



Eugene City Council

101 W 10th Ave., Suite 203
Eugene, OR 97401
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www.eugene-or.gov

EUGENE CITY COUNCIL AGENDA

October 9, 2023

7:30 p.m. CITY COUNCIL MEETING

City Council Wednesday work sessions will be held in hybrid format using virtual and in-person meeting technology. Information about online or other options for access and participation will be available at <https://www.eugene-or.gov/3360/Webcasts-and-Meeting-Materials>

NOTE: This agenda was amended to reflect the correct meeting time

Meeting of October 9, 2023; Her Honor Mayor Lucy Vinis Presiding

Councilors

Randy Groves, President
Lyndsie Leech
Jennifer Yeh
Mike Clark

Matt Keating, Vice President
Emily Semple
Alan Zelenka
Greg Evans

7:30 p.m. CITY COUNCIL MEETING

1. CEREMONIAL MATTERS

- A. Domestic Violence Awareness Month Proclamation
- B. Breast Cancer Awareness Month Proclamation
- C. Indigenous Peoples' Day Proclamation

2. COMMITTEE REPORTS AND ITEMS OF INTEREST

3. CONSENT CALENDAR 1

- A. Approval of City Council Minutes
 - July 19, 2023 Work Session
 - July 26, 2023 Work Session
 - September 11, 2023 Meeting
 - September 18, 2023 Public Hearing
- B. Approval of City Council Tentative Agenda

4. PUBLIC FORUM

5. ACTION: An Ordinance Establishing the S-HM Historic Mims Houses Special Area Zone and Amending the Eugene Zoning Map

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

El consejo de la Ciudad de Eugene agradece su interés en estos asuntos de la agenda. El lugar de la reunión tiene acceso para sillas de ruedas. Se puede proveer a un intérprete para las personas con discapacidad auditiva si avisa con 48 horas de anticipación. También se puede proveer interpretación para español si avisa con 48 horas de anticipación. Para reservar estos servicios llame al 541-682-5010. Las reuniones del consejo de la ciudad se transmiten en vivo por Metro Television, Canal 21 de Comcast y son retransmitidas durante la semana.

For more information, contact the Council Coordinator at 541-682-5010,
or visit us online at www.eugene-or.gov.

EUGENE CITY COUNCIL AGENDA ITEM SUMMARY



Ceremonial Matters

Meeting Date: October 9, 2023
Department: Central Services
www.eugene-or.gov

Agenda Item Number: 1
Staff Contact: Cherish Bradshaw
Contact Telephone Number: 541-682-8340

ISSUE STATEMENT

This item is to acknowledge awards and achievements and inform the public of proclamations by the Mayor. No action is required by the City Council.

BACKGROUND

Per City Council Operating Agreements (Adopted 12/14/2020), at the first regular meeting of each month, the first agenda item shall be used to acknowledge special recognition or awards given to the City of Eugene or for the Mayor to read proclamations which serve to encourage and educate the community. Proclamations shall be made and placed on the agenda at the discretion of the Mayor.

The following proclamations for the month of October will be read during the October 9 meeting:

- October 1, 2023 – Domestic Violence Awareness Month
- October 1, 2023 – Breast Cancer Awareness Month
- October 9, 2023 – Indigenous Peoples' Day

Current and previous proclamations are available on the City's [Proclamation webpage](#).

ATTACHMENTS

- A) Domestic Violence Awareness Month Proclamation
- B) Breast Cancer Awareness Month Proclamation
- C) Indigenous Peoples' Day Proclamation

FOR MORE INFORMATION

Staff Contact: Cherish Bradshaw, Mayor and Council Support
Telephone: 541-682-8340
Staff E-Mail: cabradshaw@eugene-or.gov

OFFICE OF THE MAYOR
City of Eugene, Oregon
PROCLAMATION

WHEREAS: Home should be a safe and trustworthy place, but for too many Oregonians it is instead fraught with terror due to domestic violence; and

WHEREAS: The crime of domestic violence violates an individual's privacy and dignity, security, and humanity, due to systematic use of physical, emotional, sexual, economic, and psychological control and abuse to children and the elderly; and

WHEREAS: Domestic violence is not limited to physical or verbal abuse but includes intimate terrorism (such as isolation, covert control, reproductive coercion, economic and sexual exploitation) and online abuse (such as stalking, humiliation, doxing, rape, and death threats) and these forms of terror are often unrecognized by our laws and norms; and

WHEREAS: Domestic violence affects not only the person being abused but also children, neighbors, friends, family, coworkers, faith communities, and others; seeing or hearing abuse can be particularly terrifying for children and people with trauma histories; and children witnessing violence is recognized as a form of abuse itself; and

WHEREAS: The triad of forced financial dependence, reproductive abuse, and familial isolation creates monumental barriers to leaving an abusive relationship, and dangerous situations are further exacerbated by worsening economic realities, especially the lack of truly affordable housing; and

WHEREAS: It is survivors of violence, and the advocates who partner with them daily on safety planning and support measures, to whom we look for guidance on raising awareness of domestic violence, and ultimately working to build community norms of healthy relationships; and

WHEREAS: Hope & Safety Alliance continues to provide safety, hope, and healing to domestic violence survivors of all genders through advocacy and support and focuses on educational prevention and has served thousands of people in Lane County for more than 45 years; and

WHEREAS: Too many Oregonians have lost their lives due to domestic violence; we remember those women, men, and children who have died and are taking a firm stance to prevent domestic violence; and

WHEREAS: The impact and the cost of domestic violence is wide-ranging and devastating directly affecting individuals, children, and society, in this community,

throughout the United States and the world.

NOW, THEREFORE, I, Lucy Vinis, Mayor of the City of Eugene, Oregon, do hereby proclaim October 2023, to be

“Domestic Violence Awareness Month”

in Eugene and urge all people to actively participate in the scheduled activities and programs to work toward eradicating domestic violence, improving victim safety, and holding perpetrators of domestic abuse accountable for their actions against individual victims and our society.

Mayor Lucy Vinis
City of Eugene
October 1, 2023

OFFICE OF THE MAYOR
City of Eugene, Oregon
PROCLAMATION

WHEREAS: October is nationally recognized as Breast Cancer Awareness Month, with 31 days to educate about breast health, services, and programs available; to recognize survivors, their supporters and loved ones; and to honor those lives lost to this disease; and

WHEREAS: In the Pacific Northwest, 1 in 7 women are affected by breast cancer while the national average is 1 in 8 women; breast cancer also affects men; and breast cancer is a leading cause of death for women in the United States; and

WHEREAS: The City of Eugene strongly supports organizations that educate, empower, and support those affected by breast cancer and aims to address disparities among underserved communities by income, geography, insurance, race, ethnicity, age and gender who are disproportionately affected by this disease; and

WHEREAS: The City of Eugene recognizes Breast Cancer Awareness Month as an opportunity to unite the community and spread important messages of early detection, screening and prevention and assistance to women and men during and after treatment to increase survivorship and quality of life; and

NOW, THEREFORE, I, Lucy Vinis, Mayor of the City of Eugene, Oregon, do hereby proclaim the month of October to be

“Breast Cancer Awareness Month”

Mayor Lucy Vinis
City of Eugene
October 1, 2023

OFFICE OF THE MAYOR

City of Eugene, Oregon

PROCLAMATION

WHEREAS: Sitting on Kalapuya land, our city is one of more than 150 cities and towns across the nation that recognize today, the second Monday in October, as Indigenous Peoples' Day. Since 1977, more and more governing bodies have opted to celebrate Indigenous Peoples' Day. Oregon joins more than a dozen states that recognize this holiday in some form. To memorialize this commitment, on March 14, 2016, the City Council adopted Resolution 5148, declaring the second Monday of October as Indigenous Peoples' Day for the City of Eugene, instead of commemorating conquest, we recognize resilience; and

WHEREAS: On this day, we celebrate the heritage of Indigenous people to show respect of their history and to enlighten the public toward a better understanding of modern Indigenous communities. In this way, we work to pursue a changed narrative about the history of Indigenous people in Eugene and across the lands. The City values the many contributions made to our community through Indigenous peoples' knowledge, labor, technology, science, philosophy, arts, and deep cultural contributions that have substantially shaped the character of our City and State; and

WHEREAS: Since time immemorial, the Kalapuya people have been the Indigenous stewards to this land, building dynamic communities, maintaining balance with wildlife, and enacting sustainable land practices. This Proclamation is one way of resisting the erasure of Indigenous histories and to honor Native communities by inviting truth and reconciliation. Following treaties between 1851 and 1855, Kalapuya people were dispossessed of their Indigenous homeland by the United States government and forcibly removed to the Coast Reservation in Western Oregon. As we consider the impacts of colonization, we also acknowledge the strength and resiliency of displaced Indigenous peoples; and

WHEREAS: The city of Eugene is built within Kalapuya Ilihi, the traditional homelands of the Kalapuya peoples, acknowledge and respect the inherent sovereignty of the nine federally recognized tribal nations in the state of Oregon and all Indigenous nations. Kalapuya descendants are citizens of the Confederated Tribes of Grand Ronde Community of Oregon and the Confederated Tribes of the Siletz Indians of Oregon. They continue to make contributions in their communities here and across the lands; and

WHEREAS: Our commemoration of Indigenous Peoples' Day is one step on the path to replacing harmful historic untruths with knowledge about displacement, genocide and loss, resilience and belonging. Indigenous Peoples' Day pushes against erasure and urges reevaluation of history and recognize Indigenous representation,

equality, and justice. We are inspired by local and regional Indigenous people who continue to fight against the systemic racism and injustices inflicted by the United States government. We are committed to improving our City's actions that pursue a higher quality of life and well-being for our Indigenous communities; and

WHEREAS: As Mayor, I stand with city leadership for inclusivity and the recognition of past harm and offer our commitment to work towards change. We pledge better government-to-government relationships between the City and local Tribal nations. We will build the foundation for respectful and strengthened intergovernmental relationships by committing ourselves to a deeper understanding of the effects of colonization, the current needs of our Indigenous community, and connections that allow us to collaborate on shared interests; and

NOW, THEREFORE, I, Lucy Vinis, Mayor of the City of Eugene, Oregon, do hereby proclaim support of the recognition of Indigenous Peoples' Day on the second Monday in October and ask the residents of Eugene to utilize this day as an opportunity to reflect on the strength and resilience of Indigenous people; to recognize the importance of Indigenous Peoples everywhere; to celebrate their thriving cultures and values; to stand in solidarity with Indigenous peoples elsewhere; to encourage other businesses, organizations, and public institutions to recognize Indigenous Peoples' Day on the second Monday in October; and to commit to continue efforts to promote the well-being and growth of Eugene's Indigenous community.

“Indigenous Peoples’ Day”

Mayor Lucy Vinis
City of
Eugene October
9, 2023

EUGENE CITY COUNCIL AGENDA ITEM SUMMARY



Approval of City Council Minutes

Meeting Date: October 9, 2023
Department: Central Services
www.eugene-or.gov

Agenda Item Number: 3A
Staff Contact: Sara McKinney
Contact Telephone Number: 541-682-5042

ISSUE STATEMENT

This is a routine item to approve City Council minutes.

BACKGROUND

Per City Council Operating Agreements (Adopted 12/14/2020), written minutes shall be taken for all City Council meetings in accordance with the Oregon Attorney General's Public Records and Meetings Manual. The minutes must give a true reflection of the matters discussed but need not be a full transcript, verbatim or recording.

As a matter of courtesy and efficiency a councilor should notify the Mayor and other councilors that they intend to propose an amendment to the minutes and should propose replacement text in advance of the meeting at which those minutes are scheduled to be approved. If the proposed amendment is a simple factual, grammatical, or spelling correction, the amendment may be proposed without consulting the minutes recorder. If the proposed amendment is substantive in nature or seeks to clarify the speaker's intent, the councilor should notify the minutes recorder and request verification of the proposed amendment.

SUGGESTED MOTION

Move to approve the minutes for the work sessions, meetings, and public hearings on July 19, 2023, July 26, 2023, September 11, 2023, and September 18, 2023.

ATTACHMENTS

- A. July 19, 2023 Work Session
- B. July 26, 2023 Work Session
- C. September 11, 2023 Meeting
- D. September 18, 2023 Public Hearing

FOR MORE INFORMATION

Staff Contact: Sara McKinney, Deputy City Recorder

Telephone: 541-682-5042

Staff E-Mail: smckinney@eugene-or.gov

MINUTES

Eugene City Council Work Session Eugene, Oregon 97401

July 19, 2023
12:00 p.m.

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

Mayor Vinis opened the July 19, 2023, work session of the Eugene City Council in a virtual format at 101 W 10th Avenue, Eugene OR 97401.

1. **WORK SESSION: Police Commission Annual Report and FY 24 and FY 25 Work Plan**
City Manager Sarah Medary provided a brief introduction and introduced the Police Commission Chair, Dallas Boggs, Vice Chair, Jensina Hawkins and Acting In Capacity Police Commission Analyst, Holly Mathews, who presented the annual report and work plans.

Councilor Discussion:

- Mayor Vinis – noted the importance of the work the Police Commission does in the community.
- Councilor Groves – appreciated the focus on mental health issues; noted that providing good service requires good mental health.
- Councilor Clark – asked for Chief Skinner’s thoughts and input on the work plan and report; asked if Chief Skinner has elected to not implement policy suggested by the Police Commission over the last few years.
- Councilor Zelenka – noted his appreciation to the Police Commission, Chief Skinner, and Eugene Police Department for the work they do; noted that this commission is the opportunity for members of the public to discuss police policies with the officers.
- Councilor Semple – noted appreciation for the commission members; noted that participation on the Police Commission can be time-consuming; likes the focus on mental health in this report.
- Councilor Zelenka – noted that previous work plan items are mostly completed, noted that the focus for the current work plan are high priority; supports approving the work plan.
- Mayor Vinis – asked if items completed were in response to the Ad Hoc Committee on Police Policies; noted that the work for the Ad Hoc Committee is ongoing and the Police Commission is very responsive to the recommendations of the Ad Hoc Committee; asked if the sub-committee on mental health has developed top items of concern.

MOTON: Councilor Groves, seconded by Councilor Keating, moved to approve the Police Commission FY 2024 and FY 2025 Work Plan as presented in Attachment A.

VOTE: PASSED 7:0

MOTION: Councilor Groves, seconded by Councilor Keating, move to extend the timeline on the Law Enforcement Mental Health and Wellness Committee for two years.

VOTE: PASSED 7:0**2. WORK SESSION: Council Operating Agreements**

City Manager, Sarah Medary, outlined the purpose of the Council Operating Agreements and introduced City Recorder, Katie LaSala, who presented information on the proposed Council Operating Agreement updates.

Councilor Discussion:

- Mayor Vinis – outlined the format for the discussion; stated that the first round of discussion will be for Councilors to note what they would like to discuss.
- Councilor Semple – would like to discuss section 1.02 (Work Sessions) and (2.02) Council Poll.
- Councilor Clark – would like to discuss Public Forum (1.05) and Boards and Commissions nomination process.
- Councilor Yeh – stated she does not have any specific topics she wants to discuss.
- Councilor Groves – would like a discussion about Boards and Commissions.
- Councilor Evans – stated he does not have any specific topics he wants to discuss.
- Councilor Zelenka – would like to discuss Boards and Commissions, allowing community members to sit on more than one board, commission or committee at one time; noted that Resolutions are treated the same as Work Session Polls.
- Councilor Keating – would like to discuss the Boards and Commissions nomination process.
- Councilor Semple – asked staff to clarify the proposed change to Wednesday work session length; asked who decides a meeting day and length; asked if length would be decided in advance, asked about the parameters of “as needed”; asked about the timeframe for Council Polls; stated the timeframe for Council Polls cannot be open-ended.
- Councilor Clark – would like to address the repetitive nature of several people who speak at Public Forum; indicated an interest in limiting participation in Public Forum to ten times per calendar year.
- Councilor Keating – asked if there is a motion on the table; would not support limiting citizen engagement.
- Councilor Zelenka – stated his concern regarding repetitive comments at Public Forum; would like the speaker list prioritized for those who have not spoken.
- Councilor Groves – is concerned that repetitive testimony could prevent new testimony from being heard; would like a system to manage how many times individuals can speak about the same subject.
- Mayor Vinis – stated she does not believe that people have been cut-off from testimony due to time; asked staff to bring back data for how many times people have been turned away from testimony.

- Councilor Yeh – was not in favor of limiting to 90 minutes of testimony; believes that the changes made have gone well.
- Councilor Groves – clarified that his concern is not hearing testimony, not the length of the Public Forum; wants as the system to be fair and accessible to all.
- Councilor Semple – stated her question regarding Work Session Polls was answered.
- Councilor Clark – asked to clarify the proposed change with respect to timeline; would like Council to have the choice to choose a timeline when submitting a Work Session Poll; would like Council to have input on when a topic is put on the agenda.
- Councilor Zelenka – noted that the Poll does provide for Council timing preference; would like a set timeline for when a Work Session Poll topic is put on the agenda once approved; asked how to avoid scenarios in which a topic is on the “to be scheduled list” for long periods of time; suggested adding a qualifier to the language to state, “within a reasonable amount of time.”
- Councilor Clark – asked the City Manager to clarify if Council has the ability to make a motion to move an item on the tentative agenda to different date; stated that Council has the authority to vote to change the scheduled agenda.
- Mayor Vinis – noted that Council leadership has the opportunity to look at items on the agenda and request adjustments.
- Councilor Zelenka – asked to clarify the number of affirmative votes required for a poll to be approved to go on to the agenda.
- Councilor Semple – supports keeping the requirement that four affirmative votes would result in approval for the topic to be placed on the agenda.

MOTION: Councilor Groves, seconded by Councilor Zelenka, move to direct the City Manager to place on an upcoming consent agenda a resolution adopting the proposed changes to the Council Operating Agreements as outlined in Attachment B.

Councilor Discussion:

- Councilor Zelenka – requested a friendly amendment on the motion to delete the last sentence of 2.02 and have the new last sentence say “if four councilors respond in the affirmative, the item shall be placed on a future Council agenda within a reasonable time.”
- Councilor Semple – is concerned that there is not a set timeline in the language for Work Session Poll topics.
- Councilor Groves – would prefer to keep the language moved and if the timeframe seems excessive, Council has the option to make a motion as they see fit to move the topic forward.

MOTION AS AMENDED: Councilor Groves, seconded by Councilor Zelenka, move to direct the City Manager to place on an upcoming consent agenda a resolution adopting the proposed changes to the Council Operating Agreements as outlined in Attachment B and modifying the language of the proposed changes to 2.02 Council Polls to delete the last sentence of the paragraph and replace it with “if four councilors respond in the affirmative, the item shall be placed on a future Council agenda within a reasonable time.” **VOTE: PASSED 7:0**

Councilor Discussion:

- Councilor Keating – asked for a discussion regarding in-person attendance to work sessions and meetings expectations.
- Councilor Zelenka – would like future discussion to include number of boards, commissions or committees a citizen can sit on.

Mayor Vinis adjourned the meeting at 1:27 p.m.

Respectfully submitted,

Katie LaSala
City Recorder

(Recorded by Sara McKinney)

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

MINUTES

Eugene City Council Work Session Eugene, Oregon 97401

July 26, 2023
12:00 p.m.

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

Mayor Vinis opened the July 26, 2023, work session of the Eugene City Council in a virtual format at 101 W 10th Avenue, Eugene OR 97401.

1. **WORK SESSION: Strategic Plan**

City Manager, Sarah Medary, gave a brief introduction to the topic before City Manager's Office Chief of Staff, Brooke Freed, and Policy Systems Analyst, Jason Dedrick, presented information on Strategic Planning.

Councilor Discussion:

- Mayor Vinis – appreciated the presentation and clarity that was provided.
- Councilor Zelenka –stated the presentation linked the Council goals and the Strategic Planning retreat well; asked how to distinguish between goals that are already under way and ones that have not yet been started.
- Councilor Groves – looks forward to seeing details coming from different departments; stated is the importance for community members to see what action items Council is focusing on and how it impacts them; would like progress updates on action items to be brought forward as available.
- Councilor Clark – noted his concern that the metrics and measures in the presentation would be recorded after decisions were made; asked if there is a way to get better advanced information on decisions being made; would like to get better information in advance for better decision-making about strategic goals.
- Councilor Yeh – believes that the process to allow staff to work on the strategic plan was a good choice; would like to explore how to get good advice and input on topics before taking action.
- Mayor Vinis – stated that the City does sometimes use outside sources to assist with information and research on topics.
- Councilor Semple – believes that the Community Survey was a complex item to breakdown; believes that staff brought a good grouping of challenges into the report.
- Mayor Vinis – stated that the number of requests for work sessions has been a struggle and the strategic plan can help prioritize work session requests and scheduling.

MOTION: Councilor Groves, seconded by Councilor Zelenka, move to approve the direction outlined in the strategic plan set forth in Attachment A to the AIS.

VOTE: PASSED 6:1 (Opposed by Councilor Clark)

2. **WORK SESSION: City Manager Updates**

City Manager, Sarah Medary, provided updates on the Multi-Use Center at the Lane County Fairgrounds and the request for \$15 million to support this project.

Councilor Discussion:

- Councilor Yeh – asked to clarify if the state and federal funds have been verified; asked to clarify if the \$3.5 million from the Eugene Emeralds is a combination of equipment and rent and not a cash being investment into the facility construction; asked if there is any commitment from the Eugene Emeralds to put money toward the construction of the proposed facility; asked if the Eugene Emeralds have made a commitment to stay in Eugene if the facility is approved.
- Councilor Groves – asked if a pro forma has been completed for anticipated income and revenue for the proposed facility; asked if a per-ticket surcharge would go to the City or the County; asked if a surcharge can be charged for non-high school related sporting event tickets; believes that a surcharge would be a way to contribute back to the community.
- Councilor Evans – asked the City Manager to confirm the deadlines for a decision and project completion; asked if a bond measure would be a City, County or combined initiative; asked what the timeframe would be for putting a measure on the ballot; asked if any numbers have been determined for fees and/or system development charges.
- Councilor Zelenka – stated that this project discussion has been mainly with Lane County; thought the \$10 million contribution from the Eugene Emeralds was toward construction cost; noted his surprise that the \$10 million would be considered prepaid rent; stated the Eugene Emeralds actual cash contribution toward construction is \$0; is concerned about long-term maintenance and commitment from the Eugene Emeralds to remain in Eugene; expressed concern about the lack of monthly rental income and how it would impact maintenance costs of the facility; thinks a county revenue bond to the voters makes the most sense.
- Councilor Clark – asked what Lane County has agreed to do to support this project; asked if the County has agreed to allow the project construction at the fairgrounds; asked if Lane County Commissioners have had a conversation about selling the fairgrounds; has historically supported the Eugene Emeralds but the cost of this project is high; stated that he is skeptical of the cost but open to looking at options.
- Councilor Semple – stated that the Eugene Emeralds are important to the community; has received concerns from residents regarding the impact of a stadium on the area; stated that the recent budget showed a large gap; asked if the stadium is as important as other items in the budget; does not believe that system development charges would cover the ongoing cost; does not support using public funds to support a private business; asked how the City could justify such a large investment in this project.

- Councilor Evans – asked if there has been any discussion regarding off season program opportunities for the facility; thinks that Council needs to consider what, if any, master planning has been completed by Lane County; believes that convention space should be considered with this plan to attract mid-level conventions at a multi-use facility.
- Councilor Semple – is concerned about the open-air arena sitting empty and unused in off season; asked if the Eugene Emeralds leave how the facility would be used; is concerned about livestock not being accommodated at the location; is hesitant to commit funds to a project that lacks funding.
- Mayor Vinis – stated that the County has not yet committed funding to the project; asked the Eugene Emeralds and others about private funding options from donors; has concerns that the City has been asked to fund a project that lacks commitments from other funding sources.
- Councilor Zelenka – thinks the Eugene Emeralds are important to the history and future of Eugene; stated that the funding gap is \$43 million; asked where the remaining funds would come from if the City agreed to devote \$15 million; asked about overall costs of donating the funds; stated a revenue bond through Lane County level may be the best option.
- Councilor Yeh – believes the Eugene Emeralds are worth investing in; stated interest in exploring how the City can help support the team through fees and permits; stated that a large investment in the facility deserves a formal request with all of the information about the initial and ongoing costs, and maintenance; believes that exploring a bond is a good idea.
- Councilor Groves – likes the idea of a bond but believes Council needs more information; asked City Manager to look into ticket surcharge for sporting venues as a revenue stream.
- Councilor Leech – would like to hear more about the facility cost and ongoing maintenance.
- Councilor Evans – asked if Council can get a comprehensive report on the questions asked today regarding the timing and cost of this project; would like the voters to have a say in how public dollars are spent; wants to explore a fee assessed if the Eugene Emeralds decides to leave Eugene.
- Mayor Vinis – asked the Eugene Emeralds and Lane County to include the City in discussions in the future regarding this project.
- Councilor Evans – asked if Council would be having a special work session during Council break to discuss this topic.

Mayor Vinis adjourned the meeting at 1:30 p.m.

Respectfully submitted,

Katie LaSala
City Recorder

(Recorded by Sara McKinney)

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

MINUTES

Eugene City Council Meeting Eugene, Oregon 97401

September 11, 2023
7:30 p.m.

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

Councilors Absent: Jennifer Yeh

Mayor Vinis opened the September 11, 2023, meeting of the Eugene City Council in a hybrid in-person and virtual format at 101 W. 10th Avenue, Suite 114, Eugene, OR 97401.

1. CEREMONIAL MATTERS

Mayor Vinis read a proclamation for the International Day of Democracy.

2. COMMITTEE REPORTS AND ITEMS OF INTEREST

- Councilor Evans – shared updates from the Intergovernmental Relations Committee regarding legislative priorities, preparation for the upcoming legislative session, and about the League of Oregon Cities conference in October.
- Councilor Groves – noted it was the anniversary of 9/11; noted the loss of life and health effects experienced by first responders.
- Councilor Keating – spoke about the anniversary of 9/11; noted he had gone on a ride along with Eugene Police Department; noted his attendance at the annual Southeast Neighbors Picnic; noted there is a Human Services Commission meeting next week.
- Mayor Vinis – noted her attendance at the Square One Village 10-year anniversary fundraiser; spoke about the significance and success of Square One Village.

3. CONSENT CALENDAR 1

A. Approval of City Council Minutes

- June 14, 2023 Work Session
- June 21, 2023 Work Session
- June 26, 2023 Work Session
- June 26, 2023 Meeting and Urban Renewal Agency Meeting
- July 10, 2023 Work Session
- July 10, 2023 Meeting

B. Approval of City Council Tentative Agenda

C. Approval of Adoption of a Resolution Amending Eugene City Council Operating Agreements and Repealing Resolution No. 5312

D. Approval of Motion Relating to Voters' Pamphlet for the November 2023 Special Election

MOTION: Councilor Groves, seconded by Councilor Keating, moved to approve the items on Consent Calendar 1. **VOTE: 7:0 PASSED**

4. PUBLIC FORUM

1. Lin Woodrich – spoke in favor of a public health overlay zone in West Eugene.
2. Allen Mc Wayne – spoke about weaknesses of the Eugene Emeralds' stadium plan.
3. Stephen Boulton – spoke about changes to hangar leases at the Eugene airport.
4. Richard Locke – spoke about the effects of immigration and sanctuary cities.
5. Sandi Mann – spoke about the City's response to issues including homelessness.
6. Billy Harper – spoke in favor of the city contributing funds for the Emeralds stadium.
7. Rachel Bitecoff – spoke in favor of the city contributing funds for the Emeralds stadium.
8. Jarl Berg – spoke in favor of the city contributing funds for the Emeralds stadium.
9. Benjamin Brubb – spoke about changes to hangar leases at the Eugene airport.
10. Jill Cole – spoke in favor of the city contributing funds for the Emeralds stadium.
11. Rick Satre – spoke in favor of the city contributing funds for the Emeralds stadium.
12. Don Heady – spoke about the closure of the University District hospital.
13. Kathryn Beer – spoke in favor of the city contributing funds for the Emeralds stadium.
14. Kimber Meyers – spoke in favor of the city contributing funds for the Emeralds stadium.
15. David Yeakel – spoke about changes to hangar leases at the Eugene airport.
16. Joshua Rodriguez – spoke in favor of the city giving funds for the Emeralds stadium.
17. Emma Spratt – spoke in favor of the city contributing funds for the Emeralds stadium.
18. Niles Hanson – spoke about changes to hangar leases at the Eugene airport.
19. Leslie Robinet – spoke about changes to hangar leases at the Eugene airport.
20. Dale Berg – spoke in favor of the city contributing funds for the Emeralds stadium.
21. Maya Lazaro – thanked city for work with Active Bethel Community.
22. John Hirons – spoke about changes to hangar leases at the Eugene airport.
23. Steve Kretsinger – spoke about changes to hangar leases at the Eugene airport.
24. Rena Cowan – spoke about changes to hangar leases at the Eugene airport.
25. Allan Benavides – spoke in favor of the city contributing funds for the Emeralds stadium.
26. Shad Turner – spoke about changes to hangar leases at the Eugene airport.
27. Tim Laue – spoke in favor of the city contributing funds for the Emeralds stadium.
28. Paul Redhead – spoke about changes to hangar leases at the Eugene airport.
29. Bruce Lamont – spoke about changes to hangar leases at the Eugene airport.
30. Warren Beer – spoke in favor of the city contributing funds for the Emeralds stadium.
31. Kerri Beverly – spoke about difficulties she has experienced in her life.
32. Jake Engelhardt – spoke in favor of the city contributing funds for the Emeralds stadium.
33. Eric Jackson – spoke about issues with the city website and with trespass letters.

Council Discussion:

- Councilor Groves – noted that he is a baseball fan and has season tickets to the Eugene Emeralds; noted Council will be continuing to explore the issue of providing funds for the stadium; acknowledged the communication challenges between the hangar leaseholders, the airport, and the Federal Aviation Administration.
- Councilor Keating – thanked Emma Sprat for her testimony; noted his love for the Eugene Emeralds; noted Council will continue to explore avenues to contribute funds for the stadium; encouraged the community to offer funding ideas.
- Councilor Semple – noted her appreciation for the evening’s speakers; noted she is concerned about how to provide funding for the stadium given current budget constraints; encouraged the community to offer funding ideas.
- Councilor Zelenka – noted he is a fan of the Eugene Emeralds; stated he is concerned about how to provide funding for a stadium considering budget constraints; encouraged the community to offer funding ideas.
- Mayor Vinis – noted her appreciation for the evening’s speakers.

Mayor Vinis adjourned the meeting at 9:21 p.m.

Respectfully submitted,

Katie LaSala
City Recorder

(Recorded by Cherish Bradshaw)

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

MINUTES

Eugene City Council Public Hearing Eugene, Oregon 97401

**September 18, 2023
5:30 p.m.**

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

Mayor Vinis opened the September 18, 2023, meeting of the Eugene City Council in a hybrid in-person and virtual format at 101 W 10th Avenue, Eugene OR 97401.

1. PUBLIC HEARING: An Ordinance Establishing the S-HM Historic Mims Houses Special Area Zone and Amending the Eugene Zoning Map.

Mayor Vinis opened the public hearing.

Assistant City Manager, Matt Rodrigues, introduced the topic and provided background information.

Willie and Sally Mims provided an applicant statement.

1. Sydney Nilan – spoke in support of the proposed ordinance.
2. Chris Orslinger- spoke in support of the proposed ordinance.

Councilor Discussion:

- Councilor Keating – asked the applicant how the historical designation would help or hinder the family from renting the property now and in the future.

Mayor Vinis closed the public hearing and the record for this code amendment and noted that deliberations and possible action for this item is scheduled for October 9, 2023.

2. PUBLIC HEARING: An Ordinance Concerning the Skinner Butte Height Limitation Area and Downtown Riverfront Special Area Zone, Amending Figures 9.3155(3) and 9.6715(3) of the Eugene Code, 1971.

Mayor Vinis opened the public hearing.

Assistant City Manager, Matt Rodrigues, introduced the topic and provided background information.

Community Development Director, Will Dowdy, provided the applicant statement on behalf of the City of Eugene.

There were no speakers for the public hearing.

Mayor Vinis closed the public hearing and the record for this code amendment and noted that deliberations and possible action for this item is scheduled for October 11, 2023.

3. PUBLIC HEARING: An Ordinance Concerning Climate Friendly & Equitable Communities Parking Standards; Amending Sections 9.0500, 9.2160, 9.2430, 9.2450, 9.2751, 9.2775, 9.3030, 9.3116, 9.3125, 9.3155, 9.3165, 9.3515, 9.3625, 9.3631, 9.3715, 9.3811, 9.3815, 9.3910, 9.3915, 9.3950, 9.3970, 9.5150, 9.5200, 9.5350, 9.5450, 9.6105, 9.6205, 9.6410, 9.6415, 9.6420, 9.6430, 9.6435, 9.6440, 9.6794, 9.6810, 9.6815, 9.6820, 9.8030, 9.8615, and 9.9500 of the Eugene Code, 1971; and Providing an Effective Date.

Mayor Vinis opened the public hearing.

Assistant City Manager, Matt Rodrigues, introduced the topic and provided background information.

1. Jon Belcher – spoke regarding the impact of parking reform on the community.
2. Dan Wilson – spoke in favor of the proposed ordinance.
3. Peter Newstein – spoke in favor of the proposed ordinance.
4. Sara Stockwell – spoke in favor of the proposed ordinance.

Mayor Vinis closed the public hearing and noted that written testimony will be accepted until action is taken on the proposed ordinance.

Mayor Vinis adjourned the meeting at 6:07 p.m.

Respectfully submitted,

Katie LaSala
City Recorder

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

EUGENE CITY COUNCIL AGENDA ITEM SUMMARY



Approval of Tentative Working Agenda

Meeting Date: October 9, 2023
Department: Central Services
www.eugene-or.gov

Agenda Item Number: 3B
Staff Contact: Katie LaSala
Contact Telephone Number: 541-682-5010

ISSUE STATEMENT

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

BACKGROUND

At each regular meeting of the Council, the City Manager shall present the Tentative Agenda. This shall be placed on the Consent Calendar. If there are any concerns about the items on the Tentative Agenda, it may be removed at the request of any councilors from the Consent Calendar and discussed separately.

COUNCIL OPTIONS

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

SUGGESTED MOTION

Move to approve the items on the Tentative Working Agenda.

ATTACHMENTS

A. City Council Tentative Working Agenda

FOR MORE INFORMATION

Staff Contact: Katie LaSala
Telephone: 541-682-5010
Staff E-Mail: klasala@eugene-or.gov



City Council Tentative Agenda

Updated October 4, 2023

City Council meetings will continue to be held using hybrid and virtual meeting technology. Materials and information about how to access these meetings will be available at <https://www.eugene-or.gov/3360/Webcasts-and-Meeting-Materials>.

October 2023					
Date	Day	Time	Title	Length	Dept. Contact
9-Oct	Monday	5:30 pm	Community Safety and Payroll Tax Update (Work Session)	90 mins	Kristie Hammitt, CS Chief Skinner, EPD
Work Session Location: Public via Virtual Only					
9-Oct	Monday	7:30 pm	Ceremonial Matters Committee Reports and Items of Interest Public Forum Z 23-1 Zone Change to Establish the Historic Mims Houses Special Area Zone (S-HM) (Action)		Jeff Gepper, PDD
Location: Public via Virtual & Council Chambers, Room 114					
11-Oct	Wednesday	12 pm	Riverfront Parcel 3A: Atkins Dame Revised Terms, Skinner Butte Height Amendment, MUPTE (Work Session)	45 mins	Dylan Huber-Heidorn, PDD
			Finance and Revenue Update (Work Session)	45 mins	Twylla Miller, CS
Work Session Location: Virtual Only					
16-Oct	Monday	5:30 pm	LIRHPTE Code Amendments Expanding Eligibility to Limited Equity Cooperative housing (Public Hearing) Cintas Metro Plan Amendment & Zone Change (File: MA 23-4/Z 23-6) (Public Hearing) Riverfront Urban Renewal Amendment (Public Hearing)		Laura Hammond, PDD Jeff Gepper, PDD Amanda D'Souza, PDD
Location: Public via Virtual & Council Chambers, Room 114					



Work Session



Action



Public Hearing



Public Forum



Consent Calendar



Committee Reports/Items of Interest



Ceremonial Matters



Pledge of Allegiance

18-Oct	Wednesday	12 pm	 Public Health Industrial Development Standards (Work Session)	30 mins	Reid Verner, PDD
			 Gas Stations (Work Session)	30 mins	Jeff Gepper, PDD
			 Neighborhood Planning (Work Session)	30 mins	Alissa Hansen, PDD
Work Session Location: Virtual Only					
23-Oct	Monday	5:30 pm	 Move EUG Project List (Work Session, Possible Action)	45 mins	Reed Dunbar, PW
			 Topic Pending Confirmation (Work Session)	45 mins	
Expected Absence: Mayor Vinis			Work Session Location: Public via Virtual Only		
23-Oct	Monday	7:30 pm	 Committee Reports and Items of Interest		Katie LaSala, CS
			 Council Operating Agreements (Consent Calendar 1)		
			 Public Forum		Shawn Burgett, PDD
			 Res. Annexing Land at 594 River Loop 1 (Compeau; A 23-4) (Consent Calendar 2)		
			 LIRHPTE Code Amendments Expanding Eligibility to Limited Equity Cooperative Housing (Possible Action)		Laura Hammond, PDD
Expected Absence: Mayor Vinis			Location: Public via Virtual & Council Chambers, Room 114		
25-Oct	Wednesday	12 pm	 Topic Pending Confirmation (Work Session)	45 mins	Staff
			 Topic Pending Confirmation (Work Session)	45 mins	Staff
Work Session Location: Virtual Only					

November 2023						
Date	Day	Time	Title		Length	Dept. Contact
8-Nov	Wednesday	12 pm		Persistent Violators, Chronic Behavioral Problems and Open-Air Drug Use (Work Session)	45 mins	Matt Rodrigues, CS
				Topic Pending Confirmation (Work Session)	45 mins	Staff
Work Session Location: Virtual Only						

13-Nov	Monday	5:30 pm	 Sustainability Commission Annual Report and Work Plan (Work Session)	45 mins	Staff, PW
			 Human Rights Commission Annual Report and Work Plan (Work Session)	45 mins	Staff, CS
Work Session Location: Public via Virtual Only					
13-Nov	Monday	7:30 pm	 Pledge of Allegiance in recognition of Veteran’s Day  Ceremonial Matters  Committee Reports and Items of Interest  Public Forum  Cintas Metro Plan Amendment & Zone Change (File: MA 23-4/Z 23-6) (Possible Action)  Climate Friendly and Equitable Communities Parking Reform Land Use Code Amendments (Possible Action)		Jeff Gepper, PDD

			 Public Forum		
Location: Public via Virtual & Council Chambers, Room 114					

UPCOMING PUBLIC HEARINGS			
Date/Time	Topic/Title	Description	Staff Contact
October 16, 5:30pm	LIRHPTE Code Amendments	The City Council will hold a public hearing to consider LIRHPTE Code Amendments. This public hearing will provide opportunity for public comment on a proposed ordinance that would amend the Eugene Code to make limited equity cooperative housing in the City of Eugene eligible to apply for low-income rental housing property tax exemptions. The proposed ordinance will be posted online: https://www.eugene-or.gov/1781/Proposed-Ordinances	Laura Hammond, PDD LHammond@eugene-or.gov 541-682-5502
October 16, 5:30pm	Cintas Metro Plan Amendment & Zone Change (File: MA 23-4/Z 23-6)	The City Council will hold a public hearing to consider Cintas Metro Plan Amendment & Zone Change (File: MA 23-4/Z 23-6). This public hearing will provide an opportunity for public comment on a Metro Plan Amendment and Zone Change on properties located on South Owen Loop. The request is to change land use designation from Campus Industrial to Light Medium Industrial and change the zoning from E-1 Campus Employment to I-2 Light-Medium Industrial. The proposed ordinance will be posted online: https://www.eugene-or.gov/1781/Proposed-Ordinances	Jeff Gepper, PDD JGepper@eugene-or.gov 541-682-5282
October 16, 5:30pm	Riverfront Urban Renewal Amendment	The City Council will hold a public hearing to consider Riverfront Urban Renewal Amendment. This public hearing will provide an opportunity for public comment on a proposed amendment to the Riverfront Urban Renewal Plan. The proposed amendment outlines eligible project activities and a spending limit increase of up to \$45 million. The proposed ordinance will be posted online: https://www.eugene-or.gov/1781/Proposed-Ordinances	Amanda D'Souza, PDD ADSouza@eugene-or.gov 541-682-5540

Approved Work Session Polls to be Scheduled	Councilor	Date Approved
Gas Stations – Oct 18	Keating	4/15/22
Bethel Area Plan – Oct 18 (Work Session title: Neighborhood Planning)	Evans	7/22/22
Persistent Violators, Chronic Behavioral Problems and Open-Air Drug Use – Nov 8	Groves	8/28/23

EUGENE CITY COUNCIL AGENDA ITEM SUMMARY



Public Forum

Meeting Date: October 9, 2023
Department: Central Services
www.eugene-or.gov

Agenda Item Number: 4
Staff Contact: Sara McKinney
Contact Telephone Number: 541-682-5042

ISSUE STATEMENT

This item allows members of the public the opportunity to express opinions and provide information to the council. Testimony presented during the Public Forum should be on city-related issues and should not address items which have already been heard by a Hearings Official, items on the present agenda as a public hearing item, or items related to a quasi-judicial matter after the official record has been closed.

BACKGROUND

Per City Council's operating agreement pilots initially approved by Council in January 2020, speakers at the Public Forum will be limited to two and a half minutes and the Public Forum will be limited to 90 minutes total. Speakers will be randomized, and no persons will be allowed to submit a "Request to Speak" form 30 minutes prior to the start of the meeting. Persons wishing to speak must sign up to do so not later than 5 minutes after the meeting has been opened by the Mayor or presiding officer.

At the end of the Public Forum each member of the Council has the opportunity to respond to comments made during the Public Forum. The time allocated to each member of the Council for such responses shall be up to three minutes.

FOR MORE INFORMATION

Staff Contact: Sara McKinney, Deputy City Recorder
Telephone: 541-682-5042
Staff E-Mail: smckinney@eugene-or.gov

EUGENE CITY COUNCIL AGENDA ITEM SUMMARY



Action: An Ordinance Establishing the S-HM Historic Mims Houses Special Area Zone and Amending the Eugene Zoning Map

Meeting Date: October 9, 2023
Department: Planning and Development
www.eugene-or.gov

Agenda Item Number: 5
Staff Contact: Jeff Gepper
Contact Telephone Number: 541-682-5282

ISSUE STATEMENT

The City Council is scheduled to take action on a Zone Change establishing a Historic Special Area Zone (S-HM) for the Mims Houses site, located at 330, 334, and 336 High Street. A map of the subject property is provided in Attachment A and a draft of the ordinance is provided in Attachment B.

BACKGROUND

The purpose of the S-H Special Historic Zone is to recognize areas possessing distinctive buildings or features that have significance for the community and require special consideration or implementation of conservation and development measures that cannot otherwise be achieved through application of the City's standard base zones.

The proposed S-HM Historic Mims Houses Special Area Zone is for the Mims Houses property, a City Historic Landmark which is also on the National Register of Historic Places. The Mims Houses property contains two structures, the original Mims House, referred to as Mims House I, and a two-unit dwelling known as Mims House II. Establishment of a Special Historic Zone for the property will help ensure the long-term preservation of the Mims Houses property and continue the site's productive and historic role in the community. Most notably, the proposed S-HM Mims Houses Special Area Zone would permit a "Club and Lodge of State or National Organization" and "Community and Neighborhood Center" as additional permitted land uses on the property. The property is currently zoned R-2/20, Medium-Density Residential with a Residential Density Range Overlay Zone limiting the number of dwellings to 20 units per acre. Generally, the proposed S-H Special Historic Zone mirrors the development and lot standards in the R-2 Zone, except for standards regarding motor vehicle parking, minimum building setbacks, lot area, and landscaping. If adopted, the proposed zone will be implemented as an un-codified ordinance specific to this property; a draft of said ordinance is provided in Attachment B.

The criteria to establish a Special Area Zone area are set forth at Eugene Code [\(EC\) 9.3020](#) and [9.8865](#). Draft findings demonstrating compliance with the approval criteria for this Zone Change are attached as Exhibit C to the draft ordinance (Attachment B).

More information about the proposal, including testimony received for this application to date, is available at: <https://pdd.eugene-or.gov/LandUse/SearchApplicationDocuments?file=Z-23-0001>

UPDATED ORDINANCE

Following the public hearing on [September 18, 2023](#), the findings demonstrating attached as Exhibit C to the ordinance were updated to correct a misstatement. Specifically, the findings regarding compliance with [EC 9.3020\(2\)](#) referenced a density requirement for Assisted Care that is not present in the ordinance. That finding has been updated and corrected in the ordinance attached to this AIS for action. To be clear, there is no existing or currently proposed Assisted Care use on the site; rather, Assisted Care is simply one of several uses allowed by the S-HM zone. In addition to the changes to the findings, the Ordinance has also been updated to include a severability clause, which can be seen in Attachment B.

PROCEDURAL SUMMARY

This Zone Change application to establish a Historic Special Area Zone (S-HM) for the Mims Houses site (City File Z 23-1) follows the Type V procedures of the Eugene Code ([EC 9.7500](#) – [EC 9.7560](#)). The application is subject to the approval criteria in [EC 9.3020](#) and [EC 9.8865](#). Due to the site-specific establishment of a Special Historic Zone, this is a quasi-judicial land use decision. The adoption process included notice to interested parties in accordance with Eugene Code. An initial public hearing was conducted on [July 11, 2023](#), by the Eugene Planning Commission. On [August 22, 2023](#), the Planning Commission deliberated and unanimously voted to recommend approval of the requested Zone Change. On [September 18, 2023](#), the City Council held a public hearing for the Zone Change, at which testimony was only provided in support of the change.

A complete set of record materials for this proposed Zone Change are available for review at Planning and Development Department at 99 West 10th Avenue. The City Council has also been provided a copy of the application file and record. As a courtesy, some of the materials are also available for review online [here](#).

PREVIOUS COUNCIL DIRECTION

[May 9, 2022 Meeting](#)

The City Council unanimously passed a motion to use up to \$7,500 of Council contingency funds to pay the City application fee for the establishment of a Special Historic Zone for the Mims Houses property.

[May 22, 2023 Meeting](#)

The City Council unanimously passed a motion to initiate the Zone Change for this application, a required preliminary step in the process.

COUNCIL OPTIONS

The City Council may:

1. Adopt the ordinance as proposed in Attachment B to this AIS.
2. Adopt the ordinance with specific modifications as determined by the City Council.
3. Take no action.

CITY MANAGER'S RECOMMENDATION

The City Manager recommends adoption of the ordinance as provided in Attachment B.

SUGGESTED MOTION

Move to adopt an Ordinance establishing the S-HM Historic Mims Houses Special Area Zone and amending the Eugene Zoning Map included as Attachment B to this October 9, 2023, Agenda Item Summary.

ATTACHMENTS

- A. Map of the Subject Property
- B. Draft Ordinance with Exhibits:
 - Exhibit A: Oregon Cultural Resource Inventory for 330 and 336 High Street
 - Exhibit B: Legal Description
 - Exhibit C: Findings

FOR MORE INFORMATION

Staff Contact: Jeff Gepper, Senior Planner
Telephone: 541-682-5282
Staff E-Mail: jgepper@eugene-or.gov



Mims Houses Zone Change

City File: Z 23-1

Attachment A



The Mims House I

HIGH ALY

E 3RD AVE

HIGH ST

MILL ALY



E 3RD ALY

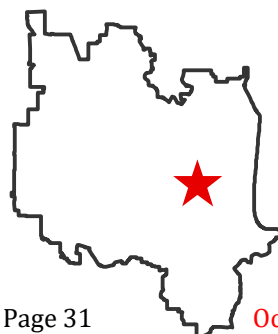


The Mims House II

 Proposed Special Historic Zone

 Taxlots

 Eugene UGB



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

Created on 5/8/2023
by City of Eugene Planning Division

0 15 30 60 Ft



ORDINANCE NO. XXXXX**AN ORDINANCE ESTABLISHING THE S-HM HISTORIC MIMS HOUSES SPECIAL AREA ZONE AND AMENDING THE EUGENE ZONING MAP.**

The City Council of the City of Eugene finds as follows:

A. Recognition of historic landmarks enhances the beautification of the City, promotes the City's economic health, and preserves the value of these properties. The regulation of designated historic landmarks provides a means to review changes to a landmark and ensure that historic and architectural values are preserved. The Mims Houses site was designated by Ordinance No. 18371 as a City of Eugene Historic Landmark on April 11, 1979.

B. An Historic Special Area Zone is desirable for the Mims Houses site to foster the continued preservation of the property by allowing appropriate uses and densities beyond those permitted in the R-2 Medium Density Residential zone and the /20 Residential Density Range Overlay Zone and by establishing appropriate development standards for the site.

C. Sections 9.3020 and 9.3450 of the Eugene Code 1971, (EC) provide that site-specific historic zones, such as the S-HM Historic Mims Houses Special Area Zone, are generally established by ordinance without codification. Copies of ordinances establishing site-specific historic zones are to be maintained at the City's Planning and Development Department.

NOW, THEREFORE,

THE CITY OF EUGENE DOES ORDAIN AS FOLLOWS:

Section 1. The S-HM Historic Mims Houses Special Area Zone is hereby established and shall be subject to the following:

(a) Purpose of the S-HM HISTORIC MIMS HOUSES SPECIAL AREA ZONE. The S-HM Historic Mims Houses Special Area Zone is intended to afford the Mims Houses site special treatment and protection so that the uses permitted, and restrictions imposed, will preserve and allow for rehabilitation of the site's character-defining architectural features as an example of the Gothic Revival architectural style. For Mims House I, that style is evident in the steep gable roof and pointed arch window. The Mims House II also contains vernacular structure influenced by the Gothic Revival style with shiplap siding and a steeply pitched gable roof. Those character-defining features are described in detail in the attached Exhibit A, Oregon Cultural Resource Inventory for 330 and 336 High Street.

(b) S-HM Historic Mims Houses Special Area Zone Siting Requirements. In addition to the approval criteria at EC 9.8865 Zone Change Approval Criteria, the S-HM Historic Mims Houses Special Area Zone applies only to the parcel of land located at 330 High Street, 334 High Street, and 336 High Street, Eugene, Oregon, Assessor's Map 17-03-30-44, Tax Lot 07000, as more particularly described in the attached Exhibit B.

(c) **S-HM Historic Mims Houses Special Area Zone Land Use and Permit Requirements.** The following Table, S-HM Historic Mims Houses Special Area Zone Uses and Permit Requirements, identifies uses in the S-HM zone that are:

- (P) Permitted
- (C) Subject to an approved conditional use permit or an approved final planned unit development.
- (S) Permitted subject to the Special Development Standards for Certain Uses beginning at EC 9.5000.
- (#) Permitted, subject to the S-HM Mims Houses Historic Zone Special Use Limitations.

S-HM Historic Mims Houses Special Area Zone Uses and Permit Requirements	
	S-HM
Accessory Uses	
Accessory Uses. A use incidental to at least one primary use on the development site. Examples include parking, storage shed, cultural and historic events, and services provided by a primary use on the development site.	P
Agricultural, Resource Production and Extraction	
Community and Allotment Garden	P
Urban Animal Keeping (EC 9.5250 shall apply)	S
Education, Cultural, Religious, Social and Fraternal	
Church, Synagogue, and Temple	C
Club and Lodge of State or National Organization, such as the NAACP	P
Community and Neighborhood Center	P
Schools, Elementary through High School	C
University or College	C
Entertainment and Recreation	
Park and Non-Publicly Owned Open Space Use – examples include Gazebo, Arbor, Benches, Interpretive Signage, Water Fountain, and other Water Features	P
Government	
Government Services, not specifically listed in this or any other uses and permit requirements table.	P
Lodging	
Bed and Breakfast Facility (EC 9.5100(3) shall apply)	S
Manufacturing	
Recycling, small collection facility (EC 9.5650 shall apply)	S
Motor Vehicle Related Uses	
Transit, Neighborhood Improvement	P

Residential Dwellings	
Dwelling. All dwellings are subject to the S-HM Mims Houses Historic Zone Residential Density standard	
Single-Unit Dwelling	P
Accessory Dwelling (EC 9.2751(17) shall apply)	P
Duplex	P
Triplex (EC 9.5550 shall apply)	S
Fourplex (EC 9.5550 shall apply)	S
Townhouse (EC 9.5550 shall apply)	S
Cottage Cluster (EC 9.5550 shall apply)	S
Multiple-Unit Dwellings (EC 9.5500 shall apply)	S
Assisted Care & Day Care (Residences Providing Special Services, Treatment or Supervision)	
Assisted Care	P
Day Care (4 to 16 people served) (EC 9.5200 shall apply)	S
Rooms for Rent Situations	
Boarding and Rooming House	P
Other Commercial Services	
C-1 Neighborhood Commercial Zone Permitted Uses – Uses listed as P(Permitted) or SR (subject to site review) in C-1 and which are not listed elsewhere in this Table 1. Examples include General Office, Specialty Store, and Artist Gallery.	P(1)
Home Occupation (EC 9.5350 shall apply)	S
Temporary Activity (EC 9.5800 shall apply)	S

(d) **S-HM Historic Mims Houses Special Area Zone Special Use Limitations for Table 1.**

(1) C-1 Neighborhood Commercial uses are permitted, subject to a maximum of 3,500 square feet on the development site.

(e) **S-HM Historic Mims Houses Special Area Zone Development standards.** The S-HM Historic Mims Houses Special Area Zone development standards include the General Standards for All Development beginning at EC 9.6000 and the development and lot standards for the R-2 Medium Density Residential zone unless specifically modified as set forth below. In cases of conflicts between the general standards, the R-2 zone standards, and this historic zone, the historic zone standards shall apply.

(1) **Development Standards.**

(a) **Residential Density.** A total of five dwellings are permitted within this S-HM zone. There is no minimum residential density requirement. For calculating residential density, each guest room in a Bed and Breakfast Facility and each guest room in a Rooming and Boarding House is equivalent to one dwelling.

(b) **Minimum Building Setbacks.** The minimum front yard setback is ten feet except for the existing building footprint of Mims House II. The minimum interior yard setback along the north property line is five feet, except for the existing building footprint of Mims House I. The minimum setback along the south and west property lines adjacent to the alleys is five feet. If the existing lot is divided, the minimum setback is five feet along any new interior property lines.

(c) **Motor Vehicle Parking Standards.** Uses on the site are not subject to provisions of the Eugene Code that would require a minimum number of off-street parking spaces, nor are uses on the site subject to EC 9.6420 Parking Area Standards. Parking areas in existence as of the date of this ordinance are permitted in the existing configuration.

(d) **Landscape Standards.** Landscape standards in EC 9.6207 – 9.6255 establish minimum landscape requirements that apply to any development in the S-HM Mims Houses Historic Zone, except: 1) building alterations, 2) site improvements not listed in Table 9.6205, 3) change of use, and 4) new off-street parking areas with four or fewer parking spaces using alley access. New landscaping is not required for the continuation of existing parking spaces on the development site.

(e) **Lot Standards.** The minimum lot area is 2,250 square feet or, if applicable, as specified in EC 9.2761(3). Lot width and frontage standards in EC 9.2760 and EC 9.2761 applicable to the R-2 zone shall apply.

(2) **Historic Property Alteration Approval.** Any building alterations or additions and all new construction shall comply with EC 9.8175 Historic Property Alteration Approval Criteria.

Section 2. The Eugene Zoning Map is amended to rezone the property located at 330 High Street, 334 High Street, and 336 High Street, Eugene, Oregon, 97401 Assessor's Map 17-03-30-44, Tax Lot 07000, and more particularly described in Exhibit B to this Ordinance, from its existing zoning of R-2 Medium Density Residential with a /20 Residential Density Range Overlay, to S-HM Historic Mims Houses Special Area Zone.

Section 3. The findings attached as Exhibit C and incorporated herein by reference are adopted in support of this Ordinance.

Section 4. 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.

Passed by the City Council this

___ day of October, 2023.

Approved by the Mayor this

_____ day of October, 2023.

City Recorder

Mayor

OREGON CULTURAL RESOURCE INVENTORY
CITY OF EUGENE

Exhibit A

ADDR: 330 HIGH ST

RANKING: Secondary
NEIGHBORHOOD: WH
TYPE: Building

FINAN. STATUS:

HISTORIC NAME: MIMS HOUSE

COMMON NAME: MIMS HOUSE

CURR. HIST. STATUS: NR

EARLY AD: 0

OWNER: Mims Family Trust

ADDR: 2767 Harris St

Eugene 97405

T/R/S# 17 3 30 SE 1/4 SE 1/4

MAP NO.: 17033044 TAXLOT: 7000

ADD: Eugene Original PlaBLK:8 LOT:4

ZONING:

PLAN SHAPE: T-Shape w/addition

FOUNDATION MATERIAL: Post & Pad

ROOF FORM & MATERIALS: Intersecting gables; Wood shingles

WALL CONSTRUCTION: Wood

STRUCTURAL FRAME: Light wood

PRIMARY WINDOW TYPE: 1/1; Lancet S & N ; single pane fixed(alt)

EXT. SURFACING MATERIALS: Clapboard; shiplap on addition

DECORATIVE FEATURES: Frieze; Capitals on cornerboards; mullions in lancet;

OTHER: lamb's tongues.

CONDITION: Fair

MOVED: N DATE MOVED:

EXT. ALTERATIONS/ADDITIONS(DATED): E. wind. Single pane fixed; major early
addit. at W.; Orig. full porch replaced w/ small porch; shed addit. to South
NOTEWORTHY LANDSCAPE FEATURES: Maple; walnuts; Hydrangea; Grape; Apple;

numerous perennials

ASSOCIATED STRUCTURES: Outbuilding to West (Nearly fallen, made of scrap)

KNOWN ARCHAEOLOGICAL FEATURES: Unknown

GEOG. LOC. & IMMED. SETTING Deep setback between houses w/ long path;

Facing High St. to West; Residential area with commercial on East side of
High St.

PHYSICAL DESCRIPTION: Exterior alterations cont. - Front door with Queen
Anne Details.

SOURCES: N R Nomination for East Skinner Butte District;
Eugene City Directories;
Sanborn Insurance Maps.

ROLL NO.: 19
NEGATIVE NO. 005
SLIDE ROLL#: 000
SLIDE NO: 000000

RECORDED BY: J. Catlin / K. Bartoy
RESEARCHED BY: K. Guzowski
DATE RECORDED: 4/13/1994
FIELD INVENTORY NO: 00000
STATE INVENTORY NO: 0 2307

OREGON CULTURAL RESOURCE INVENTORY
CITY OF EUGENE

Attachment B

HISTORIC NAME: MIMS HOUSE
ADDR: 330 HIGH

T/R/S# 17 3 30 SE 1/4 SE 1/4
ST TAXLOT: 7000

330 High Street (Mims House)

STATEMENT OF SIGNIFICANCE

The Mims House is particularly distinguished by a steep gable roof with cross-gable and pointed arch windows, representative of the Gothic Revival style of architecture. "It is the concern for the bit of trim in the elaboration of the porch. . . the occasional pointed windows, that point so clearly to the desire for something more than rude shelter among the settlers in Oregon. Pointed arches are not a very convenient form of window for an ordinary house, and they are not easily constructed. The desire to give character to the cottage is there. . ."¹ The front porch and wooden-railed balcony at the second-story level, which was reached by means of the Gothic arched door, was lost when the house was moved from 4th and High sometime between 1918 and 1921. The house, built in 1867, appears to be one of the oldest residences constructed in the East Butte area.

Although "this house is believed to have been the home of James Huddleston, one of Eugene's early settlers, no documents have been found at this time to substantiate this. Since 1892, residents of this house have been working men and women (carpenter, painter, marble cutter, logger, dressmaker, and bus boy). In 1955, C E and Annie D Mims purchased 330 High where they had been living since 1948. Annie Mims still resides there and this is without question the longest term of residency and/or ownership of this property and warrants changing the name of it from the Huddleston House to the Mims House ."²

¹ Downing, Andrew Jackson. Cottage Residences, Rural Architecture, and Landscape Gardening. Watkins, Glen, New York, Library of Victorian Culture, 1967.

² McMillan, Gail. "The Mims House," a research paper completed September 11, 1978, and on file in the Housing & Community Conservation Department, City Hall, Eugene, Oregon.

FIELD SURVEY NO: 00000
STATE INVENTORY NO: 0 3307

OREGON CULTURAL RESOURCE INVENTORY
CITY OF EUGENE

HISTORIC NAME: MIMS HOUSE
ADDR: 330 HIGH

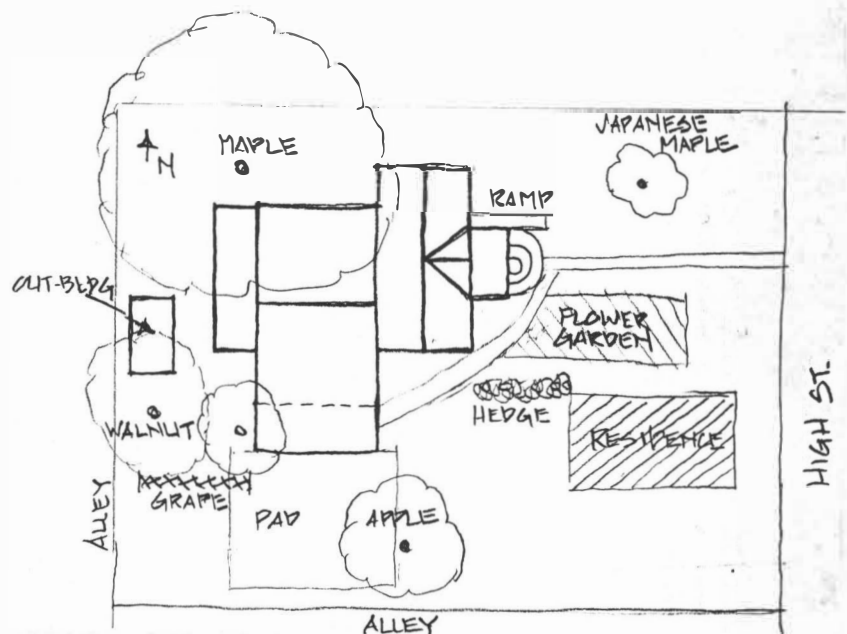
T/R/S# 17 3 30 SE 1/4 SE 1/4
ST TAXLOT: 7000



ROLL NO: 19
NEGATIVE NO.: 005

SLIDE ROLL NO: 000
SLIDE NO. 000000

MIMS HOUSE



SITE PLAN DRAWN BY:
GRAPHIC & PHOTO SOURCES:

FIELD SURVEY NO: 00000
STATE INVENTORY NO: 0 2-87

STATE OF OREGON INVENTORY Attachment B
HISTORIC SITES AND BUILDINGS
State Historic Preservation Office
Oregon State Parks, Salem, 97310



Physical

County _____ Lane _____

Theme _____ 10-A _____

Name
(Common) _____ Huddleston (James) House _____

(Historic) _____ (same) _____

Address _____ 330 High Street _____
_____ Eugene, Ore. _____

Present Owner _____

(Address) _____

Original Use _____ Residence _____

Date of Construction _____ c. 1860's _____

historical significance:

This house, which is believed to be the James Huddleston residence, is a one and one-half story, wood frame house in the Gothic Revival Style. The building has a steep, gable roof and a cross gable on the east (front) elevation. A pointed (Gothic-style) door opens under the cross gable. Two new "picture" windows have been cut into the front elevation. Another Gothic style window remains on the gable end on the north elevation's second story. Various lean-tos have been attached on the west and south elevations. The condition of the structure is fair. The exterior is clapboards.

James Huddleston was born October 15, 1822, in Fayette County, Virginia. In 1850 he left for California but came to Oregon instead where he arrived October 2, 1850. Huddleston then went to the mines at Yreka for six weeks but returned and in July, 1851, settled in Eugene, Oregon. He ran a mercantile business until 1854 then became a farmer. He married Samantha Ann Davis who came to Lane County in 1847.

It is possible that this house has been resited.

Continue back if necessary

Recorded by Stephen Dow Beckham Date 18 May 1976 Sources Consulted:

For Oregon State Historic Preservation Office Walling, A.G. Illustrated History of Lane County, Oregon. Portland, Ore.: A.G. Walling, 1884, p. 491.

Please enclose map Township 17 ^N _S Range 3 ^E _W Section 30

(over)

OREGON CULTURAL RESOURCE INVENTORY
CITY OF EUGENE

ADDR: 336 HIGH ST

RANKING: Primary
NEIGHBORHOOD: WH
TYPE: Building

FINAN. STATUS:

HISTORIC NAME: MIMS HOUSE II

COMMON NAME:

CURR. HIST. STATUS: NR

EARLY AD: 0

OWNER: Mims Family Trust

ADDR: 1212 S. A St.

Springfield, OR 97477

T/R/S# 17 3 30 SE 1/4 SE 1/4

MAP NO.: 17033044 TAXLOT: 7000

ADD: Eugene Original PlaBLK:8 LOT:4

ZONING:

PLAN SHAPE: L shape

FOUNDATION MATERIAL: Post & Stone

ROOF FORM & MATERIALS: Intersecting gable w/ shed addition; Cedar shingle

WALL CONSTRUCTION: Wood stud

PRIMARY WINDOW TYPE: 4/4 Double-hung

EXT. SURFACING MATERIALS: Shiplap w/ bottom beveled

DECORATIVE FEATURES: Soffit in gable; boxed eaves; cornerboard w/ cap; ball

DATE OF CONSTRUCTION: C 1880

ORIGINAL USE: Single-Family Residence

PRESENT USE: Single-Family Residence

DATE:

ARCH./BLDR.:

ARCH./STYLE: Carpenter Gothic
Vernacular

INTEGRITY: Minor modifications

THEME: 002 000

PROP. GROUP DI / /

#STORIES: 1.5 BASEMENT (Y/N/?): N

OTHER: finials on porch corners; capped porch columns; architrave over wind.

CONDITION: Excellent

MOVED: N DATE MOVED:

EXT. ALTERATIONS/ADDITIONS(DATED): L-shaped enclosed porch to W & N; E & W
porches redone

NOTEWORTHY LANDSCAPE FEATURES: Large walnut, laurel, boxwood and day lilies

ASSOCIATED STRUCTURES: None

KNOWN ARCHAEOLOGICAL FEATURES: Unknown

GEOG. LOC. & IMMED. SETTING House faces E. on High St.; Residential to
North, Commercial to South

PHYSICAL DESCRIPTION: Porch step appropriate to period of house; Paned front
door w/ recessed panels; Two 4-paned casements on N & W sides

SOURCES: N R Nomination for East Skinner Butte District;
Eugene City Directories;
Sanborn Insurance Maps.

ROLL NO.: 19
NEGATIVE NO. 003
SLIDE ROLL#: 000
SLIDE NO: 000000

RECORDED BY: A Welsh & K Guzowski
RESEARCHED BY: K. Guzowski
DATE RECORDED: 4/12/1994
FIELD INVENTORY NO: 00000
STATE INVENTORY NO: 0 3388

OREGON CULTURAL RESOURCE INVENTORY
CITY OF EUGENE

Attachment B

HISTORIC NAME: MIMS HOUSE II
ADDR: 336 HIGH

T/R/S# 17 3 30 SE 1/4 SE 1/4
ST TAXLOT: 7000

336 High

STATEMENT OF SIGNIFICANCE

Although the East Skinner Butte neighborhood was the first platted in Eugene, frequent flooding forced its quick abandonment in favor of a more sheltered site south of Skinner Butte. The neighborhood began filling in as a residential enclave as the city grew to the north, and by the turn of the century it was a neighborhood of generous lots and homes both grand and modest.

The house now standing at 336 High is said to have been built in 1879, making it the oldest house in East Skinner Butte on its original site. The 1879 date is consistent with the style and detailing of the house. City directories do not help illuminate the early history of the house, yielding no occupant until 1902, when owner H. D. Offutt, a local painter, lived here with his wife. John Dixon, whose family occupied several houses on this side of High at various times, lived here around 1910. Although the porches have been replaced and other minor changes have been made, the house is nearly intact and in good condition.

FIELD SURVEY NO: 00000
STATE INVENTORY NO: 0 3388

OREGON CULTURAL RESOURCE INVENTORY
CITY OF EUGENE

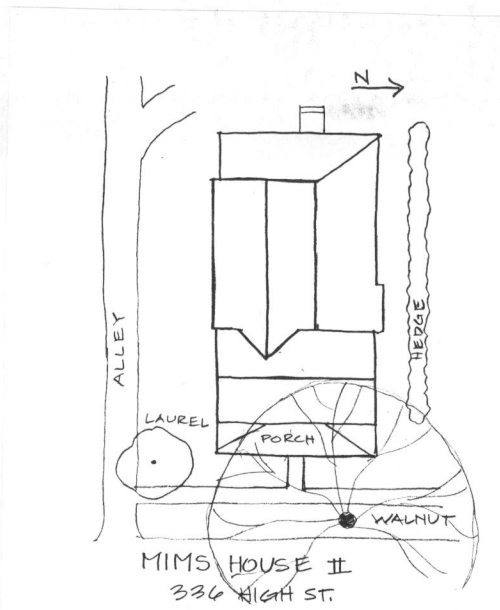
HISTORIC NAME: MIMS HOUSE II
ADDR: 336 HIGH

T/R/S# 17 3 30 SE 1/4 SE 1/4
ST TAXLOT: 7000



ROLL NO: 19
NEGATIVE NO.: 003

SLIDE ROLL NO: 000
SLIDE NO. 000000



SITE PLAN DRAWN BY:AWKG
GRAPHIC & PHOTO SOURCES:

FIELD SURVEY NO: 00000
STATE INVENTORY NO: 0 3388

EXHIBIT B

LEGAL DESCRIPTION

Lot 4, Block 8 of the original plat of Eugene City, as platted and recorded in Volume A, Page 2 of Lane County, Oregon.

Zone Change Findings

File Name (Number):	Mims Houses (Z 23-1)
Subject Site:	330, 336, and 334 High Street, Eugene, OR 97401
Map No. / Tax Lot:	17-03-30-44 / 07000
Size:	Approximately .29 acres or 12,800 square feet
Existing Zoning:	Medium-Density Residential Zone (R-2) & Residential Density Range Overlay Zone (/20)
Requested Zoning:	S-HM Historic Mims Houses Special Area Zone

Application Summary

The applicant requests the establishment of a S-HM Historic Mims Houses Special Area Zone for the Mims Houses property (located at 330, 334, and 336 High Street).

Application Details and Procedure

The applicant is requesting approval for a Zone Change to zone the entirety of the approximately 0.29-acre site to S-HM Historic Mims Houses Special Area Zone. The subject property contains two buildings (identified as Mims House I and Mims House II) on the National Register of Historic Places and designated as a City of Eugene Historic Landmark. The subject parcel is surrounded by a mixture of R-1 and R-2 zoned properties.

Timing, Notice, and Testimony

Application Timeline	Application Submitted	February 14, 2023
	Deemed Complete	June 8, 2023
	DLCD Notice	June 6, 2023
	Public Notice (per EC 9.7315)	June 9, 2023
	Planning Commission Public Hearing	July 11, 2023
	Planning Commission Deliberation	August 22, 2023

Testimony

Twelve pieces of testimony were received in reference to this proposal. The majority of the written testimony is supportive. Testimony is available in the application file for reference.

Public Notice and Referrals

Public notice was provided in accordance with the requirements of Eugene's Land Use Code. The Planning Division also provided information concerning the application to appropriate City departments, public agencies, neighborhood organization, and service providers. All referral comments received by the Planning Division on this application are included in the application file for reference. The substance of any relevant referral comments is addressed in the context of applicable approval criteria and standards in the following evaluation.

Zone Change Evaluation

In accordance with EC 9.7535 and EC 9.7550, the Eugene Planning Commission and City Council are required to provide a recommendation or decision of approval, approval with conditions, or denial of a Type V application. The recommendation and decision must be based on findings that explain the criteria and standards considered relevant to the proposal. It must also state the facts relied upon in rendering the decision and explain the justification for the recommendation or decision based upon the criteria, standards, and facts set forth.

The Planning Commission and City Council will review the application and consider relevant evidence and testimony as to whether the proposed Zone Change is consistent with EC 9.3020 and EC 9.8865 required for approval, shown below in **bold** typeface. To assist the Planning Commission or City Council in making a recommendation or decision on the Zone Change request, staff's findings in response to each of the criteria are provided below.

EC 9.3020 Criteria for Establishment of an S Special Area Zone. Before adopting an ordinance establishing a S Special Area Zone, the city council shall find that the proposal is in compliance with following criteria:

- (1) The area to which the S Special Area Zone is being applied meets at least one of the following criteria:**
- (a) Is identified in the Metro Plan or a refinement plan as appropriate for nodal development or for a special range of uses or development that can best be achieved with the use of a special area zone; or**
 - (b) Possesses distinctive buildings or natural features that require special consideration to ensure appropriate development, preservation, or rehabilitation. In order to be considered distinctive, it must be demonstrated that:**
 - 1. The area is characterized by buildings that merit preservation in order to protect their special features; or**
 - 2. The area contains natural features that have been identified by the city as worthy of special treatment or preservation.**

The Mims Houses is listed on the National Register of Historic Places and designated by the City of Eugene as a City Landmark. The findings of the National Historic Register, City Landmark designation, and the applicant's written statement, which are included herein by reference, demonstrate this site's significant historic value and merits preservation due to its distinctive architecture and association with Eugene's past.

(2) An analysis of the area demonstrates how the uses and development standards of the S Special Area zone ordinance will facilitate implementation of the planned use of the property or the preservation or rehabilitation of distinctive buildings or natural features of benefit to the community.

The proposed uses and development standards for the S-HM Historic Mims Houses Special Historic Area Zone are set forth in proposed draft ordinance provisions, to which these supporting findings are attached. The purpose of the Historic Special Area zone is to encourage preservation of the site's historic qualities and support the site's use as the regional headquarters of the NAACP (Mims House I), duplex residence (Mims House II), and the site of historic and cultural events.

The proposed uses of the S-HM Historic Mims Houses Special Area Zone are a combination of residential and non-residential uses stemming from a tabulation of uses listed within the R-2 Medium-Density Residential zone and C-1 Neighborhood Commercial zone. In summary, the proposed S-HM zone differs from the R-2 zone use table at EC 9.2740 as the S-HM Zone does not allow Manufactured Home Parks, Controlled Income and Rent Housing, and Day Care (17 or more people). The use listed as Boarding and Rooming House is added to the list of allowed S-HM uses. Proposed site changes due to existing or future uses will continue to be subject to the City's Historic Property Applications, including: Historic Property – Alteration Approval Criteria review starting at EC 9.8175; Historic Landmark - Removal of Designation Approval Criteria starting at EC 9.8170; Historic Property – Demolition Approval Criteria starting at EC 9.8180; and Historic Property – Moving Approval Criteria starting at EC 9.8185. Subject to historic review, the residential uses in the proposed zone, as stated by the applicant, facilitate the preservation of the existing buildings and accommodate for the intended uses of the site.

New, non-residential land uses are permitted within the S-HM Zone. Additionally, non-residential uses with amended review procedures are permitted in the S-HM Zone. New and amended non-residential uses include: Club and Lodge of State or National Organization; Park; Community and Neighborhood Center; Bed and Breakfast Facility; and Neighborhood Commercial Uses (only those already Permitted or subject to Site Review in C-1). Eliminated non-residential uses include Athletic Facility and Sports Club, Athletic Field outdoor, Correctional Facility, Residential Treatment Center, Amateur Radio Antenna Structure, Electrical Substation, Fiber Optic Station, Telecommunications Tower, Water Reservoir, and Minor Transit Station.

The applicant states the zone change amendments of residential and non-residential uses within the S-HM Historic Mims Houses Special Area zone will “allow long-term flexibility in the use of the property to support preservation and renovation of the historic buildings.” Further, the applicant states “Due to the size of the site and the scale of the existing historic buildings requiring a CUP for the above uses would cause an excessive financial burden on the property owner and decrease flexibility. In addition, the proposed S-H zone limits C-1 uses to a total of 3,500 square feet on the site to ensure the scale fosters historic preservation goals.” The introduced, amended, or deleted residential and non-residential uses as proposed in the S-HM Zone facilitate the existing and intended (both immediate and future) uses of the site. The

applicant's written statement with additional findings (pages 9-11) regarding this criterion are incorporated herein by reference.

The S-HM Historic Mims Houses Special Area Zone contains amended development and lot standards that facilitate preservation of elements within the subject property. Historic property review approval criteria starting at EC 9.8150 remain applicable for review of proposed changes. The proposed S-HM Zone includes the following development standards to facilitate preservation: residential density, minimum building setbacks, motor vehicle parking (both the number of off-street motor vehicle parking spaces and motor vehicle parking space dimensions), and landscape standards in addition to lot standards.

The subject property is currently zoned R-2/20 Medium-Density Residential zone with a Residential Density Range Overlay zone that limits the property to no more than 20 units per net acre. Given the size of the property and the residential density limitation, it could currently be developed with 5 dwelling units. The applicant proposes the same maximum net density (i.e. 5 dwellings on the subject property) within this proposed S-HM Zone as the maximum unit net density threshold in the existing R-2/20 zone.

EC 9.2751(1)(f) states the number of dwelling units are not to be reduced below the number present at the time of historic landmark designation. The site earned City of Eugene City Landmark status on April 11, 1979, by Ordinance Number 18371. At that time, the site contained two dwellings. The R-2 Medium-Density Residential zone minimum density is 13 units per net acre. The applicant states the S-HM site “does not require the retention of residential use on the site to help ensure long-term preservation of the historic buildings.” Further, the draft S-HM Zone provisions state that “the site does not have a minimum residential density requirement.” At the time the subject site was designated as a City Landmark, two dwellings existed on the property (i.e., below the minimum net density threshold for the R-2 zone). However, in accordance with EC 9.2751(1)(a)2., the minimum density requirements of Table EC 9.2750 do not apply to this property because it is zoned R-2 and is less than one-half acre in size. Therefore, consistent with the lack of minimum density requirements for the subject property, the proposed code eliminates any minimum density requirements. Finally, the proposed S-HM Zone, as implemented by this zone change review, supersedes the R-2 development standards.

Given the above findings, the proposal complies with this criterion.

(3) Except for areas zoned S-H Historic Special Area zone, the area to be classified S Special Area includes at least ½ acre in area.

This request proposes the establishment of an S-H Historic Special Area zone. This criterion is not applicable.

(4) The application of the zone to the properties proposed for inclusion in the S Special Area zone and the required provisions of a special area zone ordinance are consistent with the criteria required for approval of a zone change, according to EC 9.8865 Zone Change Approval Criteria.

Except for ordinances establishing individual site-specific historic zones, copies of which are maintained at the City's planning and development department, all existing Special Area Zones are set forth in the City's land use code. EC 9.8865 requires that the zone change request meets the following approval criteria (listed in **bold**). Findings are provided below with respect to each of the applicable criteria.

EC 9.8865 Zone Change

(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 applicant is requesting approval to change the subject property's zoning from R-2 /20 to S-HM. The Metro Plan diagram designates the subject property as Medium Density Residential. However, the Metro Plan recognizes that approximately 32 percent of residentially designated areas typically accommodate non-residential uses such as parks, schools, churches and neighborhood commercial uses (page III-A-4). The proposed Special Area Zone includes a list of limited residential and non-residential uses consistent with the Metro Plan's consideration of other auxiliary uses within residential designations. Staff does not see any specific policies from the Metro Plan that would serve as mandatory approval criteria for the applicant's request. However, relevant policies are discussed below.

Residential Land Use and Housing Element

Policy A.22: Expand opportunities for a mix of uses in newly developing areas and existing neighborhoods through local zoning and development regulations (Page III-A-9)

The proposed Special Area Zone expands opportunities on this property by allowing for residential or commercial uses, consistent with this policy.

Policy 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 the planned densities in the area. (Page III-A-11)

The proposed zoning helps preserve existing onsite dwellings by assuring uses and development standards that are appropriate for this historic site.

Policy A.9: Establish density ranges in local zoning and development regulations that are consistent with the broad density calculations of this plan.

Low density: Through 10 dwelling units per gross acre...

Medium density: Over 10 through 20 dwelling units per gross acre...

High density: Over 20 dwelling units per gross acre...

This policy sets forth the “gross density”, which is the number of dwelling units per acre including areas such as streets, parks, sidewalks and public facilities. However, Eugene’s land use code also utilizes “net density”, which is the same calculation except that it only calculates land in residential use and excludes areas such as dedicated streets, parks, and other public facilities. For this reason, the gross density included in the policy above was recalculated and adopted into the land use code as net density, which was set at a higher rate to account for the lack of additional area (i.e. streets, parks, and public facilities) in the calculation.

The S-HM Zone establishes a maximum net density standard consistent with the objective to facilitate preservation of onsite elements. The S-HM Zone net density threshold meets the proposed maximum density of the “Medium Density” range established by the Metro Plan but does not meet the minimum net density threshold. Instead, the minimum net density standard is zero to allow for flexibility to meet the historic zone’s preservation objectives as described in detail at EC 9.3020(2) of these findings and incorporated herein. Additionally, as discussed above, the minimum net density requirements of the Eugene Code do not apply to the subject property due to the size of the property.

As described at EC 9.8865(1) above, the Metro Plan permits non-residential uses within residentially designated areas under certain circumstances. As the S-HM Zone proposed a unique combination of both residential and non-residential uses and cannot be described as entirely residential or commercial, the S-HM Zone supports Policy A.9 by establishing a maximum net density range that is below the 20 dwelling units per gross acre “Medium density” residential maximum, while accommodating for a future scenario in which non-residential uses are supported by allowing a minimum net density standard of zero units per net acre. As the proposed S-HM Zone contains density thresholds that are broadly within the “Medium density” category of density range, the proposal is consistent with this policy.

Historic Preservation Element

Policy 1.1: Adopt and implement historic preservation policies, regulations; and incentive programs that encourage the inventory, preservation, and restoration of structures: landmarks; sites; and areas of cultural, historic or archeological significance, consistent with overall policies. (Page 111-1-2)

The Mims Houses site is historically significant as the site holds Mims House I and Mims House II, both registered on the National Register of Historic Places. The adoption of this Historic Special Area Zone implements regulations that protect the historic value of the Mims Houses site by providing site specific development standards and uses that encourage preservation and restoration.

Policy 1.2: Institute and support projects and programs that increase citizen and visitor awareness of the area's history and encourage citizen participation in and support of programs designed to recognize and memorialize the area's history.

The S-HM Zone will help increase citizen and visitor awareness by expanding the site’s set of uses to facilitate opportunities for visitor engagement with the property. This S-HM Zone will

allow visitors to be made aware of the building's role in the history of the area and memorialize the Mims Houses' tie to the area's past.

Based on the available information, the request complies with this criterion.

(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 Whiteaker Plan is the applicable adopted plan for the area of the requested zone change. Consistent with the Metro Plan, the Whiteaker Plan designates the subject site as Medium-Density Residential. The applicant notes that the land use diagram, and policies from the Whiteaker Plan are generally supportive of their application. However, there do not appear to be any polices from Whiteaker Plan that serve as mandatory approval criteria for the requested zone change.

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

(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, solid waste management, water and electric service, fire and emergency medical services, police protection, City-wide parks and recreation programs, land use controls, communication facilities, and public schools on a district-wide basis (see Metro Plan page V-3).

Wastewater:

The existing structures are currently connected to the public main line available in High Alley.

Stormwater:

Stormwater catch basins are in the High Alley right-of way, southwest of the subject property. A public storm sewer line exists in the right-of-way of East 4th Avenue to the south of the property and another line is within High Street with curb and gutter for conveyance to the public system. 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, and operation and maintenance.

Transportation/Streets:

Both High Street and East 4th Avenue are fully developed with adequate paving and right-of way, as well as bike paths, setback sidewalk, street trees and ADA ramp on the corner. This proposal can be served by the existing street configuration and access points.

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:

The properties have existing services or access to services for water and electrical services, operated by Eugene Water and Electric Board (EWEB). Any future development will require coordination with EWEB to ensure that water and electric services comply with City standards and EWEB requirements.

Public Safety:

Police protection is provided by Eugene Police Department within the City limits. Fire protection is provided by Eugene/Springfield Fire Department. Emergency services are currently provided on a regional basis by the cities of Eugene and Springfield.

Parks and Recreation:

Specific to the subject property, the following parks and recreation amenities are in the general vicinity of the subject property: Skinner Butte Park, Campbell Community Center, Ruth-Bascom Riverbank path. Further, Eugene Parks and Recreation programs are provided on a City-wide basis.

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, provides the land use controls for future development of the subject property.

Communication:

A variety of telecommunications providers offer communications services throughout the Eugene/Springfield area. These services are accessible for future development.

Public Schools:

The subject property is within Eugene School District 4J and is within the district boundary of Edison Elementary School, Roosevelt Middle School, and South Eugene High School.

Based on these findings, this criterion is met.

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

(v) An uncodified ordinance establishing a site specific S-H Historic Special Area Zone, a copy of which is maintained at the city's planning and development department.

The proposed zone change establishes a site specific S-H Historic Special Area Zone. Criteria to establish this zone begin at EC 9.3020 and are addressed above. The uncodified ordinance, if

adopted, will be maintained at the City's Planning and Development Department consistent with this criterion. This criterion is met.

(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.

The applicant is not requesting the NR zone and the subject site is not located in an area that would otherwise require the application of the NR zone. Based on the available information and evidence, this criterion is not applicable.

Transportation Planning Rule (TPR)

Staff finds that Goal 12 Transportation of the Statewide Planning Goals, adopted by the Land Conservation and Development Commission (LCDC), must be specifically addressed as part of the requested zone change and in the context of Oregon Administrative Rules, as follows.

As adopted, OAR 660-012-0060(1) states:

(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 affects a transportation facility if it would:

The applicant requests a zone change from R-2/20 to S-HM for 330, 334, and 336 High Street, also identified as Tax Lot 7300 of Assessor's Map 17-03-30-44. The properties included in this proposal are bounded by High Street, High Alley, and East 3rd Alley. The subject property is approximately .29 acres.

The applicant's consultant prepared a scoped transportation analysis that references projected trip generation from a reasonable worst-case development scenario. The consultant compared assumed uses, densities, and buildout outcomes consistent with the existing zone and the proposed uses of the S-HM Zone. The applicant has provided an analysis consistent within the parameters of the agreed scope of work and using industry best practices.

Public Works staff concurs with the consultant's methodology, traffic study, and findings to determine that this proposal has no significant effect on existing or planned transportation facilities. A detailed discussion of the study and conformance with the TPR is addressed below.

(a) Change the functional classification of an existing or planned transportation facility (exclusive of correction of map errors in an adopted plan);

The applicant has provided a transportation technical memo consistent with the requirements for TPR Analysis as coordinated between the City of Eugene and the applicant. The analysis is written to uphold industry best standards. The applicant's traffic study identified an increase in

the average daily traffic. The increase in average daily trips is not expected to require a change in the functional classification of any street within the study area. The applicant has not proposed any changes to the functional classification of any roadway within the study area.

(b) Change standards implementing a functional classification system; or

The zone change does not propose to change the standards implementing the current functional classification system adopted in the City of Eugene 2035 TSP. The current TSP (City of Eugene 2035 Transportation System Plan) and street classification map were developed and adopted assuming City wide transportation impacts based upon the policy, designations, planning horizons and growth assumptions identified in the Metro Plan at the time of its adoption. The proposed zone change does not change the standards implementing the current functional classification system adopted in the City of Eugene 2035 TSP.

(c) Result in any of the effects listed in paragraphs (A) through (C) of this subsection based on projected conditions measured at the end of the planning period identified in the adopted TSP. As part of evaluating projected conditions, the amount of traffic projected to be generated within the area of the amendment may be reduced if the amendment includes an enforceable, ongoing requirement that would demonstrably limit traffic generation, including, but not limited to, transportation demand management. This reduction may diminish or completely eliminate the significant effect of the amendment.

(A) Types or levels of travel or access that are inconsistent with the functional classification of an existing or planned transportation facility;

(B) Degrade the performance of an existing or planned transportation facility such that it would not meet the performance standards identified in the TSP or comprehensive plan; or

(C) Degrade the performance of an existing or planned transportation facility that is otherwise projected to not meet the performance standards identified in the TSP or comprehensive plan.

The applicant's engineer has provided an analysis based upon the projected impacts of the proposed zone change. The study provides trip generation estimates for reasonable worst-case scenarios of the proposed zone as compared to trip generation estimate of the existing zone. A "significant effect" on existing or planned transportation facilities is defined by the criteria identified in subsections (A) through (C). The proposed zone change results in none of the effects identified in subsections (A) through (C). The proposal does not include, and the

proposal does not require, an enforceable, ongoing requirement that would demonstrably limit traffic generation.

Therefore, staff agrees with the applicant's findings that this proposal has no significant effect on existing or planned transportation facilities as defined within OAR 660-012-0060(1).

Therefore, the proposed zone change satisfies the Transportation Planning Rule.