

ADMINISTRATIVE ORDER NO. 58-24-15
of the
Traffic Engineer of Public Works Maintenance's Traffic Operations Team
of the City of Eugene

REPEALING AND REPLACING ADMINISTRATIVE ORDER 58-21-28
CONCERNING ON-STREET PARKING ON WEST 5TH AVENUE

The Traffic Engineer of Public Works Maintenance's Traffic Operations Team of the City of Eugene finds that:

A. Under the provisions of Chapter IV, Section 16 of the Eugene Charter of 2002, the City Manager is designated as the administrative head of the City and is specifically authorized to enforce all ordinances of the City. In addition, EC 5.040 authorizes the City Manager or the Manager's designee to "establish, maintain, remove, or alter . . . parking areas and time limitations, including the form of permissible parking" and to "impose conditions upon which the streets and other public property may be used for parking." EC 5.055 sets forth the criteria the City Manager or the City Manager's designee should consider when taking administrative action authorized by EC 5.040.

B. On August 5, 2020, the City Manager issued Administrative Order No. 58-20-17 granting the Executive Director of the Public Works Department the authority to exercise all of the duties and responsibilities specifically defined as those of the City Manager in Sections 5.040, 5.045 and 5.050 of the Eugene Code, 1971. That Order also granted the Executive Director of the Public Works Department the authority to further delegate those duties and responsibilities to such person or persons qualified to perform the delegated duties.

C. On August 6, 2020, the Executive Director of the Public Works Department issued Administrative Order No. 58-20-18 granting the City Engineer the authority to perform the duties and responsibilities specifically defined as those of the City Manager in Sections 5.040, 5.045 and 5.050 of the Eugene Code, 1971. That Order also granted the City Engineer the authority to further delegate those duties and responsibilities to such person or persons qualified to perform the delegated duties.

D. On August 11, 2020, the City Engineer issued Administrative Order No. 58-20-19 granting the Traffic Engineer of Public Works Maintenance's Traffic Operations Team the authority to perform the duties and responsibilities specifically defined as those of the City Manager in Sections 5.040, 5.045 and 5.050 of the Eugene Code, 1971.

E. For purposes of public health, safety, and welfare, on July 1, 2021, I issued Administrative Order 58-21-28 to remove and modify parking on a portion of W 5th Avenue. This Order is necessary to better address the parking problems in that area.

F. In making the decision, I have considered all the applicable criteria set forth in EC 5.055. The following findings support my decision to remove parking and limit parking in this area to commercial parking only between the hours of 7:00 p.m. and 6:00 a.m.

(a) Traffic engineering principles and traffic investigations.

- i. Classification - The W 5th Avenue east of Wallis Street as shown in Exhibit A is classified as a local street with a speed limit of 25 miles per hour. The street segment is approximately 48 feet wide with parking on both sides of the street, allowing approximately 34 feet of roadway for two-way travel in a commercial and industrial business area. There are no bike lanes or sidewalks.
- ii. Vehicle Crashes - There were no motor vehicle crashes reported between 2007 and 2021 on the portion of W 5th Avenue east of Wallis Street.

(b) Standards, limitations, and rules promulgated by the Oregon Transportation Commission or the Oregon Public Utility Commission or their successors.

There are no such standards, limitations or rules that apply.

(c) Other recognized traffic control standards.

The City will apply the Manual on Uniform Traffic Control Devices for size, type and location for sign installation.

(d) The city's adopted transportation-related plans and policies.

The City's 2035 Transportation System Plan does not include any policies that specifically relate to the provision or removal of on-street parking in commercial / industrial areas. Roadway and Parking Policy No. 1 a "Complete Streets Policy," is to "Design, construct, maintain, and operate all streets to provide comprehensive and integrated transportation networks that serve people of all ages and abilities, promote commerce, and support the comprehensive land use plan's vision for growth and development in a responsible and efficient manner. A "complete street" allows safe travel for automobiles and emergency responders, bicycles, walking, transit, and freight. In addition to fulfilling a street's basic transportation functions and providing access to properties, streets and sidewalks should be designed to be attractive, safe, accessible, sustainable, and healthy components of the City's environment." Limiting parking to only the parking needed to ensure a transportation network that allows safe travel for automobiles and emergency responders, bicycles, walking, transit, and—importantly for this commercial / industrial area—freight is consistent with this policy.

(e) Existing state and local laws regulating use of public ways.

The use of the City's public ways for parking is regulated at the local level. EC 5.040(1)(h)(5) and EC 5.040(1)(p) establish authority to manage parking.

(f) The efficient use of the public way by the public.

Modification of parking allowances on W 5th Avenue east of Wallis Street is needed for more efficient use of the roadway by ensuring adequate clearance for truck and traffic access to and from adjacent commercial uses for vendors, employees, and customers.

(g) The use of abutting property.

The abutting land use is Light-Medium Industrial.

(h) The intensity of use of the street by vehicles and pedestrians.

- i. By Ordinance No. 20181, the City Council adopted the Street Classification Map that designated W 5th Avenue as a local street. By Resolution 4608, the City Council adopted the Design Standards and Guidelines for Eugene Streets, Sidewalks, Bikeways and Access Ways. Parking is an optional feature on streets.
- ii. This order will not impact, and may improve, accessibility of use by pedestrians.

(i) The physical condition and characteristics of the street and abutting property.

- i. The W 5th Avenue east of Wallis Street as shown in Exhibit A is classified as a local street with a speed limit of 25 miles per hour. The street segment is approximately 48 feet wide with parking on both sides of the street, allowing approximately 34 feet of roadway for two-way travel in a commercial and industrial business area. There are no bike lanes or sidewalks.
- ii. The abutting properties on the south side of the street segment include an undeveloped land-segment and a two-story industrial building with one asphalt surface parking lot and one gravel surface parking lot.

(j) Emergencies.

- i. Emergency service vehicles are accommodated through bi-directional travel on W 5th Avenue. Modification of parking will provide additional room for travel and deployment of emergency vehicles.
- ii. West 5th Avenue is not designated as an emergency ice or snow removal route.

(k) The public health, safety and welfare.

Extended on-street parking taking place in this area has resulted in unsafe vehicle passage, access and turning clearance areas for commercial and industrial uses.

(l) Special events of community interest including parades and public gatherings.

There are no special events of community interest that occur on the portion of W 5th Avenue as shown in Exhibit A.

(m) Construction within or adjacent to the street.

No construction is currently taking place on the portion of W 5th Avenue as shown in Exhibit A. The order will not impede, and may improve, access for the purpose of construction.

(n) When establishing conditions upon the use of parking in the public way and city-owned parking facilities:

(1) Applicable and appropriate time limits;

EC 5.135(1) prohibits the storage of a motor vehicle or personal property on the street for more than 72 hours. There are no additional time limits proposed for this area where parking is to be allowed (except as described at the end of this order and noted in Exhibit A).

EC 5.040 authorizes the City Manager or the Manager's designee to take administrative action establishing parking area time limitations, including the form of permissible parking, and imposing conditions upon which the streets and other public property may be used for parking. Notwithstanding any other administrative action to the contrary, the portions of the streets described below and depicted on the map attached as Exhibit A to this Order shall allow commercial vehicle only parking between the hours of 7:00 p.m. and 6:00 a.m. daily.

(2) The vehicle type and purpose;

Parking for commercial vehicles supports the intended land use. Public parking between 6:00 a.m. and 7:00 p.m. supports employee and customer use of parking on the street.

(3) The relative, seasonal and special event demands for parking spaces within the areas of the requested parking;

This Order is not a response to a request for new / additional parking spaces.

(4) The other public uses for the property;

The area is industrially zoned and the public parking areas are intended to serve that use.

(5) The location and physical characteristics of the parking area or facility;

Existing parking includes two surface lots belonging to the adjacent businesses and on-street commercial vehicle parking on both sides of the street.

(6) The demand for operating revenues, the costs of operations and enforcement;

- i. Modification of parking is not anticipated to significantly impact operating revenues.
- ii. If resources are not available for enforcement, then the parking restrictions may be revisited.

(7) The use of parking regulations to promote city adopted goals and policies;

Modification of parking is consistent with City-adopted goals and policies.

- (8) *Abuse by applicants of any parking-related permits;*
Not applicable.
- (9) *The impact on nearby commercial uses;*
Modification of parking supports adjacent commercial uses by ensuring the parking and adjacent travel lanes are available, as needed, to support the commercial use.
- (10) *The ease of enforcing the provisions of this chapter; and*
i. City staff prefer to establish parking time limits rather than prohibit parking entirely. If resources are not available for enforcement, then the parking restrictions may be revisited.
- (11) *The availability of other parking spaces.*
i. Parking is available on adjacent private property.
ii. Commercial vehicle parking will remain available on the street.
iii. Time-limited parking will create vehicle turnover on the street.

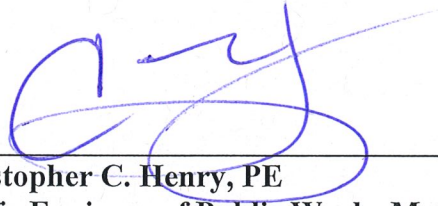
On the basis of these findings, I order that: Parking on W 5th Avenue east of Wallis Street shown in Exhibit A to this Order shall be restricted to commercial parking related to a commercial use on the adjacent property between the hours of 7:00 p.m. and 6:00 a.m., and only in the red areas of W 5th Avenue. This is more specifically described as follows:

- a. Commercial vehicle only parking only between the hours of 7:00 p.m. and 6:00 a.m. shall be permitted on the north side of W 5th Avenue beginning from approximately 60 feet east of the intersection of W 5th Avenue and Wallis Street and continuing to approximately 175 feet east of the same intersection and resuming at approximately 550 feet east of the same intersection and continuing to approximately 675 feet east of the same intersection.
- b. Commercial vehicle only parking only between the hours of 7:00 p.m. and 6:00 a.m. shall be permitted on the south side of W 5th Avenue beginning from approximately 60 feet east of the intersection of W 5th Avenue and Wallis Street and continuing to approximately 675 feet east of the same intersection and continuing through the end of the street.
- c. Parking removal from the north side of W 5th Avenue from approximately 175 feet east of the intersection of W 5th Avenue and Wallis Street and continuing to approximately 550 feet east of the same intersection.

No parking of any kind shall be permitted on areas of W 5th Avenue not addressed in section a, b, or c above or are otherwise marked as commercial vehicle only parking at all times.

Section 2. Administrative Order No. 58-21-28 is repealed by this Administrative Order No. 58-24-15 as of the effective date of this Order.

Dated and effective this 16th day of May, 2024.



Christopher C. Henry, PE
Traffic Engineer of Public Works Maintenance's
Traffic Operations Team

