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**COUNCIL ORDINANCE NO. 20738**

**AN ORDINANCE AMENDING THE FAIRMOUNT/UNIVERSITY OF OREGON  
SPECIAL AREA STUDY TEXT AND DIAGRAM; AMENDING SECTIONS  
9.4205, 9.4215, 9.4220, AND 9.9570 OF THE EUGENE CODE, 1971;  
REZONING THE PROPERTY IDENTIFIED AS ASSESSOR'S MAP 17-03-33-  
32, TAX LOTS 07000, 07100, 07200, 07300, 07400, 07500, 07600,  
07700, AND 07800 TO REMOVE THE /EC EAST CAMPUS OVERLAY ZONE;  
AND PROVIDING AN EFFECTIVE DATE.**

**ADOPTED: May 11, 2026**

**SIGNED: May 13, 2026**

**PASSED: 5:3**

**REJECTED:**

**OPPOSED: Keating, Zelenka, and Leech**

**ABSENT:**

**EFFECTIVE: June 13, 2026**



**ORDINANCE NO. 20738**

**AN ORDINANCE AMENDING THE FAIRMOUNT/UNIVERSITY OF OREGON SPECIAL AREA STUDY TEXT AND DIAGRAM; AMENDING SECTIONS 9.4205, 9.4215, 9.4220, AND 9.9570 OF THE EUGENE CODE, 1971; REZONING THE PROPERTY IDENTIFIED AS ASSESSOR'S MAP 17-03-33-32, TAX LOTS 07000, 07100, 07200, 07300, 07400, 07500, 07600, 07700, AND 07800 TO REMOVE THE /EC EAST CAMPUS OVERLAY ZONE; AND PROVIDING AN EFFECTIVE DATE.**

**THE CITY OF EUGENE DOES ORDAIN AS FOLLOWS:**

**Section 1.** The text of the Fairmount/University of Oregon Special Area Study (SAS) as adopted by Resolution No. 3719 and amended by Ordinance Nos. 20312 and 20460, is further amended as follows:

(a) The second-to-last paragraph in the "Introduction to the Plan Area" subsection of Section I ("Introduction, Overview, and Goals") of the SAS is amended to provide as follows:

**INTRODUCTION TO THE PLAN AREA**

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This Special Area Study contains select policies from the University of Oregon 2003 East Campus development policy, with updates informed by the 2024 East Campus Area Plan, affecting land owned by the University. These policies are contained in the land use section of this Special Area Study. The University policies not adopted into this Special Area Study will guide the University in its planning and decision making regarding public facilities and services in the east campus area. The Special Area Study will be consulted in the public's evaluation of private and public development requests. It is intended that this Special Area Study will gain wide circulation so that the private sector and the University, as well as other institutional and commercial land holders, will consult and take guidance from this plan in forming plans that have an effect in this area.

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(b) The "Planning Process" subsection of Section I ("Introduction, Overview, and Goals") of the SAS is amended to provide as follows:

**The Planning Process**

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In 2002, the University of Oregon began a comprehensive update of its east campus development policy. The goal of the update was to provide for the future campus land needs without diminishing the quality of the surrounding neighborhood. Since the 1982 adoption of the SAS, the University has developed numerous facilities within the east

campus area (William M. Knight Law School, Museum of Natural & Cultural History, Vivian Olum Child Development Center, and graduate student housing). The area's development potential, as constrained by SAS policies, University East Campus policies, and University Long Range Development Plan policies, had been almost maximized.

The amended Land Use Diagram (Map 6) reflects the expanded Institutional area, Limited Institutional area, and Low Density Residential buffer established to meet the goal of the policy update. An explanation of the process used to develop the University's updated East Campus Development Policy is contained in Section II. E of this Plan.

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

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

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

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

In 2023, the University began a second update to its policies for the east campus area. The updates from this process resulted in the East Campus Area Plan, which the

University adopted in December 2024. The East Campus Area Plan’s goal, which continues to align with the goals of this Plan, is to meet the needs of the growing student population without diminishing the quality of the surrounding neighborhood Area.

The University-owned properties north of 15th are redesignated from Limited Institutional to Institutional Use to reflect their development as high-density housing, and the description of the Limited Institutional area is amended to allow university and college dormitories (residence halls). An explanation of the process used to develop the University’s updated East Campus Area Plan is contained in Section II. E of this Plan.

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(c) Paragraph 8 under the “Land Use” heading in the “Goals for the Fairmont Special Area Study” subsection of Section I (“Introduction, Overview, and Goals”) of the SAS is amended to provide as follows:

### GOALS FOR THE FAIRMOUNT SPECIAL AREA STUDY

#### LAND USE

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8. To respond to the need expressed in the Metro Plan for institutional use along Agate Street in the zone of University land ownership, and to provide that non-institutional, limited high density residential and limited institutional uses serve as a buffer between intensive institutional uses and the existing single-family residential area south of 15th Avenue or east of the University East Campus Limited Institutional area.

(d) The “Introduction” subsection of Section II (“Land Use”) of the SAS is amended to provide as follows:

## II. LAND USE SECTION

### Introduction

This section examines how land within the special study area should be used and shared by the institutions, businesses, and housing and how the residential uses should be protected and upgraded so that their coexistence and compatibility with other uses is ensured.

The Fairmount Special Study Area is situated between a wide variety of land uses: its edges are Hendricks Park to the east, the University’s Hayward Field and athletic fields to the west, commercial activities along Franklin Boulevard to the north, and single-family residential uses south of 19th Avenue. Generally, the University ownership extends from Agate Street to Villard Street and from about 14th Avenue to about 18th Avenue. The area between 15th and 17th avenues, and Agate and Moss streets consists of institutional University uses and parking, with the University ownership between Moss Street and Villard Street being primarily devoted to residential uses. The area east of Moss Street and south of 17th Avenue is primarily devoted to single-family residential development. The land between 15th Avenue and Franklin Boulevard is generally devoted to University

uses, parking, residential uses, and commercial uses. University uses include Matthew Knight Arena and Ford Alumni Center. Residential uses include the East Campus Graduate Village, Orchard Crossing Apartments, and other smaller apartment buildings. South of Agate Hall at the 19th Avenue and Agate Street intersection is a neighborhood commercial node which contains food services, as well as other neighborhood-oriented businesses. Agate Playground, a University park and open space area, is located on Agate Street between Agate Hall and commercial businesses on 19th Avenue. There is a small City park (called Fairmount Park) at the southwest corner of 15th Avenue and Fairmount Boulevard.

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(e) Policy Nos. 2, 3 and 6 under the “General Policies” subsection of Section II (“Land Use”) of the SAS are amended to provide as follows:

General Policies

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2. With the exception of 1) the “Institutional Area” (“I” on the Land Use Diagram), and 2) the Limited Institutional Area (“LI” on the Land Use Diagram), non-residential zoning shall not be expanded in the study area.
3. With the exception of University lands designated as “Institutional” or “Limited Institutional,” zone changes to increase residential density or commercial intensity are not supported by this plan.

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6. The University, City, and Fairmount Neighbors shall continue their participation in the University/Community Liaison Committee. The University shall continue to attend meetings of the Fairmount Neighborhood Association as needed to inform the association about updates to the East Campus Area Plan.

(f) Policy Nos. 1 and 2 under the subsection A (“The Core Residential Area”) of Section II (“Land Use”) of the SAS are amended to provide as follows:

A. THE CORE RESIDENTIAL AREA

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Policies

1. With the exception of 1) the “Institutional Area” (“I” on the Land Use Diagram); and 2) the Limited Institutional Area (“LI” on the Land Use Diagram), non-residential zoning shall not be expanded in the study area.
2. With the exception of University lands designated as “Institutional” or “Limited Institutional,” zone changes to increase residential density or commercial intensity are not supported by this plan.

(g) Policy No. 1 of subsection C (“The 19<sup>th</sup> and Agate Neighborhood Commercial Development”) of Section II (“Land Use”) of the SAS is amended to provide as follows:

C. THE 19TH AND AGATE NEIGHBORHOOD COMMERCIAL DEVELOPMENT

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Policies

1. With the exception of 1) the “Institutional Area” (“I” on the Land Use Diagram), and 2) Limited Institutional Area (“LI” on the Land Use Diagram), non-residential zoning shall not be expanded in the study area.

(h) The “Description and Statement of the Problem” subsection of subsection E (“The University of Oregon Lands”) of Section II (“Land Use”) is amended to provide as follows:

E. THE UNIVERSITY OF OREGON LANDS

Description and Statement of the Problem

University ownership extends into a substantial portion of the Core Residential Area. The University owns most (but not all) of the properties between Agate and Villard streets and between where 14th Avenue would be to within two to three house lots of 19th Avenue on the south (see Map 6). Purchase of remaining private properties within that zone continues, in accord with the University’s formally adopted plans for future development.

When the purchasing of properties east of Agate Street began, it was with the expectation of continuous expansion. Certain areas were cleared of the houses on them with that immediate need in view. However, short-range conditions changed, expansion of the campus-proper in that direction came to a halt, and the need for growing space was seen as lying somewhat farther in the future. Thus, the University has become a landlord of several blocks of single-family type houses and the owner of a parking lot which had been formed on the cleared lands.

Years of uncertainty about University intentions with regard to this large tract of property directly within the neighborhood has had an effect upon owners of adjacent and nearby properties, and to a lesser degree, upon the Fairmount neighborhood as a whole. Compounding the effect was the steady erosion of the appearance of the University-owned houses. Growth of the campus also brought increased traffic and many automobile-related problems, such as storage of cars on neighborhood streets and daytime parking by commuting University students who have not purchased University parking permits.

Through efforts made by the Fairmount Neighbors Planning Committee and by representatives of the University Planning Office (now Office of Campus Planning), the University of Oregon Plan for Development: East Campus Area, was developed and included as part of this section in the 1982 Plan. Pertinent policies contained in that Plan for Development were endorsed by the Fairmount Neighbors Special Area Planning Committee and parallel policies adopted for its special area plan. Future cooperation between the University and the neighborhood may bring diminution of some of the other persistent problems.

The 1982 University Development Policy was in place for 20 years. It accomplished evolution of the campus through an orderly pattern in which increased intensity of land use proceeded without “leapfrogging.”

In 2002, the University of Oregon began a comprehensive update of its East Campus Development Policy. The goal of the update was to provide for the future campus land needs without diminishing the quality of the surrounding neighborhood. Since the 1982 adoption of the SAS, the University has developed numerous facilities within the East Campus area (Knight Law School, Museum of Natural History, Graduate Student Housing, East Campus Children’s Center). The area’s development potential, as constrained by SAS policies, University East Campus policies, and University Long Range Development Plan policies, had been almost maximized.

The amended Land Use Diagram (Map 6) reflects the expanded Institutional area, Limited High Density Residential/Limited Institutional area, and Low Density Residential buffer established to meet the goal of the 2003 University East Campus policy update. The University utilized an extensive public involvement process in forming the update, including numerous open houses, meetings, and mailings to the Fairmount neighbors and the neighborhood organization. Neighbor comments were considered in the development of the University’s 2003 East Campus Development Policy and were incorporated into the policy as appropriate. The East Campus Development Policy was adopted by the President’s Office in April 2003 but was not adopted by the Eugene City Council. Future projects in the area will likely include support services, such as housing, offices and research space, that do not need to be within the University’s established 7-minute walking distance of the core instructional area.

In September 2003, the University submitted an application to amend the 1982 Fairmount/University of Oregon Special Area Study for the purpose of incorporating changes in the plan made necessary by the University’s adoption of the 2003 East Campus Development Policy. Commenting on the application, the Fairmount Neighborhood Association expressed concerns about the effectiveness of the proposed East Campus Development Policy in mitigating the impacts of University development on the surrounding neighborhood. The association subsequently commissioned the Fairmount Neighborhood Association East Campus Committee (Committee) to represent the neighborhood interests in the public hearing process. The Committee submitted testimony commenting on each of the University’s individual proposals. While the Committee expressed support for many of the ideas and proposals put forth in the application, they also suggested modifications to certain policies or plan text and replacements or additions to other policies and text.

Following the public hearing, the City engaged University staff and Committee representatives in a mediation process to seek agreement and resolve differences on the proposed policy and text amendments. Agreement between the University and Committee was reached on most of the issues discussed; those agreements are reflected in the maps, policies and other text adopted through this amendment process.

In 2023, the University of Oregon began a second update to its policies for the East Campus Area. The updates from this process resulted in the East Campus Area Plan, adopted by the President’s Office in December of 2024. The goal of the update was to meet the needs of the growing student population without diminishing the quality of the

surrounding neighborhood. After approximately 20 years of successfully developing projects under the 2004 land use policies, it became clear that the University's future development needs could not be met without altering the 2004 policies that define allowed uses and development densities for university-owned lands. With limited amounts of land remaining within the central academic core that must be reserved for future academic instructional functions, future student housing and support services were left without viable development sites.

The process of developing the East Campus Area Plan included extensive public involvement activities. This engagement included outreach to community members; small group sessions with local neighborhood associations and business owners; open house events for residents, students, and other stakeholders; ongoing communication with representatives from the City of Eugene; and meetings with affected university departments and programs.

In March 2025, the University submitted an application to amend the 1982 Fairmount/University of Oregon Special Area Study for the purpose of incorporating changes in the plan made necessary by the University's adoption of East Campus Area Plan.

(i) Policy No. 1 under the "East Campus Area" subsection of subsection E ("University of Oregon Lands") of Section II ("Land Use") of the SAS is amended, policy no. 9 of that subsection is amended and renumbered, policy nos. 6, 7, and 8 of that subsection are renumbered, and policy no. 5 of that subsection is deleted to provide as follows:

#### Policies – East Campus Area

1. The City of Eugene and the Fairmount Neighbors recognize the current University-adopted East Campus Area Plan as a statement of University policy.

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

5. On University-owned East Campus lands within the state-approved University boundary, the following policies shall apply in the Low Density Residential area:

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(e) The Low Density Residential area along the south edge of the East Campus Area may be developed as passive or active open space.

(f) Conditional uses shall not exceed a total of 35,000 square feet within the Low Density Residential area.

6. The University shall ensure long-term maintenance for street-front landscaping on University-owned properties along Villard Street.

7. In an effort to maintain the Fairmount Neighborhood’s character, the University shall consider contributing ranked historic houses that must be moved from other areas within the state-approved University lands due to development plans for infill projects, or to replace a non-contributing house in the University-owned Low Density Residential area, if feasible.
8. The City shall attach the site review overlay zone to the University’s properties at the northwest corner of 15th and Villard.

(j) Proposal 1 of the “Proposal—East Campus Area” subsection of subsection E (“University of Oregon Lands”) of Section II (“Land Use”) of the SAS is amended to provide as follows:

Proposal--East Campus Area

1. The City shall attach the site review overlay zone to the University’s properties at the northwest corner of 15th and Villard and shall apply a special East Campus Overlay Zone specifying height limitations in the area designated as Limited Institutional on the Land Use Diagram.

(k) The “University of Oregon Development Policy: East Campus Area” subsection of Section II (“Land Use”) of the SAS is amended to provide as follows:

The University adopted an updated East Campus Area Plan in 2024. It is generally consistent with the policies, text, and land use diagram contained within this plan as amended. The University will use the updated plan for its internal development review process. Select policies contained within the 2024 East Campus Area Plan have been adopted within this special area study. All applicable City of Eugene regulations remain in effect.

(l) The “Residential,” “Institutional” and “Limited Institutional” descriptions in the “Land Use Diagram Text” subsection of Section II (“Land Use”) of the SAS are amended to provide as follows:

LAND USE DIAGRAM TEXT

Low-Density Residential (L)

This area generally encompasses the south and east portions of the special study area. This area is to remain in low density residential use with emphasis on preserving and maintaining the single family character which currently exists and is considered an integral part of the neighborhood. On University-owned lands within the state approved University boundary, the limitations on Conditional Uses described in Policy #5 of the University of Oregon Lands Policies - East Campus Area apply. Maintaining the symmetry along Villard

Street between 15th and 19th Avenues is important. However, the University-owned Low Density Residential area not facing Villard Street may be developed as passive or active open space to provide a buffer from the adjacent low density residential area.

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### Institutional (I)

The institutional area contains a number of uses including but not limited to automobile parking, residence halls, various University offices and uses, a fire station, and Agate Hall. The entire area is owned by the University (State Board of Higher Education) with the exception of 2 privately owned residential lots. All University related uses are allowed in this area.

#### Limited Institutional (LI)

This area serves as a transition between the more intensive institutional uses to the west and north and the low density residential development to the east and south. This area provides development opportunities for a mix of university-owned, high-density student housing, including residence halls and institutional uses. Addressing on-campus student housing needs shall have priority. Development will be regulated by the Eugene Code, including an East Campus Overlay Zone where it has been applied, specifying special development standards for this area, and by the University's East Campus Area Plan (see East Campus Area Plan adopted by the University for detail).

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(m) Policy No. 2 under subsection A ("Traffic Circulation") of Section III ("Transportation and Parking") of the SAS is amended to provide as follows:

#### A. Traffic Circulation

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#### Policies

2. Primary vehicular access to the former Oregon Department of Transportation Lands, which now contains UO Parking, UO Transportation Services, and UO Police Department, should minimize impact on nearby residences and Fairmount Park.

### **Section 2.**

(a) The Fairmount/University of Oregon Special Area Study Land Use Diagram (Map 6) is replaced with the Land Use Diagram attached to this Ordinance as Exhibit A.

(b) The properties depicted on the Fairmount/University of Oregon Special Area Study Land Use Diagram (Map 6) are redesignated as shown in Exhibit B to this Ordinance; from

“Limited High Density Residential/Limited Institutional” to “Institutional” and as shown in Exhibit C to this Ordinance; from “Limited High Density Residential/Limited Institutional” to “Limited Institutional.”

**Section 3.** Section 9.4205 of the Eugene Code, 1971, is amended to provide as follows:

**9.4205 /EC East Campus Overlay Zone Siting Requirements.**

If consistent with the approval criteria in EC 9.8865 Zone Change Approval Criteria, the /EC Overlay Zone may be applied to the area depicted as Limited Institutional on the Fairmount/University of Oregon Special Area Study Land Use Diagram.

**Section 4.** Subsection (1) of Section 9.4215 of the Eugene Code, 1971, is amended by deleting subsection (1)(c) and renumbering subsections (1)(d) through (1)(s) to provide as follows:

**9.4215 /EC East Campus Overlay Zone Prohibited Uses and Special Use Limitations.**

(1) *Prohibited Uses.*

- (a) Structured parking.
- (b) Broadcasting studios including commercial and public education.
- (c) Fraternities and sororities.
- (d) Hospitals.
- (e) Retail use requiring a Transportation Impact Analysis.
- (f) Manufacturing and assembly uses.
- (g) Arenas.
- (h) Heliports and helistops.
- (i) Recycling and large collection facilities.
- (j) Recycling scrap and dismantling yards.
- (k) Race tracks, including drag strips and go-cart tracks.
- (l) Sewage treatment plants.
- (m) Correctional facilities.

- (n) Parking lots exceeding 100 spaces.
- (o) Service stations.
- (p) Mineral resource mining.
- (q) Blood banks.
- (r) Plasma centers.

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**Section 5.** Subsection (2) of section 9.4220 of the Eugene Code, 1971, is amended to provide as follows:

**9.4220 /EC East Campus Overlay Zone Development Standards.**

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(2) *Building Height.* Within the /EC East Campus Overlay Zone, a building within 75 feet of an R-1 Low Density Residential zone shall not exceed 45 feet in height. All other buildings shall not exceed 85 feet in height.

**Section 6.** Subsections (2), (3) and (5) of section 9.9570 of the Eugene Code, 1971, are amended to provide as follows:

**9.9570 Fairmount/U of O Special Area Study Policies.**

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(2) *University of Oregon Lands Policies (East Campus Area).*

(a) The City of Eugene and the Fairmount Neighbors recognize the current University-adopted East Campus Area Plan as a statement of University policy governing land use in the East Campus Area. (Policy 1)

(b) The City shall encourage the University to use its property in East Campus in an orderly fashion: intensity of use will be greatest near the already dense Central Campus Area (Agate Street and 15th Avenue) and become less intense as the properties approach low-density residential uses. (Policy 2)

(c) The City shall encourage the University to use its lands currently zoned PL (Public Land District) with energy and space efficient structures and land-use patterns. (Policy 3)

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

(e) On University-owned East Campus lands within the state approved University boundary, the following policies shall apply in the Low Density Residential area:

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5. The Low Density Residential area along the south edge of the East Campus Area may be developed as passive or active open space. (Policy 5)

6. Conditional uses shall not exceed a total of 35,000 square feet within the Low Density Residential area.

(f) The University shall ensure long-term maintenance for street-front landscaping on University-owned properties along Villard Street. (Policy 6)

(g) In an effort to maintain the Fairmount Neighborhood's character, the University shall consider contributing ranked historic houses that must be moved from other areas within the state-approved University lands due to development plans for infill projects, or to replace a non-contributing house in the University-owned Low Density Residential area, if feasible. (Policy 7)

(h) The City shall attach the site review overlay zone to the University's properties at the northwest corner of 15th and Villard. (Policy 8)

(3) *Traffic Circulation Policies.*

(a) The adverse effects of motor vehicle movement shall be mitigated as much as possible. (Policy 1)

(b) Traffic management techniques shall continue to be used and new techniques developed to reinforce the idea of a hierarchy of streets in the plan area. Some streets shall combine their local, collector, or arterial function with a role as primary pedestrian or bicycle ways. The use of low-volume, local neighborhood streets for through movements by truck and heavy construction equipment shall be discouraged. (Policy 2)

(c) By March, 2005, the City shall initiate a study of Agate Street between Franklin Boulevard and 19th Avenue. That study, conducted jointly with the University and the Fairmount Neighborhood Association, shall identify strategies to improve the function and carrying capacity of Agate according to the City criteria for its designated street classification. The City will implement the necessary changes. The University will participate in those improvements as development occurs and as required by the City code, to the extent that the University is directly responsible for the needed improvements. (Policy 4)

(d) The City, with the cooperation of the University and the Fairmount Neighborhood Association, shall initiate an area-wide traffic calming study for the streets within the Fairmount/University of Oregon Special Area Study boundary to determine appropriate mitigation for through-traffic utilizing neighborhood streets. Such study shall be initiated prior to December, 2008, subject to availability of funds. In the event that the City updates the Central Area Transportation Study (CATS) prior to 2008, the City shall fund and initiate an area-wide traffic calming study as part of the CATS update to determine appropriate mitigation measures for the subject area. (Policy 5)

(e) If a Traffic Impact Analysis that is required by the City Code projects that a proposed development will increase traffic on streets within the single-family neighborhood to the east and south of University-owned land, the City shall require the applicant to mitigate those impacts through use of traffic calming strategies or other mechanisms designed to discourage through traffic. (Policy 6)

(f) With the exception of alleys, vacations of streets within the state-approved University East Campus boundary should not be permitted, unless the applicant, at his or her expense, provides to the City a local street connection study that demonstrates how the proposed street system remaining after such vacation meets the intent of the Eugene Code street connectivity provisions and that such vacation will not increase traffic volumes on local residential streets. (Policy 7)

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(5) *Bicycle and Pedestrian Policies.* Existing and future businesses shall be encouraged to provide safe and covered bicycle parking for employees and patrons. (Policy 1) The use of bicycles, mass transit, walking, carpooling, and other appropriate alternative modes of transportation, especially by employees working in the plan area, shall be actively encouraged and provided for in order to reduce automobile dependence and alleviate traffic and parking problems. (Policy 2)

**Section 7.** The property identified as Assessor's Map 17-03-33-32, Tax Lots 07000, 07100, 07200, 07300, 07400, 07500, 07600, 07700, and 07800 is rezoned to remove the /EC East Campus Overlay Zone from the property as more particularly shown in Exhibit D attached to this Ordinance.

**Section 8.** The findings set forth in Exhibit E attached to this Ordinance are adopted as findings in support of this Ordinance.

**Section 9.** 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 10.** 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 11.** 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

11<sup>th</sup> day of May, 2026

  
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City Recorder

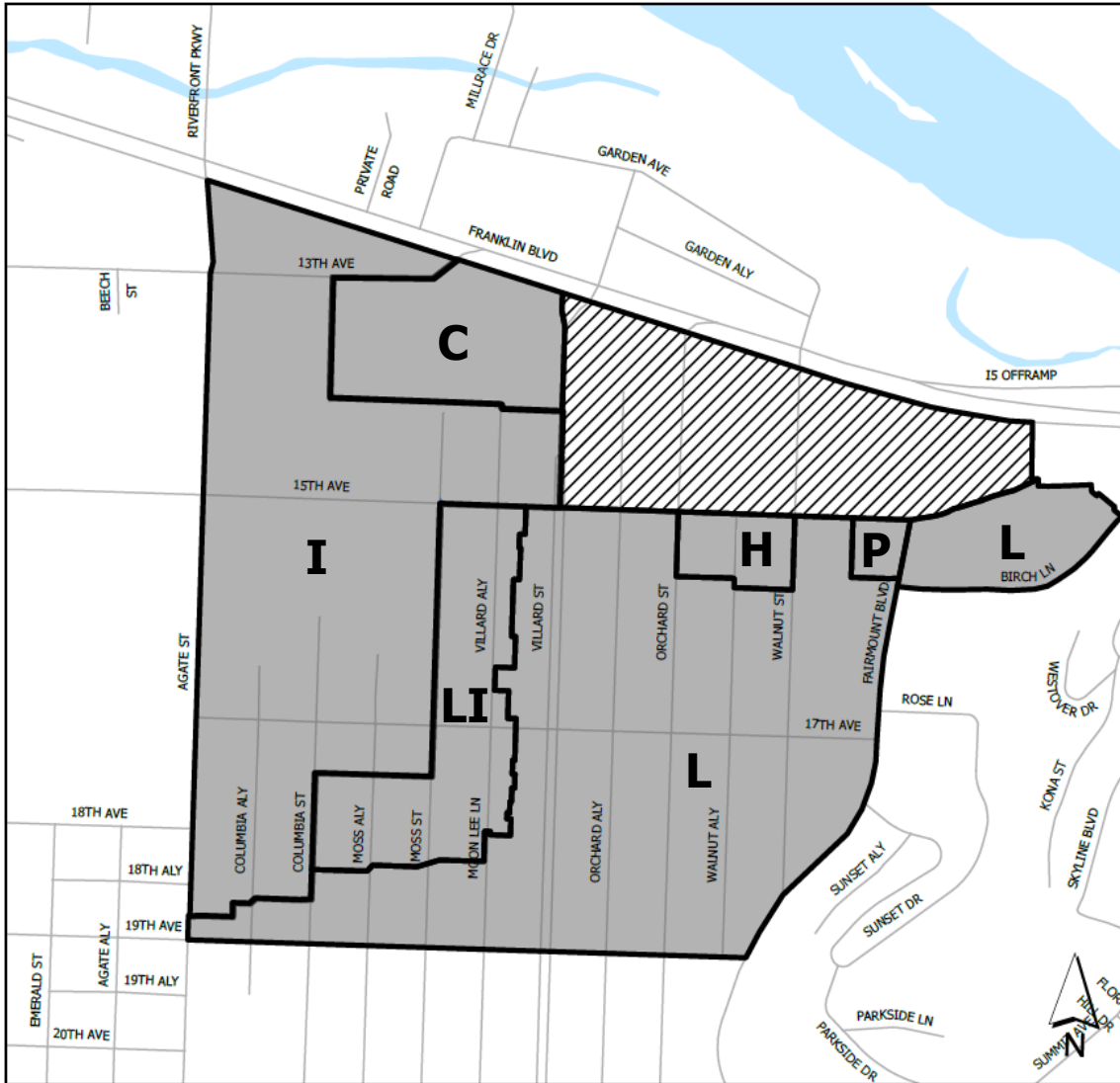
Approved by the Mayor this

13 day of May, 2026


  
\_\_\_\_\_  
Mayor

# Land Use Diagram

(Generalized Future Land Use Patterns)



- I** Institutional
- LI** Limited Institutional
- C** Commercial
- L** Low Density Residential
- H** High Density Residential
- P** Parks/Open Space

 Area removed from the Fairmount/University of Oregon Special Area Study Land Use Diagram and included in the Walnut Station Specific Area Plan by Ordinance No. 20460 (2010)

## Fairmount Special Area Study

<b>Fairmount/University of Oregon Special Area Study Land Use Diagram Redesignation</b>		
<b>Map / Tax Lot</b>	<b>Previous Designation</b>	<b>New Designation</b>
17-03-33-32 / 06600	Limited High Density Residential / Limited Institutional	Institutional
17-03-33-32 / 07000	Limited High Density Residential / Limited Institutional	Institutional
17-03-33-32 / 07100	Limited High Density Residential / Limited Institutional	Institutional
17-03-33-32 / 07200	Limited High Density Residential / Limited Institutional	Institutional
17-03-33-32 / 07300	Limited High Density Residential / Limited Institutional	Institutional
17-03-33-32 / 07400	Limited High Density Residential / Limited Institutional	Institutional
17-03-33-32 / 07500	Limited High Density Residential / Limited Institutional	Institutional
17-03-33-32 / 07600	Limited High Density Residential / Limited Institutional	Institutional
17-03-33-32 / 07700	Limited High Density Residential / Limited Institutional	Institutional
17-03-33-32 / 07800	Limited High Density Residential / Limited Institutional	Institutional
17-03-33-32 / 08100	Limited High Density Residential / Limited Institutional	Institutional

<b>Fairmount/University of Oregon Special Area Study Land Use Diagram Redesignation</b>		
<b>Map / Tax Lot</b>	<b>Previous Designation</b>	<b>New Designation</b>
17-03-33-33 / 06900	Limited High Density Residential / Limited Institutional	Limited Institutional
17-03-33-33 / 07200	Limited High Density Residential / Limited Institutional	Limited Institutional
17-03-33-33 / 07600	Limited High Density Residential / Limited Institutional	Limited Institutional
17-03-33-33 / 07700	Limited High Density Residential / Limited Institutional	Limited Institutional
17-03-33-33 / 07800	Limited High Density Residential / Limited Institutional	Limited Institutional
17-03-33-33 / 07900	Limited High Density Residential / Limited Institutional	Limited Institutional
17-03-33-33 / 08000	Limited High Density Residential / Limited Institutional	Limited Institutional
17-03-33-33 / 08100	Limited High Density Residential / Limited Institutional	Limited Institutional
17-03-33-33 / 08200	Limited High Density Residential / Limited Institutional	Limited Institutional
17-03-33-33 / 08300	Limited High Density Residential / Limited Institutional	Limited Institutional
17-03-33-33 / 08400	Limited High Density Residential / Limited Institutional	Limited Institutional
17-03-33-33 / 08500	Limited High Density Residential / Limited Institutional	Limited Institutional
17-03-33-33 / 08600	Limited High Density Residential / Limited Institutional	Limited Institutional
17-03-33-33 / 08800	Limited High Density Residential / Limited Institutional	Limited Institutional
17-03-33-33 / 08900	Limited High Density Residential / Limited Institutional	Limited Institutional
17-03-33-33 / 09001	Limited High Density Residential / Limited Institutional	Limited Institutional

17-03-33-33 / 09002	Limited High Density Residential / Limited Institutional	Limited Institutional
17-03-33-33 / 09103	Limited High Density Residential / Limited Institutional	Limited Institutional
17-03-33-33 / 09104	Limited High Density Residential / Limited Institutional	Limited Institutional
17-03-33-33 / 09105	Limited High Density Residential / Limited Institutional	Limited Institutional
17-03-33-33 / 09108	Limited High Density Residential / Limited Institutional	Limited Institutional
17-03-33-33 / 09400	Limited High Density Residential / Limited Institutional	Limited Institutional
17-03-33-33 / 12500	Limited High Density Residential / Limited Institutional	Limited Institutional
18-03-04-22 / 04302	Limited High Density Residential / Limited Institutional	Limited Institutional
18-03-04-22 / 04303	Limited High Density Residential / Limited Institutional	Limited Institutional
18-03-04-22 / 05900	Limited High Density Residential / Limited Institutional	Limited Institutional
18-03-04-22 / 06000	Limited High Density Residential / Limited Institutional	Limited Institutional
18-03-04-22 / 06101	Limited High Density Residential / Limited Institutional	Limited Institutional
18-03-04-22 / 06102	Limited High Density Residential / Limited Institutional	Limited Institutional
18-03-04-22 / 06103	Limited High Density Residential / Limited Institutional	Limited Institutional

<b>East Campus University of Oregon Zone Change</b>		
<b>Map / Tax Lot</b>	<b>Previous Zoning</b>	<b>Adopted Zoning</b>
17-03-33-32 / 07000	PL Public Land /SR Site Review Overlay /EC East Campus Overlay	PL Public Land /SR Site Review Overlay
17-03-33-32 / 07100	PL Public Land /SR Site Review Overlay /EC East Campus Overlay	PL Public Land /SR Site Review Overlay
17-03-33-32 / 07200	PL Public Land /SR Site Review Overlay /EC East Campus Overlay	PL Public Land /SR Site Review Overlay
17-03-33-32 / 07300	PL Public Land /EC East Campus Overlay	PL Public Land
17-03-33-32 / 07400	PL Public Land /EC East Campus Overlay	PL Public Land
17-03-33-32 / 07500	PL Public Land /EC East Campus Overlay	PL Public Land
17-03-33-32 / 07600	PL Public Land /EC East Campus Overlay	PL Public Land
17-03-33-32 / 07700	PL Public Land /SR Site Review Overlay /EC East Campus Overlay	PL Public Land /SR Site Review Overlay
17-03-33-32 / 07800	PL Public Land /SR Site Review Overlay /EC East Campus Overlay	PL Public Land /SR Site Review Overlay

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## FINDINGS

### Refinement Plan Amendment, Code Amendment, Zone Change

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#### **APPLICATION OVERVIEW**

**Name (File Numbers):** East Campus University of Oregon  
(RA 25-01, CA 25-02, Z 25-03)

This ordinance amends the Fairmount/University of Oregon Special Area Study, amends the Eugene Code, and changes the zoning of several properties. The area affected by this ordinance is located generally between Agate Street, Villard Street, East 15th Avenue, and East 19th Avenue, and consists of 50 tax lots totaling approximately 10.25 acres (subject area).

#### **Background**

In recent years, the University of Oregon has identified a need for increased housing development potential on and near campus, specifically with regard to increasing enrollment and student housing demand. As an outcome of the University's review of its internal development policies, the University of Oregon proposed a package of Code Amendments, Refinement Plan Amendments, and Zone Changes, to increase housing development potential within the /EC East Campus Overlay Zone.

The general intent of the Refinement Plan Amendment is to update several sections of the Fairmount/University of Oregon Special Area Study, the City's adopted neighborhood plan applicable to the subject area, to align with the University's East Campus Area Plan, a land use plan created by the University of Oregon, specifically with regard to the current and future housing needs of the University.

The Refinement Plan Amendment also includes changes to the Fairmount/University of Oregon Special Area Study's (SAS's ) Generalized Future Land Use Diagram. The changes include the redesignation of eleven properties from Limited High Density Residential / Limited Institutional (LHDR/LI) to Institutional (I) and redesignation of thirty properties from Limited High Density Residential / Limited Institutional (LHDR/LI) to Limited Institutional (LI). The companion Zone Change removes the /EC East Campus Overlay Zone from nine properties.

The /EC East Campus Overlay Zone, which applies to properties previously designated as Limited High Density Residential / Limited Institutional (LHDR/LI), and now designated Limited Institutional (LI), in the SAS, was created to implement the Fairmount/University of Oregon Special Area Study by providing for a land use transition between the eastern portion of the

University of Oregon campus and the adjacent low-density residential neighborhood to the east and south. The Code Amendment updates the sections of the Eugene Code governing the /EC East Campus Overlay Zone and updates the SAS policies included in the Code to ensure consistency between those policies in the Code and the SAS.

This ordinance removes the prohibition on dormitory uses in the LHDR/LI (now LI) area and the /EC East Campus Overlay from both the SAS and the Eugene Code.

## **FINDINGS**

The applications for a Refinement Plan Amendment, Code Amendment, and Zone Change were processed concurrently, pursuant to EC 9.8005. The following findings address the proposal and the applicable approval criteria at EC 9.8424, EC 9.8065, and EC 9.8865. Those criteria are provided below (in **bolded text**), including findings addressing compliance with each.

## **REFINEMENT PLAN AMENDMENT**

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

**EC 9.8424(1)(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 has acknowledged procedures for adoption of quasi-judicial land use decisions, located in Eugene Code (EC) 9.7050, 9.7400 through 9.7455, and 9.7065 through 9.7095, which ensure the opportunity for community members to be involved in all phases of the quasi-judicial land use decision process and set out the requirements for such involvement. The amendments to the Fairmount/University of Oregon Special Area Study (Refinement Plan Amendments) do not amend or otherwise affect the City's adopted citizen involvement program. The process for adoption of the Refinement Plan Amendment, Code Amendment, and Zone Change is consistent with the City's acknowledged procedures for quasi-judicial land use decisions.

The City of Eugene Land Use Code implements Statewide Planning Goal 1 by requiring that notice of the proposed amendments be given and public hearings be held prior to adoption. The applicable notice and opportunities to submit testimony on the application include:

- A pre-application Neighborhood/Applicant Meeting (held on September 23, 2024).
- Notice to the Oregon Department of Land Conservation and Development (DLCD) was originally provided on August 20, 2025, and updated notices were sent to DLCD on August 26, September 9, and September 19, 2025.
- Notice was sent to Lane County and the City of Springfield (September 19, 2025).

- Public notice of the Planning Commission Public Hearing on the applications was provided, including: mailing notice to the applicant, adjacent property owners, all neighborhood associations in Eugene, and interested parties (mailed September 19, 2025); and posting of the notice on properties in the subject area (October 6, 2025).
- The Planning Commission held a public hearing on October 21, 2025, and received testimony at that hearing. The Planning Commission then held the record open for three weeks for additional evidence and argument.
- On November 18, 2025, the Planning Commission deliberated and provided a recommendation to the Eugene City Council that the City Council approve the applications.
- Public notice of the City Council Public Hearing on the applications was mailed to the applicant, the property owner(s), any person who submitted written or oral testimony in a timely matter during the Planning Commission hearing process, and any person who requested notice of the Planning Commission's decision. (Mailed January 9, 2026). Consistent with the requirements of the Eugene Charter, notice was also published in the Register-Guard newspaper and posted on the City's website at least ten business days prior to the public hearing.
- The City Council held a public hearing on January 20, 2026, and received testimony at that hearing. In response to a request to hold the record open, the Council passed a motion to hold the record open for three weeks for additional evidence and argument, with the last 7 days reserved for only the applicant as required by state law. During the time the record was open only to the applicant, the applicant proposed modifications to the Refinement Plan Amendment and Code Amendment applications.
- On March 9, 2026, the City Council reopened the record to accept evidence and argument from all parties on all three applications and directed the City Manager to schedule a public hearing for April 20, 2026, on an ordinance incorporating the applicant's proposed modifications.
- The City provided notice of the second City Council public hearing to the Oregon Department of Land Conservation and Development (DLCD) on March 16, 2026. The revised DLCD notice explained that the ordinance would be updated to reflect the changes proposed by the applicant, and that the City Council would hold a public hearing on the updated ordinance on April 20, 2026.
- Public notice of the April 20, 2026, City Council Public Hearing to consider the applications was mailed on April 10, 2026, to the applicant, the property owner(s), any person who submitted written or oral testimony in a timely matter during the Planning Commission or City Council public hearing processes, and any person who requested notice of the Planning Commission's recommendation and City Council's decision.

- On April 20, 2026, the City Council held a public hearing on an ordinance incorporating the modified Refinement Plan Amendment, the modified Code Amendment, and the Zone Change.

All noticing was conducted in accordance with Eugene Code requirements.

Additional public engagement opportunities were provided by the University as part of the University's work on the Next Generation Housing Development Plan and the 2024 East Campus Area Plan. The University engaged with the City of Eugene, the Fairmount Neighborhood Association, university groups, and community members, to inform the outcomes of its internal planning process. The University's public engagement efforts were intended to ensure that the proposed amendments would continue to meet the original goals of the Fairmount/University of Oregon Special Area Study and the amendments adopted through Ordinance Nos. 20312 and 20460.

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 concurrent Refinement Plan Amendment, Code Amendment, and Zone Change applications are being processed according to Eugene's Land Use Code, which specifies the procedures and criteria applicable to review of the requests. The requested amendments to the Fairmount/University of Oregon Special Area Study text and diagram pertain to specific sites located within the Eugene City Limits. Therefore, the Refinement Plan Amendment application is subject to Type IV Application Requirements and Criteria, referenced at EC 9.7405, and the Refinement Plan Amendment Purpose, Applicability, General Requirements, and Approval Criteria at EC Sections 9.8421 through 9.8424.

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 affected governmental units. Specifically, the City provided notice of the proposed action and opportunity to comment to the Oregon Department of Land Conservation and Development (DLCD), Lane County, the Oregon Department of Transportation and the City of Springfield.

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

**Goal 3: Agricultural Lands - To preserve agricultural lands.**

The Refinement Plan Amendment only affects property located within the Urban Growth Boundary and does not affect any land designated for agricultural use. Therefore, the amendment is consistent with Statewide Planning Goal 3.

**Goal 4: Forest Lands - To preserve forest lands.**

The Refinement Plan Amendment only affects property located within the Urban Growth Boundary and does not affect any land designated by the comprehensive plan for forest use. Therefore, the amendment is consistent with Statewide Planning Goal 4.

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

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

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

This Refinement Plan Amendment does not create or amend the City's list of Goal 5 resources; does not amend a code provision adopted to protect a significant Goal 5 resource or to address specific requirements of Goal 5; does not allow new uses that could be conflicting uses 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 Refinement Plan Amendment does not impact the City's ability to provide for clean air, water, and land resources. The amendment, if adopted, would allow for intensification of development on University of Oregon owned land within the Urban Growth Boundary that is currently underdeveloped, which could reduce pressure for development on the urban fringe,

and consequently, could reduce potential impacts to surrounding land, air, and water resources.

Any future development will be subject to City regulations and other state and federal requirements, including regulations adopted to implement this Goal. 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, wildfires, and earthquakes and related hazards.

The subject area is located outside the 100-year flood zone and is not subject to hazards normally associated with steep slopes, wildfires, or tsunamis.

The Refinement Plan Amendment does not make changes to policies or regulations that protect people and property from natural 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 those facilities in non-urban areas of the state. The Refinement Plan Amendment does not affect the City's provision for, or residents' 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. 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 properties impacted by the Refinement Plan Amendment are not designated as commercial or industrial lands by the Eugene Springfield Metropolitan Area General Plan (Metro Plan); instead, the property in the subject area is

designated Government and Education. The Refinement Plan Amendment does not add or remove any commercial land from the City's adopted commercial or industrial inventories.

Neither does the Fairmount/University of Oregon Special Area Study (Refinement Plan) designate property in the subject area as commercial or industrial land. The SAS currently designates the property in the subject area as Limited High Density Residential /Limited Institutional (LHDR/LI). The change in the Refinement Plan's designation of the property in the subject area from Limited High Density Residential /Limited Institutional (LHDR/LI) to Institutional (I) or Limited Institutional (LI) does not affect the City's commercial lands or industrial lands inventory, because it will not change the City's overall supply of commercially or industrially designated land.

The amendment allows for the expansion of institutional uses on underdeveloped University-owned land. Increased development and the potential future construction of new residential units could provide additional support for existing businesses in the area. Based on these findings, the amendment 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 (2012-2032)* was adopted by the City of Eugene in 2017 as a refinement of the *Envision Eugene Comprehensive Plan* and complies with the requirements of Goal 10 and Chapter 660, Division 008 of the Oregon Administrative Rules.

The *Envision Eugene Residential Land Supply Study* includes an inventory of buildable lands for residential use. According to the Residential Land Supply Study, there is sufficient buildable residential land to meet the identified land need. The ordinance does not impact the City's supply of residential buildable land. No land is being re-designated from a residential use to a non-residential use, and the ordinance does not otherwise diminish the amount of land available for residential use. The *Envision Eugene Residential Land Supply Study (2012-2032)* was adopted by the City of Eugene in 2017 as a refinement of the *Envision Eugene Comprehensive Plan* and complies with the requirements of Goal 10 and Chapter 660, Division 008 of the Oregon Administrative Rules.

The *Envision Eugene Residential Land Supply Study* includes an inventory of buildable lands for residential use. According to the Residential Land Supply Study, there is sufficient buildable residential land within Eugene's Urban Growth Boundary to meet the identified land need. The land affected by this Refinement Plan Amendment was not included in the documented supply of "buildable land" that is available for residential development or counted as buildable residential land in the *Envision Eugene Residential Land Supply Study* because the subject property is considered "committed to public use" because of its Government and Education designation in the Metro Plan. The Refinement Plan Amendment does not change the Metro Plan designation for property in the subject area; therefore, the Refinement Plan Amendment will have no impact on the City's inventory of land available for residential use.

The Refinement Plan Amendment does not affect the amount of land designated or zoned for residential use, nor does it render any property unusable for residential uses. The Refinement Plan Amendment, Code Amendment, and Zone Change are specifically intended to facilitate housing development for University of Oregon students. The Refinement Plan Amendment, in conjunction with the concurrent Code Amendment, will adjust the development standards to allow dormitories, increase the area's maximum building height, and increase the residential transition area's maximum building height. These changes will allow denser development of student housing than is currently allowed on the subject property. 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 Eugene-Springfield Public Facilities and Services Plan (PFSP) 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, 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.

The area affected by the amendments is located inside Eugene's City Limits, and water, wastewater, stormwater, and transportation facilities either already exist or are readily available to the subject property. Nothing in the Refinement Plan Amendment affects the City's adopted and acknowledged public facilities plans or the City's ability to provide public facilities and services. Therefore, the amendment is consistent with Goal 11.

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

OAR 660-012-0060, the Transportation Planning Rule (TPR), implements Statewide Planning Goal 12 for Refinement Plan Amendments, such as this application. Statewide Planning Goal 12 requires a determination of whether the Refinement Plan Amendment will significantly impact an existing or planned transportation facility. The TPR contains the following requirement:

***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 eliminate the significant effect of the amendment.**
- (A) Types or levels of travel or access that are inconsistent with the functional classification of an existing or planned transportation facility;**
- (B) Degrade the performance of an existing or planned transportation facility such that it would not meet the performance standards identified in the TSP or comprehensive plan; or**
- (C) Degrade the performance of an existing or planned transportation facility that is otherwise projected to not meet the performance standards identified in the TSP or comprehensive plan.**

The TPR requires that land use changes that would significantly affect a transportation facility provide mitigation measures to address the anticipated impacts. The Refinement Plan Amendment and Code Amendment are subject to analysis for compliance with the Transportation Planning Rule (TPR). Due to the nature of these applications being processed concurrently and interwoven, the cumulative result of the proposed changes was analyzed as part of this TPR evaluation. While the changes to the Refinement Plan provide for a narrower addition of development potential within the Refinement Plan area, the Code Amendments will directly result in an increase in development potential, as they allow for additional building height and added uses in the subject area.

Following the initial submittal of the applications, the City identified the need for the applicant to address the applicability of the Transportation Planning Rule to the proposed amendments. On June 6, 2025, the applicant submitted a Transportation Planning Rule Analysis as information supporting the applications.

The TPR analysis provided by the applicant included two evaluations: the initial evaluation was based on potential traffic impacts resulting from “worst case scenario buildout” for the year 2045 modeled under current zoning, development standards, and use allowances; while the second evaluation was based on the potential traffic impacts of the “worst case scenario buildout” development that could occur by 2045 if the City Council approved the Refinement Plan Amendment, Code Amendment, and Zone Change applications.

The City Council adopts the applicant’s findings that, upon approval of the Code Amendments, Refinement Plan Amendments, and Zone Change, and assuming that full buildout of the entire study area is achieved by the year 2045, all study area intersections are estimated to operate acceptably during the typical weekday PM peak hour condition, based on current City performance standards. The City Council adopts the applicant’s conclusion that the adoption of

the amendments and Zone Change is expected to result in an increase in the trip generation potential of the East Campus area, but that the increase is not expected to have a *significant effect* on the transportation system. Additionally, no changes to the City's functional classifications or street design standards are warranted, and existing adjacent facilities are adequate to support additional trips generated as a result of the amendments and Zone Change.

Subsections (2) through (11) of OAR 660-012-0060 do not apply, because there will be no significant effect on the transportation system, and because OAR 660-012-0060(1) is satisfied.

Additionally, the City Council makes the following findings:

On February 2, 2026, the Fairmount Neighbors, the City-recognized neighborhood association that encompasses the subject area, submitted testimony that suggested the applicant's TPR Analysis was inconsistent with the methodology prescribed in Chapter 15.1 of the Highway Capacity Manual (HCM). The Council finds, consistent with the materials submitted by the applicant on February 10, 2026, that the methodology in Chapter 15 of the HCM, which focuses on two-lane rural highways, is not the appropriate analysis to apply to Agate Street or the applicable Agate Street intersections. The Council finds that the applicant's TPR analysis applied the appropriate methodologies from the HCM to evaluate the signalized intersections, two-way stop-controlled intersections and all-way stop-controlled intersections along Agate Street. Further, the Council finds persuasive and adopts the Memorandum from Kittelson & Associates, which the applicant submitted into the record on January 27, 2026, and which states that the TPR Analysis was performed in accordance with the HCM, and that the HCM is "recognized and accepted as the best practice throughout the United States."

The City also received testimony that suggested the applicant's TPR Analysis misrepresents Agate Street's conditions and does not adequately account for the impacts of pedestrian traffic on the local road system.

The City Council finds that the applicant's TPR Analysis properly evaluates a narrow range of traffic (primarily student housing-related) that is understood to be a direct result of the development allowed by the Code Amendment, Refinement Plan Amendment and Zone Change, rather than all the traffic associated with the broad range of University and other surrounding uses.

The City Council adopts the findings and conclusions of the January 27, 2026, Memorandum from Kittelson & Associates, which explains the traffic counts used in the TPR Analysis were collected on a typical weekday when the University was in normal session, during both peak and off-peak times. The Memorandum also states that the TPR Analysis focuses on the busiest 15 minutes within the peak hour. The City Council finds, consistent with the applicant's TPR Analysis, that the traffic increases expected to result from the amendments and Zone Change will not cause Agate Street or other local streets to fail or otherwise fall below the performance standards set by the City, and that all of the study intersections will continue to perform within acceptable levels of service.

The City Council finds that the parameters of the study performed for the TPR Analysis are

consistent with accepted TPR methodology and adequately account for pedestrian traffic. Regarding traffic mitigation measures, the City Council finds that the Transportation Planning Rule requires only that the City put in place measures to address “significant” effects to the transportation system, as defined in the TPR, resulting from the proposed Refinement Plan Amendment, Code Amendment, and Zone Change. The applicant has submitted a substantial volume of information into the record to support the conclusion that the amendments and Zone Change will not “significantly affect” the local transportation system for purposes of the TPR.

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 is applicable 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 amendment 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 make any changes to the City’s Willamette River Greenway regulations, nor is the subject area located within the adopted Willamette Greenway boundary. Based on these findings, 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 Refinement Plan Amendment. Therefore, Statewide Planning Goals 16 through 19 do not apply.

Based on the above findings addressing consistency with the Statewide Planning Goals, the Refinement Plan Amendment is consistent with the Statewide Planning Goals.

**EC 9.8424(1)(b) Applicable provisions of the comprehensive plan.**

The following findings address the *Eugene-Springfield Metropolitan Area General Plan (Metro Plan)*, the City’s adopted and acknowledged regional comprehensive plan, the *Envision Eugene Comprehensive Plan (Envision Eugene)*, the Eugene-specific adopted and acknowledged comprehensive plan, the *Eugene 2035 Transportation System Plan (2035 TSP)*, the transportation element of Eugene’s comprehensive land use plan, and the Fairmount/University of Oregon Special Area Study, the applicable area-specific plan, adopted as a refinement of the Metro Plan.

Metro Plan

The Metro Plan designates the properties in the subject area as Government and Education.

The applicant has not requested an amendment to the Metro Plan designation. The Refinement Plan Amendment to redesignate eleven properties from the Limited High Density Residential/Limited Institutional designation to the Institutional designation and to redesignate thirty properties from the Limited High Density Residential/Limited Institutional designation to the Limited Institutional designation on the Refinement Plan’s Land Use Diagram remains consistent with the Metro Plan designation of the properties in the subject area as Government and Education land, as both the Institutional and Limited Institutional designations provide for a range of education uses, which includes higher education-related uses. The text amendments to the Fairmount/University of Oregon Special Area Study are also consistent with the subject area’s Government and Education Metro Plan designation.

Metropolitan Residential Land Use and Housing Element

A.25 Conserve the metropolitan area’s supply of existing affordable housing and increase the stability and quality of older residential neighborhoods, through measures such as revitalization; code enforcement; appropriate zoning; rehabilitation programs; relocation of existing structures; traffic calming; parking requirements; or public safety considerations. These actions should support planned densities in these areas.

The City Council finds that the policies included in the Metropolitan Residential Land Use and Housing Element of the Metro Plan are applicable to the City’s “buildable residential land supply” as identified in the City’s *Envision Eugene Residential Land Supply Study* adopted in 2017. The City Council further finds that Policy A.25 is not an applicable approval criterion because the properties that are redesignated on the Fairmount/University of Oregon Special Area Study Land Use Diagram are not identified as “buildable residential land” in the *Envision Eugene Residential Land Supply Study*.

The properties that are redesignated on the Fairmount/University of Oregon Special Area Study Land Use Diagram are designated as Government and Education land in the Metro Plan Diagram and have a base zone of PL Public Land. EC 9.2680 provides that the Public Land zone is “intended for public and semi-public uses that are designed to implement the comprehensive

plan by providing areas for government services and education.” All the properties affected by these applications are owned by the University of Oregon and utilized for public institutional and education uses. The properties’ base zoning aligns with the Metro Plan’s Government and Education designation and will not change.

The *Envision Eugene* Residential Land Supply Study includes an inventory of buildable lands for residential use. The property that is the subject of this Refinement Plan Amendment was not counted as “buildable residential land” in the *Envision Eugene* Residential Land Supply Study because of its Government and Education designation in the Metro Plan. The Refinement Plan Amendment does not change the Metro Plan designation for property in the subject area; therefore, the Refinement Plan Amendment will have no impact on the City’s inventory of land available for residential use.

Finally, the Council finds that nothing in Policy A.25 appears to prohibit any of the text changes to the Fairmount/University of Oregon Special Area Plan, nor does the policy impose limits on the use of non-residentially designated land that may be located adjacent to residentially designated land. For all these reasons, the Council finds that the Refinement Plan Amendment is consistent with Policy A.25.

There are no other policies in the Metro Plan that appear to be directly relevant to this Refinement Plan Amendment or that serve as mandatory approval criteria for the amendment; therefore, this criterion is met.

#### Envision Eugene Comprehensive Plan

The *Envision Eugene* Comprehensive Plan does not contain any policies that appear to be directly relevant to this Refinement Plan Amendment or that serve as mandatory approval criteria for the amendment.

#### **EC 9.8424(1)(c) Remaining portions of the refinement plan.**

The Fairmount/University of Oregon Special Area Study provides policy direction related to land use, transportation, and parking, to guide development within the eastern portion of the University of Oregon campus and the adjacent portion of the Fairmount Neighborhood. The Fairmount/University of Oregon Special Area Study (SAS), which was adopted in 1982, recognizes the need for periodic updates to the SAS. The text on page 6 of the SAS states: *“This plan is a long-range, comprehensive plan and, as such, should be occasionally reviewed and updated (the University Development Policy specifically states it should govern for ten years from the date of its acceptance). Changes in conditions may dictate reconsideration of policies.”*

No policies listed in the SAS appear to serve as mandatory approval criteria for this Refinement Plan Amendment

#### Residential Transition Area

Interested parties submitted testimony suggesting that the Refinement Plan Amendment is inconsistent with the SAS provisions related to the residential transition area because the amendment would eliminate a “meaningful transition” between the Institutional designation area and the Low Density Residential designation area. For the reasons described below, the

City Council finds that the Refinement Plan Amendment is consistent with the existing residential transition area provisions in the SAS.

The area designated as Institutional in the Refinement Plan is zoned PL Public Land. The PL Zone generally does not include a maximum building height; therefore, buildings taller than 85 feet are currently allowed within the Institutional designation area. The area designated Low Density Residential in the SAS is zoned R-1 Low-Density Residential. Development in the Low Density Residential designation is currently subject to a maximum building height of 30 feet, with allowance for an additional 7 feet of building height for roof slopes of 6:12 or steeper.

The Limited High Density Residential/Limited Institutional (“LHDR/LI”) designation area (which will be redesignated as “Limited Institutional” or “LI”) is located between the Institutional designation area to the west and the Low Density Residential designation area to the east, and aligns with the area zoned with the /EC Overlay Zone.

The Land Use Diagram Text for the LHDR/LI designation describes the area as “a transition between the more intensive institutional uses to the west and north and the low density residential development to the east and south.” This language indicates that the LHDR/LI designation was created to function as a land use transition between the University-owned Institutional land, on which the building height is generally unlimited, and the adjacent residential areas, within which development is limited to the relatively low building height that is typical of low-density residential development.

The Fairmount/University of Oregon Special Area Study itself does not specify a maximum building height in the area designated LHDR/LI, nor does the SAS explicitly require building height within the LHDR/LI area to “step down” based on proximity to the Low Density Residential designation area. Rather, the SAS simply dictates that the LHDR/LI area provide a “transition” between those land uses on campus and those within the surrounding neighborhoods.

Building height requirements for the LHDR/LI area were added to the Eugene Code through the /EC Overlay Zone. As stated in Eugene Code Section 9.4200, Purpose of the /EC East Campus Overlay Zone, the /EC Overlay was created to implement the land use transition concept in the Fairmount/University of Oregon Special Area Study. As such, EC 9.4220(2) limits building height within the /EC Overlay to 45 feet, or 30 feet for buildings within 60 feet of an R-1 Low-Density Residential Zone. The Code Amendments adopted concurrently with the Refinement Plan Amendment expand the existing 60-foot residential transition area to 75 feet, measured from the edge of the R-1 Low-Density Residential Zone. Within this transition area, building height is limited to a maximum of 45 feet, rather than the existing limit of 30 feet.

It is the Eugene Code, and not the SAS, that provides specific building height limits for the Limited Institutional area (via regulation of development in the /EC Overlay). Similarly, the “stepped down” height limit applicable to development within 60 feet of the R-1 Zone is a Eugene Code requirement, and not a requirement of the SAS. The City Council finds that the Refinement Plan Amendment is consistent with the land use transition concept in the SAS.

### Fairmount/VO SAS Transportation and Parking Section

In testimony submitted on January 20, 2026, the Fairmount Neighbors Association discusses two specific policies from the Transportation and Parking section of the SAS, which directed the City to perform traffic studies within the study area. For reference, those Traffic Circulation Policies are as follows:

Policy 6: By March, 2005, the City shall initiate a study of Agate Street between Franklin Boulevard and 19th Avenue. That study, conducted jointly with the University and the Fairmount Neighborhood Association, shall identify strategies to improve the function and carrying capacity of Agate according to the City criteria for its designated street classification. The City will implement the necessary changes. The University will participate in those improvements as development occurs and as required by the City code, to the extent that the University is directly responsible for the needed improvements.

Policy 7: The City, with the cooperation of the University and the Fairmount Neighborhood Association, shall initiate an area-wide traffic calming study for the streets within the Fairmount/University of Oregon Special Area Study boundary to determine appropriate mitigation for through-traffic utilizing neighborhood streets. Such study shall be initiated prior to December, 2008, subject to availability of funds. In the event that the City updates the Central Area Transportation Study (CATS) prior to 2008, the City shall fund and initiate an area-wide traffic calming study as part of the CATS update to determine appropriate mitigation measures for the subject area.

The City Council finds that Traffic Circulation Policies 6 and 7 were addressed through the Agate/Fairmount Transportation Study, which was presented to the City Council on July 9, 2007.

The City Council finds that these two SAS policies are not applicable to the Refinement Plan Amendment because the policies are directed at the City and not the applicant. The City Council finds that Traffic Circulation Policies 6 and 7 primarily provide direction to the City, in that the policies require the City to initiate the traffic studies described in the policies. However, to the extent that Policy 6 directs the University to participate in the referenced study to some degree, the Agate/Fairmount Transportation Study has already been completed.

The City Council finds that Policies 6 and 7 do not require all future development proposals to include traffic mitigation measures.

Based on the above findings, the Refinement Plan Amendment is consistent with the remaining portions of the Fairmount/University of Oregon Special Area Study.

This criterion is met.

**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.**

**New or amended community policies.**

The City Council finds that the Refinement Plan Amendment addresses EC 9.8424(2)(c). This criterion is met.

In 2023, the University of Oregon began the process of updating its internal development policies for the East Campus area in response to demand for student housing and the need to build additional student housing. The University found that its future student housing development needs could not be met without amending the policies that define allowed uses and development standards applicable to University-owned lands in the East Campus area, including both City requirements and the University's internal development guidance. This process resulted in the University's adoption of the East Campus Area Plan in December, 2024.

The term "community policy" is not defined in the Eugene Code. For purposes of the Refinement Plan Amendment, the City Council finds that the University's adopted East Campus Area Plan constitutes a community policy. The unique confluence between the Fairmount/University of Oregon Special Area Study and the East Campus Area Plan is alluded to in the "The University of Oregon Lands: Description and Statement of the Problem" section of the Fairmount/University of Oregon Special Area Study, as amended by Ordinance No. 20312:

*"In September 2003, the University submitted an application to amend the 1982 Fairmount/University of Oregon Special Area Study for the purpose of incorporating changes in the plan made necessary by the University's adoption of the 2003 East Campus Development Policy. Commenting on the application, the Fairmount Neighborhood Association expressed concerns about the effectiveness of the proposed East Campus Development Policy in mitigating the impacts of University development on the surrounding neighborhood. The association subsequently commissioned the Fairmount Neighborhood Association East Campus Committee (Committee) to represent the neighborhood interests in the public hearing process. The Committee submitted testimony commenting on each of the University's individual proposals. While the Committee expressed support for many of the ideas and proposals put forth in the application, they also suggested modifications to certain policies or plan text and replacements or additions to other policies and text.*

*Following the public hearing, the City engaged University staff and Committee representatives in a mediation process to seek agreement and resolve differences on the proposed policy and text amendments. Agreement between the University and*

*Committee was reached on most of the issues discussed; those agreements are reflected in the maps, policies and other text adopted through this amendment process.”*

Consideration of the East Campus Plan as “community policy” is further supported by East Campus Area Policy 1 (page 24 of the Refinement Plan), as amended by Ordinance No. 20312, which reads as follows:

*“1. The City of Eugene and the Fairmount Neighbors recognize the current University-adopted East Campus Policy as a statement of University policy.”*

The City Council finds that University’s adopted updates to its East Campus Area Plan are “new or amended community policies” in the context of this criterion. The University’s adoption of the East Campus Area Plan has triggered the need for text and diagram amendments to the Fairmount/University of Oregon Special Area Study in order to ensure consistency between the two documents.

**New or amended provisions in a federal law or regulation, state statute, state regulation, statewide planning goal, or state agency land use plan.**

The City Council finds that the Refinement Plan Amendment and the concurrently adopted Code Amendments are consistent with recent changes to state statutes that encourage the development of housing and remove barriers to the development of housing, including specifically laws related to needed housing and middle housing.

**A change of circumstances in a substantial manner that was not anticipated at the time the refinement plan was adopted.**

The City Council finds that the growth of the University, the demand for on-campus student housing, and recent changes to state housing laws are changed circumstances addressed by the Refinement Plan Amendment consistent with EC 9.8424(2)(e).

The City Council finds there is substantial evidence in the record to show that on-campus living benefits University students and leads to better student outcomes. Recent state statutes related to needed housing and middle housing have changed the housing types and density allowed in residential zones, and those state law changes were not anticipated when the SAS was last updated in 2004. The Council finds that these changed circumstances will be addressed by the Refinement Plan Amendment and concurrently adopted Code Amendment.

Based on the above findings, the Refinement Plan Amendment addresses EC 9.8424(2)(c), (d), and (e). Therefore, this criterion is met.

**CODE AMENDMENT**

**Application Details**

As stated at EC 9.4200, the purpose of the /EC East Campus Overlay Zone is to provide for a land use transition between the eastern portion of the University of Oregon campus and the adjacent low-density residential neighborhood to the east and south. As one of the codified provisions intended to meet this purpose, the Land Use Code sections pertaining to the /EC East Campus Overlay Zone includes requirements related to allowed and prohibited uses. Eugene Code (EC) Section 9.4215(1)(c) establishes that “University and college dormitories” are a prohibited use in the /EC Overlay Zone. The land use transition is also implemented through the requirement at EC 9.4220(2), which requires that, *“Within the /EC East Campus Overlay Zone, a building within 60 feet of an R-1 Low Density Residential zone shall not exceed 30 feet in height. All other buildings shall not exceed 45 feet in height.”*

The University of Oregon has identified a need for increased development potential of on-campus student housing in the East Campus area. To meet this need, the University has proposed changes to the Refinement Plan and the Eugene Code to allow development of student dormitories on properties zoned with the /EC East Campus Overlay Zone.

The Code Amendment increases the allowed building height within the /EC East Campus Overlay Zone from 45 feet to 85 feet; expands the “residential transition” distance from R-1 zoned properties from 60 feet to 75 feet; and to increase the allowed building height within the residential transition area from 30 feet to 45 feet.

**Evaluation – Code Amendment**

The following findings address the applicable approval criteria for the requested Code Amendment:

**EC 9.8065(1) Is consistent with applicable statewide planning goals as adopted by the Land Conservation and Development Commission.**

**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 has acknowledged procedures for adoption of quasi-judicial land use decisions, located in Eugene Code (EC) 9.7050, 9.7400 through 9.7455, and 9.7065 through 9.7095, which ensure the opportunity for community members to be involved in all phases of the quasi-judicial land use decision process and set out the requirements for such involvement. The amendments to the Land Use Code do not amend the City’s adopted citizen involvement program. The process for adoption of the Refinement Plan Amendment, Code Amendment, and Zone Change is consistent with the City’s acknowledged procedures for quasi-judicial land use decisions.

The City of Eugene Land Use Code implements Statewide Planning Goal 1 by requiring that notice of the proposed amendments be given and public hearings be held prior to adoption. The applicable notice and opportunities to submit testimony on the application include:

- A pre-application Neighborhood/Applicant Meeting (held on September 23, 2024).
- Notice to the Oregon Department of Land Conservation and Development (DLCD) was originally provided on August 20, 2025, and updated notices were sent to DLCD on August 26, September 9, and September 19, 2025.
- Notice was sent to Lane County and the City of Springfield (September 19, 2025).
- Public notice of the Planning Commission Public Hearing on the applications was provided, including: mailing notice to the applicant, adjacent property owners, all neighborhood associations in Eugene, and interested parties (mailed September 19, 2025); and posting of the notice on properties in the subject area (October 6, 2025).
- On November 18, 2025, the Planning Commission deliberated and provided a recommendation to the Eugene City Council that the City Council approve the applications.
- Public notice of the City Council Public Hearing on applications, was mailed to the applicant, the property owner(s), any person who submitted written or oral testimony in a timely matter during the Planning Commission hearing process, and any person who requested notice of the Planning Commission's decision. (Mailed January 9, 2026). Consistent with the requirements of the Eugene Charter, notice was also published in the Register-Guard newspaper and posted on the City's website at least ten business days prior to the public hearing.
- The City Council held a public hearing on January 20, 2026, and received testimony at that hearing. In response to a request to hold the record open, the Council passed a motion to hold the record open for three weeks for additional evidence and argument, with the last 7 days reserved for only the applicant as required by state law. During the time the record was open only to the applicant, the applicant proposed modifications to the Refinement Plan Amendment and Code Amendment applications.
- On March 9, 2026, the City Council reopened the record to accept evidence and argument from all parties on all three applications and directed the City Manager to schedule a public hearing for April 20, 2026, on an ordinance incorporating the applicant's proposed modifications.
- The City provided notice of the second City Council public hearing to the Oregon Department of Land Conservation and Development (DLCD) on March 16, 2026. The revised DLCD notice explained that the ordinance would be updated to reflect the changes proposed by the applicant, and that the City Council would hold a public hearing on the updated ordinance on April 20, 2026.

- Public notice of the April 20, 2026, City Council Public Hearing to consider the applications was mailed on April 10, 2026, to the applicant, the property owner(s), any person who submitted written or oral testimony in a timely matter during the Planning Commission or City Council public hearing processes, and any person who requested notice of the Planning Commission's recommendation and City Council's decision.
- On April 20, 2026, the City Council held a public hearing on an ordinance incorporating the modified the Refinement Plan Amendment, the modified Code Amendment, and the Zone Change.

All noticing was conducted in accordance with Eugene Code requirements.

Additional public engagement opportunities were provided by the University as part of the University's work on the Next Generation Housing Development Plan and the 2024 East Campus Area Plan, the University engaged with the City of Eugene, the Fairmount Neighborhood Association, university groups, and community members, to inform the outcomes of its internal planning process. The University's public engagement efforts were intended to ensure that the proposed amendments would continue to meet the original goals of the Fairmount/University of Oregon Special Area Study and the amendments adopted through Ordinance Nos. 20312 and 20460.

Based on these findings, the proposed Code 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 concurrent Refinement Plan Amendment, Code Amendment, and Zone Change applications are being processed according to Eugene's Land Use Code, which specifies the procedure and criteria applicable to review of the requests. The requested amendments to the Land Use Code pertain to specific sites located within the Eugene City Limits. Therefore, the Code Amendment application is subject to EC 9.7405 Type IV Application Requirements and Criteria Reference and the Code Amendment General Requirements and Approval Criteria at EC Sections 9.8060 through 9.8065.

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 affected governmental units. Specifically, the City provided notice of the proposed action and opportunity to comment to the Oregon Department of Land Conservation and Development (DLCD), Lane County, the Oregon Department of Transportation and the City of Springfield.

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

**Goal 3: Agricultural Lands - To preserve agricultural lands.**

The Code Amendment only affects property located within the Urban Growth Boundary and does not affect any land designated for agricultural use. Therefore, the amendment is consistent with Statewide Planning Goal 3.

**Goal 4: Forest Lands - To preserve forest lands.**

The Code Amendment only affects property located within the Urban Growth Boundary and does not affect any land designated by the comprehensive plan for forest use. Therefore, the amendment is consistent with Statewide Planning Goal 4.

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

*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:*

- (c) 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;*
- (c) 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.*

This Code Amendment does not create or amend the City's list of Goal 5 resources; does not amend a code provision adopted to protect a significant Goal 5 resource or to address specific requirements of Goal 5; does not allow new uses that could be conflicting uses 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 Code Amendment does not impact the City's ability to provide for clean air, water, and land resources. The amendment, if adopted, would allow for intensification of development on University of Oregon owned land within the Urban Growth Boundary that is currently underdeveloped, which could reduce pressure for development on the urban fringe, and consequently, could reduce potential impacts to surrounding land, air, and water resources.

Any future development will be subject to City regulations and other state and federal requirements, including regulations adopted to implement this Goal. Based on these findings, the Code 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, wildfires, and earthquakes and related hazards.

The subject area is located outside the 100-year flood zone and is not subject to hazards normally associated with steep slopes, wildfires, or tsunamis.

The Code Amendment does not make changes to policies or regulations that protect people and property from natural 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 those facilities in non-urban areas of the state. The Code Amendment does not affect the City's provision for, or residents' 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. 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 properties impacted by the Code Amendment are not designated as commercial or industrial lands by the Eugene Springfield Metropolitan Area General Plan (Metro Plan); instead, the property in the subject area is designated Government and Education. The Code Amendment does not add or remove any commercial land from the City's adopted commercial or industrial inventories.

The amendment allows for the expansion of institutional uses on underdeveloped University-owned land. Increased development and the potential future construction of new residential units could provide additional support for existing businesses in the area. Based on these findings, the amendment 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 (2012-2032)* was adopted by the City of Eugene in 2017 as a refinement of the *Envision Eugene Comprehensive Plan* and complies with the requirements of Goal 10 and Chapter 660, Division 008 of the Oregon Administrative Rules.

The *Envision Eugene Residential Land Supply Study* includes an inventory of buildable lands for residential use. According to the Residential Land Supply Study, there is sufficient buildable residential land to meet the identified land need. The ordinance does not impact the City's supply of residential buildable land. No land is being re-designated from a residential use to a non-residential use, and the ordinance does not otherwise diminish the amount of land available for residential use. The *Envision Eugene Residential Land Supply Study (2012-2032)* was adopted by the City of Eugene in 2017 as a refinement of the *Envision Eugene Comprehensive Plan* and complies with the requirements of Goal 10 and Chapter 660, Division 008 of the Oregon Administrative Rules.

The *Envision Eugene Residential Land Supply Study* includes an inventory of buildable lands for residential use. According to the Residential Land Supply Study, there is sufficient buildable residential land within Eugene's Urban Growth Boundary to meet the identified land need. The land affected by this Code Amendment was not included in the documented supply of "buildable land" that is available for residential development or counted as buildable residential land in the *Envision Eugene Residential Land Supply Study* because the subject property is considered "committed to public use" because of its Government and Education designation in the Metro Plan. The Code Amendment does not change the Metro Plan designation for property in the subject area; therefore, the Code Amendment will have no impact on the City's inventory of land available for residential use.

The Code Amendment does not affect the amount of land designated or zoned for residential use, nor does it render any property unusable for residential uses. The Refinement Plan Amendment, Code Amendment, and Zone Change are specifically intended to facilitate housing development for University of Oregon students. The Code Amendment, in conjunction with the concurrent Refinement Plan Amendment, will adjust the development standards to allow dormitories, increase the area's maximum building height, and increase the residential transition area's maximum building height. These changes will allow denser development of student housing than is currently allowed on the subject property. 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 Eugene-Springfield Public Facilities and Services Plan (PFSP) 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, 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.

The area affected by the amendments is located inside Eugene's City Limits, and water, wastewater, stormwater, and transportation facilities either already exist or are readily available to the subject property. Nothing in the Code Amendment affects the City's adopted and acknowledged public facilities plans or the City's ability to provide public facilities and services. Therefore, the amendment is consistent with Goal 11.

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

OAR 660-012-0060, the Transportation Planning Rule (TPR), implements Statewide Planning Goal 12 for Code Amendments, such as this application. Statewide Planning Goal 12 requires a determination of whether the Code Amendment will significantly impact an existing or planned transportation facility. The TPR contains the following requirement:

***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 eliminate the significant effect of the amendment.**

- (A) Types or levels of travel or access that are inconsistent with the functional classification of an existing or planned transportation facility;**
- (B) Degrade the performance of an existing or planned transportation facility such that it would not meet the performance standards identified in the TSP or comprehensive plan; or**
- (C) Degrade the performance of an existing or planned transportation facility that is otherwise projected to not meet the performance standards identified in the TSP or comprehensive plan.**

The TPR requires that land use changes that would significantly affect a transportation facility provide mitigation measures to address the anticipated impacts. As discussed in the Refinement Plan Amendment evaluation above, the Refinement Plan Amendment and Code Amendment are subject to analysis for compliance with the Transportation Planning Rule (TPR). Due to the nature of these applications being processed concurrently and interwoven, the cumulative result of the changes was analyzed as part of this TPR evaluation. While the changes to the Refinement Plan provide for a narrower addition of development potential within the Refinement Plan area, the Code Amendments will directly result in an increase in development potential, as they allow for additional building height and added uses in the subject area.

Following the initial submittal of the applications, the City identified the need for the applicant to address the applicability of the Transportation Planning Rule to the proposed amendments. On June 6, 2025, the applicant submitted a Transportation Planning Rule Analysis as information supporting the applications.

The TPR analysis provided by the applicant included two evaluations: the initial evaluation was based on potential traffic impacts resulting from “worst case scenario buildout” for the year 2045 modeled under current zoning, development standards, and use allowances; while the second evaluation was based on the potential traffic impacts of the “worst case scenario buildout” development that could occur by 2045 if the City Council approved the Refinement Plan Amendment, Code Amendment, and Zone Change applications.

The City Council adopts the applicant’s findings that, upon approval of the Code Amendments, Refinement Plan Amendments, and Zone Change, and assuming that full buildout of the entire study area is achieved by the year 2045, all study area intersections are estimated to operate acceptably during the typical weekday PM peak hour condition, based on current City performance standards. The City Council adopts the applicant’s conclusion that the adoption of

the amendments and Zone Change is expected to result in an increase in the trip generation potential of the East Campus area, but that the increase is not expected to have a *significant effect* on the transportation system. Additionally, no changes to the City's functional classifications or street design standards are warranted, and existing adjacent facilities are adequate to support additional trips generated as a result of the amendments and Zone Change.

Subsections (2) through (11) of OAR 660-012-0060 do not apply, because there will be no significant effect on the transportation system, and because OAR 660-012-0060(1) is satisfied.

Additionally, the City Council makes the following findings:

On February 2, 2026, the Fairmount Neighbors, the City-recognized neighborhood association that encompasses the subject area, submitted testimony that suggested the applicant's TPR Analysis was inconsistent with the methodology prescribed in Chapter 15.1 of the Highway Capacity Manual (HCM). The Council finds, consistent with the materials submitted by the applicant on February 10, 2026, that the methodology in Chapter 15 of the HCM, which focuses on two-lane rural highways, is not the appropriate analysis to apply to Agate Street or the applicable Agate Street intersections. The Council finds that the applicant's TPR analysis applied the appropriate methodologies from the HCM to evaluate the signalized intersections, two-way stop-controlled intersections and all-way stop-controlled intersections along Agate Street. Further, the Council finds persuasive and adopts the Memorandum from Kittelson & Associates, which the applicant submitted into the record on January 27, 2026, and which states that the TPR Analysis was performed in accordance with the HCM, and that the HCM is "recognized and accepted as the best practice throughout the United States."

The City also received testimony that suggested the applicant's TPR Analysis misrepresents Agate Street's conditions and does not adequately account for the impacts of pedestrian traffic on the local road system.

The City Council finds that the applicant's TPR Analysis properly evaluates a narrow range of traffic (primarily student housing-related) that is understood to be a direct result of the development allowed by the Code Amendment, Refinement Plan Amendment and Zone Change, rather than all the traffic associated with the broad range of University and other surrounding uses.

The City Council adopts the findings and conclusions of the January 27, 2026, Memorandum from Kittelson & Associates, which explains the traffic counts used in the TPR Analysis were collected on a typical weekday when the University was in normal session, during both peak and off-peak times. The Memorandum also states that the TPR Analysis focuses on the busiest 15 minutes within the peak hour. The City Council finds, consistent with the applicant's TPR Analysis, that the traffic increases expected to result from the amendments and Zone Change will not cause Agate Street or other local streets to fail or otherwise fall below the performance

standards set by the City, and that all of the study intersections will continue to perform within acceptable levels of service.

The City Council finds that the parameters of the study performed for the TPR Analysis are consistent with accepted TPR methodology and adequately account for pedestrian traffic. Regarding traffic mitigation measures, the City Council finds that the Transportation Planning Rule requires only that the City put in place measures to address “significant” effects to the transportation system, as defined in the TPR, resulting from the proposed Refinement Plan Amendment, Code Amendment, and Zone Change. The applicant has submitted a substantial volume of information into the record to support the conclusion that the amendments and Zone Change will not “significantly affect” the local transportation system for purposes of the TPR.

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 Code 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 Code Amendment is applicable 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 amendment 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 Code Amendment does not make any changes to the City’s Willamette River Greenway regulations, nor is the subject area located within the adopted Willamette Greenway boundary. Based on these findings, 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 Code Amendment. Therefore, Statewide Planning Goals 16 through 19 do not apply.

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

#### **EC 9.8065(2) Is consistent with applicable provisions of the comprehensive plan and applicable adopted refinement plans.**

##### Metro Plan

As is discussed within the Refinement Plan Amendment evaluation above, the Eugene-Springfield Metropolitan Area General Plan (Metro Plan) is the basic guiding land use policy document for regional land use planning. The Code Amendment is consistent with the Metro Plan, which designates the subject properties as Government and Education land.

The applicant has not requested an amendment to the Metro Plan designation, and none of the changes to the Code are inconsistent with the Metro Plan designation of the subject properties as Government and Education land. Therefore, the proposal is consistent with the provisions of the Metro Plan.

##### Metropolitan Residential Land Use and Housing Element

A.25 Conserve the metropolitan area’s supply of existing affordable housing and increase the stability and quality of older residential neighborhoods, through measures such as revitalization; code enforcement; appropriate zoning; rehabilitation programs; relocation of existing structures; traffic calming; parking requirements; or public safety considerations. These actions should support planned densities in these areas.

The Code Amendment removes the prohibition on dormitory uses from the /EC East Campus Overlay Zone, amends the /EC East Campus Overlay Zone to increase the width of the transition area between taller buildings and buildings within a low-density residential zone, and amends the /EC East Campus Overlay Zone to increase building height limits. The Code Amendment also updates the policies in EC 9.9570 for consistency with the Refinement Plan Amendment.

The City Council finds that nothing in the Code Amendment prohibits conservation of existing affordable housing or rezones or redesignates “buildable residential land.”

The *Envision Eugene* Residential Land Supply Study includes an inventory of buildable lands for residential use. The property that is currently zoned with the /EC East Campus Overlay was not counted as “buildable residential land” in the *Envision Eugene* Residential Land Supply Study because of its Government and Education designation in the Metro Plan. The Code Amendment does not change the Metro Plan designation for any properties.

For all these reasons, the Council finds that the Code Amendment is consistent with Policy A.25.

There are no other policies in the Metro Plan that appear to be directly relevant to this Code Amendment or that serve as mandatory approval criteria for the amendment; therefore, this criterion is met.

Envision Eugene Comprehensive Plan

The *Envision Eugene* Comprehensive Plan does not contain any policies that appear to be directly relevant to this Code Amendment or that serve as mandatory approval criteria for the amendment.

Fairmount/University of Oregon Special Area Study

The Refinement Plan Amendment, which is adopted concurrently with the Code Amendment, includes updates to several sections of the Fairmount/University of Oregon Special Area Study (SAS).

The text of the Fairmount/University of Oregon Special Area Study has been updated to allow student “dorm” uses within the area designated Limited Institutional (LI).

In order to ensure consistency with the Fairmount/University of Oregon Special Area Study, section 9.4215(1)(c) of the Eugene Code must be updated to remove the prohibition of dormitory uses from the /EC East Campus Overlay Zone.

The City Council finds that the proposed Code Amendments are consistent with Fairmount/University of Oregon Special Area Study East Campus Area Policy 6(d), which provides as follows:

East Campus Area Policy 6: On University-owned East Campus lands within the state-approved University boundary, the following policies shall apply in the Low Density Residential area:

(d) The preservation and maintenance of the historic architectural, single-family residential character of the Low Density Residential area is an integral part of the surrounding neighborhood. New development shall demonstrate compatibility with this historic architectural, single-family residential character, located east and south of the East Campus area, through consideration of appropriate building mass, building scale, historic architectural style, setbacks, building and entrance orientation, roof pitch and mitigation of off-site impacts.

The City Council finds that, as described in the main text of Policy 6, this policy applies to the “Low Density Residential Area” that is located “[o]n University-owned East Campus lands within the state-approved University boundary.” The Council finds that the Refinement Plan Amendment and Code Amendments only apply to properties designated Limited Institutional (LI) or Institutional (I). Neither the Refinement Plan Amendment nor the Code Amendments redesignate, rezone, or apply directly to property designated “Low Density Residential.” Further, the Council finds that the Low Density Residential area is located to the east of the area affected by the Refinement Plan Amendment and Code Amendments; therefore, East Campus Area Policy 6(d) is not applicable to property within the area affected by the Refinement Plan Amendment and Code Amendment. East Campus Area Policy 6(d) is not

relevant to the proposed Code Amendment because the amendments do not apply to or affect development within the Low Density Residential designation area.

Remaining portions of the Fairmount/University of Oregon Special Area Study are related to areas outside the East Campus boundaries or to general neighborhood policies, none of which will be directly affected by the Code Amendment. As such, no other policies listed in the SAS appear to serve as mandatory approval criteria for these Code Amendments.

Based on these findings, this criterion is met.

**EC 9.8065(3) In the case of establishment of a special area zone, is consistent with EC 9.3020 Criteria for Establishment of an S Special Area Zone.**

The Code Amendment does not establish a Special Area Zone. Therefore, this criterion does not apply to the Code Amendment.

## ZONE CHANGE

### Application Details

The ordinance includes a Zone Change removing the /EC East Campus Overlay from nine properties, which total approximately 1.15 acres. The base zoning of the properties, PL Public Land, will not change, nor will any other overlay zones applicable to the subject properties, such as the /SR Site Review Overlay Zone.

The Zone Change corresponds to the changes in the eleven affected properties' Refinement Plan designation, from Limited High Density Residential / Limited Institutional (LHDR/LI) to Institutional (I). The change in Refinement Plan designation and zoning aligns with the existing institutional uses on the properties as well as other institutional uses planned for the future.

### Evaluation – Zone Change

The following findings address the applicable approval criteria for the requested Zone Change:

**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 ordinance removes the /EC East Campus Overlay from nine tax lots. The base zoning of the properties, PL Public Land, will not change. Five of the tax lots are also zoned or partially zoned with the /SR Site Review Overlay, which will remain.

The properties are designated as Government and Education land in the Metro Plan Diagram. EC 9.2680 provides that the Public Land zone is "intended for public and semi-public uses that are designed to implement the comprehensive plan by providing areas for government services and education." Because the properties' base zoning aligns with the Metro Plan's Government and Education designation and will not change, the removal of the /EC East Campus Overlay Zone from the subject properties' zoning is consistent with the subject properties' Metro Plan designation.

Many Metro Plan policies are relevant and supportive of the Zone Change, including policies A.4, A.11 through A.14, and A.23 of the Residential Land Use and Housing Element which provide:

A.4 Use annexation, provision of adequate public facilities and services, rezoning, redevelopment, and infill to meet the 20-year projected housing demand.

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

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

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

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

A.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.

Additionally, the Council finds that policy A.25 is not inconsistent with the Zone Change.

A.25 Conserve the metropolitan area's supply of existing affordable housing and increase the stability and quality of older residential neighborhoods, through measures such as revitalization; code enforcement; appropriate zoning; rehabilitation programs; relocation of existing structures; traffic calming; parking requirements; or public safety considerations. These actions should support planned densities in these areas.

The City Council finds that policy A.25 is applicable to the City's "buildable residential land supply" as identified in the City's *Envision Eugene* Residential Land Supply Study adopted in 2017. The City Council further finds that Policy A.25 is not an applicable approval criterion because the properties that are being rezoned to remove the /EC East Campus Overlay Zone are not identified as "buildable residential land" in the *Envision Eugene* Residential Land Supply Study.

The *Envision Eugene* Residential Land Supply Study includes an inventory of buildable lands for residential use. The properties that are being rezoned are designated as Government and Education land in the Metro Plan Diagram and have a base zone of PL Public Land. The property that is the subject of this Zone Change was not counted as "buildable residential land" in the *Envision Eugene* Residential Land Supply Study because of its Government and Education designation in the Metro Plan. EC 9.2680 provides that the Public Land zone is "intended for public and semi-public uses that are designed to implement the comprehensive plan by providing areas for government services and education." All the properties affected by these applications are owned by the University of Oregon and utilized for public institutional and education uses. The properties' base zoning aligns with the Metro Plan's Government and Education designation and will not change.

There are no other policies in the Metro Plan that appear to be directly relevant to this Zone Change or that serve as mandatory approval criteria for the application; therefore, 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 Fairmount/University of Oregon Special Area Study (SAS) is the adopted refinement plan applicable to the subject properties. The subject properties are located in the Limited High Density Residential / Limited Institutional (LHDR/LI) area north of East 15th Avenue, as identified in the SAS's Land Use Diagram.

The concurrent Refinement Plan Amendment amends the Fairmount/University of Oregon Special Area Study Land Use Diagram to redesignate the subject properties from LHDR/LI (LHDR/LI) to Institutional (I). The concurrent Code Amendments provide that the /EC East Campus Overlay Zone is only applicable to properties designated Limited Institutional (LI). As the subject properties are now designated Institutional (I), the Zone Change to remove the /EC East Campus Overlay Zone from the properties is consistent with the concurrent amendments to the Fairmount/University of Oregon Special Area Study.

No other policies listed in the Fairmount/University of Oregon Special Area Study appear to serve as mandatory approval criteria for this Zone Change, nor do any other policies require further analysis beyond that provided in the Refinement Plan Amendment evaluation above. Based on these findings, and with the concurrent 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 existing 8-inch public wastewater line is available and located adjacent to the subject properties, within the Villard Alley 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 are existing stormwater lines that run along Villard Street, Villard Alley, and portions of East 15th Avenue. 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: Six of the subject properties have frontage on East 15 Avenue to the south; one of the subject properties has frontage on Moss Street to the west; and the remaining two subject properties have frontage on Villard Street to the east. These sections of East 15th Avenue and

Villard Street are maintained by the City of Eugene, and this section of Moss Street is privately maintained. 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 to the subject properties. 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 properties is consistent with service provision throughout the City. Fire protection will be provided by the Eugene Springfield Fire Department. Emergency medical services are currently provided on a regional basis by the cities of Eugene and Springfield.

Transportation: The subject properties are accessible to pedestrians, bicycles, and vehicles via the surrounding street network. Two Lane Transit District public transit stops, the EmX Agate Station and Walnut Station, are located within ¼ mile of the subject properties, on Franklin Boulevard. Sidewalks and bikes lanes are present on both sides of East 15th Avenue.

Parks and Recreation: Parks and recreation programs are provided on a City-wide basis. The inclusion of the subject properties in the City 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 urban growth boundary by the City of Eugene. The Eugene Code, Chapter 9, will provide the required land use controls for future development of property in the subject area.

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 area 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:**

**(e) EC 9.2681 Public Land Zone Siting Requirements.**

The applicant has requested a Zone Change to remove the /EC East Campus Overlay from nine tax lots. While the base zoning of the properties, PL Public Land, is not proposed to change, the

Zone Change is consistent with the Public Land Zone Siting Requirements because the subject properties are owned solely by the University of Oregon, a public agency, and are developed with public (institutional) uses listed in EC 9.2682(1). This criterion is met.

**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 requested 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 and Code Amendment evaluations above, the two concurrent applications were evaluated for potential transportation system impacts, and the City Council has determined that the proposed amendments will not have a significant effect on the transportation system. In this case, the Zone Change 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.**

The City of Eugene's adopted Eugene 2035 Transportation System Plan (2035 TSP) is the City's acknowledged local transportation system plan. Per Chapter 3: Needs Assessment and Evaluation of the 2035 TSP, the needs assessment and resulting projects 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. Generally, 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 the 2035 TSP.

The removal of the /EC East Campus Overlay Zone from the subject properties is consistent with the subject properties' land use designation in the Metro Plan. Therefore, the zoning of the subject properties is also consistent with the 2035 TSP. As the applicant has not requested an amendment to the Metro Plan designation, and as the subject properties' base zoning of PL Public Land remains consistent with the Government and Education designation of the subject properties, the Zone Change complies with OAR 660-012-0060(9) and OAR 660-012-0060(1) is satisfied. 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, Code Amendment, and Zone Change comply with the applicable approval criteria.

### **Procedural Findings**

The City processed the Refinement Plan Amendment, the Code Amendments, and the Zone Change as consolidated land use applications under the City's Type IV quasi-judicial procedures. The specific procedural steps are described above in the Council's Goal 1 findings.

Interested parties argued that the consolidated applications were in fact "legislative" and not "quasi-judicial" and should have been processed under the City's Type V procedures. The City Council finds that the Type IV process is appropriate in this case because of the site-specific nature of the consolidated applications, the requirement that the City Council reach a decision on the applications, and the combination of land use decisions requested.

The Council finds that the University's proposal is site-specific under the City Code because all of the land that would be subject to changed development rules is within a small geographic area and is owned by the University. The Council further finds that, notwithstanding the general statement in EC 9.8060 that amendments to the Land Use Code are to be processed under Type V procedures, in this case, due to the site-specific nature of the applications, the use of quasi-judicial Type IV procedures was appropriate and is not prohibited by the Eugene Code. EC 9.8423 supports the use of Type IV procedures in this instance, by providing that site-specific refinement plan amendments are Type IV applications. In addition, Table 9.7055 and EC 9.8855(5) support the use of Type IV procedures, stating that Zone Changes processed concurrently with a Refinement Plan Amendment follow the applicable Refinement Plan procedure.

The Council also finds that, in this case, the City's Type IV and Type V processes are not meaningfully different in terms of public process. Both procedures require similar public notice and the same sequence of Planning Commission and City Council public hearings. Additionally, despite utilizing the quasi-judicial Type IV procedures in the Eugene Code to process the

University's proposal, the City also provided notice of the Code Amendments and Refinement Plan Amendments to the Department of Land Conservation and Development, as it would as part of a Type V legislative process. As discussed in detail in the Council's findings of compliance with Goal 1, the Council finds that interested parties have had ample notice and opportunity to make their views heard in this proceeding, and to provide evidence and argument to support their views. Interested parties have submitted significant written testimony and provided extensive oral testimony to both the Planning Commission and the City Council.