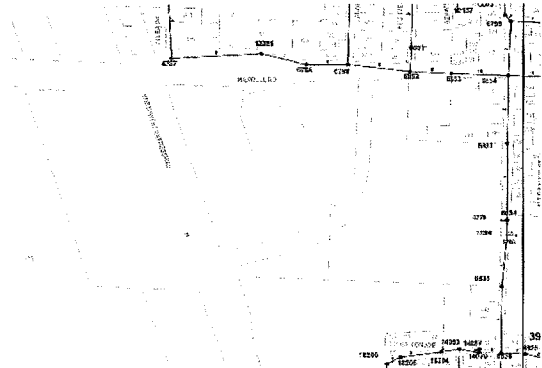
Given the above demonstrated compliance with the Metro Plan and applicable refinement plan, this criterion is met.

- (3) *The proposed annexation will result in a boundary in which the minimum level of key urban facilities and services, as defined in the Metro Plan, can be provided in an orderly, efficient, and timely manner.*

Response: The minimum level of key urban facilities and services are available and have sufficient capacity to serve the site. The facility, provider and condition applicable to the site are as follows:

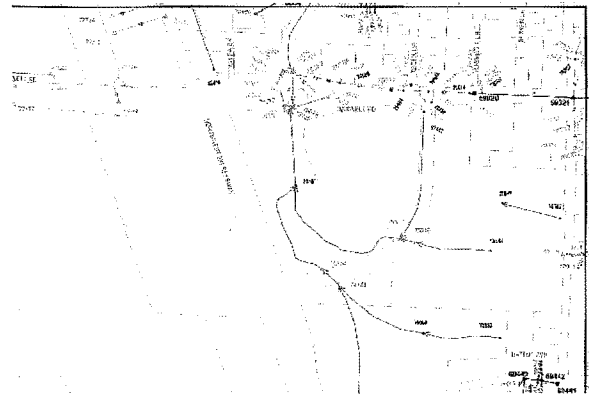
Wastewater

Public wastewater service is available to the site and is of sufficient capacity to serve the property at its planned medium density residential (MDR) and commercial (C) designation. An 8-inch line is in Park Street along the property's east boundary and an 8-inch to 18-inch line is in Maxwell Road along the property's north boundary.



Stormwater

Existing public stormwater facilities available to the site are a combination of piped system and open drainages. The piped system is comprised of a 54-inch and 60-inch line in Maxwell Road. The open drainageway system is comprised of an existing riparian swale running east-west in the property's southwest quadrant and two open swale/pond facilities south of the property and west of the property. The piped system drains into the open swale system as the system continues northward to the west of the subject site. The piped system does not have sufficient capacity to accommodate the development capacity of the property. Stormwater facilities for the site will need to be a combination of on-site detention/retention facilities (by way of vegetated bio-swales and/or rain gardens) connected to either/and/or one or both of the existing open swales/ponds to the south and west. At a Project Consultation Meeting (PC 13-24), staff indicated that this would be the required approach to providing stormwater management for the property. A stormwater study will be a required component of subsequent planning applications (i.e., Planned Unit Development and/or Site Review) and/or development permits.

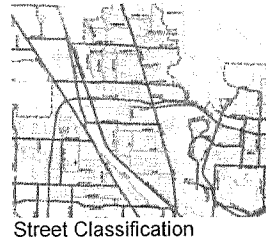


Transportation

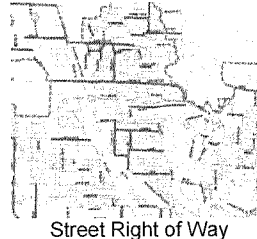
Streets – The property fronts three public streets - Maxwell, Maxwell Connector and Park. Maxwell, a minor arterial, and Maxwell Connector, a local street, are county facilities. Park, a neighborhood collector, is a city facility. Although none of the streets are improved to full urban standards, all three streets have their full right-of-way and determining future

improvement requirements will be a component of subsequent planning applications and/or development permits.

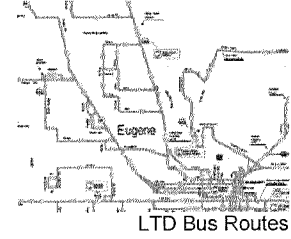
Transit – Lane Transit District has regular bus service on Park Street.



Street Classification



Street Right of Way



LTD Bus Routes

Solid Waste Management

Solid waste collection is provided by private firms, whose franchise territory granted by the City of Eugene includes the site. Regional disposal sites are operated by Lane County.

Water and Electric Service

Water and electric service is currently provided to the subject site. Eugene Water and Electric Board (EWEB) provide both water and electric service to the site. There is sufficient capacity to serve the property at its planned Medium Density Residential (MDR) and Commercial (C) capacities.

Fire and Emergency Medical Services

River Road Water District provides fire and ambulance service to the subject property (by and through a contract with the city of Eugene). Upon annexation, service will be provided directly by the City of Eugene.

Police Protection

Police protection is currently provided by Lane County. Upon annexation, the City of Eugene will provide police protection. With annexation police protection will be consistent with service provision throughout the city. Eugene Police currently serve the incorporated areas immediately to the south and southeast of the site. Infill annexations and development in this area increase the efficiency of service delivery.

City-Wide Parks and Recreation

The site is in the boundaries of the River Road Park and Recreation District. Upon annexation, parks and recreation services will be provided by the City of Eugene.

Land Use Controls

The subject property is inside the Eugene portion of the Metro Plan Urban Growth Boundary. The city of Eugene provides land use controls for the site.

Communication Facilities

US West Communications and a variety of other telecommunications providers offer communication services throughout the Eugene/Springfield Area.

Public Schools on a District-Wide Basis

Eugene School District is the k-12 education service provider. Howard Elementary School and Kelly Middle School are to the southeast of the site. North Eugene High School also serves this site. The full range of District school services is available to the property.

Given the above regarding public and private facility availability, this criterion is met.

III. Attachments

The following attachments are included with this application.

1. Petition for Annexation
2. Consent for Annexation
3. Legal Description of Affected Territory to be Annexed
4. Summary of Urban Service Provision
5. County Assessor's Cadastral Map
6. Census Information Sheet

IV. Conclusion

Based on the information contained in this written statement, the applicant believes that the requested Annexation can be approved.

If there are any questions regarding the above information, please do not hesitate to contact Rick Satre, AICP, at Schirmer Satre Group, 541-686-4540 or rick@schirmersatre.com.

Application #: C * 2008 - _____
For City Use Only

PETITION
Petition Signature Sheet
Annexation by Individuals

- * CB = Coburg
- CG = Cottage Grove
- CR = Creswell
- EU = Eugene
- FL = Florence
- JC = Junction City
- OA = Oakridge
- SP = Springfield

We, the following property owners/electors, consent to the annexation of the following territory to the City of *(Insert Name of City)*:

Signature	Date Signed m/d/y	Print Name	Residence Address (street, city, zip code)	Map and Tax Lot Number (example: 17-04-03-00-00100)	Land Owner	Reg Voter	Acres (qty)
<i>Thomas W. Pennington - Trustee</i>	<i>5/16/13</i>	<i>John W. Pennington Family Trust</i> Thomas W. Pennington - Trustee	N/A	17-04-14-32-03800	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	17.52
<i>/</i>	<i>/</i>	<i>/</i>	<i>/</i>	<i>/</i>			
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<i>/</i>	<i>/</i>	<i>/</i>	<i>/</i>	<i>/</i>			

Note: With the above signature(s) I am attesting that I have the authority to consent to annexation on my own behalf or on behalf of my firm or agency. (Attach evidence of such authorization when applicable.)

I, Steve Balllock (printed name of circulator), hereby certify that every person who signed this sheet did so in my presence.
X _____ (signature of circulator)

CERTIFICATION OF PROPERTY OWNERS

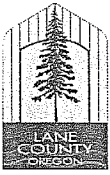
The total landowners in the proposed annexation are 1 (qty). This petition reflects that 1 (qty) landowners (or legal representatives) listed on this petition represent a total of 100 (%) of the landowners and 100 (%) of the acres as determined by the map and tax lots attached to the petition. A&T is not responsible for subsequent deed activity which may not yet be reflected on the A&T computerized tax roll.

DeWitt Newman
Lane County Department of Assessment and Taxation
5-20-13
Date Certified

CERTIFICATION OF ELECTORS

The total active registered voters in the proposed annexation are 0. I hereby certify that this petition includes 0 valid signatures representing 0 (%) of the total active registered voters that are registered in the proposed annexation.

J. L. Lauer
Lane County Clerk or Deputy Signature
5/20/13
Date Certified



LANE COUNTY

Property Account Summary

As Of 5/20/2013 Status: Active

Account No.: 0390474 **Alternate Property Number:** 1704143203800
Account Type: Real Property
TCA: 00412
Situs Address: ADDRESS UNKNOWN
 OR
Legal: Section 14 Township 17 Range 04 Quarter 32 TL 03800

Parties:

Role	Name & Address
Owner	JOHN W PENNINGTON FAMILY TRUST % THOMAS W PENNINGTON 5117 DUDLEY LN 302 BETHESDA MD 20814
Taxpayer	JOHN W PENNINGTON FAMILY TRUST % THOMAS W PENNINGTON 5117 DUDLEY LN 302 BETHESDA MD 20814
Trustee	PENNINGTON THOMAS W 5117 DUDLEY LN 302 BETHESDA MD 20814

Property Values:

Value Name	2012	2011	2010
MKTTL	\$835,825	\$1,027,839	\$1,176,199
AVR	\$385,375	\$374,150	\$363,252
TVR	\$385,375	\$374,150	\$363,252

Property Characteristics:

Tax Year	Characteristic	Value
2012	Property Class	190 Potential dev vacant
	Change Property Ratio	1XX Residential
	Size	17.52
	Code Split	N
	Neighborhood	431500

Exemptions:

(End of Report)

Consent to Annexation

Consent is hereby given to the annexation by the City of Eugene, Oregon of the following described real property:

Map and Tax Lot: 17-04-14-32 / 03800 Address: N/A

Legal Description: See Attached.

In the corporate limits of said city, which is owned by the undersigned

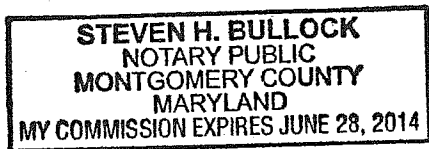
DATED this 8th day of May, 2013.

John W. Pennington Family Trust
By: Thomas W. Pennington - Trustee
Thomas W. Pennington - Trustee

STATE OF MARYLAND)
)ss
County of Montgomery)

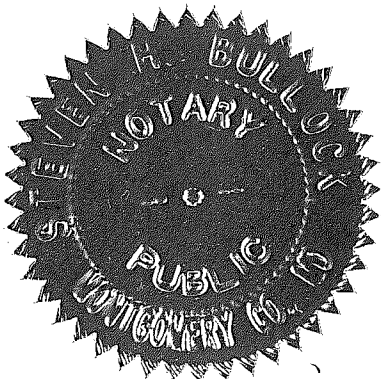
On this 8th day of May, 2013, before me, the undersigned, a notary public in and for the said county and state, personally appeared the within-named, Thomas W. Pennington - Trustee, who is known to me to be the identical individual described herein and who executed the same freely and voluntarily.

Seal:



IN TESTIMONY WHEREOF, I have hereunto set my hand and seal the day and year last above written.

Steven H. Bullock
Notary Public for Maryland
My Commission Expires 6/28/2014



Legal Description of Affected Territory to be Annexed

Map and Tax Lot 17-04-14-32-03800

Beginning at a point in the centerline of County Road No. 1008 (known as Maxwell Road), said point being 1226.5 feet South and 2229.50 feet South 89° 59' West from the Northeast corner of the James E. McCabe Donation Land Claim No. 46, in Township 17 South, Range 4 West of the Willamette Meridian; thence South 89° 59' West along said centerline 282.27 feet to the Northeast corner of that certain parcel of land described in deed to the Archdiocese of Portland in Oregon, recorded July 19, 1965, Reception No. 11500, Lane County Oregon Deed Records; thence South 0° 01' East 821.6 feet along the East line of said parcel to the Southeast corner thereof; thence North 78° 26' West along the Southerly line of said parcel, 131.73 feet to a corner in the most Easterly line of that certain parcel of land described in deed to Lane County, a political subdivision of the State of Oregon, recorded May 10, 1963, Reception No. 10072, Lane County Oregon Deed Records, thence South 0° 11' 20" East along the East line of said parcel 429.00 feet, more or less, to a point on the South line of that certain parcel of land described in deed to John W. Pennington recorded in Book 233, Page 187, Lane County Oregon Deed Records; thence East along said South line to a point on the centerline of County Road No. 1008 (known as Park Avenue); thence North to the point of intersection with the most Southerly line of that certain parcel of land described in deed to Lane County. A political subdivision of the State of Oregon, recorded December 24, 1964, Reception No. 86613, Lane County Oregon Deed Records; thence South 89° 59' West 30 feet along said South line to the Southwest corner thereof; thence North 0° 10' East along said West line 233.36 feet to a point on the South line of that certain parcel of land described in deed to George F. Wingard and Rhee Wingard recorded October 8, 1964, Reception No. 77372, Lane County Oregon Deed Records; thence South 89° 59' West along said South line 550.00 feet to the Southwest corner thereof; thence North 0° 10' East along the West line of said parcel, 413.93 feet to the Point of Beginning, in Lane County, Oregon.

Summary of Urban Service Provision

This form is intended as a guide to assist applicants in demonstrating that a minimum level of key urban services can be provided to the area proposed for annexation. Space is provided on this form for you to provide detailed information on service provision. Please add additional pages if necessary to provide details of servicing issues related to the area you are annexing. To assist you in providing this information, some contacts are listed below. For large or difficult to serve properties, you may wish to contact a private land use planning consultant to prepare your application.

Property Owner(s) Name: John W. Pennington Family Trust

Assessor's Map and Tax Lot Numbers for Properties Proposed for Annexation
(For example: Map 17-03-19-31, Tax Lot 100)

Map 17-04-14-32, Tax Lot 3800

Wastewater -- All new development must connect to the wastewater (sanitary sewer) system. Is wastewater service available to serve the area proposed for annexation? (For more information, contact the Engineering staff at the City of Eugene Permit and Information Center or call 541-682-8400.)

The property(ies) in this annexation request:

 X will be served from an existing gravity wastewater line.

Location and size of existing wastewater line:

An 8-inch line is in Park Street along the property's east boundary and an 8-inch to 18-inch line is in Maxwell Road along the property's north boundary.

_____ will be served by an extension of an existing gravity wastewater line.

Where will a wastewater line be extended from? When will it be extended? By whom?

Stormwater -- Site plans for all new development must provide for drainage to an approved system consistent with the Comprehensive Stormwater Management Plan. City approval for storm drainage will be required as part of the development process. (For more information, contact the Engineering staff at the City of Eugene Permit and Information Center or call 541-682-8400.)

Is the site currently served by an approved stormwater system?

No.

If no, how will stormwater be handled after development?

Stormwater facilities for the site will need to be a combination of on-site detention/retention facilities (by way of vegetated bio-swales and/or rain gardens) connected to either/and/or one or both of the existing open swales/ponds to the south and west. At a Project Consultation Meeting (PC 13-24), staff indicated that this would be the required approach to providing stormwater management for the property. A stormwater study will be a required component of subsequent planning applications (i.e., Planned Unit Development and/or Site Review) and/or development permits.

Streets – What existing streets provide access to this site. List existing streets that provide access to this site from River Road, the Northwest Expressway, or Beltline Highway

Maxwell Road provides access to the site from both River Road and the Northwest Expressway. In addition to Maxwell Road, Maxwell Connector also provides access to the site from the Northwest Expressway.

Will dedication for additional street right-of-way be required upon further development of this site?

Yes No Unknown

Will existing streets be extended or new streets constructed upon further development of this site?

Yes No Unknown

(For more information, contact the City of Eugene Public Works staff at (682-6004.)

Parks, Recreation, and Cultural Services

Systems Development revenues generated by new development and Ballot Measure 20-30, which authorized the issuance of \$25.3 million in general revenue bonds, will help to fund future City park acquisition and development in this area and throughout the city. Please list the parks and recreation facilities that already exist or are planned in the general vicinity of the property(ies) included in this annexation:

Bramblewood City Park is located northwest of the site across Maxwell Road. Walnut Grove City Park is located adjacent to the site along the southern border while Emerald Park is in close proximity to the southeast

Key services, defined by the Metropolitan Plan as parks and recreation programs, will be available to new city residents in this area on an equal basis with residents throughout the city.

Public Safety

Police services - Police protection can be extended to this site upon annexation consistent with service provision throughout the city.

For River Road/Santa Clara area-

Police services - Police protection can be extended to this site upon annexation consistent with service provision throughout the city. Police currently travel along River Road to provide service to areas throughout the River Road and Santa Clara area. Infill annexations and development in this area will increase the efficiency of service delivery to this area.

Fire and emergency services (Please indicate which fire district serves subject property.)

 Santa Clara - Fire protection services are currently provided to the subject property by the Santa Clara Rural Fire Protection District.

 X River Road - Fire and emergency services - Fire protection is currently provided to the subject property by the River Road Water District under contract with the City of Eugene. Upon annexation, fire protection will be provided directly by the City of Eugene Fire & EMS Department.

Emergency medical transport (i.e., ambulance) services are currently provided on a regional basis by Eugene, Springfield, and Lane Rural Fire/Rescue to central Lane County, including the River Road and Santa Clara areas. After annexation, this service will continue to be provided by the current provider. All ambulance service providers have mutual aid agreements and provide back-up service into the other providers' areas.

Planning and Development Services -- Planning and building permit services are provided to the area outside the city limits but within the urban growth boundary by the City of Eugene. This service would continue after annexation.

EWEB (Eugene Water and Electric Board) currently provides water and electric service in the Eugene area and can provide service to new development in the River Road and Santa Clara area upon annexation. Some properties in northern Eugene receive electric service from EPUD (Emerald People's Utility District). Some properties in south Eugene receive electric services from the Lane Electric Cooperative; please note if this is the case for your property. For more information contact EWEB, ph. 484- 2411, EPUD, ph. 746-1583 or Lane Electric Co-op, 484-1151.

Electric Service – Which electric company will serve this site?

EWEB

Water Service -- Please provide the size and location of the water main closest to your property.

The closest water main is a 6-inch cast iron pipe located on the north side of Maxwell Road.

Solid Waste -- Solid waste collection service is provided by private firms. Regional disposal sites and the Short Mountain Landfill are operated by Lane County.

Natural Gas -- Northwest Natural Gas can extend service to new development in this area.

Communications -- US West Communications and a variety of other telecommunications providers offer communications services throughout the Eugene/Springfield Area.

County Assessor's Cadastral Map (1)

17041432
EUGENE

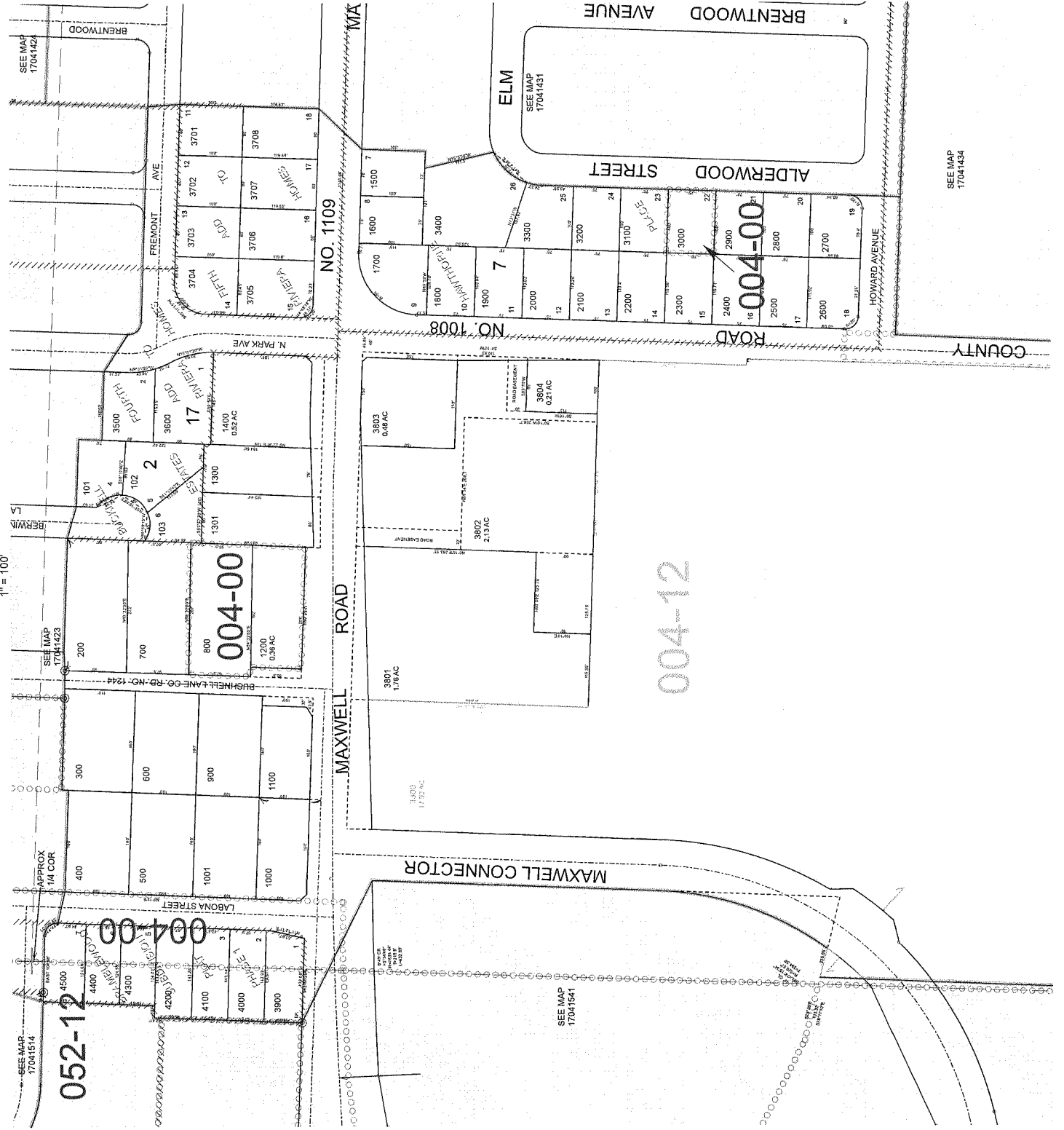
REVISIONS
9810202 - LOT 141 - CONVERT MAP TO GIS

N.W.1/4 S.W.1/4 SEC. 14 T.17S. R.4W. W.M.
Lane County

FOR ASSESSMENT AND
TAXATION ONLY

Cancelled - 2012-09-12 11:15
100
3500
3700

CANCELLED
100
3500
3700



SEE MAP
17041434

SEE MAP
17041541

17041433
EUGENE

listing - 2012-11-15 15:08

CANCELLED
3700
3800
3900
4000
4001

County Assessor's Cadastral Map (2)

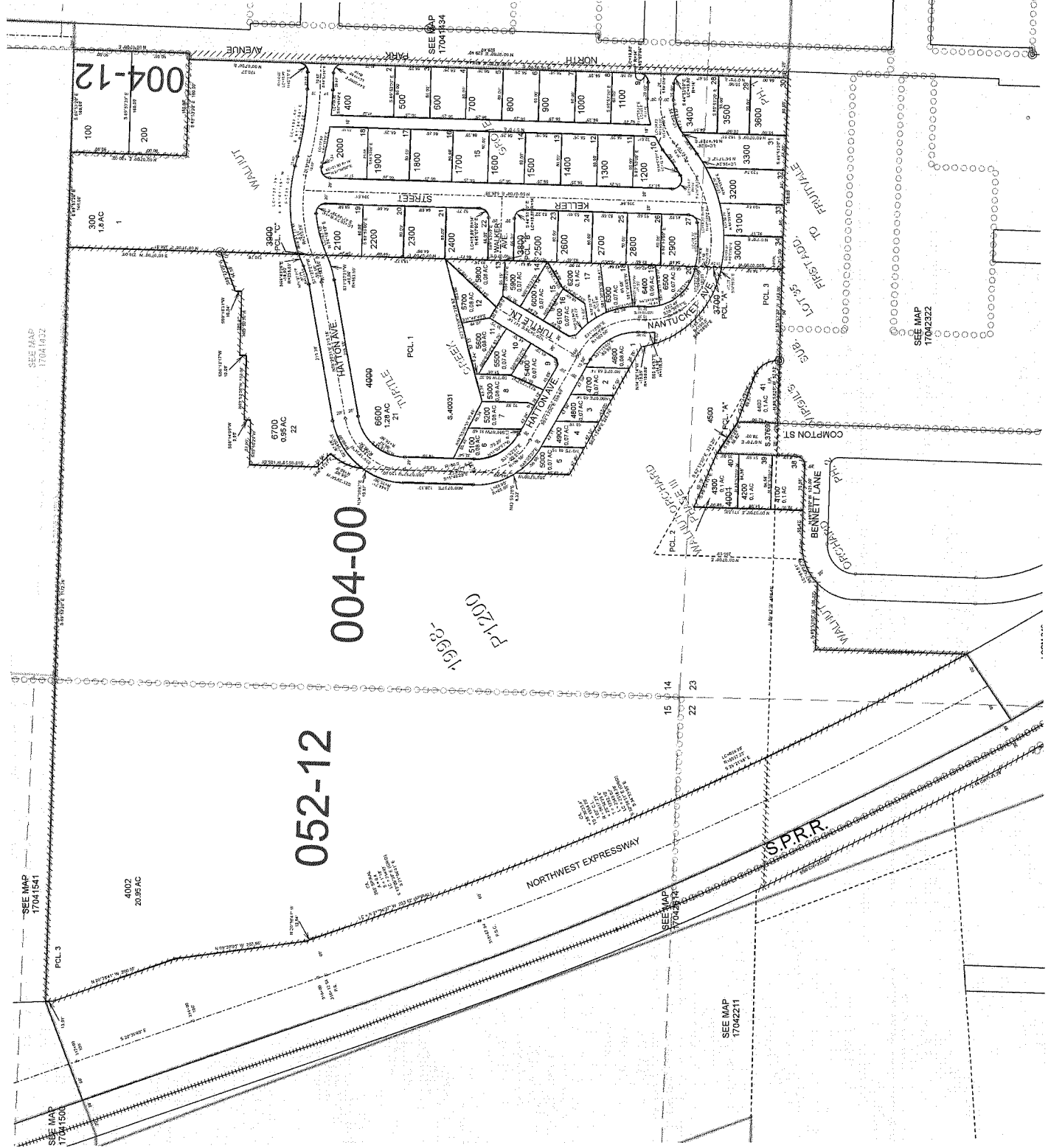
EUGENE
17041433

REVISIONS
11/18/2012 - LOT 156 - CONVERT MAP TO GIS

S.W.1/4 S.W.1/4 SEC. 14 T.17S. R.4W. W.M.
Lane County

1" = 100'

FOR ASSESSMENT AND
TAXATION ONLY



SEE MAP
17041832

SEE MAP
17041541

4002
20.95 AC

004-12

052-12

004-00

P-1200

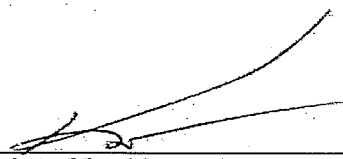
1998-

SEE MAP
17042211

SEE MAP
17042322

Certification of Description

Pursuant to EC 9.7810(7), Annexation Application Requirements, I hereby certify the metes and bounds description of the real property proposed for annexation closes; and the map outlining the boundary is a true representation of the description.

Signature: 
Registered Land Surveyor

Print Name: Kent Baker

Date: 6/11/13

Seal: 
Expires 12-31-2013

Legal Description of Affected Territory to be Annexed

Map and Tax Lot 17-04-14-32-03800

A unit of land being situated in Southwest $\frac{1}{4}$ Section 14, Township 17 South, Range 4 West of the Willamette Meridian, said unit of land being more particularly described as follows:

Commencing at the Northeast corner of the James E. McCabe Donation Land Claim No. 46, in Township 17 South, Range 4 West of the Willamette Meridian;

Thence South $89^{\circ}59'00''$ West 2229.50 feet and South $00^{\circ}00'00''$ East 1226.50 feet to a point in the centerline of County Road No. 1008 (known as Maxwell Road), said point being the **POINT OF BEGINNING** of this unit of land;

Thence along said centerline, South $89^{\circ}59'00''$ West 282.27 feet to the Northeast corner of that certain parcel of land described in deed to the Archdiocese of Portland in Oregon, recorded July 19, 1965, Reception No. 11500, Lane County Oregon Deed Records;

Thence along the East line of said parcel, South $00^{\circ}01'00''$ East 821.60 feet to the Southeast corner thereof;

Thence along the Southerly line of said parcel, North $78^{\circ}26'00''$ West 131.73 feet to a corner in the most Easterly line of that certain parcel of land described in deed to Lane County, a political subdivision of the State of Oregon, recorded May 10, 1963, Reception No. 10072, Lane County Oregon Deed Records;

Thence along the East line of said parcel, South $0^{\circ}11'20''$ East 429.00 feet to a point on the South line of that certain parcel of land described in deed to John W. Pennington recorded in Book 233, Page 187, Lane County Oregon Deed Records;

Thence along said South line, North $00^{\circ}00'00''$ East 987.79 feet to a point on the centerline of County Road No. 1008 (known as Park Avenue);

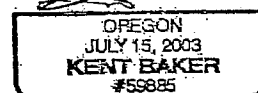
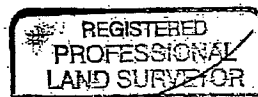
Thence along said centerline, North $00^{\circ}00'00''$ East 577.15 feet to the point of intersection with the most Southerly line of that certain parcel of land described in deed to Lane County, a political subdivision of the State of Oregon, recorded December 24, 1964, Reception No. 86613, Lane County Oregon Deed Records;

Thence along said Southerly line, South $89^{\circ}59'00''$ West 30.00 feet to the Southwest corner thereof;

Thence along the West line of said parcel, North $0^{\circ}10'00''$ East 233.36 feet to a point on the South line of that certain parcel of land described in deed to George F. Wingard and Rhee Wingard recorded October 8, 1964, Reception No. 77372, Lane County Oregon Deed Records;

Thence along said South line, South $89^{\circ}59'00''$ West 550.00 feet to the Southwest corner thereof;

Thence along the West line of said parcel, North $0^{\circ}10'00''$ East, 413.93 feet to the Point of Beginning, in Lane County, Oregon.



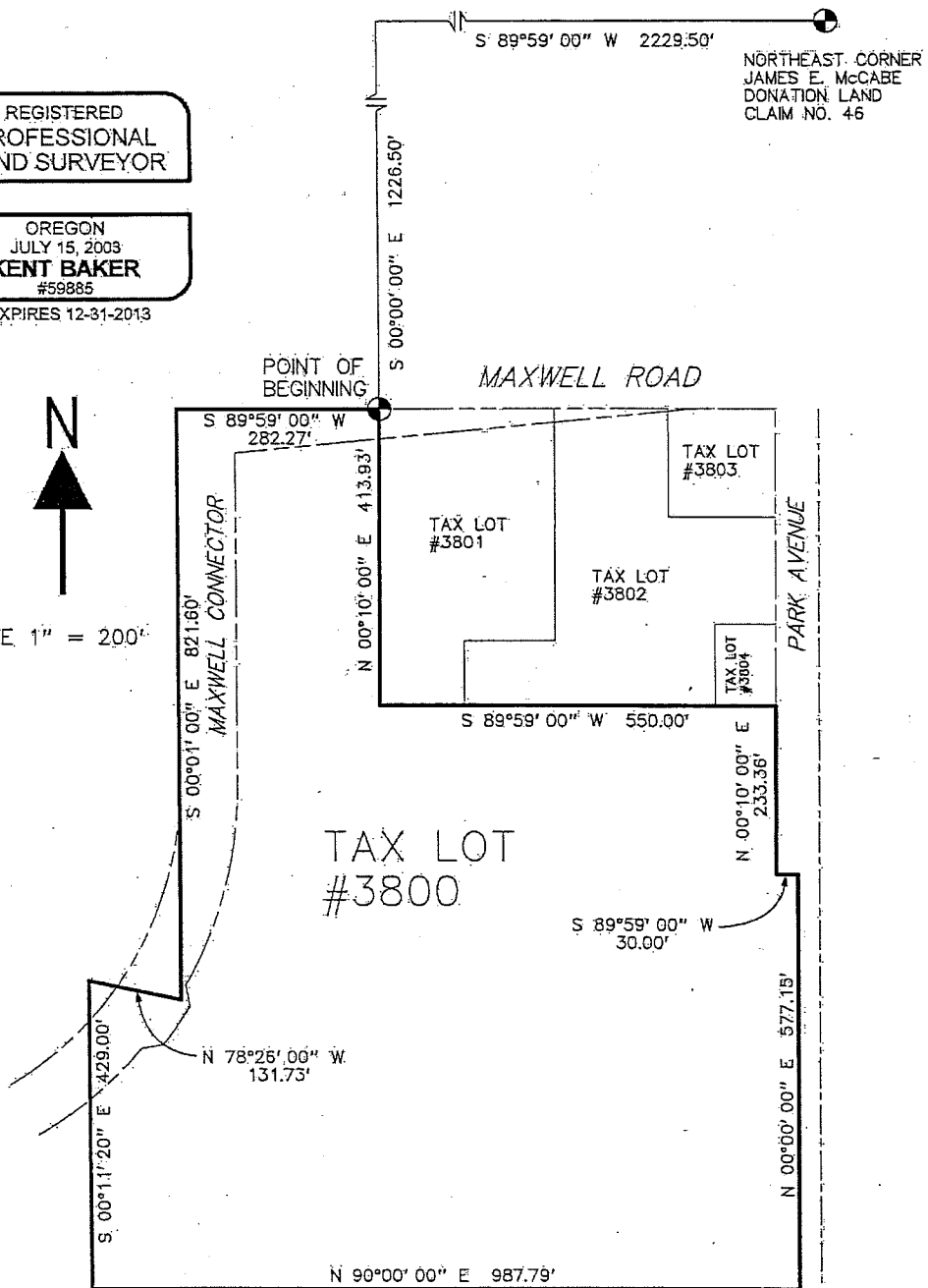
Expires 12-31-2013

REGISTERED
PROFESSIONAL
LAND SURVEYOR

OREGON
JULY 15, 2003
KENT BAKER
#59885
EXPIRES 12-31-2013



SCALE 1" = 200'



NORTHEAST CORNER
JAMES E. McCABE
DONATION LAND
CLAIM NO. 46

L1.0

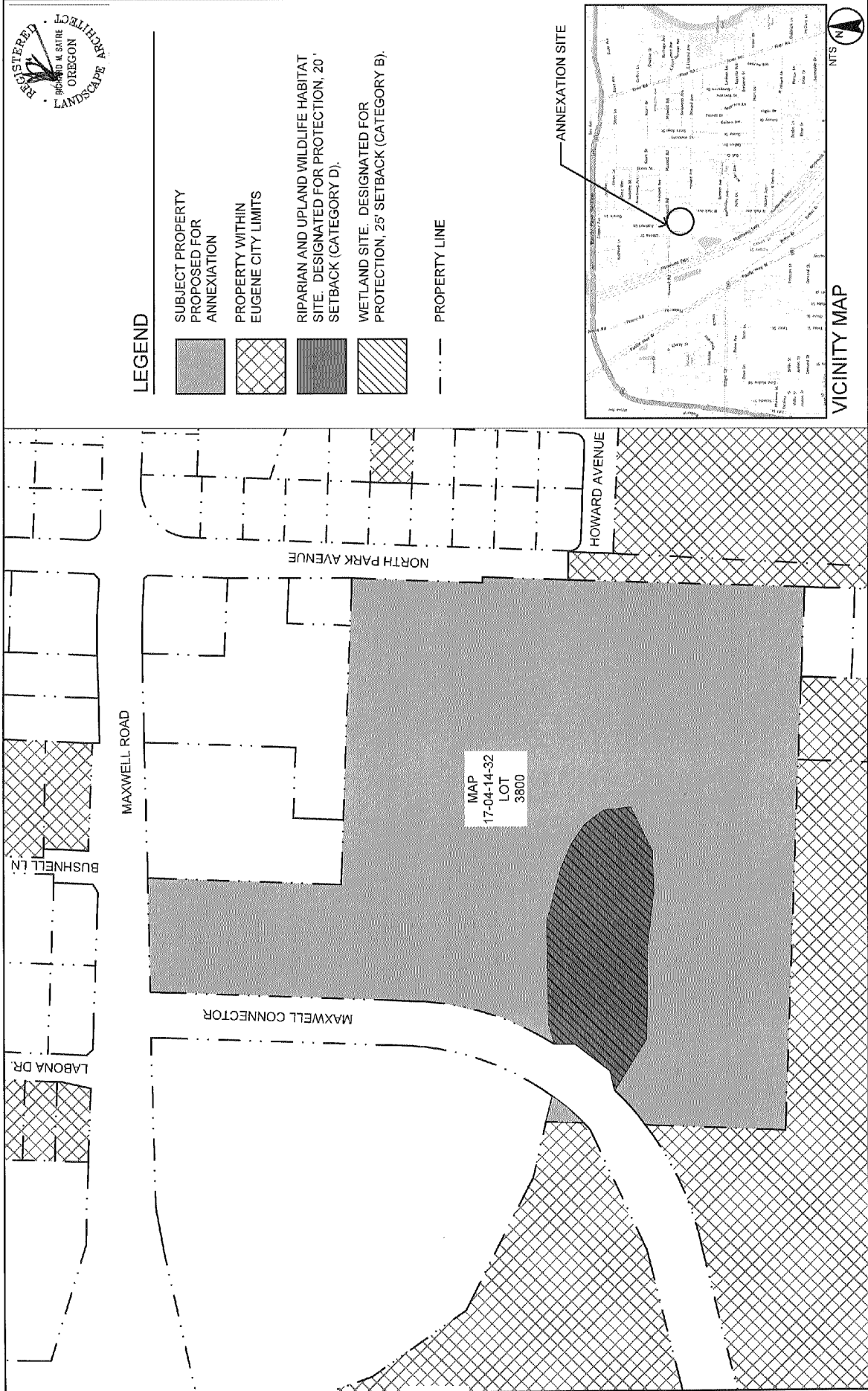
Project Number	
Drawn By	jm
Checked	ms
Date	4/30/2013

SITE PLAN

Pennington Annexation
Map and Tax Lot 17-04-14-32 - 03800

Scale: 1" = 200'-0"

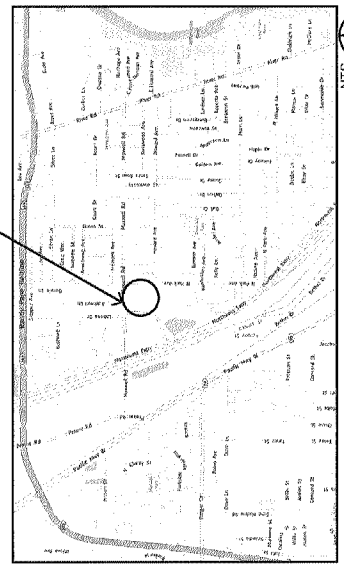
375 West 4th, Suite 201, Eugene OR 97401
 Phone: 541.686.4540 Fax: 541.686.4577
 www.schimmerstate.com



LEGEND

- SUBJECT PROPERTY PROPOSED FOR ANNEXATION
- PROPERTY WITHIN EUGENE CITY LIMITS
- RIPARIAN AND UPLAND WILDLIFE HABITAT SITE. DESIGNATED FOR PROTECTION, 20' SETBACK (CATEGORY D).
- WETLAND SITE. DESIGNATED FOR PROTECTION, 25' SETBACK (CATEGORY B).
- PROPERTY LINE

ANNEXATION SITE



VICINITY MAP



EUGENE CITY COUNCIL

AGENDA ITEM SUMMARY



Approval of Resolution No. 5094 Annexing Land to the City of Eugene (Bruce Wiechert Custom Homes - A 13-4)

Meeting Date: July 22, 2013
 Department: Planning and Development
www.eugene-or.gov

Agenda Item Number: 2D
 Staff Contact: Steve Ochs
 Contact Telephone Number: 541-682-5453

ISSUE STATEMENT

This item is a request to annex 3.64 acres of vacant land that is currently zoned AG Agriculture and designated by the Metro Plan for low-density residential uses. The annexation is being requested by the property owner, Bruce Wiechert Custom Homes, Inc. The applicant has also submitted a zone change application to rezone the property to R-1 low-density residential following annexation.

BACKGROUND

In December 2007, the City Council adopted an ordinance establishing the procedures for annexation requests and amending Chapter 9 of the Eugene Code (EC) to include these procedures. These annexation procedures provide for the council to adopt a resolution approving, modifying and approving, denying an application for annexation, or provide for the council to hold a public hearing before consideration of the annexation request.

Approval of annexation requests are based on the criteria at EC 9.7825 which require that (1) the land proposed to be annexed is within the city's Urban Growth Boundary (UGB) and is contiguous to the city limits or separated from city limits only by a right-of-way or water body; (2) the proposed annexation is consistent with the applicable policies in the Metro Plan and in any applicable refinement plans and (3) the proposed annexation will result in a boundary in which the minimal level of key urban facilities and services can be provided in an orderly, efficient, and timely manner. Draft findings demonstrating that the annexation request is consistent with these approval criteria are included as Exhibit C to the draft resolution (Attachment B).

Public notice for this annexation request was provided in accordance with Eugene Code requirements, and no written testimony has been received. Referral comments were provided by affected agencies including City of Eugene Public Works and Eugene Water & Electric Board. These referral comments confirm that the property can be provided with the minimum level of key urban services consistent with the approval criteria. Given the findings of compliance and lack of testimony received, a public hearing is not recommended in this instance.

Additional background information regarding this request, including relevant application materials, is included for reference as Attachment C. A full copy of all materials in the record is also available at the Permit and Information Center located at 99 West 10th Avenue.

RELATED CITY POLICIES

The Metro Plan contains the policies that are related to this annexation request. The River Road Santa Clara Urban Facilities Plan is the refinement plan applicable to the subject property. The policies applicable to this request are addressed in the Planning Director's findings and recommendation (Exhibit C to Attachment B).

COUNCIL OPTIONS

City Council may consider the following options:

1. Adopt the draft resolution.
2. Adopt the draft resolution with specific modifications as determined by the City Council.
3. Deny the draft resolution.
4. Defer action until after the council holds a public hearing on the proposed annexation.

CITY MANAGER'S RECOMMENDATION

The City Manager recommends that the City Council adopt the draft resolution by finding that the request complies with all applicable approval criteria, and that the annexation is approved.

SUGGESTED MOTION

Move to adopt Resolution No. 5094, which approves the proposed annexation request consistent with the applicable approval criteria.

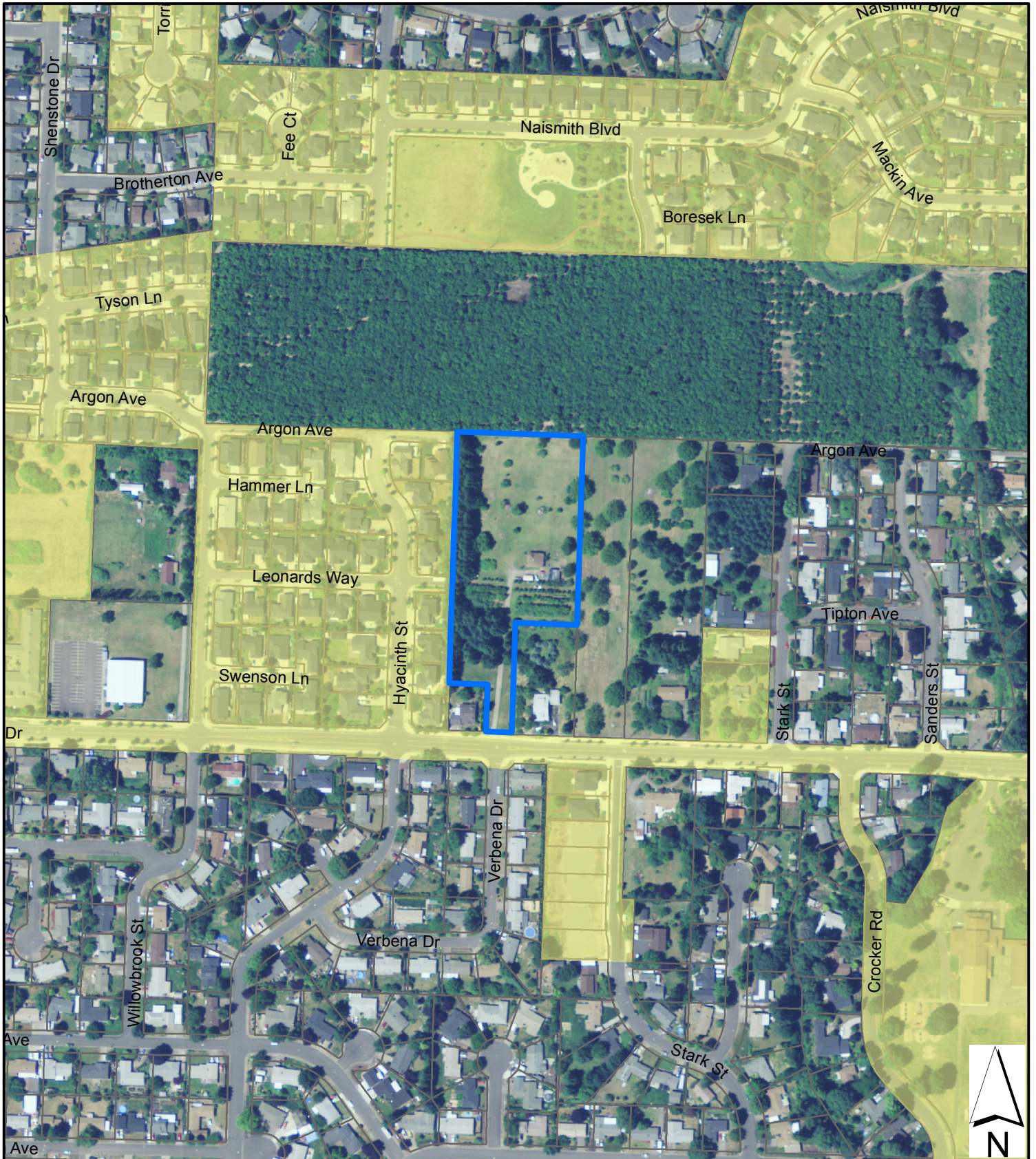
ATTACHMENTS



- A. Map of Annexation Request
- B. Draft Annexation Resolution with Exhibits A through C
 - Exhibit A: Map of Annexation Request
 - Exhibit B: Legal Description
 - Exhibit C: Planning Director Findings and Recommendation
- C. Application Materials for Annexation Request

FOR MORE INFORMATION

Staff Contact: Steve Ochs, Associate Planner
Telephone: 541-682-5453
Email: steve.p.ochs@ci.eugene.or.us

Attachment A - Area of Annexation Request



-  Annexation Area
-  Eugene City Limits



ATTACHMENT B**RESOLUTION NO. _____****A RESOLUTION ANNEXING LAND TO THE CITY OF EUGENE (937 IRVINGTON DRIVE, EUGENE, OREGON, AND PROPERTY IDENTIFIED AS ASSESSOR'S MAP 17-04-03-40, TAX LOT 2303).****The City Council of the City of Eugene finds that:**

A. An annexation application was submitted by Bruce Wiechert Custom Homes, Inc. on June 17, 2013, in accordance with the provisions of Section 9.7810(2) of the Eugene Code, 1971, ("EC") for annexation to the City of Eugene of the property identified as Assessor's Map 17-04-03-40, Tax Lot 2303.

B. The territory proposed to be annexed is depicted on the map attached as Exhibit A to this Resolution. The legal description of the property described is attached to this Resolution as Exhibit B.

C. The City's Planning Director has submitted a written recommendation that the application be approved based on the criteria of EC 9.7825. The Planning Director's Recommendation is attached as Exhibit C.

D. On June 19, 2013, a notice containing the street address and assessor's map and tax lot number, a description of the land proposed to be annexed, and the Planning Director's preliminary recommendation was mailed to the applicants, owners and occupants of property within 500 feet of the subject property, and the Santa Clara Community Organization. The notice advised that the City Council would consider the Planning Director's full recommendation on the proposed annexation on July 22, 2013.

E. After considering the Planning Director's recommendation, the City Council finds that the application should be approved.

NOW, THEREFORE,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EUGENE, a Municipal Corporation of the State of Oregon, as follows:

Section 1. Based on the above findings and the Planning Director's Recommendation and Findings attached as Exhibit C which are adopted in support of this Resolution, it is ordered that the land identified as Assessor's Map 17-04-03-40, Tax Lot 2303 on the map attached as Exhibit A, and described in the attached Exhibit B, is annexed to the City of Eugene.



Section 2. This Resolution is effective immediately upon its passage by the City Council. The annexation and automatic rezoning of the land from AG/UL/CAS to AG/CAS pursuant to EC 9.7820(3) shall be effective upon the date a copy of this Resolution is filed with the Secretary of the State of Oregon.

The foregoing Resolution adopted the _____ day of July, 2013.

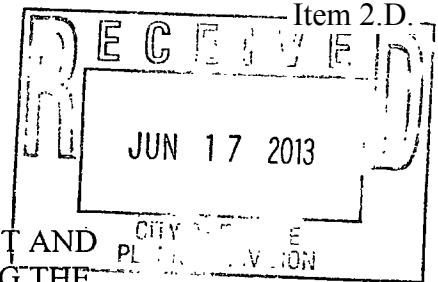
City Recorder

Bruce Wiechert Custom Homes (A 13-4)



-  Eugene City Limits
-  Annexation Area





LEGAL DESCRIPTION:

BEGINNING AT A POINT BEING SOUTH 89°52'00" EAST 589.64 FEET AND NORTH 00°08'00" EAST 150 FEET FROM THE BRASS CAP MARKING THE SOUTHEAST CORNER OF THE MARION SCOTT DONATION LAND CLAIM NO. 56 , TOWNSHIP 17 SOUTH, RANGE 4 WEST OF THE WILLAMETTE MERIDIAN, THENCE NORTH 00°08'00" EAST 589.20 FEET; THENCE SOUTH 89°52'00" EAST 294.82 FEET; THENCE SOUTH 00°08'00" WEST 438.20 FEET; THENCE NORTH 89°52'00" WEST 145.00 FEET; THENCE SOUTH 00°08'00" WEST 261.00 FEET TO THE NORTHERLY MARGIN OF IRVINGTON DRIVE; THENCE ALONG SAID MARGIN NORTH 89°52'00" WEST 60.00 FEET; THENCE LEAVING SAID MARGIN NORTH 00°08'00" EAST 110.00 FEET; THENCE NORTH 89°52'00" WEST 89.82 FEET TO THE POINT OF BEGINNING, IN LANE COUNTY, OREGON.

REGISTERED PROFESSIONAL LAND SURVEYOR

OREGON JULY 15, 2003 KENT BAKER #59885

Expires 12-31-2013



**Planning Director's Recommendations and Findings:
Bruce Wiechert Custom Homes (A 13-4)**

Application Submitted: June 17, 2013	
Applicant: Bruce Wiechert Custom Homes, Inc.	
Map/Lot(s): 17-04-03-40 Lot 2303	
Zoning: AG/UL/CAS	
Location: 937 Irvington Drive on the north side of Irvington between Willowbrook St. and Stark St.	
Representative: Anthony Favreau	
Lead City Staff:	Steve Ochs, Associate Planner, (541) 682-5453

EVALUATION:

Based on the information provided by the applicant, the City has determined that this request complies with Eugene Code (EC) Section 9.7805 Annexation - Applicability. As such, it is subject to review and approval in accordance with the requirements, application criteria and procedures of EC 9.7800 through 9.7835. The applicable approval criteria are presented below in bold typeface with findings and conclusions following each.

<p>EC 9.7825(1) The land proposed to be annexed is within the city's urban growth boundary and is: (a) Contiguous to the city limits; or (b) Separated from the city only by a public right of way or a stream, bay, lake or other body of water.</p>	
<p>Complies</p> <p><input checked="" type="checkbox"/> YES <input type="checkbox"/> NO</p>	<p>Findings: The annexation area is within the City's urban growth boundary (UGB), and is contiguous to the City limits, consistent with subsection (a). The City limits are contiguous with the subject area of land along the southern and eastern boundaries of the property.</p>
<p>EC 9.7825(2) The proposed annexation is consistent with applicable policies in the Metro Plan and in any applicable refinement plans.</p>	
<p>Complies</p> <p><input checked="" type="checkbox"/> YES <input type="checkbox"/> NO</p>	<p>Findings: The proposed annexation area is within the UGB. Several policies from the <u>Metro Plan</u> generally support this annexation by encouraging compact urban growth to achieve efficient use of land and urban service provisions within the UGB, including the following:</p> <p>C. Growth Management, Goals, Findings and Policies: <i>Policy 8. Land within the UGB may be converted from urbanizable to urban only through annexation to a city when it is found that:</i> <i>a. A minimum level of key urban facilities and services can be provided to the area in an orderly and efficient manner.</i></p>

		<p><i>b. There will be a logical area and time within which to deliver urban services and facilities. Conversion of urbanizable land to urban shall also be consistent with the Metro Plan. (page II-C-4)</i></p> <p><i>Policy 10. Annexation to a city through normal processes shall continue to be the highest priority. (page II-C-4).</i></p> <p><i>Policy 16. Ultimately, land within the UGB shall be annexed to a city and provided with the required minimum level of urban facilities and services. While the time frame for annexation may vary, annexation should occur as land transitions from urbanizable to urban. (page II-C-5)</i></p> <p>The <u>Metro Plan</u> designates the annexation area as appropriate for residential use. The adopted refinement plan the <u>River Road Santa Clara Urban Facilities Plan (RR/SC UFP)</u> is the adopted refinement plan for the subject properties and also designates the area for residential uses. If the annexation is approved, per EC 9.7820(3), the annexation area will remain zoned AG/CAS, and the /UL overlay will be automatically removed from the annexation area. The applicant has submitted a zone change (City File Z 13-4) to rezone the property to R-1 once the annexation has been approved.</p> <p>With regard to applicable policies of the <u>RR/SC UFP</u>, the subject property is not in a subarea and of the general “Residential Land Use Policies” at Section 2.2, none appear to be directly applicable to the subject request. The “Public Facilities and Services Element” policies of the <u>RR/SC UFP</u> are directed at local government; however, the premise of these policies for the provision of urban services is the assumption that the properties within the UGB will be annexed.</p> <p>As previously discussed in this subsection, and further detailed under subsection (3) below, the proposed annexation is consistent with <u>Metro Plan</u> growth management policies and can be served by the minimum level of key urban services. The annexation procedures beginning at EC 9.7800 are consistent with State law and therefore, as found throughout this report, the annexation is consistent with State law.</p>
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EC 9.7825(3) The proposed annexation will result in a boundary in which the minimum level of key urban facilities and services, as defined in the Metro Plan, can be provided in an orderly, efficient, and timely manner.

Complies		<p>Findings: The proposed annexation will result in a boundary in which the minimum level of key urban facilities and services can be provided in an orderly, efficient, and timely manner as detailed below:</p> <p>Wastewater Public wastewater is available; there is an 8-inch public line within Leonards Way, to the west, as well as an 8-inch public line within Verbena Drive, to the south. The related</p>
<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	

	<p>wastewater assessments have been paid.</p> <p>Stormwater There are no existing public stormwater lines available for collection of stormwater runoff from the property, though on-site retention may be feasible for future development. Infiltration facilities would need to be sized to store and infiltrate the Flood Control Design Storm and on-site tests must demonstrate the viability of infiltration. At the time of development, applicants must address all applicable stormwater management standards such as: destination, pollution reduction, oil control, easements, and operation and maintenance.</p> <p>Streets The property has frontage on Irvington Drive which is within the City limits but under Lane County Jurisdiction and functions as a minor arterial street. Street standards must be addressed with future development which may require right of way dedication, special setbacks and street improvements.</p> <p>Solid Waste Collection service is provided by private firms. Regional disposal sites and the Short Mountain Landfill are operated by Lane County.</p> <p>Water Eugene Water and Electric Board (EWEB) staff notes that adequate service can be made at the time of development and there are no objections to the annexation.</p> <p>Electric EWEB currently serves the subject properties and has no objections to the annexation.</p> <p>Public Safety Police protection can be extended to this site upon annexation consistent with service provision through the City. Fire protection services and ambulance services are currently provided to the subject property by Lane Rural Fire and Rescue. Emergency medical services are currently provided on a regional basis by the cities of Eugene and Springfield to central Lane County and will continue in the same manner upon annexation.</p> <p>Parks and Recreation A minimum level of park service can be provided to the proposal area as prescribed in the Metro Plan. The property is currently located the River Road – Santa Clara parks planning district with Filbert Meadows Park being located north of the subject property and Arrowhead Park to the west being the nearest parks serving that area.</p> <p>Planning and Development Services Planning and building permit services are provided for all properties located within the urban growth boundary by the City of Eugene. The Eugene Code, Chapter 9, will provide the required land use controls for future development of the subject property upon annexation.</p>
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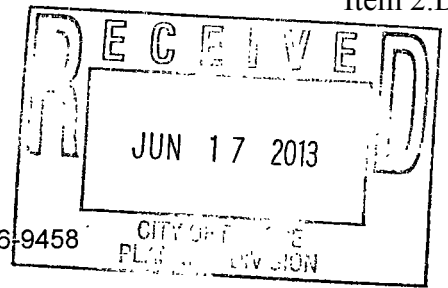
		<p>Communications Qwest communications and a variety of other telecommunications providers offer communications services throughout the Eugene/Springfield area.</p> <p>Public Schools The subject property is within the 4J School district and is served by Spring Creek Elementary School, Madison Middle School and North Eugene High School.</p>
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CONCLUSION:

Based on the above findings, information submitted to date, and the criteria set forth in EC 9.7825, the proposed annexation is found to be consistent with the applicable approval criteria. Based upon findings above, the Planning Director recommends that City Council approve this annexation proposal. A map and legal description showing the area subject to annexation are included in the application file for reference. The effective date is set in accordance with State law.

INFORMATION:

- ◆ Approval of this annexation does not relieve the applicant from complying with applicable codes and statutory requirements.
- ◆ Future development of the property will require a feasible stormwater proposal and demonstration that all applicable stormwater management standards have been met, including establishing capacity of the receiving system, pre-treating impervious areas prior to discharge, and possibly oil and source controls, depending on proposed development.



ANNEXATION NARRATIVE

APPLICANT: Bruce Wiechert Custom Homes, Inc.

PHONE: (541) 686-9458

SURVEYOR: Roberts Surveying Inc.

PHONE: (541) 345-1112

CIVIL ENGINEER: The Favreau Group

PHONE: (541) 683-7048

DATE: June 13, 2013

MAP: 17-04-03-40, Tax Lot 2303

SITE ADDRESS: 937 Irvington Dr., Eugene, Oregon

Present Request:

The present request is for approval to annex the subject property into the City of Eugene.

Approval Criteria:

The following findings demonstrate that the proposed tentative partition plan will comply with all applicable approval criteria and related standards as set forth in EC 9.7825. The approval criteria and related standards are listed below, with findings addressing each in **Bold**.

EC 9.7825: Annexation - Approval Criteria. The city council shall approve, modify and approve, or deny a proposed annexation based on the application's consistency with the following:

- (1) The land proposed to be annexed is within the city's urban growth boundary and is:
 - (a) Contiguous to the city limits; or
 - (b) Separated from the city only by a public right of way or a stream, bay, lake or other body of water.

The proposed property is contiguous to the city limits along the west and south boundary lines.

- (2) The proposed annexation is consistent with applicable policies in the Metro Plan and in any applicable refinement plans.

The proposed property is designated as low density residential zoned land within the Metro Plan. Compliance with the River Road-Santa Clara Urban Facilities Plan is demonstrated in the below noted responses.

- (3) The proposed annexation will result in a boundary in which the minimum level of key urban facilities and services, as defined in the Metro Plan, can be provided in an orderly, efficient and timely manner.

The proposed annexation boundary extends the current city limits line that is on the west and south boundary to the east and north. All key urban facilities and services are available to the property and surrounding areas at this time.

River Road-Santa Clara Urban Facilities Plan Policies.

- (1) General Land Use. Minimize land use conflicts by promoting compatibility between land uses, especially among residential, commercial-industrial, and commercial-agricultural uses. (Policy 1)

The subject property is boarded by urban residential on the west and south and rural residential on the east. Therefore there are no compatibility issues.

- (2) Residential Land Use.
 - (a) Recognize and maintain the predominately low-density residential character of the area consistent with the Metro Plan. (Policy 1)
 - (b) Evaluate traffic and compatibility impacts when considering new residential development on parcels fronting arterial streets. (Policy 3)
 - (c) Provide adequate buffering and traffic control for existing non-residential development fronting River Road, (to minimize conflicts with surrounding development). (Policy 4)
 - (d) Permit medium-density housing (10 to 20 dwelling units/acre) in proximity to existing or planned urban facilities. Access to commercial development, transit and alternative modes of transportation, schools and parks and open space should be considered. Medium-density residential development will be considered for the north Santa Clara area consistent with the above criteria. (Policy 5)
 - (e) Design residential development which is adjacent to the Greenway, parks, and other identified natural features in a manner that ensures its compatibility with those features. (Policy 6)

The property is adjacent to Irvington Drive and is not near an arterial street, River Road, the Greenway or any other natural features or non-residential land.

- (3) Commercial and Industrial Land Use.
 - (a) Maintain and enhance the compatibility of adjacent land uses through the use of appropriate buffering mechanisms, such as landscaping standards. (Policy 1)
 - (b) Require site plan reviews for all new commercial and industrial development. (Policy 2)
 - (c) Prohibit the linear expansion of existing strip commercial areas fronting on River Road. Existing strip commercial development may expand by infilling, redevelopment, or expansion onto contiguous property that does not front on River Road. (Policy 3)
 - (d) Provide for buffering and traffic control for existing development that fronts River Road (to minimize conflicts with surrounding residential development). (Policy 4)
 - (e) Minimize impacts of new commercial development intended to consolidate and improve existing strip commercial uses along River Road by requiring development standards. (Policy 5)
 - (f) New neighborhood commercial uses shall be located away from River Road in locations that facilitate the provision of commercial facilities scaled to a residential area and that allow for dispersal of commercial uses throughout River Road-Santa Clara. (Policy 6)
 - (g) Ensure compatibility between neighborhood commercial developments and the surrounding residential area by identifying and applying siting and development standards. (Policy 7)

The property is zoned low density residential and does not front onto River Road. Therefore this criterion does not apply.

- (4) River Road/Railroad Avenue Subarea.
 - (a) Designate and zone existing medium-density development.
 - (b) Limit River Road access to existing commercial development.
 - (c) Maintain existing land use patterns until completion of the Chambers Connector. The effects of the Chamber Connector and related road improvements on the immediate area should be examined upon completion of final design and right-of-way acquisition and any

- appropriate changes adopted.
- (d) The area south of Fir Lane and east of River Road is appropriate for commercial and low density residential uses.
 - (e) Medium density residential development along the east side of River Road north of Fir Lane is appropriate, and requires a minimum development area of 2/3 of an acre.
 - (f) Rezone the apartments on the west end of Briarcliff Drive from industrial to medium density residential use.
 - (g) Delay for six months rezoning of the vacant parcels south of Briarcliff and adjacent to the Northwest Expressway from industrial to low density residential use.
 - (h) Designate the two parcels north of Holeman Avenue and west of River Road for commercial use.

This property does not impact any of the noted criteria or areas of concern.

(5) River Road/Knoop Subarea Recommendations.

- (a) Maintain existing land use pattern.
- (b) Apply site review for medium-density development in the northern portion of the subarea.
- (c) Limit number of River Road access points to medium-density development in the southern portion of the subarea.

The annexation of this property will continue to maintain the current low density residential use.

(6) River Road/Hilliard Subarea.

- (a) Rezone small split-zone tax lots to their most intensive use.
- (b) Maintain viability of existing residential land use.
- (c) Recommend professional office development for the undeveloped land on the west side of River Road between West Hillcrest and Horn Lane. Only professional office development making unified use of one or more acres shall be allowed in the area. Access shall be limited to mitigate impacts on existing low-density residential development west of the area.

The property is not within the subarea, therefore this criteria is not applicable.

(7) River Road/Howard Subarea.

- (a) Maintain the status of non-conforming uses.
- (b) Maintain the status of existing medium-density land use.
- (c) Encourage medium-density residential development for all portions of the subarea, with the exception of the following areas: Hatten Street commercial area, the area west of River road between Maxwell and Howard, and the area east of River Road between Owosso and Corliss.
- (d) Recommend professional office development on the east side of River Road between Owosso and Corliss.

The property is not within the subarea, therefore this criteria is not applicable.

(8) Maxwell/Park Avenue.

- (a) Recommend development of medium-density housing, while maintaining natural features, for neighborhood park and open space through use of clustering and site review.
- (b) Concentrate medium-density development around the commercial node, with a transition to low-density, particularly at the northern and southern boundaries of the subarea.
- (c) Apply site review for parcels fronting the Northwest Expressway and the Southern Pacific Railroad tracks.

- (d) Maintain current commercial designation to the north of the line which would be Howard Avenue if ever extended westerly. Only commercial developments making unified use of five or more acres shall be allowed in the area.

The property is not within the subarea, therefore this criteria is not applicable.

(9) Riviera.

- (a) Continue existing land use pattern.
- (b) Rezone single-family residential south of River Avenue to medium-density and north of River Avenue to commercial zoning.
- (c) Rezone all residentially developed parcels south of River Avenue and east of River Road to medium-density residential use.

The property is not within the subarea, therefore this criteria is not applicable.

(10) River Avenue. Rezone the area north of River Avenue to commercial.

The property is not within the subarea, therefore this criteria is not applicable.

(11) River Road/Irving.

- (a) Rezone small split-zoned tax lots to their most intensive use.
- (b) Parcels south of Santa Clara Avenue and west of River Road, that are not already developed for commercial use, should be zoned of office development.
- (c) Designate the large southern undeveloped parcel for medium-density development.
- (d) Designate the westerly portion of the large parcel south of Santa Clara Avenue and west of River Road for medium-density development, with an emphasis on development of health-related facilities.
- (e) Maintain the viability of existing low-density residential development.
- (f) Designate professional office development for five parcels north of Santa Clara Avenue and west of current commercial development on west River Road.

The property is not within the subarea, therefore this criteria is not applicable.

(12) River Road/Division.

- (a) Designate medium-density development for undeveloped and under-developed property west of Ross Lane and west of Lee's Trailer Park.
- (b) The transition from professional office use to medium-density residential use should occur in the vicinity of a line projected south from the east boundary of the Santa Clara Elementary School property.
- (c) Rezone parcels north of Santa Clara Square and south of Green Lane for professional office use.

The property is not within the subarea, therefore this criteria is not applicable.

(13) Irving Light-Medium Industrial.

- (a) Use Planned Unit Development procedures to mitigate impacts on existing adjacent low-density residential development upon rezoning to industrial.
- (b) Only industrial developments, making unified use of ten or more acres shall be allowed in the area.
- (c) Consider amending the Plan designation to Special-Light Industrial.

The property is not within the subarea, therefore this criteria is not applicable.

(14) Northwest Expressway.

- (a) Encourage development of a two- to five-acre neighborhood commercial node west of the slough for the following reasons:
 1. Arterial street access
 2. Access from the Northwest Expressway at Irvington Drive.
 3. Large parcel size in the area.
 4. Metropolitan Plan assumes large population growth in this area.
- (b) Apply site review for development of parcels fronting the Northwest Expressway and Southern Pacific Railroad.

The property is not within the subarea, therefore this criteria is not applicable.

(15) River Road/Wilkes.

- (a) Consolidate commercial development for property south of Swain Lane and bounded by the slough on the east and Greenwood Street on the south.
- (b) Rezone split-zone tax lots.
- (c) Designate medium-density development on the easterly portion of the large undeveloped parcel north of Swain Lane.
- (d) Designate community commercial development on the westerly portion of the large undeveloped parcel north of Swain Lane. Only commercial developments making unified use of five or more acres shall be allowed in the area.
- (e) Encourage commercial development contiguous to existing commercial uses east of River Road.
- (f) Encourage low-density zoning for property south of Brotherton, across from River Loop #2.
- (g) Designate neighborhood commercial development for two acres on the northwest corner of Irvington and River Road. Only commercial developments making unified use of one or more acres and with access limited to Irvington Drive, shall be allowed in the area.

The property is not within the subarea, therefore this criteria is not applicable.

(16) Public Facilities and Services.

- (a) Land development patterns in the area shall accommodate the provision of fire and emergency services. (Fire subsection, Policy 2)
- (b) If a transfer site in the western portion of the metropolitan area is desired, a cost-benefit analysis shall be conducted to determine its effectiveness before any siting plans are considered. (Solid Waste Service subsection, Policy 1)
- (c) Future road improvements providing sidewalks and bicycle lanes shall consider safety needs of students, especially at intersections near schools and along busy streets. (School subsection, Policy 1)
- (d) Encourage the continued multiple use of school facilities. (School subsection, Policy 3)
- (e) When appropriate, land for park and recreation facilities shall be dedicated as part of the development review process for vacant land. (Park and Recreation Service subsection, Policy 3)

The proposed annexation will not alter the existing uses of the property which is currently used as residential.

(17) Environmental Design Element.

- (a) New residential development taking place in areas adjacent to the Northwest Expressway and the Southern Pacific Railroad shall be designed so as to minimize noise and visual

- (b) impacts generated by these facilities. (Relationship of the Area to the Railroad, Policy 1)
Examine the possibility of providing landscaping and a noise barrier along the east side of the Northwest Expressway as a means of buffering adjacent residential areas.(Relationship of the Area to the Railroad, Policy 2)
- (c) Residential developments shall be designed to minimize potential conflicts with adjacent agricultural operations. (Urban and Agricultural Fringe Areas, Policy 1)
- (d) With the exception of high voltage transmission lines, require the installation of underground utilities in developing areas. (Signs/Utilities subsection, Policy 2)
- (e) Landscape buffers shall be provided for power substations in the study area by the responsible utility. (Signs/Utilities subsection, Policy 3)
- (f) Encourage the preservation and restoration of structures, landmarks, sites, and areas of cultural, historic, or archaeological significance. (Historic Structures subsection, Policy 2)
- (g) Future development along vegetated sloughs shall be reviewed to determine additional requirements, if any, to maintain and improve the sloughs as environmental assets. (Vegetated Sloughs subsection, Policy 2)

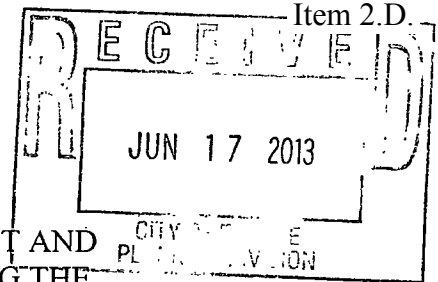
The property is not near the Northwest Expressway, and does not need buffering. All adjacent land is currently used as residential. There are no significant structures, landmarks or archaeological items of cultural or historical significance.

(18) Transportation Element.

- (a) All street improvement projects should support and recognize that different streets serve different functions. (Policy 1)
- (b) Support alternative to the automobile including mass transit, bicycle, walking, and carpooling. (Policy 2)

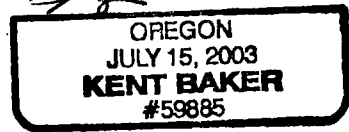
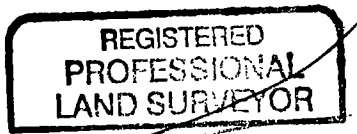
The applicant is aware of the need for alternative modes of transportation and that different street improvements serve different functions.

The applicant is proposing annexation of one tax lot. Based on this written narrative and the supporting documents, the applicant has demonstrated that this application is consistent both the criteria and intention of the Eugene City Code as set forth in EC 9.7825.



LEGAL DESCRIPTION:

BEGINNING AT A POINT BEING SOUTH 89°52'00" EAST 589.64 FEET AND NORTH 00°08'00" EAST 150 FEET FROM THE BRASS CAP MARKING THE SOUTHEAST CORNER OF THE MARION SCOTT DONATION LAND CLAIM NO. 56 , TOWNSHIP 17 SOUTH, RANGE 4 WEST OF THE WILLAMETTE MERIDIAN, THENCE NORTH 00°08'00" EAST 589.20 FEET; THENCE SOUTH 89°52'00" EAST 294.82 FEET; THENCE SOUTH 00°08'00" WEST 438.20 FEET; THENCE NORTH 89°52'00" WEST 145.00 FEET; THENCE SOUTH 00°08'00" WEST 261.00 FEET TO THE NORTHERLY MARGIN OF IRVINGTON DRIVE; THENCE ALONG SAID MARGIN NORTH 89°52'00" WEST 60.00 FEET; THENCE LEAVING SAID MARGIN NORTH 00°08'00" EAST 110.00 FEET; THENCE NORTH 89°52'00" WEST 89.82 FEET TO THE POINT OF BEGINNING, IN LANE COUNTY, OREGON.



Expires 12-31-2013

Consent to Annexation

Consent is hereby given to the annexation by the City of Eugene, Oregon of the following described real property:

Map and Tax Lot: 17-04-03-40 Address: 937 IRVINGTON DR.

TAX LOT 2303

Legal Description: SEE ATTACHED

In the corporate limits of said city, which is owned by the undersigned

DATED this 14 day of June, 2013.

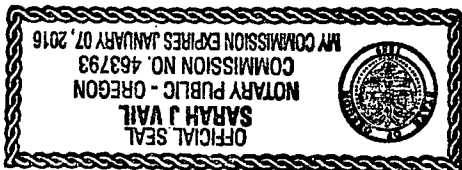
[Signature]
Derrick Westover, Authorized Agent
of Bruce Weichert Custom Homes, Inc.

STATE OF OREGON)

County of Lane)ss
)

On this 14 day of June, 2013, before me, the undersigned, a notary public in and for the said county and state, personally appeared the within-named, Derrick Westover, Authorized Agent for Bruce Weichert, who is known to me to be the identical individual described herein and who executed the same freely and voluntarily. Custom Homes, Inc

Seal:



IN TESTIMONY WHEREOF, I have hereunto set my hand and seal the day and year last above written.

[Signature]
Notary Public for Oregon
My Commission Expires 1-7-2016

Summary of Urban Service Provision

This form is intended as a guide to assist applicants in demonstrating that a minimum level of key urban services can be provided to the area proposed for annexation. Space is provided on this form for you to provide detailed information on service provision. Please add additional pages if necessary to provide details of servicing issues related to the area you are annexing. To assist you in providing this information, some contacts are listed below. For large or difficult to serve properties, you may wish to contact a private land use planning consultant to prepare your application.

Property Owner(s) Name:

Assessor's Map and Tax Lot Numbers for Properties Proposed for Annexation
(For example: Map 17-03-19-31, Tax Lot 100)

17-04-03-40, TAX LOT 2303

Wastewater -- All new development must connect to the wastewater (sanitary sewer) system. Is wastewater service available to serve the area proposed for annexation? (For more information, contact the Engineering staff at the City of Eugene Permit and Information Center or call 541-682-8400.)

The property(ies) in this annexation request:

_____ will be served from an existing gravity wastewater line.

Location and size of existing wastewater line:

X will be served by an extension of an existing gravity wastewater line.

Where will a wastewater line be extended from? When will it be extended? By whom?

LEONARDS WAY & IRVINGTON ROAD

THE PROPERTY OWNER WILL EXTEND DURING PROPOSED SUBDIVISION CONSTRUCTION.

Stormwater -- Site plans for all new development must provide for drainage to an approved system consistent with the Comprehensive Stormwater Management Plan. City approval for storm drainage will be required as part of the development process. (For more information, contact the Engineering staff at the City of Eugene Permit and Information Center or call 541-682-8400.)

Is the site currently served by an approved stormwater system?

NO

If yes,
location? _____

If no, how will stormwater be handled after development? -
DETAIN PEAK FLOWS AND LET THE
EXISTING RATE OF RUNOFF DRAIN TO THE NORTH AS
CURRENTLY EXISTS.

Streets – What existing streets provide access to this site. List existing streets that provide access to this site from River Road, the Northwest Expressway, or Beltline Highway. IRVINGTON ROAD, LEONARDS WAY & ARGON AVE

Will dedication for additional street right-of-way be required upon further development of this site?

Yes No Unknown

Will existing streets be extended or new streets constructed upon further development of this site?

Yes No Unknown

(For more information, contact the City of Eugene Public Works staff at (682-6004.)

Parks, Recreation, and Cultural Services

Systems Development revenues generated by new development and Ballot Measure 20-30, which authorized the issuance of \$25.3 million in general revenue bonds, will help to fund future City park acquisition and development in this area and throughout the city. Please list the parks and recreation facilities that already exist or are planned in the general vicinity of the property(ies) included in this annexation:

ARROWHEAD CITY PARK, FILBERT MEADOWS PARK

Key services, defined by the Metropolitan Plan as parks and recreation programs, will be available to new city residents in this area on an equal basis with residents throughout the city.

Public Safety

Police services - Police protection can be extended to this site upon annexation consistent with service provision throughout the city.

For River Road/Santa Clara area-

Police services - Police protection can be extended to this site upon annexation consistent with service provision throughout the city. Police currently travel along River Road to provide service to areas throughout the River Road and Santa Clara area. Infill annexations and development in this area will increase the efficiency of service delivery to this area.

Fire and emergency services (Please indicate which fire district serves subject property.)

_____ Santa Clara - Fire protection services are currently provided to the subject property by the Santa Clara Rural Fire Protection District.

X River Road - Fire and emergency services - Fire protection is currently provided to the subject property by the River Road Water District under contract with the City of Eugene. Upon annexation, fire protection will be provided directly by the City of Eugene Fire & EMS Department.

Emergency medical transport (i.e., ambulance) services are currently provided on a regional basis by Eugene, Springfield, and Lane Rural Fire/Rescue to central Lane County, including the River Road and Santa Clara areas. After annexation, this service will continue to be provided by the current provider. All ambulance service providers have mutual aid agreements and provide back-up service into the other providers' areas.

Planning and Development Services -- Planning and building permit services are provided to the area outside the city limits but within the urban growth boundary by the City of Eugene. This service would continue after annexation.

EWEB (Eugene Water and Electric Board) currently provides water and electric service in the Eugene area and can provide service to new development in the River Road and Santa Clara area upon annexation. Some properties in northern Eugene receive electric service from EPUD (Emerald People's Utility District). Some properties in south Eugene receive electric services from the Lane Electric Cooperative; please note if this is the case for your property. For more information contact EWEB, ph. 484- 2411, EPUD, ph. 746-1583 or Lane Electric Co-op, 484-1151.

Electric Service -- Which electric company will serve this site?

EWEB

Water Service -- Please provide the size and location of the water main closest to your property. 8" MAIN IN LEONARDS WAY

Solid Waste -- Solid waste collection service is provided by private firms. Regional disposal sites and the Short Mountain Landfill are operated by Lane County.


Natural Gas -- Northwest Natural Gas can extend service to new development in this area.

Communications -- US West Communications and a variety of other telecommunications providers offer communications services throughout the Eugene/Springfield Area.

Certification of Description

Pursuant to EC 9.7810(7), Annexation Application Requirements, I hereby certify the metes and bounds description of the real property proposed for annexation closes; and the map outlining the boundary is a true representation of the description.

Signature:



Registered Land Surveyor

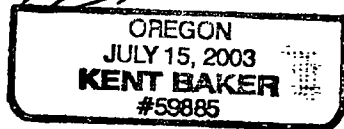
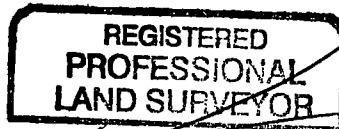
Print Name:

Kent Baker

Date:

6/12/13

Seal:



Expires 12-31-2013

Annexation Legal Descriptions

A metes and bounds legal description of the entire area proposed for annexation is required as part of an annexation application. A licensed land surveyor must prepare the description and certify the description correctly represents the affected territory. The survey must show the township, range, section number and the point-of-beginning, and have bearings and distances that match the description.

Keep the following in mind when preparing boundary change legal descriptions:

- The point-of-beginning of the legal description must be clear. The point-of-beginning is best described by bearing and distance from a section corner, a donation land claim (DLC) corner, or another well monumented corner.
- Bearings and distances must be given for each course around the boundary description.
- Most deed references are inadequate as point-of-beginning or point-of-call for a boundary change description. If a deed reference is used as a point-of-call, include a copy of the deed. However, a description that consists solely of the landowner's deed or deeds is seldom adequate.
- Tax lot numbers cannot be used for the legal description.
- If the area is large, the use of township, range and section numbers, and quarter-quarter sections is acceptable as a legal description.
- If a point-of-call is to a highway or county road, the description must state to which edge or to the centerline.
- If a point-of-call is to a river or stream, the description must state whether it is on the mean high water, mean low water, thread, ordinary high water, or ordinary low water line. The bearing requirement can be dismissed along rivers and streams.

Example #1

Description of Affected Territory to be Annexed

Beginning at a point South 82° 16' East 136.18 feet from a point on the Easterly Right of Way Line of the Southern Pacific Company Railroad which is South 20° 29' East 700.6 feet from a point on said Right of Way Line North 89° 53' West 4240.5 feet from the Northeast corner of the James E. McCabe and wife Donation Land Claim (DLC) No. 46, in Township 17 South, Range 4 West of the Willamette Meridian, said point being 120.00 feet as measured at right angles to the Easterly Right of Way Line of said Southern Pacific Company Railroad; thence South 20° 29' East parallel with said Right of Way Line 558.27 feet to the Northerly margin of Old Maxwell Road; thence along said Northerly margin South 88° 13' 23" East 66.58 feet to the Westerly margin of Allea Drive; thence leaving said Northerly margin along said Westerly margin North 3° 03' West 155.25 feet; thence leaving said Westerly margin North 89° 53' West 61.94 feet; thence North 20° 29' West 67.20 feet; thence South 89° 53' East 117.14 feet; thence North 3° 03' West 272.6 feet to a point on the Southerly boundary of BRAMBLEWOOD PHASE 1 AS PLATTED AND RECORDED IN File 75, Slide 65 Lane County Oregon Plat Records; thence along said Southerly boundary North 82° 16' West 263.22 feet to the point of beginning in Lane County, Oregon.

Example #2

Description of Affected Territory to be Annexed

Item 2.D.

Lot 28, Block 4, SUNNY LEA, as platted and recorded in Book 10, Page 22, Lane County Oregon Plat Records, in Lane County, Oregon.

Annexation Policies of the Eugene-Springfield Metropolitan Area General Plan

The Eugene-Springfield Metropolitan Area General Plan ("Metro Plan") is the comprehensive planning document for the City of Eugene. Most annexation actions are directed by the policies found in the Growth Management Chapter, which have been collected below. A successful annexation application must explain how the annexation is consistent with one or more of these policies, and does not conflict with any of these policies.

This list of policies was collected to cover most typical annexation requests. There are additional policies in the Metro Plan. The applicant is responsible for reviewing the Metro Plan for additional policies that may pertain to the applicant's property.

Policies:

8. Land within the UGB may be converted from urbanizable to urban only through annexation to a city when it is found that:
 - a. A minimum level of key urban facilities and services can be provided to the area in an orderly and efficient manner.
 - b. There will be a logical area and time within which to deliver urban services and facilities. Conversion of urbanizable land to urban shall also be consistent with the *Metro Plan*.

10. Annexation to a city through normal processes shall continue to be the highest priority.

16. Ultimately, land within the UGB shall be annexed to a city and provided with the required minimum level of urban facilities and services. While the time frame for annexation may vary, annexation should occur as land transitions from urbanizable to urban.

18. As annexations to cities occur over time, existing special service districts within the UGB shall be dissolved. The cities should consider developing intergovernmental agreements, which address transition issues raised by annexation, with affected special service districts.

20. Annexation of territory to existing service districts within the UGB shall occur only when the following criteria are met:
 - a. Immediate annexation to a city is not possible because the required minimum level of key urban facilities and services cannot be provided in a timely manner (within five years, as outlined in an adopted capital improvements program);

- b. Except for areas that have no fire protection, affected property owners have signed consent to annex agreements with the applicable city consistent with Oregon annexation law.

Such annexations shall be considered as interim service delivery solutions until ultimate annexation to a city occurs.

- 21. When unincorporated territory within the UGB is provided with any new urban service, that service shall be provided by the following method (in priority order).
 - a. Annexation to a city;
 - b. Contractual annexation agreements with a city;
 - c. Annexation to an existing district (under conditions described previously in Policy #20); or
 - d. Creation of a new service district (under conditions described previously in Policy #15).

Application #: C * 2008 - _____
 For City Use Only

- * CB = Coburg
- CG = Cottage Grove
- CR = Creswell
- EU = Eugene
- FL = Florence
- JC = Junction City
- OA = Oakridge
- SP = Springfield

PETITION

Petition Signature Sheet
 Annexation by Individuals

We, the following property owners/electors, consent to the annexation of the following territory to the City of *(Insert Name of City):*

Signature	Date Signed m/d/y	Print Name	Residence Address (street, city, zip code)	Map and Tax Lot Number (example: 17-04-03-00-00100)	Land Owner	Reg Voter	Acres (qty)
<i>CLWA</i>	6/15/13	Denick Westover for BWCH FNC	937 Irvington dr	17-04-03-40-	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	3.65

Note: With the above signature(s), I am attesting that I have the authority to consent to annexation on my own behalf or on behalf of my firm or agency. (Attach evidence of such authorization when applicable.)

I, ANTHONY J. FORTNER (printed name of circulator), hereby certify that every person who signed this sheet did so in my presence.
 X Anthony J. Fortner (signature of circulator)

CERTIFICATION OF PROPERTY OWNERS

The total landowners in the proposed annexation are 1 (qty). This petition reflects that 1 (qty) landowners (or legal representatives) listed on this petition represent a total of 100 (%) of the landowners and 100 (%) of the acres as determined by the map and tax lots attached to the petition. A&T is not responsible for subsequent deed activity which may not yet be reflected on the A&T computerized tax roll.

Alan H. Mark
 Lane County Department of Assessment and Taxation

6-17-13
 Date Certified

CERTIFICATION OF ELECTORS

The total active registered voters in the proposed annexation are _____. I hereby certify that this petition includes _____ valid signatures representing _____ (%) of the total active registered voters that are registered in the proposed annexation.

 Lane County Clerk or Deputy Signature

 Date Certified

Census Information Sheet – CONFIDENTIAL

Please complete the attached survey and return it with your annexation application. It is not necessary to include the names of all individuals. Addresses and number of people living at each address is essential and sex and age information is helpful. If you have any questions, please contact the Planning Department at 541-682-5377.

City of Eugene Address: 937 IRVINGTON ROAD

HOUSING TYPE

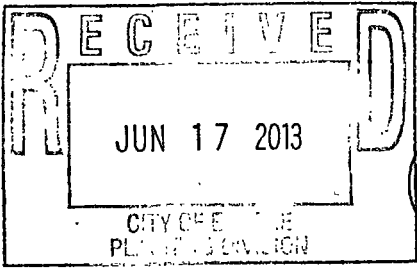
TENURE

Single Unit Structure	(X)	Owner-Occupied	()
Multiple Unit Structure	()	Renter-Occupied	()
Trailer or Mobile Home	()	Vacant	()
Seasonal	()		

RESIDENTS

	Last Name	First Name	Sex	Age
Respondent	_____	_____	_____	_____
2.	_____	_____	_____	_____
3.	_____	_____	_____	_____
4.	_____	_____	_____	_____
5.	_____	_____	_____	_____
6.	_____	_____	_____	_____
7.	_____	_____	_____	_____
8.	_____	_____	_____	_____
9.	_____	_____	_____	_____
10.	_____	_____	_____	_____

Portland State University School of Urban and Public Affairs
Center for Population Research and Census (503) 725-3922



Planning & Development Planning

City of Eugene
 99 West 10th Avenue
 Eugene, Oregon 97401
 (541) 682-5377
 (541) 682-5572 Fax
 www.eugene-or.gov

ANNEXATION APPLICATION

Please complete the following application checklist. Note that additional information may be required upon further review in order to adequately address the applicable criteria for approval. If you have any questions about filling out this application, please contact Planning staff at the Permit and Information Center, phone (541)682-5377, 99 West 10th Avenue, Eugene.

List all Assessor's Map and Tax Lot numbers of the property included in the request.

Assessor's Map	Tax Lot	Zoning	Acreage
17-04-03-40	2303	AG/UL/CAS	3.65

Property Address: 937 IRVINGTON ROAD

Plans for Future Development & Permit Number (if applicable): 17-LOT SUBDIVISION

Public Service Districts:

Name			
Parks:			
Electric:	EWEB		
Water:	EWEB		
Sanitary Sewer:	CITY OF EUGENE		
Fire:	LANE RURAL FIRE/RESCUE		
Schools:	Elementary: SPRING CREEK	Middle: MADISON	High: NORTH EUGENE
Other:			

Filing Fee

A filing fee must accompany all applications. The fee varies depending upon the type of application and is adjusted periodically by the City Manager. Check with Planning staff at the Permit and Information Center to determine the required fee or check website at www.eugeneplanning.org

Written Statement (Submit 5 copies)

- Submit a detailed written statement describing **how** this request is consistent with all applicable criteria (Section 9.7825 of the Eugene Code).

Site Plan Requirements

Submit 8 copies of a site plan, drawn to an engineer's scale on 8 ½" x 14" sheet of paper. Site plans shall include the following information:

- Show the date & north arrow on site plan.
- Show the Assessor's Map and Tax Lot number(s) on the site plan.
- Show a vicinity map on the site plan (vicinity map does not need to be to scale).
- Show city limits & UGB (if applicable)
- Clearly label the affected territory and any public right of ways to be annexed.
- Show all adjacent streets, alleys, and accessways.
- Show all dimensions of existing public utility easements and any other areas restricting use of the parcels, such as conservation areas, slope easements, access easements, etc.
- Show the location of all existing structures.

Other Application Requirements (Submit 5 copies of all)

- Petition for Annexation form listing all owners, including partial owners, and electors. This form includes the Certification of Electors which must be signed by the Lane County Elections/Voter Registration Department and also includes the Verification (Certification) of Property Owners which must be signed by the Lane County Department of Assessment and Taxation. *This form is required even if the land is vacant.*
- Notarized Consent to Annexation form.
- A legal description of the land proposed for annexation, including any public right of way prepared by a registered land surveyor. Oregon Revised Statutes (ORS) 308.225 requires submittal of a closing metes and bounds description or subdivision block and lot number description. Please see example of acceptable legal descriptions contained in the application packet. The legal description must exactly correspond with the map included with the application or the Assessor's map.
- Summary of Urban Service Provision form.
- A county Assessor's cadastral map. *(Available at Lane County Assessment & Taxation)*
- Census Information Sheet.

Note: This is not a complete list of requirements. Additional information may be required after further review in order to adequately address the applicable approval criteria.


By signing, the undersigned certifies that he/she has read and understood the submittal requirements outlined, and that he/she understands that omission of any listed item may cause delay in processing the application. I (We), the undersigned, acknowledge that the information supplied in this application is complete and accurate to the best of my (our) knowledge.

PROPERTY OWNER OF TAX LOT: 2303

Name (print): BRUCE WIECHERT CUSTOM HOMES, INC.

Address: 3073 SKYVIEW LANE Email: WIECHERTHOMES@COMCAST.NET

City/State/Zip: EUGENE Phone: 686.9458 Fax:

Signature:  Date: 6-15-13

PROPERTY OWNER OF TAX LOT: _____

Name (print): _____

Address: _____ Email: _____

City/State/Zip: _____ Phone: _____ Fax: _____

Signature: _____ Date: _____

PROPERTY OWNER OF TAX LOT: _____

Name (print): _____

Address: _____ Email: _____

City/State/Zip: _____ Phone: _____ Fax: _____

Signature: _____ Date: _____

SURVEYOR:

Name (print): KENT BAKER

Company/Organization: ROBERTS SURVEYING, INC.

Address: P.O. Box 7155 SPRINGFIELD, OR 97475

Item 2.D.

City/State/Zip: _____ Phone: 345 1112 Fax: _____

E-mail: _____

Signature:  Date: 6/12/2013

REPRESENTATIVE (If different from Surveyor):

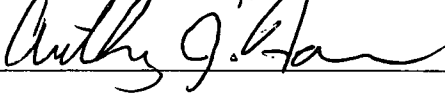
Name (print): ANTHONY J. FAVREAU

Company/Organization: THE FAVREAU GROUP

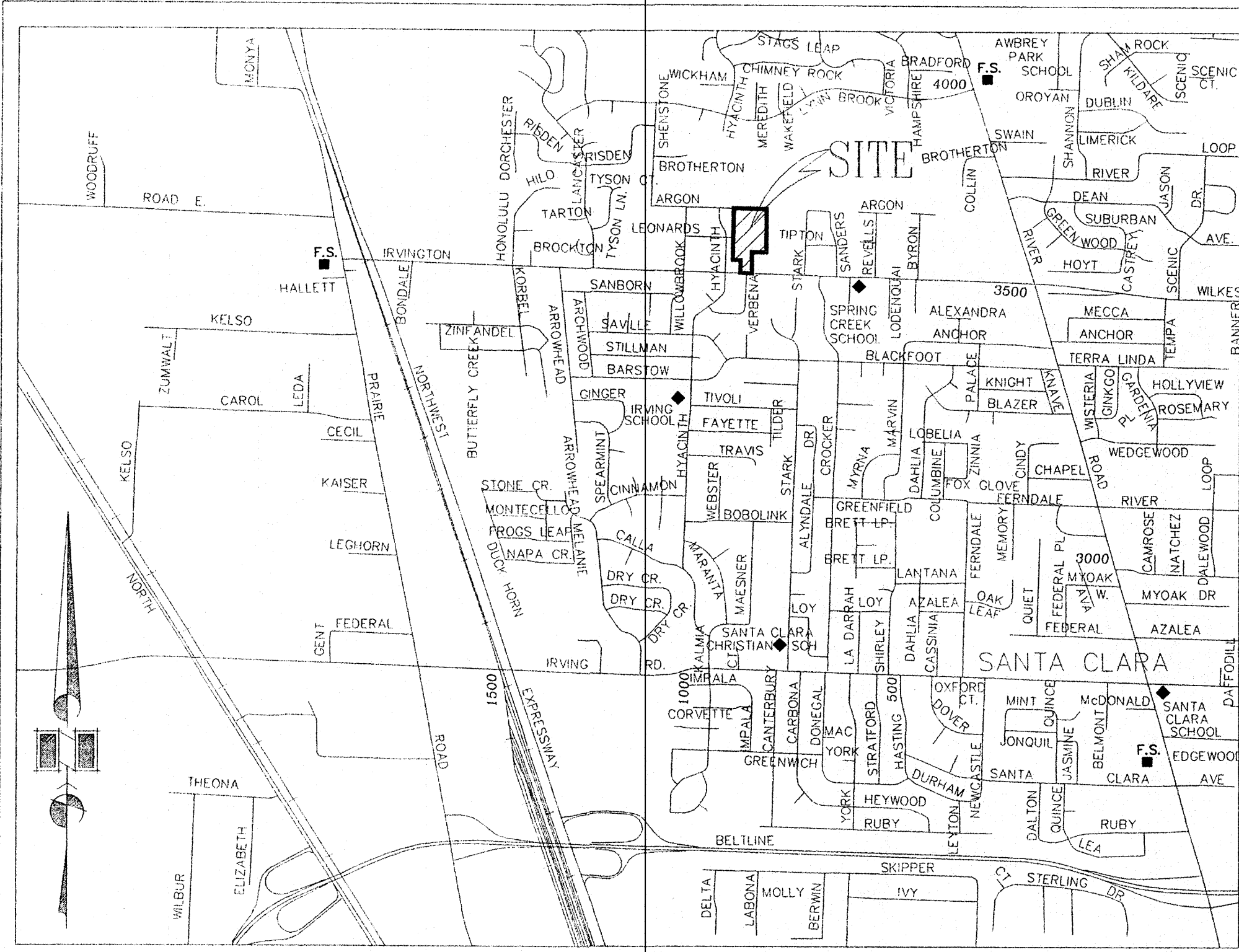
Address: 3750 NORWICH AVE

City/State/Zip: EUGENE OR Phone: 683-7048 Fax: _____

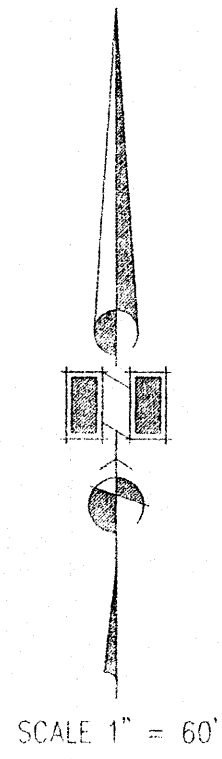
E-mail: FAVREAUGROUP@MSN.COM

Signature:  Date: 6/12/2013

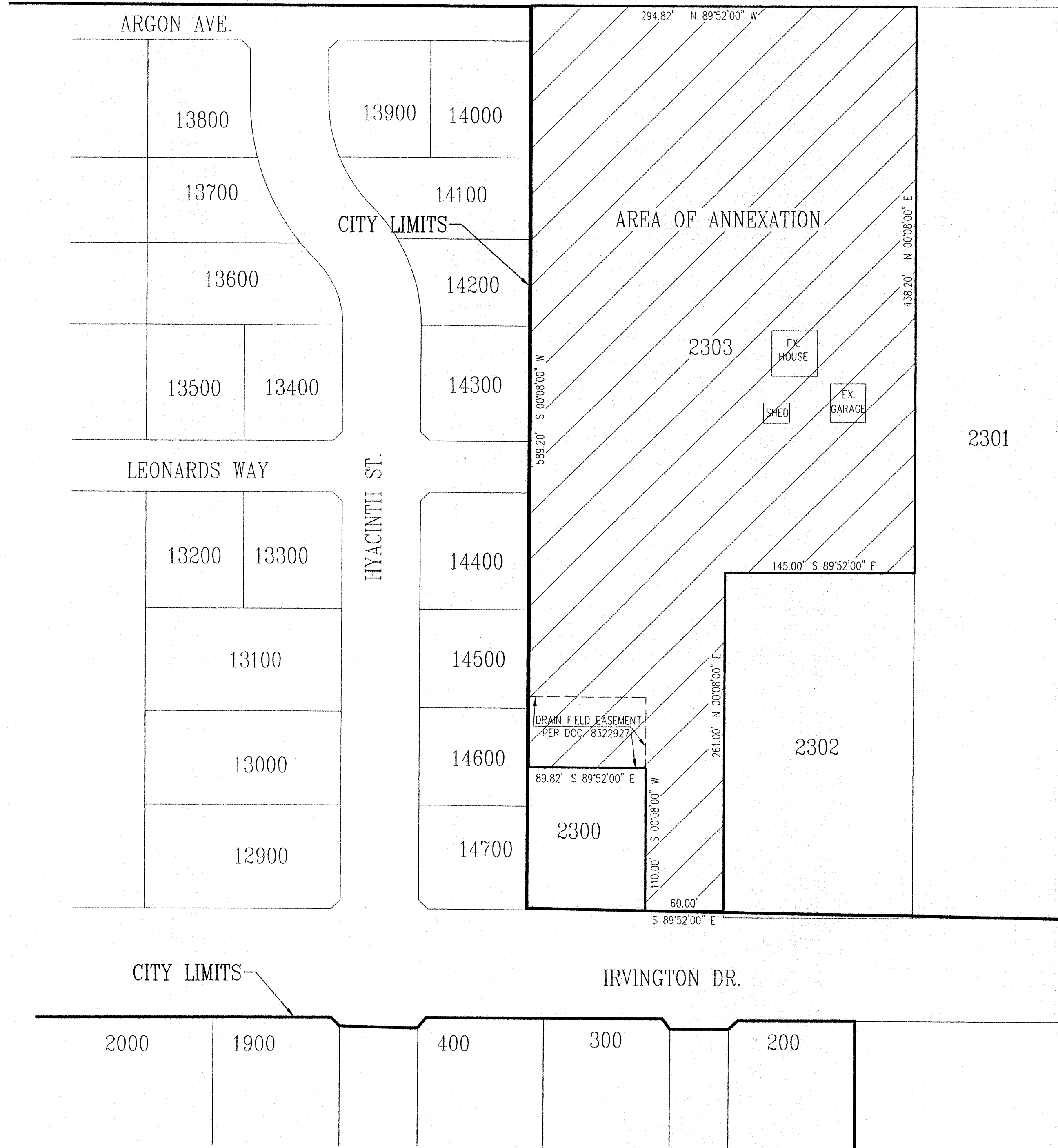
****Attached additional sheets if necessary.**



VICINITY MAP
NO SCALE



17-04-02-31



ANNEXATION AREA
FOR
937 IRVINGTON DR.
CITY OF EUGENE

APPROVED:	DATE:	TAX MAP 17-04-03-40
DESIGNED:	DRAWN:	TAX LOT 2303
CHECKED:	DATE:	06-12-13
APP:	DESCRIPTION:	REVISIONS
DATE:	BY:	

PLANS PREPARED BY:
THE FAVREAU GROUP
CIVIL ENGINEERING
3712 NORWICH AVE
EUGENE, OR 97408 (541) 683-7048

EUGENE CITY COUNCIL

AGENDA ITEM SUMMARY



Call for Public Hearing on Ordinance Change Related to Publication of Snow Map

Meeting Date: July 22, 2013
 Department: Public Works
www.eugene-or.gov

Agenda Item Number: 2E
 Staff Contact: Eric Jones
 Contact Telephone Number: 541-682-5523

ISSUE STATEMENT

Eugene Code currently requires the annual newspaper publication of a snow emergency route map. Staff is proposing to eliminate this newspaper publication which, coupled with best management practices of the Public Works Department, would provide for more timely and effective notification to the public in the event of an ice or snow emergency.

BACKGROUND

Eugene Code 5.684 requires that the City annually publish in October a map indicating priority 1, priority 2 and priority 3 emergency snow routes, a list of conditions under which a snow emergency will automatically exist, a list of broadcast stations, a statement that parking is not permitted along priority routes, and a notice of the City's ability to tow cars parked on priority routes. To meet these requirements and to provide information that is legible and distinguishes the various priority routes, the City purchases nearly a full-page color ad in the Register-Guard each October at a cost of more than \$4,000.

EC 6.684 deals exclusively with the annual publishing of the City's emergency route maps. Other code provisions prohibit parking on emergency snow routes (EC 5.677-5.678) and the City's notification requirements when declaring a snow emergency (EC 5.681).

Staff has and will continue to use best management practices to provide timely and effective notification of snow and ice emergencies. These practices include web publishing (e.g., www.eugene-or.gov/icesnow), news releases and other media contacts, and informal notifications to partner agencies, neighborhood associations and other groups as the winter weather season approaches. Additional advantages to web-based information include the ability to provide "zoomable" pdf maps (so a viewer can zoom in on an area of particular interest) and the ability to update information quickly and cost effectively as situations develop or media stations change.

For these reasons, staff is requesting that EC 5.684 be deleted.

RELATED CITY POLICIES

Council goals for effective, accountable municipal government and fair, stable and adequate financial resources.

COUNCIL OPTIONS

- The council may choose to hold a public hearing on the deletion of EC 5.684. Subsequent to the hearing, the council may take action to delete or amend the code requirements.
- The council may choose to not conduct a hearing, in which case the requirements of EC 5.684 will remain in force.

CITY MANAGER'S RECOMMENDATION

The City Manager recommends that the council hold a public hearing on an ordinance deleting EC 5.684.

SUGGESTED MOTION

Move to schedule a public hearing on an ordinance deleting EC 5.684, requiring the annual publication of snow emergency route maps.

ATTACHMENTS

- A. Eugene Code 5.684, Snow Emergency - Publication of Snow Emergency Route Maps

FOR MORE INFORMATION

Staff Contact: Eric Jones
Telephone: 541-682-5523
Staff E-Mail: Eric.R.Jones@ci.eugene.or.us

ATTACHMENT A

5.684 **Snow Emergency - Publication of Snow Emergency Route Maps.** Within 30 days of the date of adoption of this section, and beginning in October of every year hereafter, the city manager or the manager's designee shall cause to be published in a newspaper of general circulation within the city public notice of the snow emergency provisions of this code. Published notice shall include:

- (a) A map indicating priority one, priority two, and priority three routes;
- (b) A list of the conditions under which a snow emergency will automatically exist;
- (c) A list of what stations will be broadcasting snow emergency declarations and other updates;
- (d) A statement that parking is not permitted along priority routes;
- (e) Notice of the city's ability to tow cars parked or stranded in violation of sections 5.677 to 5.687 of this code.

(Section 5.684 added by Ordinance No. 19723, enacted October 22, 1990, effective November 21, 1990.)

EUGENE CITY COUNCIL

AGENDA ITEM SUMMARY



Approval of Police Commission FY 2014 – 2015 Work Plan

Meeting Date: July 22, 2013
 Department: Eugene Police Department
www.eugene-or.gov

Agenda Item Number: 2F
 Staff Contact: Carter Hawley
 Contact Telephone Number: 541-682-5852

ISSUE STATEMENT

Pursuant to Ordinance 20398, the Police Commission is submitting its work plan and proposed mission for review and approval by the City Council for FY 2014 – FY 2015.

BACKGROUND

Annually, the City Council reviews and approves the work plan and mission for the Eugene Police Commission. This work plan was transmitted to the City Council in its mail on July 3, asking for questions or comments about the work plan. One question was received related to the process for approval and has been answered. Because no substantive questions were received, the work plan is scheduled to be considered and approved on the consent calendar for the July 22 meeting.

The attached work plan covers two years, which provides the Police Commission a longer time frame to plan and accomplish its work. The commission will continue to provide annual reports and seek approval from the City Council on an annual basis, and seek that approval in the context of the attached two-year plan.

RELATED CITY POLICIES

Ordinance 20398 requires that the Police Commission submit its work plan and proposed mission for review and approval by the City Council.

COUNCIL OPTIONS

The Council may:

1. Approve the work plan on the consent calendar.
2. Remove the item from the consent calendar and make changes to the Police Commission's work plan.
3. Defer action to a later date

CITY MANAGER'S RECOMMENDATION

Approve the Police Commission work plan as submitted.

SUGGESTED MOTION

I move approval of the FY2014–FY2015 Police Commission Work Plan.

ATTACHMENTS

A. FY 2014-FY 2015 Work Plan

FOR MORE INFORMATION

Staff Contact: Carter Hawley

Telephone: 541-682-5852

Staff E-Mail: carter.r.hawley@ci.eugene.or.us



CITY OF EUGENE

POLICE COMMISSION

FY 2014 – FY 2015 WORK PLAN And FY 2013 ANNUAL REPORT

Police Commission Members

Kaitlyn Lange, Chair
Tamara Miller, Vice Chair
Mike Clark, City Councilor
Jim Garner
Linda Hamilton
Jesse Lohrke

James Manning
George Rode
Claire Syrett, City Councilor
Joe Tyndall
Bob Walker
Juan Carlos Valle

For more information on the Police Commission, please contact:

Carter Hawley, Police Analyst
Phone: (541) 682-5852
carter.r.hawley@ci.eugene.or.us

www.eugene-or.gov/policecommission

Police Commission Mission Statement

The Eugene Police Commission recommends to the City Council, the City Manager, the Eugene Police Department, and the people, the resources, preferred policing alternatives, policies and citizens' responsibilities needed to achieve a safe community. We strive to create a climate of mutual respect and partnership between the community and the Eugene Police Department that helps achieve safety, justice and freedom for all people in Eugene.

Police Commission Goals

As outlined in Ordinance 20398, the objectives of the Eugene Police Commission are to:

- 1) Increase communications between police and the community, leading to a greater understanding of the preferred policing alternatives for this city;
- 2) Identify police policy and resource issues related to preferred policing alternatives;
- 3) Decrease misunderstandings regarding the nature of adopted police policies, practices and approaches;
- 4) Provide input on police policies and procedures that reflect community values; and
- 5) Assist the city council in balancing community priorities and resources by advising it on police resource issues.

Background

The Eugene Police Commission is a twelve-member volunteer body that acts in an advisory capacity to the City Council, the Chief of Police and the City Manager on police policy and resource issues. The commission's enabling ordinance, adopted in December of 1998, requires that it develop a yearly work plan for City Council review and approval. Work plans follow a July 1 – June 30 fiscal year (FY) schedule. Major accomplishments over the past five years include the following highlights:

- Recommendations on several significant policies including Mental Health Crisis Response and Communication with People with Disabilities (FY 2009)
- Development of a Public Outreach Committee to strengthen the relationship between the public and the Police Department (FY 2009)
- Developed recommendations on all force-related policies including the Taser policy (FY 2011)
- Reviewed and made recommendations on the downtown exclusion zone ordinance (FY 2011)
- Worked with community around closure of Monroe Street Public Safety Station (FY 2012)
- Conducted community survey to determine public perception of Eugene Police Department (FY 2012)
- Reviewed and made recommendations on police policies related to search and seizure, use of canine, vehicle pursuits and holding facilities (FY 2012)
- Developed Outreach Toolkit to document efforts taken with closure of Monroe Street Station, and to provide template to facilitate community outreach on subsequent projects (FY 2012)
- Conducted an anonymous survey of EPD employees to ascertain department's understanding of Police Commission and its work (FY 2013)
- Held State of Public Safety Forum for the community (FY 2013)

Changes in the Police Commission Work Plan

Annual to Biannual Work Plan

At two successive Police Commission annual retreats, the commission discussed and ultimately decided to develop a biannual work plan, covering the next two fiscal years. The Commission recommends that it develops a two year plan to submit to the City Council for review, comment and approval. This allows the Commission to identify work that is longer in scope than can easily be conducted or described in a twelve month plan. Consistent with the Ordinance 20398, the Police

Commission will continue to submit to the City Council an annual report, drawn from the biannual report created every two years.

Reduction in the Commission Committees

In the recent past there have been two committees that have effectively served as standing committees, because their work has continued over numerous fiscal years. To increase the efficiency and focus of the Commission, and to work within available staff resources, the Commission will be eliminating these two committees. The changes in structure and the underlying work is described below.

- 1) Outreach and Resources Committee: The work of this committee is largely project based, developing the outreach strategies related to specific issues that arise within the commission. When no project is imminent, the committee has sought to improve the outreach practices of the Commission. Past work has included neighborhood outreach for the Monroe Street Station, oversight of a community and department survey to assess trust and understanding of the Police Commission and Department, development of an outreach toolkit, and development and completion of a State of Public Safety Forum. If outreach efforts are needed for a specific work item, an ad hoc, task- and time-specific committee may be sought.
- 2) Policy Screening and Review: This committee has worked with EPD staff in the review and public comment process for a major review and update of the EPD internal policy manual. While the department's review is not complete, it was determined that this is a major piece of work of the full commission. The Commission will be modifying its meeting schedule, similar to City Council meetings, to provide time during their monthly meeting to serve as a work session, to review and comment on the policies. This change is proposed to increase the input and engagement from the full Commission on this important work, and to provide the public and staff in attendance at the full Commission meetings better access to the full breadth and depth of the discussion on the policies being reviewed.

Shift in Focus

The Commission is seeking to shift the focus of the Police Commission. The intent is to focus more on the issues related to the Police Department that are of the greatest community concern. At its retreat in May 2013, a list of issues was raised that are of great community concern. To allow for the most meaningful issues to be addressed by the Commission, the Commission intends to quarterly review its upcoming work and select items from its list of community issues to address in the upcoming quarter. The work specific tasks related to any issue may differ, but in all cases the work will be designed to meet the Commission's goals, as listed above. The work on a specific issue may involve community forums, panels, a review of relevant policies or practices, or presentations from subject-area experts. In all cases, a specific desired outcome will be identified at the outset to assure the Commission remains focused on the goals of the specific work item.

Shift in Structure

In order to accommodate the work previously done by the Policy Committee, the Commission will hold a work session at the beginning of each meeting, to review and provide comments on the internal EPD policies. The balance of the meeting will be dedicated to the community issues identified in this plan, and scheduled quarterly, to assure the Commission is addressing the most relevant community issue as possible.

Community Issues to be Considered

Listed below is a preliminary list of issues to be considered by the Police Commission for further work. After each item is a brief summary of the kinds of information that will be considered and discussed. Further details will be developed as the items are scheduled and a more thorough work plan is developed.

- 1) Information on police contacts with different demographics and the data needed to assess
- 2) Serving immigrant populations
- 3) Services and public safety issues related to homelessness
- 4) Police services in light of budget
- 5) Crime reduction in light of jail, prison and court cuts
- 6) Use of force
- 7) Constitutional privacy – drones and automatic license readers
- 8) Eugene Police Department policies
- 9) Advocacy for public safety resources
- 10) Police budget allocation and grants
- 11) Strategy public safety funding
- 12) Police training manual
- 13) Responding to emerging issues

Quarterly, the Police Commission will discuss these issues and any emerging issues and determine which issue will be addressed next, what the specific goal for the Commission's involvement, and work plan to accomplish the goals for that work item.

Attached to this work plan is a report of the Commission's activities and achievements during FY 2013.

FY 2013 Year End Report

Police Commission Goals

As spelled out in the adopted bylaws, the Police Commission has five goals, which guide the Commission's annual work activities. The FY 2013 work plan is organized along the goals. Under each goal are the proposed work plan items that the Commission will work on during FY 2013.

Following each objective, a status is listed recounting the Commission's work on that item through June 30, 2012.

Goal 1 – Ensure that the policies and procedures of the Eugene Police Department protect the civil rights and liberties of everyone in Eugene.

Work Plan Objective 1.1 – Through continued Policy Screening and Review Committee, review policies to assure policies protect civil rights and liberties of everyone, including development of policies to address the safety of people in custody, and what to do with people in custody turned away from the Jail. ***Status: Reviewed policy of safety of people in custody. Department has not developed policy related to what to do with people turned away from the jail.***

Work Plan Objective 1.2 – Convene community groups to review domestic violence policies to assure the policies are effective, and protect the rights and liberties of everyone. ***Status: Held discussion at January and March Police Commission meetings. Received recommendations on changes.***

Goal 2 – Promote policing that respects and reflects Eugene's rich culture and diversity

Work Plan Objective 2.1 – Hold a student forum on the campus at the University of Oregon to solicit ideas and input from students. ***Status: University of Oregon requested that the forum be deferred, as the timing conflicted with forums held by UO regarding the arming of the new police department. Alternatives have been considered for next year.***

Work Plan Objective 2.2 – Through continued Policy Screening and Review Committee, review proposed EPD policies as they are converted to the new LEXIPOL format, to assure they reflect and respect Eugene's rich culture and diversity. ***Status: The Policy and Review Committee has reviewed and provided comments on the following policies: Code of Conduct, Social Security, Park Use Regulations, Civil Disputes, Person Stops, Trespass Letters.***

Goal 3 – Increase communications, understanding and trust between police and the people in Eugene

Work Plan Objective 3.1 – Through forums and panels proposed for FY 2013, increase communication and understanding and trust between police and the people in Eugene. ***Status: A State of Public Safety Forum is scheduled for June 27.***

Work Plan Objective 3.2 – Develop better way to respond to public comments in meetings, to improve sense of Commission engagement and response to public comments. ***Status: The topic has been referred to the Public Outreach Committee.***

Work Plan Objective 3.3 – Coordinate joint meetings with the Citizen Review Board and Human Rights Commission to increase mutual understanding and trust. **Status: A joint meeting was held with the Civilian Review Board in September. A joint meeting is scheduled for May 29 with the Human Rights Commission to discuss alternatives to the Downtown Public Safety Zone.**

Goal 4 – Encourage problem solving and partnerships between people, neighborhoods and other agencies and police

Work Plan Objective 4.1 – Organize and hold a community panel on the State of Public Safety. **Status: This Panel will be held June 27. Invited panelists include the District Attorney, Municipal Court Presiding Judge, Eugene Police Chief, Director of St. Vincent de Paul's, Police Auditor, and Lane County Sheriff.**

Work Plan Objective 4.2 – Pursue including hate crimes work in with Gang Symposium scheduled in Fall 2012. **Status: Met with planners of the Gang Symposium in July, and due in part to feedback from the Police Commission, the Symposium facilitator selected had significant expertise and experience in hate crimes. The definition of "gang" was created to include gangs which engage in hate crimes.**

Goal 5 – Provide fair opportunities for the public and criminal justice professionals to comment and participate in the commission's work recognizing the interconnectedness of the criminal justice system

Work Plan Objective 5.1 – Coordinate and organize a panel to discuss the State of Public Safety, to garner community support **Status: This Panel will be held June 27. Panelists include the District Attorney, Municipal Court Presiding Judge, Eugene Police Chief, Director of St. Vincent de Paul's, Police Auditor, and Lane County Sheriff.**

Work Plan Objective 5.2 – Through community discussions about domestic violence, and participation in the gang symposium, provide opportunities for the public to comment about these aspects of criminal justice. **Status: Held discussion at January and March Police Commission meetings. Received recommendations on changes.**

An additional priority objective was developed regarding reviewing resources, meeting schedules and balancing the priorities of the Commission. While this does not fit in the adopted Commission goals, in FY 2013 it will be critical for the Commission to continually review and assess its priorities and resources. The Police Department has redirected staff resources from the Police Commission to perform duties formerly completed by vacant positions. Up to approximately 510 hours of staff time are available and can be contributed to the Commission's work plan. **Status: Fewer committee meetings and abbreviated minutes have helped reduce the staff time demands for the Police Commission. Continued review and assessment of commission priorities and resources will remain critical.**

EUGENE CITY COUNCIL

AGENDA ITEM SUMMARY



Approval of Land Lease for Hotel on Airport Property

Meeting Date: July 22, 2013
 Department: Public Works
www.eugene-or.gov

Agenda Item Number: 2G
 Staff Contact: Tim Doll
 Contact Telephone Number: 541-682-5430

ISSUE STATEMENT

The City Council is asked to approve the Public Works Airport Division entering into a 30-year lease with a hotel concessionaire (40 years total—30-year initial term with an option for one 10-year extension). Prior to the City's Purchasing Division issuing a Request for Proposal for a potential hotel, the council must approve the Airport entering into a long-term lease.

BACKGROUND

The Airport plans to enter into an agreement with a hotel developer/operator to construct and operate a hotel on land the Airport owns at the corner of Awbrey Lane and Highway 99. This location is outlined in the Airport Master Plan for future commercial development such as a hotel. A long-term agreement is necessary in order to attract such a developer. It is expected that a hotel on Airport property will be an asset to the Airport as well as the community it serves. The Airport desires to issue a Request for Proposal to solicit a hotel developer/operator to construct and operate a full-service national brand hotel.

The Eugene Code outlines specific procedures. Pursuant to City Code, Chapter 2 – Section 2.860 – 2.874 establishes the procedures the City must follow to sell, lease or rent City-owned property, unless a different procedure is established by another code section or a council-approved intergovernmental agreement. Section 2.862 authorizes the City Manager to privately negotiate with any person for the disposition of property subject to a "development plan" (such as the Airport Master Plan). When the City Manager determines that such property is suitable for tenant occupancy, the City Manager may lease the property – without future action by the council – but only for a term not to exceed 20 years, and at fair market rent. If the City Manager desires to lease the property for a term which exceeds 20 years, or for less than fair market rent, then the Code requires that the "proposal acceptable to the City Manager be presented to the council for its action," Eugene Code, Section 2.872. Such approval by the council can take the form of either a motion or resolution.

RELATED CITY POLICIES

This action item is related to the City Council goals of "Sustainable Development," "Effective,

Accountable, Municipal Government" and "Fair, Stable and Adequate Financial Resources."

COUNCIL OPTIONS

The Eugene City Council may consider the following options:

1. Request the City Manager to allow the Airport to enter into a 30-year lease agreement with a hotel concessionaire (40 years total - 30-year initial term with an option for one 10-year extension).
2. Direct the City Manager to take other actions.
3. Take no action.

CITY MANAGER'S RECOMMENDATION

The City Manager recommends the approval of the 30-year lease (with the option for one 10-year extension) with a hotel developer/operator to construct and operate a hotel on airport property.

SUGGESTED MOTION

Move to direct the City Manager to allow the Airport to proceed with the Request for Proposals and with negotiating a 30-year lease (with the option for one 10-year extension) with a hotel developer/operator to construct and operate a hotel on airport property as designated in the Airport Master Plan.

FOR MORE INFORMATION

Staff Contact: Tim Doll
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Staff E-Mail: tim.m.doll@ci.eugene.or.us

EUGENE CITY COUNCIL

AGENDA ITEM SUMMARY



Public Hearing: Ordinance Suspending Multi-Unit Property Tax Exemption (MUPTE) Program

Meeting Date: July 22, 2013
 Department: Planning & Development
www.eugene-or.gov

Agenda Item Number: 3
 Staff Contact: Denny Braud
 Contact Telephone Number: 541-682-5536

ISSUE STATEMENT

This public hearing is an opportunity to hear from the community about the proposal to extend the suspension of the Multi-Unit Property Tax Exemption (MUPTE) program. The extended suspension would provide additional time for the council to consider options for modifying the MUPTE program criteria.

BACKGROUND

On February 27, 2013, the council approved an ordinance suspending the Multi-Unit Property Tax Exemption (MUPTE) program to provide the time needed for the council to conduct a detailed evaluation of the program and determine if modifications should be made. On May 29, 2013, the council approved an ordinance extending the sunset date for the MUPTE program suspension to August 31, 2013. At the June 24, 2013, work session, the council determined that the MUPTE suspension should be extended to January 31, 2014.

COUNCIL OPTIONS

No formal action is required at this public hearing. Council action is scheduled for July 24, 2013.

CITY MANAGER'S RECOMMENDATION

This item is scheduled for public hearing only. No recommendation is being made at this time.

SUGGESTED MOTION

No motion proposed for the public hearing.

ATTACHMENTS

Item 3.

A. Draft Ordinance

FOR MORE INFORMATION

Staff Contact: Denny Braud

Telephone: 541-682-5536

Staff E-Mail: denny.braud@ci.eugene.or.us

ORDINANCE NO. _____

AN ORDINANCE AMENDING ORDINANCE NO. 20508 TO EXTEND THE TEMPORARY SUSPENSION OF MULTIPLE UNIT PROPERTY TAX EXEMPTIONS UNDER SECTIONS 2.945 AND 2.947 OF THE EUGENE CODE, 1971, THROUGH JANUARY 31, 2014.

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

A. The City’s Multiple Unit Property Tax Exemption Program under Sections 2.945 and 2.947 of the Eugene Code, 1971 (the MUPTE program), which is enabled by state statute, was first implemented by the City in July of 1977. Since its initial implementation, the MUPTE program has been modified various times.

B. On February 27, 2013, Ordinance No. 20508 was adopted suspending the MUPTE program until July 1, 2013, to allow Council time to evaluate the MUPTE program and determine whether changes should be made to the program. On May 29, 2013, Ordinance No. 20512 was adopted extending the sunset date of the MUPTE program suspension to August 31, 2013.

C. On June 24, 2013, Council held a Work Session and determined that the suspension should be extended until January 31, 2014, to allow Council more time to develop and adopt revisions to the program and have the revisions become effective before the suspension expires.

NOW, THEREFORE,

THE CITY OF EUGENE DOES ORDAIN AS FOLLOWS:

Section 1. The findings set forth above are adopted.

Section 2. Section 3 of Ordinance No. 20508 is amended by extending the sunset date to January 31, 2014.

Passed by the City Council this

_____ day of July, 2013.

Approved by the Mayor this

_____ day of July, 2013.

City Recorder

Mayor

EUGENE CITY COUNCIL

AGENDA ITEM SUMMARY



Action: An Ordinance Concerning Downtown and Mixed Use Development and Amending Sections 9.2160, 9.2161, 9.2170, 9.2171, 9.2173, 9.4280, 9.4290, 9.4530, 9.8030, 9.8670, and 9.9650 of the Eugene Code, 1971, TSI Roadway Policy #2 of the Eugene-Springfield Transportation System Plan (TransPlan) And Policy F.15 of the Eugene-Springfield Metropolitan Area General Plan(City Files CA 13-1 and MA 13-1)

Meeting Date: July 22, 2013
 Department: Planning and Development
www.eugene-or.gov

Agenda Item Number: 4
 Staff Contact: Alissa Hansen
 Contact Telephone Number: 541-682-5508

ISSUE STATEMENT

The City Council will take action on a package of land use code and plan amendments to facilitate downtown and mixed use development.

BACKGROUND

As part of Envision Eugene, the City Council initiated amendments to facilitate desired mixed use development for downtown, along transit corridors and in commercial areas. Consistent with this direction, the purpose of these amendments is to facilitate compact urban development by changing land use regulations to better align with Envision Eugene.

These amendments are also necessary as part of the City's strategy to accommodate the City's 20-year need for commercial and multi-family housing inside the current urban growth boundary (UGB). Specifically, these amendments are part of a package of land use efficiency strategies the City is relying on to accommodate approximately 400 commercial jobs and 1,600 multi-family homes inside the UGB by increasing the likelihood of redevelopment in the downtown, along transit corridors and in core commercial areas.

A summary of the amendments is provided in Attachment A, and the proposed ordinance is provided as Attachment B.

On July 15, 2013, the City Council held a public hearing on the proposed amendments. At the public hearing, one community member spoke in support of the amendments. In her testimony she noted that these amendments help to implement Envision Eugene, and are a good start towards facilitating the transformation of the downtown, key transit corridors and commercial areas, and meeting the City's 20-year need for multi-family housing and commercial jobs inside the current urban growth boundary. Prior to the public hearing, a letter of testimony in support of the amendments was submitted (Attachment C). No other testimony was received.

Following the public hearing, Councilor Alan Zelenka asked for staff to provide an explanation of the problem each amendment is attempting to solve, and the rationale for the solution. Staff will provide this information prior to council action.

As noted in the previous meeting materials, prior to the City Council's public hearing, the Planning Commission recommended approval of seven of the eight proposed amendments. The Planning Commission vote was split on the proposal to allow housing on the ground floor of buildings in the C-2 commercial zone. This proposal would allow the ground floor of a building in the C-2 Community Commercial zone to be entirely housing, whereas currently a certain percentage of the ground floor must be in commercial use. Providing housing on the ground floor in the commercial zones is already allowed downtown.

Those Planning Commissioners voting in favor of the proposal expressed support for horizontal mixed use and increased housing opportunities in downtown, on key transit corridors, and in core commercial areas. They also cited the fact that the multi-family development standards would apply to these projects, thereby providing more protection than currently required for buildings with ground floor in commercial use with housing above. Those voting in opposition of the proposal expressed concern about the potential for increasing density in the C-2 zone without providing accompanying measures to address the transitions between higher density residential uses and adjacent lower density residential uses.

The attached draft ordinance (see Attachment B) includes the proposal that would allow the ground floor of a building in the C-2 Community Commercial zone to be entirely housing. Staff supports this amendment based on the following:

- Through Envision Eugene, specially the Community Resource Group, the understanding of the term "mixed use" was broadened to include both vertical (housing over commercial) and horizontal (housing adjacent to commercial). This amendment supports for and allows for both concepts.
- During the Envision Eugene public process, this proposal was suggested numerous times by the public as a way to provide flexibility in commercial zones and increased housing opportunities in downtown, on key transit corridors, and in core commercial areas.
- An all-residential building in the C-2 zone would be subject to the multi-family development standards, thereby providing more protections than currently required for buildings with the ground floor in commercial use with housing above.
- Regarding transitions between higher and lower density residential uses, buildings in the C-2 zone that are within 50 feet of a residential zone are limited in height to the maximum height allowed in that residential zone.
- During this amendment process, support for this amendment was expressed by local affordable housing providers as a benefit to affordable housing projects proposed in downtown, on key transit corridors, and in core commercial areas.

The attached ordinance contains minor revisions to sections 10 and 13 (as compared to the ordinance provided with the public hearing materials) prepared by the City Attorney's Office to reconcile the language based on the adoption of the code amendments related to the Eugene Water & Electric Board Master Plan.

RELATED CITY POLICIES

Findings addressing consistency with related City policies, including provisions of the Metro Plan and applicable refinement plans, are included as an exhibit to the proposed ordinance (Exhibit A of Attachment B).

COUNCIL OPTIONS

The City Council may consider the following options:

1. Approve the ordinance.
2. Approve the ordinance with specific modifications as determined by the City Council.
3. Deny the ordinance.

CITY MANAGER'S RECOMMENDATION

The City Manager recommends that the City Council approve the ordinance contained in Attachment B.

SUGGESTED MOTION

Move to adopt Council Bill 5096, an ordinance concerning downtown and mixed use development.

ATTACHMENTS

- A. Summary of Downtown/Mixed Use Amendments
- B. Proposed Ordinance and Findings
- C. Written testimony submitted by Jim Welsh, Eugene Association of Realtors

FOR MORE INFORMATION

Staff Contact: Alissa Hansen
Telephone: 541-682-5508
Staff E-Mail: alissa.h.hansen@ci.eugene.or.us

Summary of Downtown/Mixed Use Development Amendments July 1, 2013

Topic	Description	Code Section(s)
<p>1. Housing in Commercial</p>	<p>The goal of these amendments is to increase housing opportunities in commercial areas.</p> <p>This amendment would allow for multi-housing on the ground floor in a building in the C-2 Community Commercial zone citywide, where currently it is only allowed if a certain percentage of the ground floor of the building is in commercial or non-residential use. Council recently removed this requirement for downtown. The amendment would also allow for one or two apartment units (aka non “multi-family”) in the C-3 Major Commercial zone in a building with commercial use on the ground floor, but not allow traditional detached single-family dwelling or duplexes.</p>	<p>EC 9.2160, Table 9.2160 EC 9.2161</p>
<p>2. Surface Parking Limitation</p>	<p>The goal of this amendment is to provide flexibility for redevelopment sites within downtown.</p> <p>Currently, in the C-3 zone, the maximum number of surface parking spaces is limited to 20 when the parking is not associated with a use on the site. All parking in excess of 20 must be within a parking structure, and new stand-alone surface parking lots are prohibited. This amendment would allow up to 20 additional surface parking spaces for sites where all vehicle access is via an alley, and would remove prohibition on stand-alone surface parking lots.</p>	<p>EC 9.2161</p>
<p>3. Large Commercial Facilities Standards</p>	<p>The goal of this amendment is to ensure that development standards applicable to downtown developments are appropriate for a high quality urban setting.</p> <p>Currently, new buildings with 25,000 square feet or more of floor area in commercial zones are required to meet the Large Commercial Facilities Standards, which for the most part, require designs intended for a suburban, car oriented context. This amendment would exempt downtown developments from certain large commercial facilities standards, including on-site pedestrian circulation, that are redundant in an urban setting with ample sidewalks, but would retain requirements for providing building articulation, ground floor windows and other relevant standards.</p>	<p>EC 9.2171 EC 9.2173</p>
<p>4. Commercial Landscaping Standards</p>	<p>The goal of this amendment is to make the commercial landscaping standards align with desired urban development and a pedestrian-oriented streetscape design.</p> <p>This amendment would reduce the minimum landscape area requirement for C-2 zoned properties in downtown (C-3 zoned properties are exempt from providing landscaping), and remove the required width for front yard landscape beds.</p>	<p>EC 9.2171</p>

<p>5. Nodal Development Overlay Zone</p>	<p>The goal of this amendment is to provide flexibility while adding clarity, in application of these standards.</p> <p>The /ND overlay zone currently applies in four areas (Crescent Village, Danebo, Lower River Road and Downtown). Although intended to direct and encourage development supportive of mixed use, the development standards have the effect of restricting or limiting redevelopment in these areas. The amendment is to add flexibility to the overlay zone by allowing for all properties to seek adjustments to the development standards, and by adding relevant adjustment review criteria. Other clarifications are proposed regarding the applicability of the standards.</p>	<p>EC 9.4290 EC 9.8030</p>
<p>6. Transit Oriented Development Overlay Zone</p>	<p>The goal of this amendment is to provide clarity in application of these standards.</p> <p>Similar to the /ND overlay zone, the /TD overlay zone is intended to promote mixed use. The proposed changes mirror two of the changes proposed for the /ND overlay zone, and are intended to provide clarity and better align the adjustment review criteria with the intent of the zone and development standards.</p>	<p>EC 9.4530 EC 9.8030</p>
<p>7. Traffic Impact Analysis/Level of Service in Downtown</p>	<p>The goal of this amendment is to provide clarity in the expected outcome for property owners and affected community members.</p> <p>Currently, a traffic impact analysis (which must go through a land use application review process) is required for projects that will generate 100 or more vehicle trips during any peak hour. This amendment would remove the TIA requirement and reduce the allowed level of service for projects within the Downtown Plan area, with the exception of the properties subject to the EWEB master plan. The downtown has some unique characteristics that lessen the benefits or need of a TIA, including a lower adopted level of service standard, an established grid pattern with numerous options for entering and exiting the area, slower speeds and ample transit. Additionally, it is unlikely that any streets would be widened or realigned or that any new intersections would be proposed or exacted to accommodate additional traffic.</p>	<p>EC 9.8670</p>
<p>8. General Commercial Standards</p>	<p>The goal of the amendment is to simplify the structure of one section of the land use code.</p> <p>Although this proposal does not result in any substantive changes that would facilitate development, it does help with administration and implementation of the general commercial development standards. Currently, this section of the code contains general standards and special standards for commercial development. As there is little to no distinction between the general and the special standards, the special standards heading is proposed for removal and additional subheadings are added for clarity.</p>	<p>EC 9.2170 Table 9.2170 EC 9.2171</p>

ATTACHMENT B

ORDINANCE NO. _____

AN ORDINANCE CONCERNING DOWNTOWN AND MIXED USE DEVELOPMENT AND AMENDING SECTIONS 9.2160, 9.2161, 9.2170, 9.2171, 9.2173, 9.4280, 9.4290, 9.4530, 9.8030, 9.8670, AND 9.9650 OF THE EUGENE CODE, 1971, TSI ROADWAY POLICY #2 OF THE EUGENE-SPRINGFIELD TRANSPORTATION SYSTEM PLAN (TRANSPLAN) AND POLICY F.15 OF THE EUGENE-SPRINGFIELD METROPOLITAN AREA GENERAL PLAN.

THE CITY OF EUGENE DOES ORDAIN AS FOLLOWS:

Section 1. The text of Section 9.2160 of the Eugene Code, 1971, and the “Residential,”

“Dwellings” section of Table 9.2160 are amended to provide as follows:

9.2160 Commercial Zone Land Use and Permit Requirements. The following Table 9.2160 Commercial Zone Land Uses and Permit Requirements identifies those uses in Commercial Zones that are:

- (P) Permitted[~~, subject to zone verification~~].
- (SR) Permitted, subject to an approved site review plan or an approved final planned unit development.
- (C) Subject to a conditional use permit or an approved final planned unit development.
- (S) Permitted, subject to [~~zone verification and~~] the Special Development Standards for Certain Uses beginning at EC 9.5000.
- (#) The numbers in () in the table are uses that have special use limitations described in EC 9.2161.

Examples shown in Table 9.2160 are for informational purposes, and are not exclusive. Table 9.2160 does not indicate uses subject to Standards Review. Applicability of Standards Review procedures is set out at EC 9.8465.

Table 9.2160 Commercial Zone Land Uses and Permit Requirements					
	C-1	C-2	C-3	C-4	GO
Residential					
Dwellings					
One-Family Dwelling	P(6)	P(6)	P(7)		
Rowhouse (One-Family on Own Lot Attached to Adjacent Residence on Separate Lot with Garage or Carport Access to the Rear of the Lot)	S(6)	S(6)			P
Duplex (Two-Family Attached on Same Lot)	P(6)	P(6)	P(7)		P
Tri-plex (Three-Family Attached on Same Lot) (See EC 9.5500)	S(6)	S(6)	S		S
Four-plex (Four-Family Attached on Same Lot) (See EC 9.5500)	S(6)	S(6)	S		S
Multiple Family (3 or More Dwellings on Same Lot) (See EC 9.5500)	S(6)	S(6)	S		S

Section 2. Subsections (5) and (6) of Section 9.2161 of the Eugene Code, 1971, and Table 9.2161 are amended; a new subsection (7) is added to Section 9.2161; and subsections (7) and (8) are renumbered to subsections (8) and (9) respectively to provide as follows:

9.2161 Special Use Limitations for Table 9.2160.

- (5) **Parking Areas in C-3.** ~~[For surface parking spaces created after August 1, 2001, there shall be at least 1,000 square feet of floor area on the development site for each new parking space created.]~~ The maximum number of surface parking spaces on a development site shall be 20. **Up to 20 additional surface parking spaces may be created if all on-site parking is accessed via an alley and no vehicle access from any street right-of-way (i.e. no access connection) is allowed.** All parking spaces in excess of these limits shall be in structured parking.
- (6) **Residential Use Limitation in C-1 and C-2.**
 - (a) ~~[Except for the Downtown Plan Area,]~~ **All** residential dwellings ~~[are allowed]~~ in the C-1 zone and **one and two-family dwellings in the** C-2 zone ~~[s]~~ **are allowed** if the ground floor of the structure is used for commercial or non-residential purposes according to Table 9.2161 Commercial Uses Requirements in Mixed-Use Residential Developments. ~~[Within the Downtown Plan Area as shown on Map 9.2161(6) Downtown Plan Map, residential dwellings are allowed in C-1 and C-2 zones and are not required to use the ground floor of the structure for commercial or non-residential purposes.]~~
 - (b) For lots zoned C-1 within the S-JW Jefferson Westside Special Area Zone boundaries as shown on Figure 9.3605, the maximum number of dwellings per lot is specified at EC 9.3625(8) and 9.3626(1).

Table 9.2161 Commercial Uses Requirements in Mixed-Use Residential Developments [Not Within the Downtown Plan Area (See Map 9.2161(6) Downtown Plan Map)]		
	C-1	C-2
Commercial Uses Requirements in Mixed-Use Residential Developments		
Minimum Percent of Building Street Frontage in Commercial Use. Building street frontage shall be measured along the length of the building at the ground level within the maximum front yard setback. As used herein, "commercial" includes any non-residential use occupying a space at least 15 feet deep from the street facade of the building, excluding parking areas and garages.	80%	60%
Minimum Percent of Ground Floor Area in Commercial Use.	80%	20%

- (7) **Residential Use Limitation in C-3.** *Within the Downtown Plan Area as shown on Map 9.2161(6) Downtown Plan Map, a structure may include one- and two-family dwellings if 80 percent of the ground floor of the structure is used for commercial or non-residential purposes.*
- (78) **Broadcasting Studios, Commercial and Public Education Allowance in GO.** Any number of receiving antennas, and up to 1 station-to-station transmitter-link antenna not to exceed 10 watts are permitted in the GO zone.
- (89) Permitted in the Commercial zone, subject to the PRO zone use limitations and standards in Table 9.2630, EC 9.2631 and EC 9.2640.

ATTACHMENT B

Section 3. Figure 9.2171(5) is relabeled as 9.2170(4)(b) as shown on Exhibit A attached hereto; Figure 9.2171(5)(e) is relabeled as 9.2170(4)(b)6. as shown on Exhibit B attached hereto; Figure 9.2171(9) is relabeled as 9.2170(6) as shown on Exhibit C attached hereto; and Sections 9.2170 and 9.2171 of the Eugene Code, 1971, are amended and Section 9.2171 is incorporated into Section 9.2170 to provide as follows:

9.2170 Commercial Zone Development Standards - General.

- (1) **Intent.** These commercial zone development standards are intended to achieve the following:
 - (a) Improve the quality and appearance of commercial development in the city.
 - (b) Ensure that such development is compatible with adjacent development and is complementary to the community as a whole.
 - (c) Encourage crime prevention through environmental design, decrease opportunity for crime, and increase user perception of safety.
 - (d) Increase opportunities for use of alternative modes of transportation.
 - (e) Regulate the intensity of use allowed on a site.
 - (f) Control the overall scale of commercial buildings.
 - (g) Promote streetscapes that are consistent with the desired character of the various commercial zones.
 - (h) Promote safe, attractive, and functional pedestrian circulation systems in commercial areas.
- (2) **Application of Standards.** In addition to applicable provisions contained elsewhere in this land use code, the development standards listed in Table 9.2170 Commercial Zone Development Standards shall apply to all development in commercial zones ~~[except the following:~~
 - ~~(a) Maximum Front Yard Setback,~~
 - ~~(b) Minimum Landscape Area,~~
 - ~~(c) Drive Through Facilities,~~
 which shall be subject to the special development standards of EC 9.2171(5), EC 9.2171(8) and EC 9.2171(15). ~~In cases of conflict, the standards specifically applicable in commercial zones shall apply].~~

Table 9.2170 Commercial Zone [Development] General Building Height and Setback Standards					
[(See EC 9.2171 Special Development Standards for Table 9.2170.)]					
	C-1	C-2	C-3	C-4	GO
Building Height (See EC 9.2170(3))					
Maximum Building Height [(1)-(2)-(3)]	35 feet	120 feet [(2)]	150 feet [(2)]	50 feet [(2)]	50 feet [(3)]
Setbacks (See EC 9.2170(4))					
Minimum Front Yard Setback [(4)-(17)]	10 feet	0 feet	0 feet	10 feet	10 feet
Maximum Front Yard Setback [(5)-(17)]	15 feet	15 feet	15 feet	None	15 feet
Minimum Interior Yard Setback [(4)-(6)-(7)-(16)]	0 feet to 10 feet [(6)]	0 feet to 10 feet [(6)]	0 feet	0 feet to 10 feet [(6)]	0 feet to 10 feet [(6)]

Table 9.2170 Commercial Zone [Development] General Building Height and Setback Standards [[See EC 9.2171 Special Development Standards for Table 9.2170.]]					
	C-1	C-2	C-3	C-4	GO
[Minimum Landscape Area (8)]	10%	10%	None	10%	10%
Fences (9)					
Outdoor Storage Areas (10)					
Outdoor Merchandise Display (11)					
Garbage Screening (12)					
Utilities (13)					
Delivery and Loading Facilities (14)					
Drive-Through Facilities (15)					
Large Commercial Facilities (See EC 9.2173)					
Large Multi-Tenant Commercial Facilities (See EC 9.2175)]					

~~[9.2171~~ **Special Commercial Zone Development Standards for Table 9.2170.]**

~~(4)~~ **Building Height.**

- ~~(a)~~ Exceptions to the general height restrictions for commercial structures stated in Table 9.2170 Commercial Zone ~~[Development]~~ **General Building Height and Setback** Standards are contained in:
 - ~~(a)1.~~ EC 9.6715 Height Limitation Areas.
 - ~~(b)2.~~ EC 9.6720 Height Exemptions for Roof Structures and Architectural Features.
- ~~(2b)~~ Subject to the limitations in subsection ~~(4a)~~ of this section, in the C-2, C-3, or C-4 zones, no portion of a building located within 50 feet of a residential zone shall exceed the maximum building height permitted in the abutting residential zone.
- ~~(3c)~~ Subject to the limitations in subsection ~~(4a)~~ of this section, the maximum permitted building height for main or accessory buildings in the GO zone shall not exceed 35 feet in height within 50 feet of an abutting AG, R-1, or R-2 zone. Otherwise, main and accessory building height maximums shall not exceed 50 feet.

~~(4)~~ **Setbacks.**

- ~~(a)~~ Exceptions to the general minimum front and interior yard setback requirements stated in Table 9.2170 Commercial Zone ~~[Development]~~ **General Building Height and Setback** Standards are contained in:
 - ~~(a)1.~~ EC 9.6745 Setbacks - Intrusions Permitted.
 - ~~(b)2.~~ EC 9.6750 Special Setback Standards.
- ~~(5b)~~ The maximum front yard setbacks stated in Table 9.2170 Commercial Zone ~~[Development]~~ **General Building Height and Setback** Standards, shall apply only to new buildings and any building addition that increases the length of the building facade facing a street, internal accessway, private drive, or shopping street as defined in EC 9.2175(3) by at least 100%. For purposes of this subsection, front yard setback may be measured from a public street or from the edge of the sidewalk furthest from the curb of an internal accessway, private drive, or shopping street. In addition, all new buildings and the portion of the

ATTACHMENT B

development site specifically affected by the new building are subject to the requirements of this subsection. **(See Figure [9.2171(5)]**

9.2170(4)(b) Maximum Front Yard Setbacks, Building Orientation, and Entrances.)

- (a)1. In C-1, at least 80% of all street facing facades of the building must be within the specified maximum front yard setback.
- (b)2. In C-2 and C-3, a minimum of 25% of all street facing facades must be within the specified maximum front yard setback, or, orientation to an internal accessway, private drive, or shopping street as defined in EC 9.2175(3) is permitted in compliance with EC 9.2173(4)(a).
- (c)3. In GO, at least 60% of all street facing facades of the building must be within the specified maximum front yard setback.
- (d)4. Vehicular parking and circulation is not permitted in between the street and the portion of the building that is used to comply with this subsection.
- (e)5. Buildings fronting on a street must provide a main entrance facing the street on any facade of the building within the front yard setback. A main entrance is a principal entrance through which people enter the building. A building may have more than one main entrance. Buildings having frontage on more than one street shall provide at least one main entrance oriented to a street.
- (f)6. The land between the portion of a building complying with EC [9.2171(5)(a) or (b)] **9.2170(4)(b)1. or 2.** and a street must be landscaped or paved with a hard surface for use by pedestrians. If a hard surface is provided, the area must contain at least the equivalent of 1 pedestrian amenity for every 200 square feet of hard surface. The use of porous materials for hard surfacing is encouraged. Residential developments are exempt from this subsection. **(See Figure [9.2171(5)(e)] 9.2170(4)(b)6. Landscaped or Paved Pedestrian Area with Pedestrian Amenities.)**
- (g)7. The maximum front yard setback may be exceeded if the area between the building and the front property line is landscaped or paved for use by pedestrians. The area must contain at least the equivalent of 1 enhanced pedestrian amenity for every 200 square feet of hard surface. **(See Figure [9.2171(5)(e)] 9.2170(4)(b)6. Landscaped or Paved Pedestrian Area with Pedestrian Amenities.)**

- (6c) Where lot lines abut property within a residential zone category, the minimum interior yard setback for any building shall be 10 feet. Within the Downtown Plan Area as shown on Map 9.2161(6) Downtown Plan Map, adjustments to this section may be made based on the criteria in EC 9.8030(16).

~~[(7) Minimum interior yard setbacks for large commercial facilities on a lot adjacent to or facing a residential zone shall be 30 feet. Within the Downtown Plan Area as shown on Map 9.2161(6) Downtown Plan Map, adjustments to this section may be made based on the criteria in EC 9.8030(16).]~~

- (16d) For lots zoned C-1 within the S-JW Jefferson Westside Special Area Zone boundaries as shown on Figure 9.3605, setbacks from all portions of interior lot lines (as that term is defined for purposes of the S-JW

- Special Area Zone) shall be at least 10 feet from the interior lot line. In addition, at a point that is 20 feet above grade, the setback shall slope at the rate of 10 inches vertically for every 12 inches horizontally (approximately 50 degrees from vertical) away from that lot line.
- (17e) Adjustments.** Except for the Downtown Plan Area as shown on Map 9.2161(6) Downtown Plan Map, adjustments to the minimum and maximum front yard setbacks in this **subsection, except subsection (4)(a)**, may be made, based on criteria at EC 9.8030(2) Setback Standards Adjustment. Within the Downtown Plan Area, adjustments to the minimum and maximum front yard setbacks in this **subsection, except subsection (4)(a)**, may be made, based on the criteria at EC 9.8030(16).
- (85) Landscaping.** ~~[In addition to the minimum landscape area requirements of Table 9.2170 Commercial Zone Development Standards, t]~~ The following landscape standards apply to new buildings, and the portion of the development site specifically affected by the new building and shall be subject to the requirements of this subsection.
- (a) Minimum Landscape Area Required. In all commercial zones, except **C-2 within the Downtown Plan Area as shown on Map 9.2161(6) and C-3**, a minimum of 10 percent of the development site shall be landscaped with living plant materials. ***Within the C-2 zone within the Downtown Plan Area, a minimum of 5 percent of the development site shall be landscaped with living plant materials. No minimum landscaping is required in the C-3 zone.*** All required landscaping shall comply with landscape standards beginning at EC 9.6200 Purpose of Landscape Standards. Any required landscaping, such as for required front or interior yard setbacks or off-street parking areas, shall apply toward the development site minimum landscape requirement. The area of exterior landscaping on the roof of a building or exposed terrace may be used to meet the 10% minimum landscaping standard. Up to 50% of the landscape area may be a hard surface for recreational or enhanced pedestrian space.
- (b) Minimum Landscape Standard. Unless otherwise specified in this land use code, required landscape areas must, at a minimum, comply with EC 9.6210(1) Basic Landscape Standard (L-1).
- ~~[(c) Landscaping In Front Yard Setbacks. If a front yard setback contains a landscape planting bed, the planting bed shall be a minimum of 7 feet in width and shall comply, at a minimum, with EC 9.6210(1) Basic Landscape Standard (L-1).]~~
- (~~c~~) Landscaping In Interior Yard Setbacks Abutting Residential Zones. Landscape planting beds within the interior yard setbacks abutting a residential zone shall be a minimum of 7 feet in width and shall comply with EC 9.6210(3) High Screen Landscape Standard (L-3).
- (~~d~~) Street Trees. Street tree requirements are specified in EC 7.280 Street Tree Program - Policies, Standards, Procedure.
- (~~e~~) Within the Downtown Plan Area as shown on Map 9.2161(6) Downtown Plan Map, adjustments to subsections ~~[(8)](a)~~, **and** ~~[(8)](b)~~ ~~and~~ ~~[(8)](c)~~ may be made based on the criteria in EC 9.8030(16).
- (96) Fences.**
- (a) Types. The type of fence, wall or screen used in any situation is limited only by specific requirements stated in landscape standards beginning

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- at EC 9.6200 Purpose of Landscape Standards.
- (b) Locations and Heights.
1. Fences up to 42 inches in height are permitted within the minimum or maximum front yard setback whichever is greater.
 2. Fences up to 8 feet high are allowed in interior yard setbacks.
 3. The height of fences that are not in required setback areas is the same as the regular height limits of the zone.
 4. Fences must meet standards in EC 9.6780 Vision Clearance Area. **(See Figure [9.2174(9)] 9.2170(6) Fencing Standards in Commercial Zones and Figure 9.0500 Vision Clearance Area.)**
- (c) Adjustments. Within the Downtown Plan Area as shown on Map 9.2161(6) Downtown Plan Map, adjustments to subsections (96)(a) and (96)(b) may be made based on the criteria in EC 9.8030(16).
- (407) Outdoor Storage Areas.** Except for plant nurseries, outdoor storage is not permitted in any commercial zone. All merchandise to be stored must be enclosed entirely within buildings or structures.
- (448) Outdoor Merchandise Display.**
- (a) Except for plants and garden supply products, outdoor merchandise display is not allowed in C-1 and GO zones.
 - (b) In the C-2 and C-4 zones, outdoor display of the uses listed in subsection 1. of this subsection, is permitted when in conformance with the standards listed in subsection 2. of this subsection.
 1. Plants and garden supply products; motor vehicle sales, service, and repair; new and used boat sales; large equipment sales and rentals; service station pump islands; vending machines; manufactured home sales; children's outdoor play equipment; and hot tubs.
 2. Outdoor merchandise display is not permitted in required setback areas. Except for plant and garden supply displays, outdoor display areas shall be set back a minimum of 7 feet from the front lot lines with required setbacks landscaped to at least the EC 9.6210(1) Basic Landscape Standard (L-1).
 - (c) In the C-3 zone, outdoor merchandise display is permitted if all products are placed in an enclosure after business hours.
 - (d) Except for the Downtown Plan Area as shown on Map 9.2161(6) Downtown Plan Map, adjustments to subsection (b)2. of this section may be made based on criteria in EC 9.8030(2)(d). Within the Downtown Plan Area, adjustments to subsection (448)(b)2. may be made based on the criteria in EC 9.8030(16).
- (429) Garbage Screening.** All outdoor garbage collection areas shall be screened on all sides within a solid perimeter enclosure that meets the following standards:
- (a) Materials within enclosures 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).
 - (c) Garbage collection areas shall not be located within required setbacks. Trash or recycling receptacles for pedestrians are exempt from these requirements.
- (4310) Underground Utilities.** All utilities on the development site shall be placed underground. Except for the Downtown Plan Area as shown on Map 9.2161(6)

Downtown Plan Map, adjustments to this section may be made based on criteria in EC 9.8030(5). Within the Downtown Plan Area, adjustments to this section may be made based on criteria in EC 9.8030(16). Refer also to EC 9.6775.

(1411) Delivery and Loading Facilities.

- (a) Delivery and loading facilities are not permitted in required setback areas.
- (b) On lots abutting parcels with a residential zone, delivery and loading facilities shall be set back a minimum of 10 feet from property lines with required interior yard setbacks landscaped to at least the standards in EC 9.6210(4) High Wall Landscape Standard (L-4).

(1412) Drive-Through Facilities.

- (a) Application. The regulations in (b) through (e) of this subsection apply to the establishment of new drive through facilities, the addition of travel lanes for existing drive-through facilities in existing developments, and the relocation of an existing drive-through facility.
- (b) Drive-Through Facilities in C-1 Zone. Drive-through facilities are not permitted in C-1 zones.
- (c) Service Areas Setback and Landscaping. Service areas and stacking lanes shall be set back a minimum of 10 feet from all lot lines. Setback areas abutting a street shall be landscaped to at least the standards in EC 9.6210(1) Basic Landscape Standard (L-1). Interior yard setback areas must be landscaped to at least the standards in EC 9.6210(3) High Screen Landscape Standard (L-3).
- (d) Driveway Entrances. All driveway entrances, including stacking lane entrances, must be at least 100 feet from an intersection, as measured along the property line from the tangent point of a corner radius and the closest edge of a driveway.
- (e) Stacking Lanes. Design of stacking lanes shall conform with the requirements of EC 9.6415 Loading and Drive-Through Design Standards.
- (f) Adjustments. Except for lots adjacent to land zoned residentially:
 1. Outside of the Downtown Plan Area as shown on Map 9.2161(6) Downtown Plan Map, adjustments to subsection (c) Service Areas Setback and Landscaping may be made based on criteria at EC 9.8030(2) Setback Standards Adjustment.
 2. Within the Downtown Plan Area adjustments to subsection (c) Service Areas Setback and Landscaping and subsection (e) Stacking Lanes may be made based on the criteria at EC 9.8030(16).

Section 4. Section 9.2171 of the Eugene Code, 1971, was incorporated into Section 9.2170 of that Code. All references to Section 9.2171, including but not limited to the references in Table 9.3125(3)(g), Section 9.3815, and Table 9.6205, are hereby updated to reflect the amendment.

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Section 5. Subsections (2), (8) and (9) of Section 9.2173 of the Eugene Code, 1971, are amended; a new subsection (11) is added to Section 9.2173; and subsection (11) is renumbered to subsection (12) to provide as follows:

9.2173 Commercial Zone Development Standards - Large Commercial Facilities.

(2) Application of Standards.

(a) In addition to the standards of EC 9.2170 Commercial Zone Development Standards - General, **except as provided in subsection (b) below, all of** the standards in this section apply to any new building with 25,000 square feet or more of floor area **in commercial or non-residential use**, and the portion of the development site specifically affected by the new building.

(b) **The standards in subsections (5), (6), (7), (9) and (11) do not apply with the Downtown Plan Area as shown on Map 9.2161(6) Downtown Plan Map.**

(8) Service and Loading Areas.

(a) Loading docks, outdoor storage, utility meters, mechanical equipment, trash collection, trash compaction, and other service functions shall comply with the standards stated in EC 9.2170 Commercial Zone Development Standards - General.

(b) Outdoor areas for the display and sale of seasonal inventory shall be permanently defined and landscaped as set forth in EC [9.2174(11)] **9.2170(8) Outdoor Merchandise Display.**

(9) Delivery and Loading Facilities. ~~[On lots abutting parcels zoned for residential development, d]~~ Delivery and loading facilities shall be set back a minimum of 30 feet from ~~[property lines]~~ **interior yards abutting residentially zoned lots** with required setbacks landscaped to at least the standards in EC 9.6210(4) High Wall Landscape Standard (L-4).

(11) Interior Yard Setbacks from Residential Zoning. Interior yard setbacks shall be a minimum of 30 feet from abutting residentially zoned lots.

(11) Adjustments. Except for the Downtown Plan Area, adjustments to the standards in this section may be made, based on criteria at EC 9.8030(6) Large Commercial Facilities Standards Adjustment. Within the Downtown Plan Area as shown on Map 9.2161(6) Downtown Plan Map, adjustments to the standards in this section may be made based on the criteria at EC 9.8030(16).

Section 6. Subsection (2) of Section 9.4280 of the Eugene Code, 1971, is amended to provide as follows:

9.4280 Prohibited Uses and Special Use Limitations.

(2) Special Use Limitations.

(a) Except for the Downtown Plan Area as shown on Map 9.2161(6) Downtown Plan Map, no use may include a drive-through facility, unless explicitly permitted in a refinement plan. Within the Downtown Plan Area:

1. Drive-through only establishments are not permitted.
2. For a structure that has two or more functional floors, a drive-

through facility is permitted.

3. For a structure that has only one functional floor, a drive-through facility to provide financial services, pharmaceutical prescription dispensing, or government services may be permitted subject to an adjustment based on the criteria at EC 9.8030(16).
- (b) No new building designed to be occupied by retail uses may exceed 50,000 square feet of building area on the ground floor and only one such new building **on the development site** may contain 50,000 square feet of building area on the ground floor.

Section 7. Section 9.4290 of the Eugene Code, 1971, is amended to provide as follows:

9.4290 Density and Development Standards. In addition to the requirements of the base zone, the following standards shall apply **to all development, except that the standards in subsection (2) and (3) do not apply to single-family dwellings or duplexes:**

- (1) **Minimum Residential Density and Floor Area Ratio (FAR).**
 - (a) Where the base zone is R-1 or R-1.5, new subdivisions shall achieve a minimum residential density of 8 units per net acre. Minimum residential density in R-2 shall be 15 units per net acre; in R-3 it shall be 25 units per net acre; and in R-4 it shall be 30 units per net acre.
 - (b) Where the base zone is C-1, C-2, C-3, or GO, the /TD standards in EC 9.4530 shall apply, except that the minimum floor area ratio (FAR) shall be 1.0 FAR (1.0 square feet of floor area to 1 square foot of the development site).
 - (c) Where the base zone is C-4, I-1, I-2, or I-3, the /TD standards in EC 9.4530 shall apply, except that the minimum floor area ratio (FAR) shall be .40 FAR (.40 square feet of floor area to 1 square foot of the development site).
- (2) **Building Setbacks.**
 - (a) Buildings shall be set back a maximum of 15 feet from the street. There is no minimum setback.
 - (b) Where the site is adjacent to more than one street, a building is required to meet the above maximum setback standard on only one of the streets.
- (3) **Parking Between Buildings and the Street.**
 - (a) Automobile parking, driving, and maneuvering areas shall not be located between the main building(s) and a street.
 - (b) For **a development site[s]** that abuts a street, parking may be located at the rear of the building or on 1 or both sides of a building when at least 60 percent of the site frontage abutting the street (excluding required interior yards) is occupied by a building and/or an enhanced pedestrian space with no more than 20 percent of the 60 percent in enhanced pedestrian spaces, as described in EC 9.4530(3)(c).
 - (c) For purposes of determining the percent of site frontage, the building or enhanced pedestrian space shall be within 15 feet of the street.
 - (d) **For a development site with frontage on more than one street, these standards only apply along one street frontage.**
- (4) **Adjustments.** [~~Except for the Downtown Plan Area as shown on Map 9.2161(6) Downtown Plan Map, a]~~An adjustment to any of the standards in

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this section may be made [~~for /ND parcels with no alley access or with physical or legal constraints pursuant to~~] **based on** the criteria [~~beginning at~~] *in* EC [9.8015] **9.8030(31)** [~~of this land use code. Adjustments to this section may be made for any parcel within the Downtown Plan Area based on the criteria at EC 9.8030(16)].~~

Section 8. Subsections (4) and (7) of Section 9.4530 of the Eugene Code, 1971, is amended to provide as follows:

9.4530 /TD Transit Oriented Development Overlay Zone Development Standards.

- (4) **Parking Between Buildings and the Street.**
- (a) Automobile parking, driving, and maneuvering areas shall not be located between the main building(s) and a street.
 - (b) For **a development** site[s] that abuts a street, parking may be located at the rear of the building or on 1 or both sides of a building when at least 60 percent of the site frontage abutting the street (excluding required interior yards) is occupied by a building and/or an enhanced pedestrian space with no more than 20 percent of the 60 percent in enhanced pedestrian spaces, as described in EC 9.4530(3)(c).
 - (c) For purposes of determining the percent of site frontage, the building or enhanced pedestrian space shall be within 15 feet of the street. (**See Figure 9.4530(6) Parking Between Buildings and the Street in /TD Area.**)
 - (d) **For a development site with frontage on more than one street, these standards only apply along one street frontage.**
- (7) **Adjustments.** [~~Except for the Downtown Plan Area as shown on Map 9.2161(6) Downtown Plan Map, a]~~An adjustment to any of the standards in this section may be made [~~pursuant to~~] **based on** the criteria [~~beginning at~~] *in* EC [9.8015] **9.8030(32)** [~~of this land use code. Within the Downtown Plan Area, adjustments to any of the standards in this section may be made based on the criteria at EC 9.8030(16)].~~

Section 9. Subsections (2) and (16) of Section 9.8030 of the Eugene Code, 1971, are amended, and Sections (31) and (32) of Section 9.8030, are added to provide as follows:

- 9.8030 Adjustment Review - Approval Criteria.** The planning director shall approve, conditionally approve, or deny an adjustment review application. Approval or conditional approval shall be based on compliance with the following applicable criteria.
- (2) **Setback Standards Adjustment.** Where this land use code provides that the setback standards applicable to specific zones may be adjusted, the standards may be adjusted upon finding that the proposed setback is consistent with the following applicable criteria:
- (a) **Minimum and Maximum Front Yard Setback Adjustment.** The minimum or maximum required front yard setback may be adjusted if the proposal achieves all of the following:
 1. Contributes to the continuity of building facades along the street.

2. Creates an attractive pedestrian environment along all adjacent streets
 3. Is compatible with adjacent development.
Maximum front yard setbacks may be adjusted without any requirement for pedestrian amenities if the location of the front yard is unsafe or intrinsically unsuitable for pedestrians or to protect disruption to significant natural resources.
- (b) Minimum Setbacks for Park Improvements in PRO Zone. The minimum required special setbacks for park improvements may be adjusted upon a finding that the proposal achieves all of the following:
1. Consistent with EC 9.2600 Purpose of PRO Park, Recreation and Open Space Zone.
 2. Is compatible with adjacent development.
- (c) Minimum Setbacks for Drive-Through Facility Service Areas and Stacking Lanes. Standards establishing a minimum setback for service areas and stacking lanes may be adjusted upon a finding that the proposal achieves all of the following:
1. Is compatible with adjacent development.
 2. Creates an attractive pedestrian environment along all adjacent streets.
 3. Where necessary, provides visual separation between adjacent development.
- (d) Outdoor Merchandise Display in C-2 and C-4. The limitation on outdoor merchandise display in EC [~~9.2174(11)(b)2.~~] **9.2170(8)(b)2.** may be adjusted upon a finding that the proposed adjustment is consistent with the intent set out in EC 9.2170(1).
- (16) Downtown Plan Area.** Where this land use code provides that a development standard applicable within the Downtown Plan Area as shown on Map 9.2161(6) Downtown Plan Map may be adjusted, approval of the request shall be given if the applicant demonstrates consistency with all of the following:
- (a) The requested adjustment will allow the project to achieve an equivalent or higher quality design than would result from strict adherence to the standards through:
 1. A building orientation, massing, articulation and façade that contribute 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 design 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.
 - (b) Impacts to any adjacent residentially-zoned property are minimized. Design elements for this purpose may include treatment of building massing, setbacks, screening and landscaping.
 - (c) For adjustments pursuant to EC [~~9.2174(13)]~~ **9.2170(10)** only, placing utilities underground would be unreasonably onerous to the applicant.
- (31) /ND Nodal Development Overlay Zone. *Where this land use code provides that a development standard applicable within the /ND Nodal Development overlay zone may be adjusted, approval of the request shall be given if the applicant demonstrates consistency***

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- with all of the following:*
- (a) *The requested adjustment will allow the project to achieve an equivalent or higher quality design than would result from strict adherence to the standards through:*
 - 1. *A building orientation, massing, articulation and façade that contribute 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 design 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.*
 - (b) *Impacts to any adjacent residentially-zoned property are minimized. Design elements for this purpose may include treatment of building massing, setbacks, screening and landscaping.*
- (32) */TD Transit Oriented Development Overlay Zone. Where this land use code provides that a development standard applicable within the /TD Transit Oriented Development overlay zone may be adjusted, approval of the request shall be given if the applicant demonstrates consistency with all of the following:*
- (a) *The requested adjustment will allow the project to achieve an equivalent or higher quality design than would result from strict adherence to the standards through:*
 - 1. *A building orientation, massing, articulation and façade that contribute 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 design 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.*
 - (b) *Impacts to any adjacent residentially-zoned property are minimized. Design elements for this purpose may include treatment of building massing, setbacks, screening and landscaping.*

Section 10. EC “Map 9.8670 Downtown Traffic Impact Analysis Exempt Area” is added as shown on Exhibit D attached hereto, and Section 9.8670 of the Eugene Code, 1971, is amended to provide as follows:

9.8670 **Applicability.** Traffic Impact Analysis Review is required when one of the [following] conditions *in subsections (1) – (4) of this section* exist[?] ***unless the development is within an area (a) shown on Map 9.8670 Downtown***

Traffic Impact Analysis Exempt Area, or (b) subject to a prior approved Traffic Impact Analysis and is consistent with the impacts analyzed.

- (1) The development will generate 100 or more vehicle trips during any peak hour as determined by using the most recent edition of the Institute of Transportation Engineer's Trip Generation. In developments involving a land division, the peak hour trips shall be calculated based on the likely development that will occur on all lots resulting from the land division.
- (2) The increased traffic resulting from the development will contribute to traffic problems in the area based on current accident rates, traffic volumes or speeds that warrant action under the city's traffic calming program, and identified locations where pedestrian and/or bicyclist safety is a concern by the city that is documented.
- (3) The city has performed or reviewed traffic engineering analyses that indicate approval of the development will result in levels of service of the roadway system in the vicinity of the development that do not meet adopted level of service standards.
- (4) For development sites that abut a street in the jurisdiction of Lane County, a Traffic Impact Analysis Review is required if the proposed development will generate or receive traffic by vehicles of heavy weight in their daily operations. For purposes of EC 9.8650 through EC 9.8680, "daily operations" does not include routine services provided to the site by others, such as mail delivery, garbage pickup, or bus service. "Daily operations" does include, but is not limited to, delivery (to or from the site) of materials or products processed or sold by the business occupying the site. For purposes of EC 9.8650 through EC 9.8680, "heavy vehicles" are defined as a single vehicle or vehicle combination greater than 26,000 pounds gross vehicle weight or combined gross vehicle weight respectively.

Section 11. Subsection (3) of Section 9.9650 of the Eugene Code, 1971, is amended to provide as follows:

9.9650 TransPlan Policies.

- (3) **Transportation System Improvements: Roadways.** 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 660-12-0060).
 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:
 1. **Level of Service F within Eugene's Downtown Traffic Impact Analysis Exempt Area;**
 2. Level of Service E within **the portion of** Eugene's Central Area Transportation Study (CATS) area[;] **that is not within Eugene's Downtown Traffic Impact Analysis Exempt Area;** and

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3. Level of Service 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 limit to environmental conditions, lack of public agency financial resources, or land use constraint factors. It is not the intent of Policy F-15: 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.

Section 12. TSI Roadway Policy #2 of the Eugene-Springfield Transportation System

Plan (TransPlan), is amended to provide as follows:

TSI Roadway Policy #2: Motor Vehicle Level of Service

1. Use motor vehicle level of service standards to maintain acceptable and reliable performance on the roadway system. These standards shall be used for:
 - a. Identifying capacity deficiencies on the roadway system.
 - b. Evaluating the impacts on roadways of amendments to transportation plans, acknowledged comprehensive plans and land-use regulations, pursuant to the TPR (OAR 660-12-0060).
 - c. Evaluating development applications for consistency with the land-use regulations of the applicable local government jurisdiction.
2. Acceptable and reliable performance is defined by the following levels of service under peak hour traffic conditions:
 - a. ***Level of Service F within Eugene's Downtown Traffic Impact Analysis Exempt Area;***
 - b. Level of Service E within ***the portion of*** Eugene's Central Area Transportation Study (CATS) area[;] ***that is not within Eugene's Downtown Traffic Impact Analysis Exempt Area;*** and
 - c. Level of Service D elsewhere.
3. 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

limit 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.

Policy F.15 of the Eugene-Springfield Area Metropolitan Plan, is amended as follows:

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 660-12-0060).
 - (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:
 - (1) **Level of Service F within Eugene's Downtown Traffic Impact Analysis Exempt Area;**
 - (2) Level of Service E within **the portion of** Eugene's Central Area Transportation Study (CATS) area[,] **that is not within Eugene's Downtown Traffic Impact Analysis Exempt Area;** and
 - (3) Level of Service 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 limit 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.

Section 13. Notwithstanding Section 9 of this Ordinance adopting amendments to EC 9.8030(16), the previous amendment to EC 9.8030(16)(a) adopted by Ordinance No. 20513 on

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July 8, 2013, which will become effective on August 9, 2013, shall continue and is neither repealed nor superseded by this Ordinance.

Section 14. The findings set forth in Exhibit E attached to this Ordinance are adopted as findings in support of this Ordinance.

Section 15. The City Recorder, at the request of, or with the concurrence 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.

Section 16. 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.

Passed by the City Council this
___ day of _____, 2013

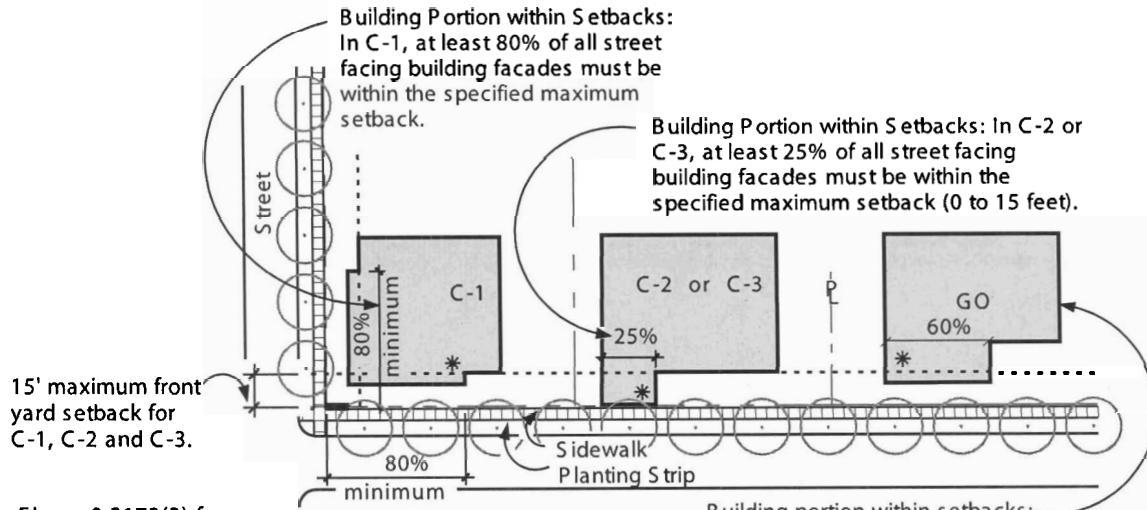
Approved by the Mayor this
___ day of _____, 2013

City Recorder

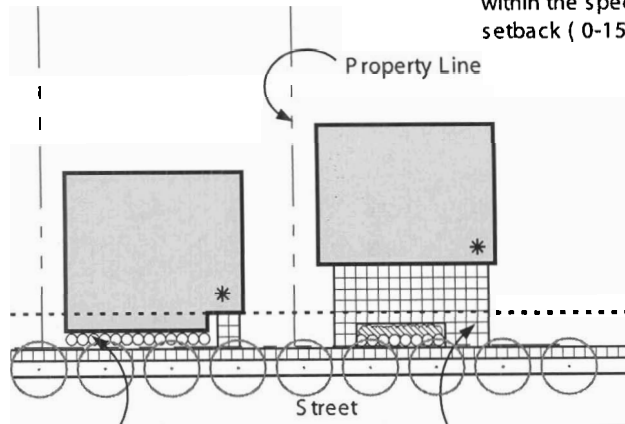
Mayor

Figure 9.2171(5)

Maximum Front Yard Setbacks, Building Orientation, and Entrances



See Figure 9.2173(3) for buildings over 25,000 square feet floor area.



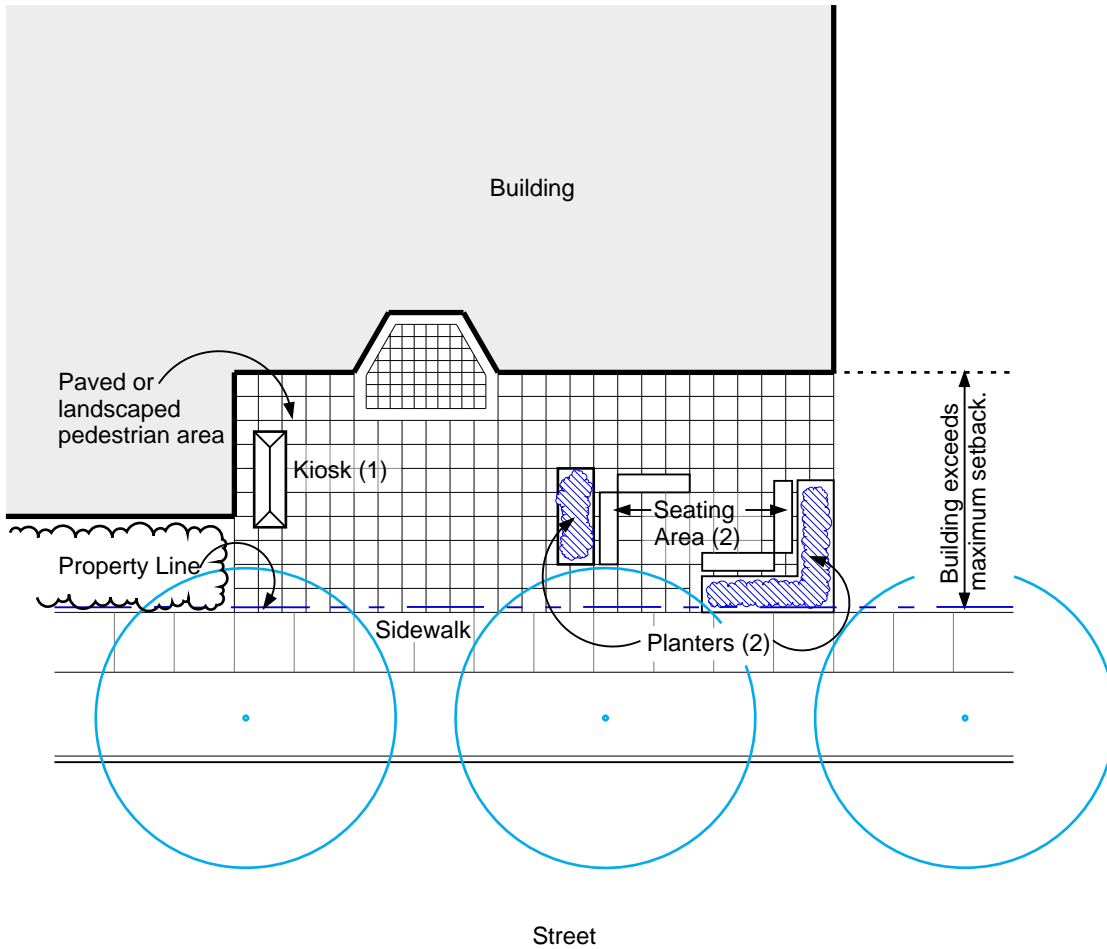
Landscape:
 The space between the building and street complying with the maximum setback above must be landscaped or an enhanced pedestrian space in accordance with EC 9.6210(1) Basic Landscape Standard or Figure 9.2171(5)(e).

Paving and Pedestrian Amenities:
 The maximum front yard setback may be exceeded if the area between the building and the street is landscaped or paved for use by pedestrians. The area must contain at least the equivalent of 1 enhanced pedestrian amenity for every 200 square feet of hard surface. See Figure 9.2171(5)(e) and Figure 9.4530(8).

* = Main Entrance

Figure 9.2171(5)(e)

Landscaped or Paved Pedestrian Area with Pedestrian Amenities

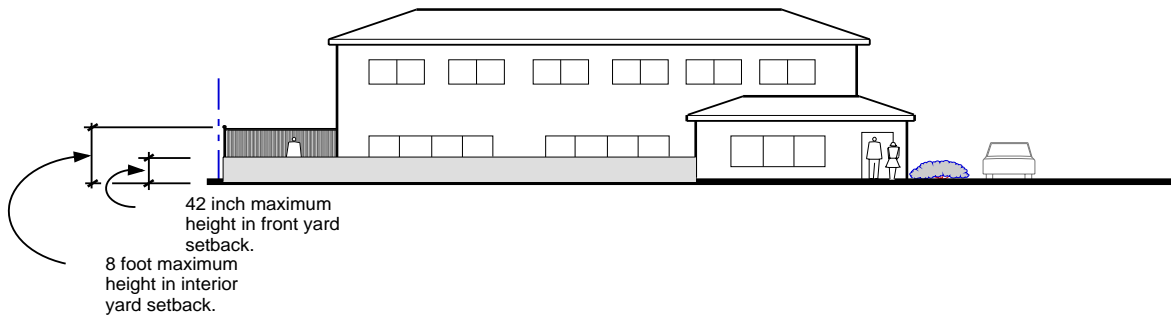
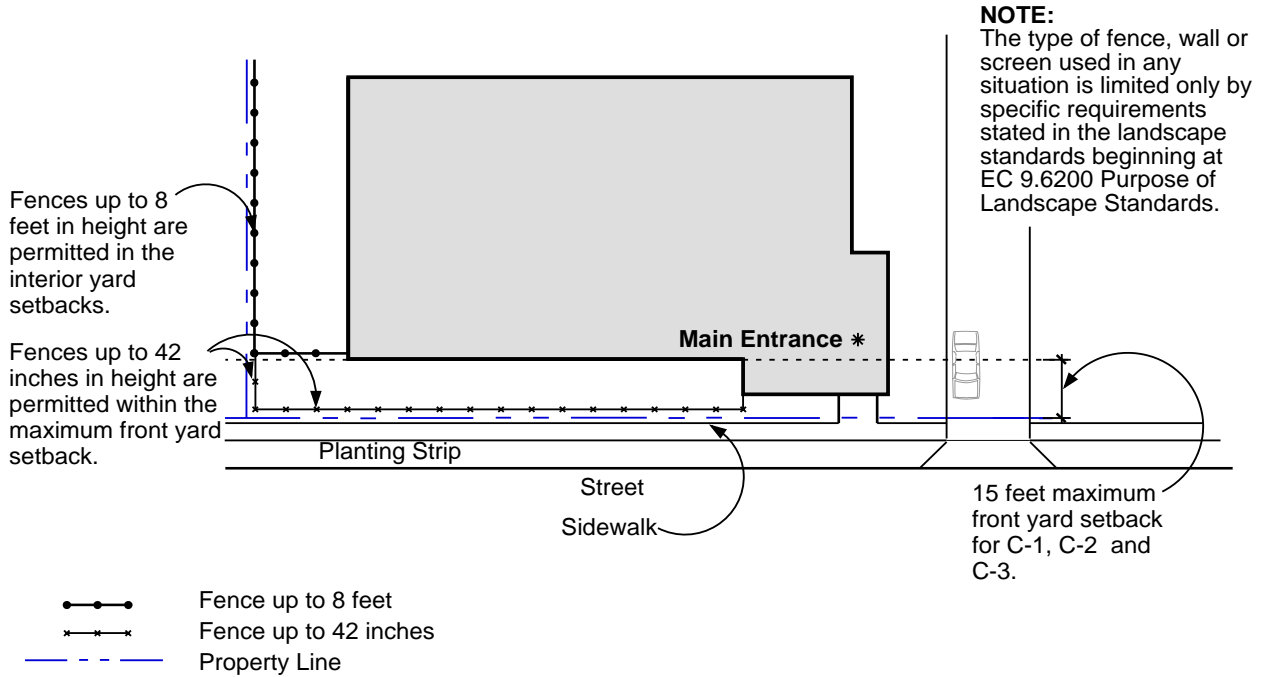


EXAMPLE:

- 1,000 square feet of hard surface with minimum of 1 amenity per 200 square feet.
- 5 Amenities Required:
Select among design elements
i.e. seating area, drinking fountain, public art, planter, kiosk.
- Selected:
2 seating areas
2 planters
1 kiosk

Figure 9.2171(9)

Fencing Standards in Commercial Zones



Downtown Traffic Impact Analysis Exempt Area

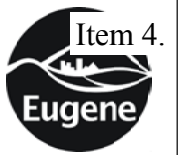


Exhibit E

Preliminary Findings

Downtown/Mixed Use Land Use Code and Metro Plan/TransPlan Amendments (City Files CA 13-1 and MA 13-1)

Overview

This package of code and plan amendments is intended to facilitate desired mixed use development for downtown, along transit corridors and in commercial areas. Consistent with several strategies in the Envision Eugene proposal, the purpose of these amendments is to facilitate compact urban development by changing land use regulations to better align with Envision Eugene.

These amendments are also necessary as part of the city's strategy to accommodate the city's 20 year need for commercial and multi-family housing inside the current urban growth boundary (UGB). Specifically, these amendments are part of a package of land use efficiency strategies the city is relying on to accommodate approximately 400 commercial jobs and 1,600 multi-family homes inside the UGB by increasing the likelihood of redevelopment in the downtown, along transit corridors and in core commercial areas. The code amendments address the following topic areas:

- Housing in Commercial Zones
- Surface Parking Limitation in the C-3 Major Commercial Zone
- Large Commercial Facilities Standards in Downtown
- Commercial Landscaping Standards
- Nodal Development (/ND) Overlay Zone
- Transit Oriented Development (/TD) Overlay Zone
- Traffic Impact Analysis/Level of Service in Downtown
- General Commercial Standards (housekeeping)

Related to the code amendment to eliminate the traffic impact analysis within the downtown area, a concurrent Metro Plan Amendment would revise a policy in the Metro Plan and TransPlan to reduce the acceptable performance standard (level of service) for the corresponding area.

Land Use Code Amendments (CA 13-1)

Eugene Code Section 9.8065 requires that the following approval criteria (in ***bold 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.***

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 insure the opportunity for citizens to be involved in all phases of the planning process and set out requirements for such involvement. The amendments do not amend the citizen involvement program. The process for adopting these amendments complied with Goal 1 because it is consistent with the citizen

Exhibit E

involvement provisions.

Prior to the formal adoption process, community stakeholders with experience and expertise in downtown and mixed use development gave feedback on the concepts and code language. These stakeholders included property owners, neighborhood advocates, developers, commercial brokers, architects, and the Chamber of Commerce. The Planning Commission public hearing on the proposal was duly noticed to all neighborhood organizations, community groups and individuals who have requested notice, as well as to the City of Springfield and Lane County. In addition, notice of the public hearing was also published in the Register Guard. The City Council will hold a duly noticed public hearing to consider approval, modification, or denial of the code amendments. These processes afford ample opportunity for citizen involvement consistent with Goal 1. Therefore, the proposed ordinance is consistent with Statewide Planning Goal 1.

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

The Eugene land use code specifies the procedure and criteria that were used in considering these amendments. The record shows that there is an adequate factual base for the amendments. The Goal 2 coordination requirement is met when the City engages in an exchange, or invites such an exchange, between the City and any affected governmental unit and when the City uses the information obtained in the exchange to balance the needs of the citizens. 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 and the Department of Land Conservation and Development. There are no exceptions to Statewide Planning Goal 2 required for these amendments. Therefore, the amendments are consistent with Statewide Planning Goal 2.

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

The amendments are for property located within the urban growth boundary and do not affect any land designated for agricultural use. Therefore, Statewide Planning Goal 3 does not apply.

Goal 4 - Forest Lands. *To conserve forest lands.*

The amendments are for property located within the urban growth boundary and do not affect any land designated for forest use. Therefore, Statewide Planning Goal 4 does not apply.

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

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

Exhibit E

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

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

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

Goal 6 addresses waste and process discharges from development, and is aimed at protecting air, water and land from impacts from those discharges. The amendments do not affect the City's ability to provide for clean air, water or land resources. Therefore, Statewide Planning Goal 6 does not apply.

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, land slides, earthquakes and related hazards, tsunamis and wildfires. The Goal prohibits a development in natural hazard areas without appropriate safeguards. The 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. The amendments do not affect the City's provisions for or access to recreation areas, facilities or recreational opportunities. Therefore, Statewide Planning Goal 8 does not apply.

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

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The Administrative Rule for Statewide Planning Goal 9 (OAR 660, Division 9) requires cities to evaluate the supply and demand of commercial land relative to community economic objectives. The Eugene Commercial Lands Study (1992) was adopted by the City of Eugene as a refinement of the Metro Plan, and complies with the requirements of Goal 9 and its Administrative Rule.

The Eugene Commercial Lands Study acknowledged that the inventory of commercial land is dynamic and that different commercial services need to be accommodated through a variety of means. An emphasis of the study is to encourage higher intensity in-fill and redevelopment of commercial lands by constraining the supply of new commercial land. Findings addressing the relevant policies of the Eugene Commercial Lands Study are provided below under EC 9.8065 (2), and are incorporated herein by reference.

The amendments are specifically intended to facilitate downtown and mixed use development and redevelopment. The amendments do not affect the amount of land designated or zoned for commercial use and will have no direct impact on the existing supply of commercially designated land. Therefore, the code amendments are consistent with Statewide Planning Goal 9.

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

Goal 10 requires that communities plan for and maintain an inventory of buildable residential land for needed housing units. Several of the amendments increase the possibility for development or redevelopment of properties downtown or within the C-2 Community Commercial zone for residential uses. However, the amendments do not impact the supply or availability of residential lands included in the documented supply of “buildable land” that is available for residential development as inventoried in the acknowledged 1999 Residential Lands Study. Therefore, 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 amendments do not affect the City’s provision of public facilities and services. Therefore, Statewide Planning Goal 11 does not apply.

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

The Transportation Planning Rule (OAR 660-012-0060) contains the following requirement:

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

Exhibit E

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

The proposed amendments do not change the functional classification of a transportation facility or change the standards implementing a functional classification system. Therefore, the amendments do not have a significant effect under (a) or (b). In regards to (c), the level of residential and commercial development currently permitted through existing code and zoning regulations will remain the same as a result of these amendments. Therefore, the amendments do not significantly affect any existing or future transportation facilities.

Regarding the code amendment to eliminate the traffic impact analysis requirement within the downtown plan area, with the exception of the properties in the EWEB Master Plan, and the concurrent plan amendment to reduce the allowable level of service to F for the corresponding area, removal of this local mechanism to evaluate mobility within a limited geographic area, and the policy decision to accept potentially increased levels of congestion within this area do not allow for an increase in traffic generation or the degradation of any transportation facilities. Rather, these amendments recognize that due to the unique characteristics of this area, the traffic impact analysis tool has limited to no benefit. These unique characteristics include an established gridded street pattern; multiple lower and higher order streets that enter and exit the area; numerous options for distribution and assignments of projected trips; lower speeds; ample facilities for alternative modes; unlikelihood that new intersections, new street alignments or widths would be proposed; development is primarily redevelopment of existing properties with minimal to zero setbacks; and existing access management standards to control new driveway locations. Additionally, the Transportation Planning Rule provides for this tool (change in performance standard) as a policy choice for cities to consider in transportation/land use planning. As such, the reduction itself does not create an impact on the transportation system under this criterion.

Further details regarding the changes to the policy language of the Metro Plan and TransPlan to

Exhibit E

amend the relevant level of service are provided under the findings related to consistency with the Metro Plan and applicable adopted plans at EC 9.8065(2) and under the findings related to the Metro Plan and TransPlan amendment at EC 9.7730(3)

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

Goal 13 - Energy Conservation. To conserve energy.

The amendments do not impact energy conservation. Therefore, Statewide Planning Goal 13 does not apply.

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

The amendments do not affect the City's provisions regarding the transition of land from rural to urban uses. 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 amendments do not contain any changes that affect the Willamette River Greenway regulations, therefore, Statewide Planning Goal 15 does not apply.

Goal 16 through 19 - Estuarine Resources, Coastal Shorelands, Beaches and Dunes, and Ocean Resources.

There are no coastal, ocean, estuarine, or beach and dune resources related to the property effected by these amendments. Therefore, these goals are not relevant and the amendments will not affect compliance with Statewide Planning Goals 16 through 19.

(2) The amendment is consistent with applicable provisions of the Metro Plan and applicable adopted refinement plans.

Applicable Metro Plan Policies

The following policies from the *Metro Plan* (identified below in *italics*) are applicable to these amendments. To the extent that the following policies constitute mandatory approval criteria, based on the findings provided below, the amendments are consistent with and supported by the applicable provisions of the *Metro Plan*.

Residential Land Use and Housing Element

Residential Density Policies:

A.13 *Increase overall residential density in the metropolitan area by creating more*

Exhibit E

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.*

To the extent this policy applies to commercial lands, this package of amendments creates opportunities for, and removes barriers to, higher density housing and mixed use opportunities by allowing housing on the ground floor in the C-2 Community Commercial zone, and one and two residential units in commercial buildings within the C-3 Major Commercial zone, consistent with these policies. The city's multi-family development standards will continue to apply to buildings that are entirely residential, thus ensuring that building and site design are considerations.

Housing Type and Tenure Policies

- A.19 Encourage residential developments in or near downtown core areas in both cities.*

Consistent with this policy, the amendments provide for more opportunities for residential development in and near the downtown core area of Eugene, by allowing housing on the ground floor in the C-2 Community Commercial zone, and by allowing one and two residential units in commercial buildings within the C-3 Major Commercial zone.

Design and Mixed Use Policies

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

The purpose of these amendments is to facilitate desired mixed use development for downtown, along transit corridors and in commercial areas, including allowing more opportunities for housing in commercial areas, consistent with this policy.

- 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.*

To the extent this policy applies, the amendments are consistent as the existing applicable site, landscape and design standards will remain. Furthermore, these amendments do not allow for increased density or intensity of development, and are intended to apply within more urban settings, thereby minimizing impacts on surrounding neighborhoods.

Economic Element

- B.14 Continue efforts to keep the Eugene and Springfield central business districts as vital centers of the metropolitan area.*

Exhibit E

Several of the amendments apply specifically to the Downtown Plan area. The amendments will encourage economic activities by increasing the flexibility of the /ND Nodal Development and /TD Transit Oriented Development Overlay Zones, as well as better align the commercial development standards with desired downtown development.

Transportation Element

Land Use Policies

- F.2 Support application of the nodal development strategy in designated areas through information, technical assistance, or incentives.*

Consistent with this policy, the amendments to provide flexibility and clarity to the /ND Nodal Development Overlay Zone and the amendments that apply within the downtown (which is designated nodal development) help to encourage and incentivize nodal development, thereby supporting the concept.

- 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.*

The purpose of these amendments is to facilitate desired mixed use development for downtown, along transit corridors and in commercial areas, consistent with this policy. By increasing flexibility and clarity in the /ND Nodal Development Overlay Zone and the /TD Transit Oriented Development Overlay Zone, the amendment will allow for increased development opportunities and economic activity within downtown and designated nodal areas. Increased commercial development in downtown and along key transit corridors supports a transit-supportive land use pattern because of the location of the existing and planned transit routes within these areas.

- F.4 Require improvements that encourage transit, bicycles, and pedestrians in new commercial, public, mixed use, and multi-unit residential development.*

To the extent this policy applies, the amendments are consistent with this policy in that the existing land use code standards related to improvements for transit, bicycles and pedestrians are not being changed as a result of the amendments. Given that the purpose of these amendments is to facilitate downtown and mixed used use development, which emphasizes alternative modes of travel, the amendments support this policy.

Transportation System Improvements: Roadways

- 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:*

Exhibit E

- (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.

Concurrent with the land use code amendment to eliminate the requirement for a traffic impact analysis within the downtown is an amendment to this Metro Plan and identical TransPlan policy to reduce the acceptable performance standard (from Level of Service E to F) for the corresponding area. As amended, the amendments are consistent with this policy.

- 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.*

Consistent with this policy, the City of Eugene adopted access management standards in 2010 that regulate the location of new and modified accesses to streets. These amendments do not modify or change the applicability of these standards.

Finance

- F.36 Require that new development pay for its capacity impact on the transportation system.*

Consistent with this policy, developments will continue to be subject to transportation system

Exhibit E

development charges (SDCs). These amendments do not modify or change the applicability of SDCs.

Applicable Refinement Plans

Given the broad applicability of these amendments (some apply downtown, some apply within the C-2 Community Commercial zone, which is found city wide, and some apply within the /ND Nodal Development and the /TD Transit Oriented Development overlay zones), all adopted refinement plans were reviewed for consistency.

No relevant policies were found in the following adopted refinement plans:

- Bethel-Danebo Refinement Plan (1982)
- Bethel-Danebo Refinement Plan Phase II (1977)
- Comprehensive Stormwater Management Plan (1993)
- Laurel Hill Neighborhood Plan (1982)
- Fairmount/U of O Special Area Study (1982)
- 19th and Agate Special Area Study (1988)
- Riverfront Park Study (1985)
- River Road-Santa Clara Urban Facilities Plan (1987)
- South Hills Study (1974)
- South Willamette Subarea Study (1987)
- Walnut Station Specific Area Plan (2010)
- Westside Neighborhood Plan (1987)
- Whiteaker Plan (1994)
- Willow Creek Special Area Study (1982)
- Resolution No. 3862 Adopting the West 11th Commercial Land Use Policy and Refining the Eugene-Springfield Metropolitan Area General Plan (1984)
- Resolution No. 3885 Establishing Areas for the Application of C-4 Commercial-Industrial District Zoning, and Amending Resolution No. 3862 (1984)

Findings addressing relevant provisions of applicable refinement plans are provided below.

Central Area Transportation Study (2004)

1. *Promote the development of a transportation system within the downtown area that supports the goals of the Downtown Plan, enhances the livability of downtown, preserves the livability and economic vitality of areas within and directly adjacent to the CATS boundary, and provides for the safe and efficient movement of motor vehicles, pedestrians, bicycles and transit vehicles.*

To the extent that this policy constitutes mandatory approval criteria, the City of Eugene has undertaken a number of actions to promote a transportation system within downtown that is consistent with this policy. These actions include transportation system plan updates, new access management standards, improved parking lot standards, parking exempt areas, transportation demand programs, support for transit and alternative modes, revised parking minimums and maximums, and continued emphasis on compact urban development through a variety of planning

Exhibit E

efforts. The implementation strategies associated with this policy are geared at actions that the city, not individual project developers, could take to implement these policies, including converting one way streets to two ways, making changes in the courthouse district, studying a north-south arterial, and studying the feasibility of a fixed rail trolley.

8. *Support intensive development in the downtown area by balancing new parking supply with specific area demands and ensure an adequate supply of parking is available downtown to meet the needs of residents, workers and customers of downtown facilities.*

To the extent that this policy constitutes mandatory approval criteria, the City of Eugene has undertaken several actions to balance parking supply with demand, including establishing and maintaining parking exempt areas, floor area ratio requirements and city parking programs. Additionally, the city has provided incentives to developers to redevelop sites throughout downtown, including several former surface parking lots.

Eugene Commercial Lands Study (1992)

- 6.0 *Promote redevelopment of existing commercial areas and compact, dense growth by encouraging business to revitalize and reuse existing commercial sites.*

To the extent that this policy constitute mandatory approval criteria, the amendments are consistent in that the amendments assist private developers to invest in the downtown and other commercial areas by removing impediments in the land use code

- 12.0 *Concentrate development in existing commercial areas to minimize traffic impacts on the rest of the city.*

- 15.0 *Improve the quality of planning for commercial traffic impacts.*

These policies apply to the siting of new commercial areas (see Page III-9 of the Eugene Commercial Lands Study). As no lands are being re-designated to commercial as part of these amendments, these policies are not applicable.

- 26.0 *Encourage parking lot design that is attractive, does not exceed a reasonable ratio or parking spaces per building areas, and support compact growth.*

To the extent that this policy constitutes mandatory approval criteria, the amendments are consistent in that the amendments do not revise or otherwise modify the parking lot landscape or design standards. The City of Eugene has addressed and completed a number of the implementation strategies suggested to implement this policy, including increased parking lot landscape requirements, height limits on light fixtures, establishing parking exempt areas and requiring site improvements to support alternative transportation.

Exhibit E

Eugene Downtown Plan (2004)

The Downtown Plan contains numerous policies supporting mixed use and density in downtown. The Downtown Plan states that, “[w]ith the exception of Policy IV 3, relating to EWEB’s riverfront property, the policies in the Downtown Plan are aspirational, and cannot be the basis for denial of public or private proposals regarding change in the downtown.” Even though the policies are not mandatory, it is worth noting that the proposal is consistent with the following policies:

- I.2. Downtown development shall support the urban qualities of density, vitality, livability and diversity to create a downtown, urban environment.*
- II.2. Use downtown development tools and incentives to encourage development that provides character and density downtown.*
- V.1. Stimulate multi-unit housing in the downtown core and on the edges of downtown for a variety of income levels and ownership opportunities.*

The intent of the code amendments is to facilitate desired dense, mixed-use downtown development by better aligning the land use code with desired outcomes. The code amendments address these policies by providing additional flexibility for housing and downtown projects while still achieving an equivalent or higher quality urban environment.

Jefferson Far West Refinement Plan (1983)

Although there are no policies in this refinement plan that directly address the amendments or constitute mandatory approval criteria, the following policy in the Neighborhood Economic Development Element of the plan lends general support for the amendments:

- 3.0 Take actions to continue to attract investment by the private sector in the central city.*

Additionally, the following policies in the Commercial/Industrial Element lend general support for the amendments:

- 1.0 Promote a mix of mutually supportive land uses which will help stimulate neighborhood-based economics.*
- 2.0 Encourage both public and private actions which will improve the overall appearance of commercial areas and the condition of non-residential structures.*

TransPlan (2002)

The applicable policies from TransPlan are addressed above, under the Metro Plan, as these plans contain identical transportation policies. Those findings are incorporated herein by reference.

West University Refinement Plan (1982)

Exhibit E

Transportation and Parking Policy:

1. *The adverse effects of motor vehicle movement and parking shall be mitigated as much as possible.*

A portion of the Downtown Plan falls within the boundaries of the West University Refinement Plan. This area has unique characteristics that lessen the need to mitigate motor vehicle movement through a traffic impact analysis. These unique characteristics include lower adopted mobility standards than all other areas in the city; an established grid pattern of interconnected streets; multiple lower and higher order streets that enter and exit the downtown core; numerous options for distribution and assignments of projected trips; generally lower speeds; ample transit facilities; infrastructure to support alternate modes of travel; access management standards to control new driveway locations; and the unlikelihood that new intersections, new street alignments or widths or additional lanes would be proposed or exacted given the existing development patterns. The traffic impact analysis will remain applicable to all other areas within the West University Refinement Plan.

Land Use, Housing and Commerce Policy:

9. *The City will encourage residential uses in all parts of the plan area. The intent of this policy is to provide housing opportunities in all zoning districts in the plan area, but not to the exclusion of other uses in non-residential areas.*

To the extent that this policy constitutes mandatory approval criteria, the code amendments are consistent in that the amendments allow for, but do not mandate, additional housing opportunities in the C-2 Community Commercial zone.

Willakenzie Area Plan (1992)

Although there are no policies in this refinement plan that directly address the amendments or constitute mandatory approval criteria, the following land use policy lends general support for the amendments:

7. *Mixed use developments that combine living, working and shopping opportunities shall be encouraged in the study area.*

Based on the above findings, the proposal is consistent with and supported by the applicable provisions of these adopted plans.

(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.*

The amendments do not establish a special area zone. Therefore, this criterion does not apply to these amendments.

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Metro Plan and TransPlan Amendment (City File MA 13-1)

Concurrent with the land use code amendment to eliminate the requirement for a traffic impact analysis within the Downtown Plan area, with the exception of the EWEB Master Plan properties, is an amendment to the Metro Plan and TransPlan policies (Transportation System Improvements: Roadway Policy F.15 of Metro Plan and Transportation System Improvements: Roadway Policy 2 in TransPlan) to reduce the acceptable performance standard (from Level of Service E to F) for the corresponding area

The policy (which is identical in both plans) with the amendment showing in **bold underline italics** is provided below:

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 660-12-0060).*
 - 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:*
 - 1. **Level of Service F within Eugene's Downtown Traffic Impact Analysis Exempt Area;**
 - 2. **Level of Service E within the portion of Eugene's Central Area Transportation Study (CATS) area that is not within Eugene's Downtown Traffic Impact Analysis Exempt Area; and**
 - 3. **Level of Service 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 limit to environmental conditions, lack of public agency financial resources, or land use constraint factors. It is not the intent of Policy F-15: 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.

Eugene Code Section 9.7730(3) requires that the following approval criteria (in ***bold italics***) be

Exhibit E

applied to a Metro Plan/TransPlan amendment:

(3) Criteria for Approval of Plan Amendment. The following criteria shall be applied by the city council in approving or denying a Metro Plan amendment application:

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

Findings addressing the relevant Statewide Planning Goals are addressed above under EC 9.8065(1), and are incorporated herein by reference as demonstration of consistency with this criterion.

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

The Metro Plan and TransPlan text amendment to reduce to level of service within the Downtown Plan Area (with the exception of the EWEB properties) from level of service E to F will not create an internal conflict with the remainder of the Metro Plan. No other text changes and no diagram changes are necessary to ensure internal consistency with the proposed text amendments; adoption of this amendment will not make the Metro Plan internally consistent. The findings addressing the relevant policies of the Metro Plan and TransPlan are addressed above under EC 9.8065(2) and are incorporated herein by reference as demonstration of consistency with this criterion.



July 15, 2013

TO: Eugene Mayor Piercy and City Council Members

SUBJECT: Downtown/Mixed Use Code Amendments

The Eugene Association of REALTORS[®] support the proposed Downtown/Mixed Use Code Amendments as developed and recommended by the Eugene Planning Commission. We appreciate the accommodations and flexibility for transit oriented development in high density designated areas and the proposals to amend the surface parking and Large Commercial parking standards to provide more parking options and design flexibility.

The amendments to the Traffic Impact Analysis (TIA) should provide even more development opportunities for Downtown. The TIA has restricted some higher density development opportunities throughout the city and for Transit Corridors and Commercial areas in the past.

It makes sense to provide the opportunity for more mixed use “multi-family” development in C-3 commercial zoning and allow for all properties within Nodal Development Overlay Zone areas to seek adjustments to the development standards and by adding relevant adjustment review criteria.

The proposals to provide more mixed-use opportunities along Transit Corridors and Commercial areas has been successful in Eugene and other cities the size of Eugene and larger. Furthermore, the amendments help accomplish and fulfill the Economic Opportunity and Housing pillars of Envision Eugene.

Land use efficiency measures and flexible zoning are appreciated within the Urban Growth Boundary (UGB) planning area not only for Transit Oriented and Commercial Development but for all zoning within the UGB. Land use efficiency measures and flexible zoning should be a serious consideration for all future development within the UGB.

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