

MINUTES

Eugene City Council Work Session Eugene, Oregon 97401

October 18, 2023
12:00 p.m.

Councilors Present: Emily Semple, Matt Keating, Lyndsie Leech, Alan Zelenka, Jennifer Yeh, Mike Clark, Greg Evans, and Randy Groves

Mayor Vinis opened the October 18, 2023, work session of the Eugene City Council in a virtual format.

1. **WORK SESSION: Public Health Industrial Development Standards**

City Manager, Sarah Medary, introduced Land Use Supervisor, Reid Verner, and Building Permit Services Director, Lydia Bishop, who provided a presentation on public health and industrial standards.

Councilor Discussion:

- Councilor Groves – asked staff about the buffer zone ; noted that the JH Baxter contamination impacted the land that was considered the buffer zone; stated that preventing similar contamination issues in the future is important.
- Councilor Clark – asked about the measurable effects in residential areas around the JH Baxter contamination; would like more information on the distance of measurable effects from JH Baxter in a future work session; stated that the residents of Eugene want Council to protect them from another situation like JH Baxter; stated that public health overlay buffer zones could be in contrast to the urban density goal; requested the percentage of buildable land supply that would be impacted by the buffer zone.
- Councilor Zelenka – stated that the standards are meant to prevent another contamination event like JH Baxter; would like more information and development of this topic.
- Mayor Vinis – asked staff if the new standards would apply to existing businesses.
- Councilor Leech – asked if the City can enforce an insurance requirement or mitigation effort to assist with any future occurrences.
- Councilor Groves – stated that the contamination from JH Baxter has been found a block away from the site, and the contamination may go further; noted this topic is part of three Council work sessions that resulted from a work session poll 1) tools and strategies for addressing toxic pollutants, 2) risk bonds, and 3) public health overlay zone; stated that a public health overlay zone could be time and cost prohibitive, but the buffer zone approach may be feasible; stated the goal is to allow responsible commerce while protecting residents.

- Councilor Keating – stated that in 2019 a Lane Regional Air Protection Agency air monitoring station one mile from JH Baxter recorded a spike in naphthalene that coincided with an alleged air quality violation by JH Baxter; stated that Department of Environmental Quality identified JH Baxter as the likely cause of source of dioxin soil residues and polychlorinated biphenyls in local ground water.
- Councilor Clark – asked staff to discuss land use process for prohibiting housing adjacent to existing industry; asked if there is a process that identifies potentially hazardous areas; asked if there is a mechanism in the land use code that prevents housing in a location that could be potentially hazardous.
- Councilor Keating – stated that pollutants can permeate multiple miles; cited an Oregon Health Authority study that indicates cancer rates in west Eugene are slightly higher than other areas of the city.
- Councilor Groves – stated that the intention of the work session polls for the three topics mentioned previously were meant to work together; would like a wrap up of all three parts of this topic, showing how they work together; stated the public health overlay zone intent was to also include housing tracks that would be on top of existing industry.

MOTION and VOTE: Councilor Groves, seconded by Councilor Keating, move to direct the City Manager to initiate a land use code amendment to implement public health industrial development standards.

VOTE: PASSED 8:0

2. **WORK SESSION: Gas Stations**

City Manager, Sarah Medary, introduced Senior Planner, Jeff Gepper, who presented information on the environmental and public health impact of gas stations.

Councilor Discussion:

- Councilor Yeh – asked staff if a pause on new gas stations would be as difficult as a complete ban.
- Councilor Groves – would support a temporary pause on new gas stations to provide time for research; asked if a ban would apply to private trucking firms with private fueling stations; is concerned about bans on private fueling stations; asked if there has been any research regarding hydrogen cells and including them in this work; would like to be flexible and consider alternative fuel options in this process.
- Councilor Keating – is concerned that a gas station could still be built in South Eugene with the proposed buffer zones.

MOTION: Councilor Keating, seconded by Councilor Groves, move to initiate a land use code amendment that: 1) prohibits new gas stations within 500 feet of any dwelling or an educational facility; 2) requires any new gas station to provide a minimum of one electric vehicle charging station for every four fuel pumps; 3) requires any expansion of an existing gas station, fuel distribution facility, or fuel storage facility to provide a minimum of two electric vehicle charging stations; and 4)

defines necessary terms such as gas station, EV (electric vehicle) station and educational facility.

Councilor Discussion:

- Councilor Clark – stated that the potential dangers of charging stations is not known yet; asked staff if there is market research on how the prevalence or scarcity of gas stations impacts price of gas; wants more information before taking in any action; is concerned how a pause or ban on new gas stations could impact gas prices.
- Councilor Semple –believes that there are enough gas stations in Eugene; would prefer an outright ban on new stations; asked to make a friendly amendment to change the motion from 500-feet to 1,000-feet.
- Councilor Evans – asked staff about the legality of a moratorium, both time-limited and permanent; asked if the word “suspension” would be more appropriate for a temporary pause in permitting new gas stations; asked staff about the potential negative impacts of lithium batteries; asked if other alternative energy sources can be considered in powering electric vehicles; would like more information about the negative impacts of production and use of lithium batteries.
- Councilor Zelenka – believes that the restrictions in this motion would be the same as banning gas stations; stated that charging a vehicle at a gas station would subject those people to the health risks posed by gas stations; stated that the market will dictate the transition from gas stations to charging stations without action from City Council; stated that enacting a ban will push people to outlying areas and create more greenhouse gases; is concerned about the potential divisive impact of a gas station ban.
- Councilor Yeh – believes that there are two issues in this motion, the safety of gas station locations and electric vehicle charging; stated that these issues should not be tied together; would prefer not to sit at a gas station to charge her vehicle; is not prepared to make decisions at this work session but would be supportive of a temporary pause on new gas stations while information is gathered.
- Councilor Groves – has more questions about this subject before voting for a ban; asked staff to perform market research on how limiting new gas station construction will impact gas prices; asked staff to bring back information regarding what the per capita rate of gas stations is in the nation and how Eugene compares; does not believe Council has enough information to make decisions at this work session.
- Councilor Clark – stated that everything has risks; asked staff how much risk gas stations pose compared to other businesses; would like more information about this topic.
- Councilor Zelenka – stated that a new Department of Environmental Quality regulation scheduled for 2024 will significantly reduce gas nozzle emissions; believes that new construction gas stations would allow for newer and safe technology; stated that hydrogen is likely to be at gas stations in the future; stated that the Pacific Northwest was just granted \$1 billion for a hydrogen hub and potentially for transportation use; supports developing an electric vehicle charging plan with EWEB.
- Councilor Leech – is in favor of preventing new construction of gas stations for public health and climate reasons; would be in support of separating the gas station

and electric vehicle topics; would like to look at planning for electric vehicle charging city-wide; would like more information regarding hydrogen as a fuel source; would like more information about the potential impact on gas prices; would support a pause on new gas station construction while information is gathered.

- Councilor Semple – stated that the restrictions would essentially ban new gas stations; would like to divide the motion into separate issues; believes that it would be easier to move forward on electric vehicle charging stations than to ban gas stations; is concerned about the impact on air and water quality from gas stations; believes it would make more sense to restrict how close gas stations can be located to each other; believes that another work session is needed on this topic.

MOTION TO SUBSTITUTE: Councilor Semple, seconded by Councilor Groves, move to substitute to direct the City Manager to come back for a second work session on this topic at the earliest possible time.

- Councilor Keating – stated that this topic is an urgent matter; stated that gas stations release toxic emissions and increase vehicular traffic; stated the six percent increase in gas stations the last few years is a good reason to pause new construction of gas stations and to require electric vehicle charging at gas stations; stated that these restrictions would reduce the exposure to toxic chemicals for 90 percent of the community; stated that 80 percent of gas stations will be unprofitable in the next decade; is in support of moving the work session to a date certain.
- Councilor Evans – stated that the meeting needs to be extended; noted that there is another topic, Neighborhood Planning, on the agenda that needs to be addressed; believes another work session is needed for this topic with the information requested from staff in this work session.

MOTION AND VOTE: Councilor Evans, seconded by Councilor Groves, move to extend the meeting by ten minutes. **VOTE: PASSED 8:0**

- Councilor Zelenka – asked staff to bring back an estimated impact of a 500- or 1000-foot buffer on the available land to build a new gas station; asked staff to bring back information on a proposed Department of Environmental Quality emissions rules for leaking tanks; will bring back a motion to direct the City Manager to develop an electric vehicle charging plan for the City of Eugene and for the potential for a hydrogen station; would like the electric vehicle charging plan to be moved up in the work queue.

MOTION TO SUBSTITUTE RESTATED: Councilor Semple, seconded by Councilor Groves, move to substitute to direct the City Manager to come back for a second work session on this topic at the earliest possible time. **VOTE: PASSED 8:0**

VOTE ON THE MOTION AS SUBSTITUTED: PASSED 7:1 (opposed by Councilor Clark)

Mayor Vinis adjourned the meeting at 1:37 p.m.

Respectfully submitted,

A handwritten signature in blue ink, appearing to read "Katie LaSala". The signature is fluid and cursive, with the first name "Katie" and last name "LaSala" clearly distinguishable.

Katie LaSala
City Recorder

(Recorded by Sara McKinney)

Link to the webcast of this City Council meeting [here](#).