



COUNCIL ORDINANCE NO. 20736

**AN ORDINANCE AMENDING THE WILLAKENZIE AREA PLAN TEXT;
REZONING THE PROPERTY IDENTIFIED AS ASSESSOR'S MAP 17-03-16-
23, TAX LOTS 04000, 04100, AND 04200 FROM C-1 NEIGHBORHOOD
COMMERCIAL TO C-2 COMMUNITY COMMERCIAL; AND PROVIDING AN
EFFECTIVE DATE.**

ADOPTED: March 9, 2026

SIGNED: March 10, 2026

PASSED: 8:0

REJECTED:

OPPOSED:

ABSENT:

EFFECTIVE: April 10, 2026



ORDINANCE NO. 20736

AN ORDINANCE AMENDING THE WILLAKENZIE AREA PLAN TEXT; REZONING THE PROPERTY IDENTIFIED AS ASSESSOR'S MAP 17-03-16-23, TAX LOTS 04000, 04100, AND 04200 FROM C-1 NEIGHBORHOOD COMMERCIAL TO C-2 COMMUNITY COMMERCIAL; AND PROVIDING AN EFFECTIVE DATE.

THE CITY OF EUGENE DOES ORDAIN AS FOLLOWS:

Section 1. Policy 6 of the Coburg/Crescent Subarea Section of the Willakenzie Area Plan is amended to provide as follows:

6a. The City shall recognize that the properties adjacent to the north side of Crescent Avenue that lie within the Crescent Village Boundary as shown on Inset Map D and that are designated as Commercial on the Coburg-Crescent Subarea Land Use Diagram, shall be zoned General Office.

6b. The City shall recognize that the properties that are located adjacent to the east side of Coburg Road, south of Kinney Loop, north of Crescent Avenue, outside the Crescent Village Boundary as shown on Inset Map D, and that are designated as Commercial on the Coburg-Crescent Subarea Land Use Diagram, shall be zoned Community Commercial.

Section 2. The property identified as Assessor's Map 17-03-16-23, Tax Lots 04000, 04100, and 04200 and shown on the zoning map attached as Exhibit A to this Ordinance is rezoned from C-1 Neighborhood Commercial to C-2 Community Commercial.

Section 3. The findings set forth in Exhibit B attached to this Ordinance are adopted as findings in support of this Ordinance.

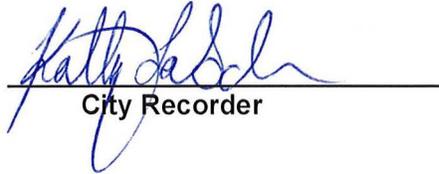
Section 4. The City Recorder, at the request of, or with the concurrence of the City Attorney, is authorized to administratively correct any reference errors contained herein or in other provisions of the Eugene Code, 1971, to the provisions added, amended or repealed herein.

Section 5. If any section, subsection, sentence, clause, phrase, or portion of this Ordinance is for any reason held invalid or unconstitutional by the Oregon Land Use Board of Appeals or a court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision and such holding shall not affect the validity of the remaining portions hereof. Further, if this Ordinance is remanded back to the City Council for further action by the Oregon Land Use Board of Appeals or a court of competent jurisdiction, those sections, subsections, sentences, clauses, phrases, or portions that do not require action on remand shall be deemed separate, distinct, and independent provisions and such remand shall not affect their validity or effect.

Section 6. This Ordinance shall take effect pursuant to Section 32 of the Eugene Charter 2002, or on the date of its acknowledgement as provided in ORS 197.625, whichever is later.

Passed by the City Council this

9th day of March, 2026



City Recorder

Approved by the Mayor this

10th day of March, 2026



Mayor



Zone Change

Kinney loop and Coburg Road (City File RA 24-03 / Z 24-09)

Exhibit A



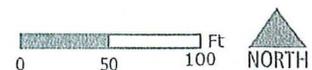
 Zone Change Subject Property to be rezoned to C-2 Community Commercial with the /ND Nodal Development Overlay Zone

Subject Property:
 Assessor's Map 17-03-16-23
 Tax Lots 04000, 04100, 04200



Caution: This map is based on imprecise source data, subject to change, and for general reference only.

Created on 12/5/2025
 by City of Eugene Planning Division



FINDINGS
Refinement Plan Amendment / Zone Change

APPLICATION OVERVIEW

Name (File Numbers): Kinney Loop and Coburg Road (RA 24-03 / Z 24-09)
Map No. / Tax Lots: 17-03-16-23 / 04000, 04100, 04200

The applicant is seeking a Refinement Plan Amendment to the Willakenzie Area Plan (WAP), and a concurrent Zone Change. The subject properties are located on the east side of Coburg Road south of Kinney Loop, and north of Crescent Avenue and consist of three tax lots. The total area of the subject properties is approximately .79 acres.

The applicant has requested a Zone Change and site-specific Refinement Plan Amendment. The request is to change the base zone of the subject property from C-1 Neighborhood Commercial to C-2 Community Commercial. The subject property also has the /ND Nodal Development Overlay Zone, which will remain.

For all zone changes, the zoning must be consistent with the Metropolitan Area General Plan (Metro Plan) and any applicable refinement plans. The WAP’s land use diagram assigns the property the general designation of Commercial. Inset Map D of the Coburg/Crescent Subarea and WAP Policy 6 applicable to that subarea further refine the designation of the subject property as General Office, a subset of the Commercial designation. Policy 6 of the Coburg/Crescent Subarea, states:

The City shall recognize that the area adjacent to the north side of Crescent Avenue, designated as Commercial on the Willakenzie Coburg-Crescent Subarea Land Use Diagram shall be zoned General Office.

The applicant proposes to amend Policy 6 of the Coburg/Crescent Subarea portion of the WAP to support the applicant’s Zone Change application. As currently drafted, Policy 6 appears to indicate that the subject properties must be zoned General Office, which is inconsistent with the applicant’s preferred C-2 Community Commercial zoning.

The Planning Commission, during their December 16, 2025 public hearing, recommended approval of text changes to Policy 6 of the Coburg/Crescent Subarea. However, subsequent to this recommendation, Planning staff and the City Attorney’s Office are recommending the following additional revisions to the text amendment to be as specific as possible about which properties Policy 6 applies to, as follows:

Policy 6a. The City shall recognize that the properties adjacent to the north side of Crescent Avenue that lie within the Crescent Village Boundary as shown on Inset Map D and that are designated as Commercial on the Coburg-Crescent Subarea Land Use Diagram, shall be zoned General Office.

Policy 6b. The City shall recognize that the properties that are located adjacent to the east side of Coburg Road, south of Kinney Loop, north of Crescent Avenue, outside the Crescent Village Boundary as shown on Inset Map D, and that are designated as Commercial on the Coburg-Crescent Subarea Land Use Diagram, shall be zoned Community Commercial.

The above revisions to the recommended text amendment to Policy 6 will clarify any potential ambiguity when determining which properties Policy 6a and 6b apply to and is consistent with the text amendment language recommended by the Planning Commission. The amendment to Policy 6 would clearly identify the subject properties as appropriate for Community Commercial zoning, which would demonstrate consistency with EC 9.8865(2) and support the Zone Change to the C-2 Community Commercial zone.

FINDINGS

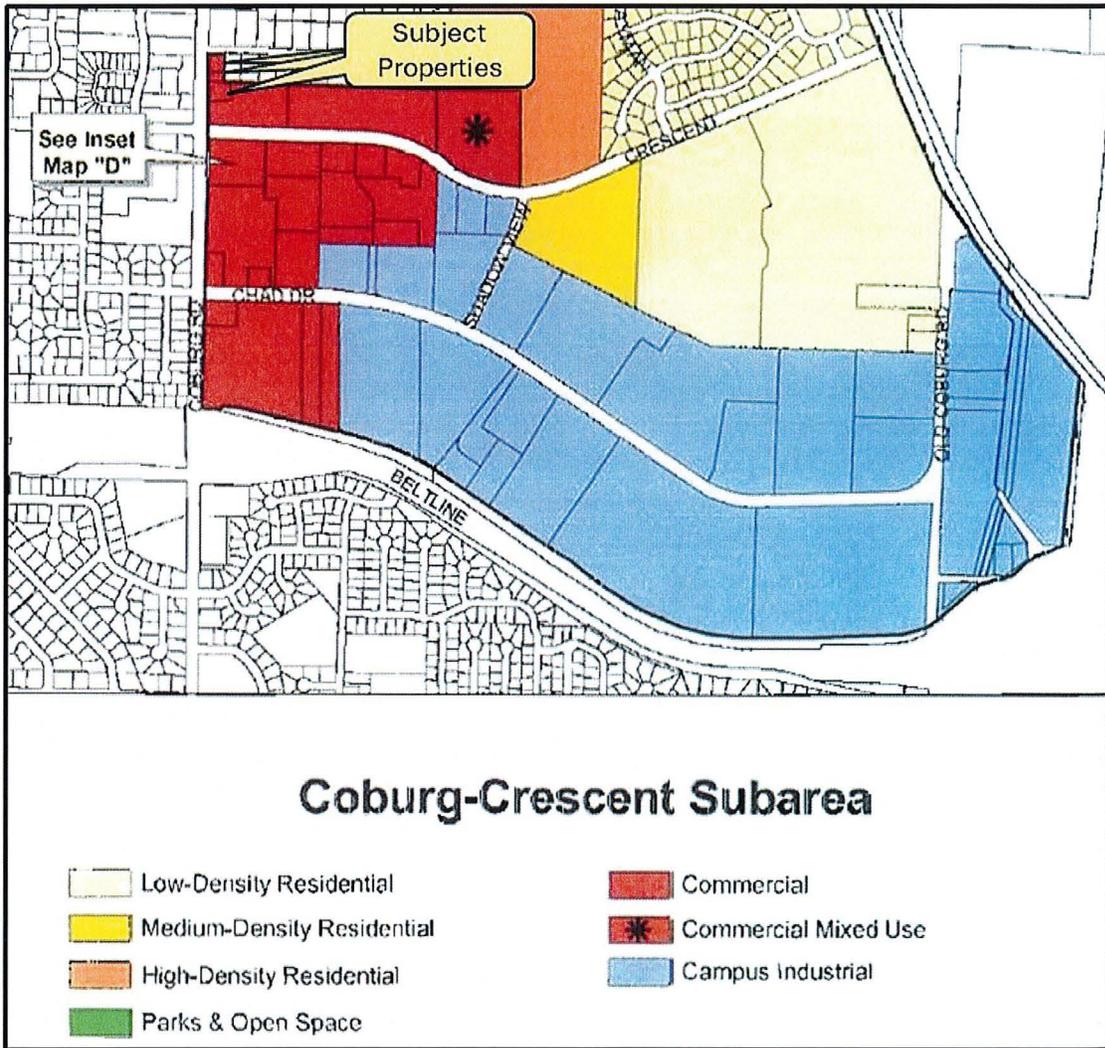
In accordance with EC 9.7305, a Zone Change processed concurrently with a Refinement Plan Amendment will be processed in accordance with the Refinement Plan Amendment procedures. The following preliminary findings address the proposal and the applicable approval criteria at EC 9.8424 and EC 9.8865. Those criteria are provided below (in **bolded text**), including findings addressing compliance with each.

REFINEMENT PLAN AMENDMENT

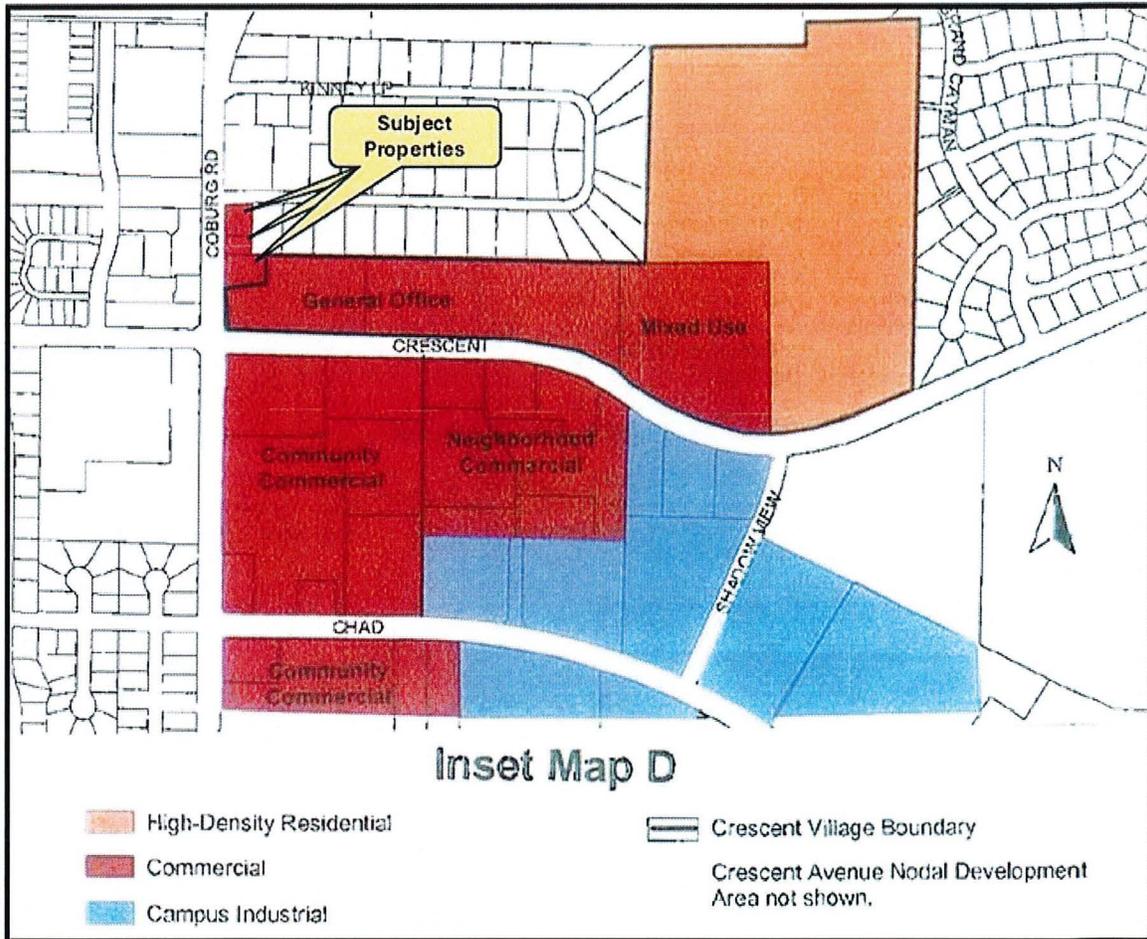
Application Details

The proposal includes a text amendment to the Willakenzie Area Plan (WAP), which is the applicable refinement plan for the subject properties. The subject properties are located in the Crescent-Coburg Subarea in the North Region of the WAP. The WAP's land use diagram designates the subject properties as Commercial.

The Coburg/Crescent Subarea Map (WAP page 63) depicts the commercial area in red as shown below:



The Coburg-Crescent Subarea Inset Map D (WAP page 65) further identifies the subject site as General Office, a subset of the Commercial designation, as shown below:



As noted above, Policy 6 of the Coburg/Crescent Subarea portion of the WAP will be amended as follows:

Policy 6a. The City shall recognize that the properties adjacent to the north side of Crescent Avenue that lie within the Crescent Village Boundary as shown on Inset Map D and that are designated as Commercial on the Coburg-Crescent Subarea Land Use Diagram, shall be zoned General Office.

Policy 6b. The City shall recognize that the properties that are located adjacent to the east side of Coburg Road, south of Kinney Loop, north of Crescent Avenue, outside the Crescent Village Boundary as shown on Inset Map D, and that are designated as Commercial on the Coburg-Crescent Subarea Land Use Diagram, shall be zoned Community Commercial.

Evaluation – Refinement Plan Amendment

The following findings address the applicable approval criteria for the Refinement Plan text amendment:

EC 9.8424(1) The refinement plan amendment is consistent with all of the following:

(a) Statewide planning goals.

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

The City's provisions for community involvement ensure the opportunity for community members to be involved in all phases of the planning process and set out requirements for such involvement. The proposal does not include any changes to the City's citizen involvement program.

The City's land use code implements Statewide Planning Goal 1 through its noticing requirements, which include:

- A pre-application neighborhood/applicant meeting (held on 5/15/25)
- Notice to the Oregon Department of Land Conservation and Development (provided on 11/7/25)
- Public notice for the Planning Commission public hearing to consider the applications, which includes mailing notice to interested parties and adjacent property owners (mailed 11/14/25); and posting of the notice on-site (posted 12/1/2025).

All noticing was conducted in accordance with Eugene Code requirements. The Planning Commission held a public hearing on the Refinement Plan Amendment and Zone Change on December 16, 2025. Following action by the Planning Commission, the Eugene City Council held a public hearing on February 17, 2026, to consider the plan amendment and Zone Change, which was also noticed to the public on February 6, 2026 in accordance with the requirements of the Eugene Code . All written testimony related to this application was made available to the Planning Commission and City Council for their review and consideration.

Based on these findings, the Refinement Plan Amendment is consistent with Statewide Planning Goal 1.

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

Consistent with Statewide Planning Goal 2, the Refinement Plan Amendment is being processed according to the procedures and approval criteria in Eugene's land use code. The amendment to the Willakenzie Area Plan text is for a specific site within the Eugene city limits and is processed under EC 9.7405 Type IV Application Requirements and Criteria Reference and EC

9.8421 through 9.8424. The record shows that there is an adequate factual base for the amendments to the Willakenzie Area Plan.

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 its citizens. To comply with the Goal 2 coordination requirement, the City engaged in an exchange about the subject of these amendments with affected governmental units. Specifically, the City provided notice of the proposal and the opportunity to comment on the Refinement Plan Amendment to Lane County, the City of Springfield and the State of Oregon's Department of Transportation and Department of Land Conservation and Development.

There are no exceptions to Statewide Planning Goal 2 required for this amendment. Therefore, the amendment is consistent with Statewide Planning Goal 2.

Goal 3: Agricultural Lands - To preserve agricultural lands.

The amendment only affects property located within the City of Eugene and does not affect any land designated by the comprehensive plan for agricultural use. Based on this finding, Statewide Planning Goal 3 does not apply.

Goal 4: Forest Lands - To preserve forest lands.

The amendment only affects property located within the City of Eugene and does not affect any land designated by the comprehensive plan for forest use. Based on this finding, Statewide Planning Goal 4 does not apply.

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

This amendment does not create or amend the City's list of Goal 5 resources, does not amend a code or plan provision adopted in order to protect a significant Goal 5 resource or to address specific requirements of Goal 5, does not allow new uses that could be conflicting with a significant Goal 5 resource site, and does not amend the acknowledged urban growth boundary. Therefore, the amendment is consistent with Statewide Planning Goal 5.

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

Statewide Planning Goal 6 addresses waste and process discharges from development, and is aimed at protecting air, water and land from impacts from those discharges. The amendment to the Willakenzie Area Plan does not impact the City's ability to provide for clean air, water or land resources, nor does it impact existing land, air, or water quality regulations. Based on these findings, the Refinement Plan Amendment is consistent with Statewide Planning Goal 6.

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

Statewide Planning Goal 7 requires that local government planning programs include provisions to protect people and property from natural hazards such as floods, landslides, earthquakes and related hazards, tsunamis, and wildfires. The subject properties are not located within known areas of natural disasters or hazards. The Refinement Plan Amendment does not affect the City's regulation of development in areas subject to natural disasters and hazards. Based on these findings, the amendment is consistent with Statewide Planning Goal 7.

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

Statewide Planning Goal 8 ensures that recreational facilities are provided to Oregon residents and is primarily concerned with the provision of recreational facilities in non-urban areas of the state. The amendment does not affect the City's provisions for resident's access to recreation areas, facilities, or recreational opportunities. Therefore, the amendment is consistent with Statewide Planning Goal 8.

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

Statewide Planning Goal 9 requires cities to evaluate the supply and demand of commercial and industrial land relative to community economic objectives. This Refinement Plan Amendment only applies to three specific properties designated as commercial. The Administrative Rule for Statewide Planning Goal 9 (OAR 660 Division 9) requires that the City provide at least an adequate supply of sites of suitable sizes, types, locations, and service levels for a variety of industrial and commercial uses consistent with plan policies. The Employment Lands Supply Study 2012-2032 (ELSS) is included as Appendix B in the City's Envision Eugene Comprehensive Plan and demonstrates that Eugene has an adequate supply of commercial and industrial land in compliance with the requirements of Goal 9 and the corresponding Administrative Rule. The Refinement Plan amendment does not add or subtract any commercial land from the adopted commercial or industrial inventories included in the ELSS. The commercial lands inventory in the ELSS is based solely on whether a property is designated as "commercial" in the Eugene-Springfield Metropolitan Area Plan (Metro Plan), the regional comprehensive plan. The ELSS does not further classify commercial properties by their sub-designation in a refinement plan.

The subject properties are designated Commercial in the Metro Plan and the amendment will not change that Metro Plan designation. A designation of the subject properties in the Willakenzie Area Plan as Community Commercial does not affect the City's commercial lands inventory because it will not change the City's overall supply of commercially designated land.

In other words, the subject properties will retain their commercial designation; they are simply moving from one commercial sub designation to another.

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

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

Statewide Planning Goal 10 requires the City to provide an adequate supply of buildable land to accommodate the City's estimated housing needs for a 20-year planning period. The Envision Eugene Residential Land Supply Study (2012-20232) was adopted by the City of Eugene in 2017 as a refinement of the Envision Eugene Comprehensive Plan and complies with the requirements of Goal 10 and Chapter 660, division 008 of the Oregon Administrative Rules. The Envision Eugene Residential Land Supply Study includes an inventory of buildable lands for residential use. According to the Residential Land Supply Study, there is sufficient buildable residential land to meet the identified land need. The subject properties are not being redesignated from residential use to a non-residential use and the amendment does not otherwise diminish the amount of land available for residential use; therefore, the amendment will not impact the availability of residential lands for housing. Based on these findings, the amendment is 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 amendment does not affect the City's provision of public facilities and services. The Eugene-Springfield Public Facilities and Services Plan is the adopted and acknowledged public facility plan for areas within Eugene's urban growth boundary with respect to water, wastewater, and stormwater services. The Eugene 2035 Transportation System Plan (2035 TSP), which was adopted pursuant to chapter 660, division 12 of the Oregon Administrative Rules (OARs), fulfills the requirement for transportation facilities planning in ORS 197.172(2)(e), Statewide Planning Goal 11 and OAR Chapter 660, division 11. Water, wastewater, stormwater and transportation facilities either already exist or are readily available in proximity to the subject site. Nothing in the amendment affects the City's adopted and acknowledged public facilities plans or the City's ability to provide public facilities and services. The amendment is consistent with Statewide Planning Goal 11.

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

Goal 12 is implemented through the Transportation Planning Rule (TPR), OAR Chapter 660, Division 12. Eugene's 2035 Transportation System Plan provides the policy framework through which the TPR is implemented at the local level. Statewide Planning Goal 12 requires a determination of whether the Refinement Plan Amendment will significantly impact an existing or planned transportation facility. Because the

Refinement Plan Amendment is an amendment to a functional plan, a full TPR analysis is required. As demonstrated in the following findings, as well as the applicant's Transportation Planning Rule Analysis, the Refinement Plan Amendment will not result in a significant effect on existing or planned facilities, and the remedies listed in subsection (2) of this rule are not required.

It is also noted that in the following Zone Change Evaluation section of these Findings, the Zone Change of the subject properties from C-1 to C-2 is consistent with the Metro Plan, which designates the area as commercial without distinction whether it is zoned C-1 or C-2, therefore, the zoning of the subject property is consistent with the 2035 TSP, which qualifies for an exemption from OAR 660-012-0060(2) under subsection (9).

The TPR contains the following requirements at OAR 660-012-0060::

- (1) If an amendment to a functional plan, an acknowledged comprehensive plan, or a land use regulation (including a zoning map) would significantly affect an existing or planned transportation facility, then the local government must put in place measures as provided in section (2) of this rule, unless the amendment is allowed under section (3), (9) or (10) of this rule. A plan or land use regulation amendment significantly affects a transportation facility if it would:**
 - (a) Change the functional classification of an existing or planned transportation facility (exclusive of correction of map errors in an adopted plan);**
 - (b) Change standards implementing a functional classification system; or**
 - (c) Result in any of the effects listed in paragraphs (A) through (C) of this subsection based on projected conditions measured at the end of the planning period identified in the adopted TSP. As part of evaluating projected conditions, the amount of traffic projected to be generated within the area of the amendment may be reduced if the amendment includes an enforceable, ongoing requirement that would demonstrably limit traffic generation, including, but not limited to, transportation demand management. This reduction may diminish or completely eliminate the significant effect of the amendment.**
 - (A) Types or levels of travel or access that are inconsistent with the functional classification of an existing or planned transportation facility;**
 - (B) Degrade the performance of an existing or planned transportation facility such that it would not meet the performance standards identified in the TSP or comprehensive plan; or**
 - (C) Degrade the performance of an existing or planned transportation facility that is otherwise projected to not meet the performance standards identified in the TSP or comprehensive plan.**

The Refinement Plan Amendment is subject to analysis for compliance with the TPR. Due to the nature of the Refinement Plan and Zone Change applications being processed concurrently, the cumulative result was analyzed as part of this TPR evaluation.

The applicant has provided a traffic analysis consistent with the scoping memo and industry standards. The applicant's traffic study analysis shows that the traffic mix is anticipated to be a majority of passenger vehicles with infrequent larger truck deliveries. The mix and levels of traffic are consistent with what is typically found within the type of streets in the study area. The amendment will not affect any of the other factors as they are fixed and will not change as a result of this amendment. The levels of traffic that could be added by the Zone Change is not expected to require a change in the functional classification of any street within the study area. The applicant has not proposed any changes to functional classification of any roadway within the study area.

The Refinement Plan Amendment does not change the standards implementing the current functional classification system adopted in the City of Eugene 2035 TSP.

The current TSP and street classification map were developed and adopted assuming city-wide transportation impacts based upon the policy, designations, planning horizons and growth assumptions identified in the Metro Plan at the time of its adoption. The applicant's engineer has provided an analysis based upon the projected impacts of the Zone Change. The study provided trip generation estimates for reasonable worst-case scenarios based on the change to C-2 zoning and potential uses on the site.

The intersection of Coburg Road/Beltline Eastbound ramps does not meet the mobility standards in the year 2035 background conditions. The addition of development traffic will not worsen the volume to capacity. As the development trips do not worsen the volume to capacity over the background condition, mitigation is not triggered. The amendment does not include an enforceable, ongoing requirement that would demonstrably limit traffic generation.

"Significant effect" is defined by the criteria identified in subsection (a) through (c). The Refinement Plan Amendment results in none of the effects identified in subsections (a) through (c). Therefore, Public Works staff concur with the applicant's finding of no significant effect.

Therefore, based on the above findings, the amendment is consistent with Statewide Planning Goal 12.

Goal 13: Energy Conservation - To conserve energy.

Statewide Planning Goal 13 provides guidance on the management of land and land uses to maximize the conservation of energy. Goal 13 provides implementation direction focused on lot sizes, building heights, density of housing, compatibility and availability of light, wind, and air. The Refinement Plan Amendment will not amend or otherwise affect any adopted land use regulations that implement this Goal. Therefore, the amendment is consistent with Statewide

Planning Goal 13.

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

The Refinement Plan Amendment does not affect the City's adopted plan provisions or regulations regarding the transition of land from rural to urban uses. Additionally, the amendment is specific to land already zoned and designated for urban uses. The amendment does not affect the transition from rural to urban land uses, as all the property affected by the amendments is located within the city limits. Based on this finding, the amendment is consistent with Statewide Planning Goal 14.

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

The Refinement Plan Amendment does not contain any changes to the Willamette River Greenway regulations, nor are the subject properties located within the City's adopted Willamette Greenway boundary. Based on this finding, Statewide Planning Goal 15 does not apply.

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

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

Based on the above findings addressing consistency with the Statewide Planning Goals, the proposal is consistent with the Statewide Planning Goals.

(b) Applicable provisions of the comprehensive plan.

Metro Plan

The Refinement Plan Amendment, which is necessary to allow the concurrent rezone of the subject properties from C-1 Neighborhood Commercial to C-2 Community Commercial, is consistent with the Metro Plan, which designates the subject properties as commercial. The change to the refinement plan policy text is consistent with the commercial designation of the subject properties in both the Metro Plan and the WAP. As the applicant has not requested an amendment to the Metro Plan designation, and the rezone to C-2 remains consistent with the Metro Plan commercial designation of the subject properties, the proposal is consistent with the provisions of the Metro Plan. There are no policies in the Metro Plan that appear to be directly relevant to this amendment or that serve as mandatory approval criteria for the amendment.

Envision Eugene Comprehensive Plan

There are no policies in the Envision Eugene comprehensive plan that appear to be directly applicable to this amendment, nor would any policies serve as mandatory approval criteria for the amendment.

(c) Remaining portions of the refinement plan.

The Refinement Plan Amendment applies only to the subject properties and does not affect or amend any other provisions of the refinement plan. None of the other policies listed in the Willakenzie Area Plan appear to serve as mandatory approval criteria for this amendment or to require further analysis beyond that provided above. Based on these findings, the amendment is consistent with the remaining portions of the Willakenzie Area Plan.

EC 9.8424(2) The refinement plan amendment addresses one or more of the following:

- (a) An error in the publication of the refinement plan.**
- (b) New inventory material which relates to a statewide planning goal.**
- (c) New or amended community policies.**
- (d) New or amended provisions in a federal law or regulation, state statute, state regulation, statewide planning goal, or state agency land use plan.**
- (e) A change of circumstances in a substantial manner that was not anticipated at the time the refinement plan was adopted.**

This Refinement Plan Amendment addresses a change of circumstances that was not anticipated at the time the Willakenzie Area Plan was adopted; namely, the diverse economic hub that developed in the Coburg/Crescent Subarea. Large retailers such as Costco, WinCo, Office Depot and PetSmart, and smaller commercial businesses and healthcare providers offer goods and services to all of Eugene's residents. The Willakenzie Area Plan designated almost half of the properties abutting the north side of Crescent Avenue as commercial; however, since the time the refinement plan was approved, all properties abutting the north side of Crescent Avenue from Coburg Road to Suzanne Way have been developed with multi-unit housing. The Refinement Plan Amendment to support the Zone Change from C-1 Neighborhood Commercial to C-2 Community Commercial follows the existing trend and precedent set by other commercial establishments in this area. The Willakenzie Area Plan does not reflect the neighborhood's current needs and commercial capacity. The Refinement Plan Amendment will allow the relatively small subject properties to attract potential development and commercial uses that already exist on the south side of Crescent Avenue and will contribute to the area's needed commercial capacity.

Based on the above findings, this criterion is met.

ZONE CHANGE EVALUATION

Application Details

As discussed in the above summary of the concurrent Refinement Plan Amendment, the applicant's request includes a concurrent application to change the zoning of the subject properties from C-1 Neighborhood Commercial to C-2 Community Commercial. The Zone Change corresponds to the changes in the properties' Refinement Plan designation, from General Office to Community Commercial. The change in Refinement Plan designation and zoning would align with the existing commercial uses in the vicinity. The properties also include the /ND Overlay Zone, which will remain.

The following findings address the applicable approval criteria for the concurrent Zone Change request.

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

The base zoning of the subject properties will change from C-1 Neighborhood Commercial to C-2 Community Commercial. The properties are designated as Commercial on the Metro Plan's land use diagram. Because the C-2 zone implements the commercial use designation, as specified at EC 9.2110, the Zone Change is consistent with the subject properties' Metro Plan designation. The Metro Plan also identifies this area as a Nodal Development Area. As the /ND Overlay Zone will remain, the Zone Change will be consistent with the Metro Plan.

Based on the available evidence, and findings above, the applicant's request is consistent with the Metro Plan, and this criterion is met.

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

The subject properties are located within the boundaries of the Crescent-Coburg Subarea in the North Region of the Willakenzie Area Plan (WAP), the adopted Refinement Plan applicable to the subject properties. The WAP currently designates the subject properties as General Office, a Commercial sub-designation, as shown in Inset Map D of the Coburg/Crescent Subarea Map. The concurrent Refinement Plan Amendment is a text amendment to Policy 6 of Coburg/Crescent Subarea, to provide as follows:

Policy 6a. The City shall recognize that the properties adjacent to the north side of Crescent Avenue that lie within the Crescent Village Boundary as shown on Inset Map D and that are designated as Commercial on the Coburg-Crescent Subarea Land Use Diagram, shall be zoned General Office.

Policy 6b. The City shall recognize that the properties that are located adjacent to the

east side of Coburg Road, south of Kinney Loop, north of Crescent Avenue, outside the Crescent Village Boundary as shown on Inset Map D, and that are designated as Commercial on the Coburg-Crescent Subarea Land Use Diagram, shall be zoned Community Commercial.

The Refinement Plan Amendment will ensure that the Zone Change to C-2 is consistent with the Willakenzie Area Plan.

The Council finds that the following policy and action statements in the Willakenzie Area Plan provide relevant context for this application:

- General Policies and Proposed Action for the Willakenzie Area, Land Use Policies and Proposed Actions (Policy 2, page 15): The City shall ensure that future commercial development and redevelopment in the Willakenzie planning area is sensitive to and compatible with existing and planned development in the surrounding area.
- Proposed Action 2.2 (page 15): Apply the /SR Site Review suffix to all parcels zoned or designated for C-1 Neighborhood Commercial or C-2 Community Commercial development in the Willakenzie planning area, using the Willakenzie Commercial Siting and Development Guidelines as the review criteria. These guidelines will be used to evaluate commercial development and redevelopment proposals until such time as the City adopts citywide commercial development standards or guidelines.

Policy 2 generally concerns the compatibility of commercial uses with adjacent development. In this case, the subject properties are adjacent to other existing commercial development to the north and south, and to residentially developed property to the east. Properties to the west are residentially developed but are separated from the subject properties by Coburg Road right-of-way. Regarding being sensitive to and compatible with existing and planned development in the surrounding area, the C-2 zone generally allows for greater building heights; however, per EC 9.2170(3)(b), future commercial development on the subject properties is limited to a height of 30 feet within 50 feet of the abutting R-1 residential properties to the east.

Additionally, per EC 9.4280, the /ND Nodal Development Overlay, which will remain on the subject properties, prohibits the following intensive uses allowed in the C-2 zone:

- Car washes
- Parts stores
- Recreational vehicle and heavy truck, sales/rental/service
- Motor vehicle and motorcycle sales/rental/service
- Service stations, including quick servicing
- Tires, sales/service
- Transit park and ride, major or minor, except under a shared parking arrangement with another permitted use

- Parking areas, where the entire lot is exclusively used for parking and does not provide shared parking for more than one development site
- Agricultural machinery rental/sales/service
- Boats and watercraft sales and service
- Equipment, heavy, rental/sales/service
- Manufactured dwelling sales/service/repair
- Drive-through facility

These code requirements and restrictions will promote sensitivity to the immediate area and allow compatible development with the existing residential and commercial developments adjacent to the subject properties.

Proposed Action 2.2 is a suggested action as one possible way for the City to implement the related policy but is not adopted as mandatory policy itself. This suggested action indicates that the /SR overlay should apply until such time as the City adopts commercial development standards. Since the original adoption of the Willakenzie Area Plan in 1992, the City has adopted commercial development standards (through the 2002 Land Use Code Update) which implemented the general intent of the policy and suggested action.

No other policies listed in the Willakenzie Area Plan appear to serve as mandatory approval criteria for this Zone Change or require further analysis beyond that provided above for the Zone Change.

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

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

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

Wastewater: An 8-inch public wastewater line is currently located adjacent to the west of the subject properties within Coburg Road right-of-way. Wastewater standards will be reviewed at the time of future development for any extension of service to the subject properties.

Stormwater: There is currently a storm drainage facility available via an 8-inch line adjacent to the west of the subject properties which connects to a 60-inch public storm system that is

located within Coburg Road. In the event of future development, applicants may be required to address all applicable stormwater management standards including flood control, water quality, oil control, easements, operation and maintenance. Any designs will be reviewed at time of building permit.

Streets: The subject properties all have frontage on Coburg Road and the northernmost property (Tax Lot 04000) also has frontage on Kinney Loop. Coburg Road is a public street and is classified as a major arterial. Kinney Loop is a public street and is classified as a local access road. Compliance with applicable street standards will be addressed at the time of future development.

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

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

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

Transportation: The subject property is accessible to pedestrians, bicycles, and vehicles via the surrounding street network. A Lane Transit District public transit stop is located approximately 100 feet north of the site (route #96) on Coburg Road. Additionally, transit stops are available approximately 400 and 600 feet away from the subject properties on Crescent Avenue (routes #66 and 67). Sidewalks and bikes lanes are present on both sides of Coburg Road.

Parks and Recreation: Parks and recreation programs are provided on a City-wide basis. The location of the subject properties within city limits is sufficient evidence to demonstrate the minimum level of this key urban service is met.

Planning and Development Services: Planning and building permit services are provided for all properties located within the City's 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 properties.

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

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

Based on these findings, this criterion is satisfied.

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

- (a) EC 9.2150 Commercial Zone Siting Requirements.
- (b) EC 9.2430 Employment and Industrial Zone Siting Requirements.
- (c) EC 9.2510 Natural Resource Zone Siting Requirements.
- (d) EC 9.2610 Park, Recreation, and Open Space Siting Requirements.
- (e) EC 9.2681 Public Land Zone Siting Requirements.
- (f) EC 9.3055 S-C Chambers Special Area Zone Siting Requirements.
- (g) EC 9.3105 S-CN Chase Node Special Area Zone Siting Requirements.
- (h) EC 9.3140 S-DR Downtown Riverfront Special Area Zone Siting Requirements.
- (i) EC 9.3205 S-DW Downtown Westside Special Area Zone Siting Requirements.
- (j) EC 9.3305 S-E Elmira Road Special Area Zone Siting Requirements.
- (k) EC 9.3605 S-JW Jefferson Westside Special Area Zone Siting Requirements.
- (l) EC 9.3705 S-RP Riverfront Park Special Area Zone Siting Requirements.
- (m) EC 9.3805 S-RN Royal Node Special Area Zone Siting Requirements.
- (n) EC 9.3905 S-W Whiteaker Special Area Zone Siting Requirements.
- (o) EC 9.3955 S-WS Walnut Station Special Area Zone Siting Requirements.
- (p) EC 9.4160 /CL Clear Lake Overlay Zone Siting Requirements.
- (q) EC 9.4205 /EC East Campus Overlay Zone Siting Requirements.
- (r) EC 9.4715 /WP Waterside Protection Overlay Zone Siting Requirements.
- (s) EC 9.4776 /WQ Water Quality Overlay Zone Siting Requirements (only for the purposes of adding the overlay zone. See EC 9.4786.).
- (t) EC 9.4915 /WR Water Resources Conservation Overlay Zone Siting Requirements (only for the purposes of adding the overlay zone. See EC 9.4960.).
- (u) EC 9.4815 /WB Wetland Buffer Overlay Zone Siting Requirements.
- (v) An uncodified ordinance establishing a site specific S-H Historic Special Area Zone, a copy of which is maintained at the city's planning and development department.

There are no specific siting standards for the C-2 zone, therefore this requirement is not applicable.

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

This criterion does not apply because the Zone Change does not include the NR zone.

OAR 660-012-0060 - Transportation Planning Rule

While not an approval criterion included in Eugene Code, Zone Change applications are subject to Goal 12 Transportation of the Statewide Planning Goals, adopted by the Land Conservation and Development Commission. As such, Oregon Administrative Rule (OAR) 660-012-0060(1) must be specifically addressed as part of the Zone Change.

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

As discussed in the Refinement Plan Amendment findings above, the application was evaluated for potential transportation system impacts, and it was determined that the Refinement Plan Amendment would not have a significant effect on the transportation system. In this case, the Zone Change from C-1 to C-2 also qualifies for an exemption from OAR 660-012-0060(2) under subsection (9), which is addressed below.

OAR 660-012-0060(9): Notwithstanding section (1) of this rule, a local government may find that an amendment to a zoning map does not significantly affect an existing or planned transportation facility if all of the following requirements are met.

- (a) The proposed zoning is consistent with the existing comprehensive plan map designation and the amendment does not change the plan map;**
- (b) The local government has an acknowledged TSP and the proposed zoning is consistent with the TSP; and**
- (c) The area subject to the amendment was not exempted from this rule at the time of an urban growth boundary amendment as permitted in OAR 660-024-220(1)(d), or the area was exempted from this rule but the local government has a subsequently acknowledged TSP amendment that accounted for urbanization of the area.**

Goal 12 requires a determination of whether the Refinement Plan Amendment will significantly impact an existing or planned transportation facility.

The City of Eugene's adopted 2035 TSP serves as the City's acknowledged local transportation system plan. Chapter 3: Needs Assessment and Evaluation of the 2035 TSP, provides:

The needs assessment and resulting projects (set forth in Chapter 4) that establish a transportation system adequate to meet the identified local transportation needs are based upon the land use designations established by the Metro Plan. Because the 2035 TSP is based on the Metro Plan land use designations, any zone allowed within the land use designation is consistent with both the Metro Plan and this 2035 TSP.

The rezone of the subject property to C-2 Community Commercial is consistent with the Metro Plan, which designates the area as commercial without distinction whether it is zoned C-1 or C-2, therefore, the zoning of the subject property is consistent with the 2035 TSP.

The subject property was not exempted from OAR Chapter 660, Section 12 at the time of an urban growth boundary amendment.

As the applicant has not requested an amendment of the Metro Plan designation, and the C-2 zoning remains consistent with the Metro Plan designation, the Zone Change complies with OAR 660-012-0060(9) and satisfies OAR 660-012-0060(1). Based on these findings, the Zone Change complies with the Transportation Planning Rule.

CONCLUSION

Based on the available information and evidence, and the preceding findings of compliance, the Refinement Plan Amendment and Zone Change comply with the applicable approval criteria.