



Eugene City Council

125 E. 8th Ave., 2nd Floor

Eugene, OR 97401-2793

541-682-5010 • 541-682-5414 Fax

www.eugene-or.gov

EUGENE CITY COUNCIL AGENDA

April 21, 2014

7:30 p.m. CITY COUNCIL PUBLIC HEARING
Harris Hall
125 East 8th Avenue
Eugene, Oregon 97401

Meeting of April 21, 2014;
Her Honor Mayor Kitty Piercy Presiding

Councilors

Chris Pryor, President
George Brown
Greg Evans
Alan Zelenka

Claire Syrett, Vice President
Mike Clark
George Poling
Betty Taylor

CITY COUNCIL MEETING **Harris Hall**

1. PUBLIC HEARING:

An Ordinance Concerning Employment and Industrial Zones; Amending Sections 2.1086, 3.005, 4.330, 6.755, 7.410, 9.0500, 9.1030, 9.1045, 9.1240, 9.2150, 9.2160, 9.2161, 9.2170, 9.2180, 9.2400, 9.2410, 9.2430, 9.2450, 9.2451, 9.2460, 9.2461, 9.2470, 9.2530, 9.2682, 9.3050, 9.3305, 9.3400, 9.3900, 9.3910, 9.3915, 9.4290, 9.4640, 9.5750, 9.5800, 9.6105, 9.6205, 9.6410, 9.6415, 9.6420, 9.6640, 9.6645, 9.6660, 9.6665, 9.6675, 9.6680, 9.6703, 9.6709, 9.6725, 9.6730, 9.6745, 9.6770, 9.6794, 9.8010, 9.8030, 9.8215, 9.8515, 9.8575, 9.8865 of the Eugene Code, 1971; Adding Sections 9.2405 and 9.2463 to that Code; Repealing Section 9.2130 of that Code; Repealing Resolution No. 3862 and Resolution No. 3885; and Providing for an Effective Date (City Files CA 13-4, Z 3-3)

Manager: *Introduces topic, presents background information.*

Mayor opens the public hearing: *Those wishing to speak during the Public Hearing must submit a completed "Request to Speak" form to the information desk,*

prior to the beginning of the Public Hearing. When you come to the podium, please give your name, city of residence, and, for Eugene residents, your ward if known; you will have three minutes to comment. There are lights on the timer; the red light indicates the end of three minutes.

Mayor: *Closes the public hearing.*

Mayor: *Asks for questions or comments from the City Council.*

2. PUBLIC HEARING:

An Ordinance Vacating a Portion of Mill Alley, Located between East 8th Avenue and East Broadway, and a Portion of East 8th Alley, Located between High Street and Mill Alley (VRI 14-1)

Manager: *Introduces topic, presents background information.*

Mayor opens the public hearing: *Those wishing to speak during the Public Hearing must submit a completed "Request to Speak" form to the information desk, prior to the beginning of the Public Hearing. When you come to the podium, please give your name, city of residence, and, for Eugene residents, your ward if known; you will have three minutes to comment. There are lights on the timer; the red light indicates the end of three minutes.*

Mayor: *Closes the public hearing.*

Mayor: *Asks for questions or comments from the City Council.*

Adjourn.

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



Public Hearing:

An Ordinance Concerning Employment and Industrial Zones; Amending Sections 2.1086, 3.005, 4.330, 6.755, 7.410, 9.0500, 9.1030, 9.1045, 9.1240, 9.2150, 9.2160, 9.2161, 9.2170, 9.2180, 9.2400, 9.2410, 9.2430, 9.2450, 9.2451, 9.2460, 9.2461, 9.2470, 9.2530, 9.2682, 9.3050, 9.3305, 9.3400, 9.3900, 9.3910, 9.3915, 9.4290, 9.4640, 9.5750, 9.5800, 9.6105, 9.6205, 9.6410, 9.6415, 9.6420, 9.6640, 9.6645, 9.6660, 9.6665, 9.6675, 9.6680, 9.6703, 9.6709, 9.6725, 9.6730, 9.6745, 9.6770, 9.6794, 9.8010, 9.8030, 9.8215, 9.8515, 9.8575, 9.8865 of the Eugene Code, 1971; Adding Sections 9.2405 and 9.2463 to that code; repealing section 9.2130 of that code; Repealing Resolution No. 3862 and Resolution No. 3885; and providing for an effective date (City Files CA 13-4, Z 3-3)

Meeting Date: April 21, 2014
Department: Planning and Development
www.eugene-or.gov

Agenda Item Number: 1
Staff Contact: Terri Harding
Contact Telephone Number: 541-682-5635

ISSUE STATEMENT

The City Council will hold a public hearing to consider a package of land use code amendments and zone changes related to Employment and Industrial zones. The proposed zone changes and code amendments would:

- 1) Create more business and job development opportunities in the city's three areas designated Campus Industrial (Chad Drive, Willow Creek, and Greenhill Technology Park) through the E-1 Campus Employment zone;
- 2) Provide commercial-industrial zone flexibility and consistent development standards in the West Eugene Study Area through application of the E-2 Mixed-Use Employment and C-2 Community Commercial zones; and
- 3) Update the I-2 Light-Medium Industrial and I-3 Heavy Industrial zones to better meet the purpose of the zones and the goals of Envision Eugene.

BACKGROUND

The Envision Eugene recommendation identified a shortfall of land needed to accommodate commercial jobs over the next 20 years. At the time of the recommendation, the 20-year projection for commercial jobs was 21,450. Based on updated information, the 20-year projection has increased to 22,025 jobs. A good portion of these jobs, about 17,440 of them, can be accommodated on land inside the existing UGB without any action needed. The remaining 4,625 commercial jobs must either be accommodated by expanding the urban growth boundary (UGB) or by taking action to use land more efficiently inside the existing UGB.

At the City Council's direction, staff have undertaken the Employment and Industrial Code Amendments and Zone Changes to promote additional commercial jobs inside the Urban Growth Boundary. It is estimated that approximately 4,250 additional jobs over 20 years could be accommodated within the current UGB through these strategies. The remaining 375 commercial jobs can be accommodated through other efficiency measure actions.

These amendments directly implement several Envision Eugene strategies under the *economic opportunity* and *compact development and efficient transportation* pillars. Specifically, these amendments achieve the following Envision Eugene strategies:

- Conduct a parcel evaluation to add flexibility to at least 75 acres of smaller-sized, underutilized industrial lands in the Campus Industrial designation as well as in West Eugene to a commercial or flexible employment designation (Economic Opportunity Strategy 2a).
- Change the land use code to increase flexibility for compatible uses within industrial and commercial zones (Compact Development Strategy 4b).
- Serve as land use efficiency strategies to help accommodate a portion of the city's 20 year need for commercial jobs inside the current urban growth boundary (UGB).

A summary of the amendments is provided in Attachment A, and the proposed ordinance is provided as Attachment B.

Planning Commission Process/Recommendation

The Planning Commission held a public hearing on November 5, 2013, to consider the proposed amendments and zone changes. Fourteen people testified at the public hearing and a total of 34 pieces of written testimony were received. The majority of that testimony was focused on keeping currently allowed uses in the code going forward. These include churches with an approved Conditional Use Permit in the E-1 zone, and ballet, martial arts, and gymnastics studios in the I-2 zone. There was general support for allowing a significant amount of retail in the E-2 zone along key transit corridors, and support for adding to the list of allowed uses in the E-1 zone.

Following the public hearing, the Planning Commission met over the course of four meetings to deliberate and provide a recommendation to the City Council. The Planning Commission voted unanimously (7 to 0) to recommend approval of the employment code amendment and zone change package, as modified through their deliberations. The Planning Commission's recommendation is provided as Attachment C. This recommendation is the basis for the ordinance being considered.

Following the public hearing, the City Council is scheduled to hold another work session, on May 14, to begin deliberations and possibly take action. A recommendation will be included in the City Council packet for the May 14 meeting.

A complete set of project materials are available for review in a binder located at the City Council Office, and via <http://or-eugene.civicplus.com/index.aspx?NID=2079>

RELATED CITY POLICIES

Findings addressing consistency with related City policies, including provisions of the Metro Plan and applicable refinement plans, are included as an exhibit to the proposed ordinance (Exhibit B of Attachment B).

COUNCIL OPTIONS

No action is required at this time; however, options will be provided at the time of City Council deliberations and action scheduled for May 14, 2014.

CITY MANAGER'S RECOMMENDATION

This item is scheduled for a public hearing only. Following the City's receipt of all testimony, the City Manager will make a recommendation to be included in the council packet for action on May 14, 2014.

SUGGESTED MOTION

No motion is proposed as this item is scheduled for a public hearing only. Following the City's receipt of all testimony, the City Manager will make a recommendation and associated motion to be included in the council packet for action on May 14, 2014.

ATTACHMENTS

- A. Summary of Employment and Industrial Code Amendments
- B. Draft Ordinance: Concerning Employment and Industrial Zones
- C. Planning Commission Recommendation

FOR MORE INFORMATION

Staff Contact: Terri Harding
Telephone: 541-682-5635
Staff E-Mail: terri.l.harding@ci.eugene.or.us

EMPLOYMENT AND INDUSTRIAL ZONES: CODE AMENDMENT SUMMARY

*SEE MAP ON PAGE 4 FOR LOCATIONS OF EACH ZONE.

E-1 CAMPUS EMPLOYMENT ZONE

CHAD DRIVE, GREENHILL TECHNOLOGY PARK, AND WILLOW CREEK CIRCLE

Summary of Changes from I-1 to E-1 Zone

1. Rename to reflect purpose and intent of the zone.

Renaming the zone from I-1 Campus Industrial to E-1 Campus Employment better reflects the intent of the revised use list. This relates to a changing economy where businesses often blur the lines between commercial and industrial, or combine several employment uses on a property.

2. Add to the use list to increase employment opportunities.

The Code amendments are intended to respond to new market realities in the Campus Employment areas by allowing a wider range of employment and support uses. For example, rather than limiting the types of office-based employment uses, the amendments will allow all office development. The proposed uses also allow a wider range of medical uses, such as doctor's offices, dentists, and clinics. In addition, some uses are proposed to be deleted to better preserve the lands for the intended employment uses; these include churches and schools, although existing permit holders are allowed to remain and expand on their existing property.

3. Adjust regulations that pose unnecessary barriers to employment opportunities.

Several Special Use Limitations have proven difficult to use for both developers and for city staff. By revising or deleting these limitations, the draft code should make the Campus Employment areas more appealing to future development, resulting in increased employment density. The changes include:

- deleting limitation 1; (which requires complicated and restrictive accounting of square footage for different uses)
- deleting references to "business park" approval (which is difficult to administer across multiple ownerships and is replaced by explicit standards), and;
- allowing more flexibility for accessory uses and support uses in the zone.

4. Maintain the campus character.

The E-1 revisions aim to maintain the campus character while allowing additional flexibility. The code retains green space percentage requirements, adds large facility development standards, and allows outdoor storage with siting and screening standards.

5. Improve residential compatibility/ transitions.

The Industrial zones currently lack some residential compatibility measures that are found in the Commercial zones, such as height limits, special height limits adjacent to residential areas, and landscape buffers. In an attempt to create consistency across zones, those standards are being proposed for inclusion in the Employment and Industrial zones. The introduction of these standards is intended to improve neighborhood livability in those residential areas adjacent to the Employment and Industrial zones.

E-2 MIXED USE EMPLOYMENT ZONE

WEST EUGENE STUDY AREA

Summary of New E-2 Mixed Use Employment Zone (replaces C-4 Commercial Industrial)

1. Allow a mixture of commercial and industrial uses

The C-4 Commercial-Industrial zone was intended to accommodate a range of uses found in west Eugene, recognizing the auto-oriented character of the area. The E-2 Mixed-Use Employment zone replaces C-4 and allows a mix of uses throughout the zone with an emphasis on the retail character of the transit corridor.

2. Do no harm to existing businesses

The West 11th Avenue corridor is a jumble of the commercial and industrial zones. The proposed zone changes will unify most of the area under the E-2 and C-2 zones. The goal of the amendments is to avoid non-conformities in E-2 by combining the currently allowed list of permitted uses in I-2 and C-4.

3. Clarity and consistency in standards

The height, setback, landscape requirements, and other basic development standards in the E-2 zone will build upon the C-2 zone standards to (1) provide clarity and familiarity to those working with the code and (2) create a consistent development pattern and attractive streetscape to the greatest degree possible. Transition standards are added where E-2 abuts residential zones.

4. Pedestrian friendly and transit supportive development standards

The proposed E-2 development standards will promote the compact development and efficient transportation options pillar of Envision Eugene. The draft standards attempt to strike a balance among the needs of pedestrians, transit users, and automobile drivers, as well as among businesses, customers, and travelers. The front setback and development standards for buildings and drive-through aisles are important pieces of creating a transit supportive and pedestrian friendly corridor.

I-2 LIGHT-MEDIUM INDUSTRIAL ZONE

Summary of Changes to I-2 Zone

Increased allowances made for on-site sales of goods manufactured on-site.

The I-2 zone accommodates many small-scale manufactures that need to have a retail component. The current code allows retail trade in I-2 when it is “secondary, directly related to, and limited to products manufactured, repaired, or assembled on the development site.” This clause has no clear and objective standard for simple permitting, and as such, it has been difficult to implement consistently. The proposed code amendments create clear, measurable standards for accessory uses directly related to the primary use, and small-scale independent retail uses to serve employees in the zone.

I-3 HEAVY INDUSTRIAL ZONE

Summary of Changes to I-3 Zone

Deletion of select uses that are inconsistent with the purpose and intent of the zone.

The I-3 zone is intended to accommodate employment in the heavy industrial sector, and it is sited accordingly along major highways, railroads, and adjacent to the airport. With a limited supply of such prime industrial lands with excellent transportation access, it is important to preserve that acreage for heavy industrial uses. Limiting the use of I-3 zoned land by non-industrial uses reduces some competition for the land, thereby improving the chances that existing industrial uses can expand in place. The non-industrial uses proposed for deletion include: library, theater, parking garages not affiliated with a primary use, mortuary, photographer's studio, and picture framing and glazing.

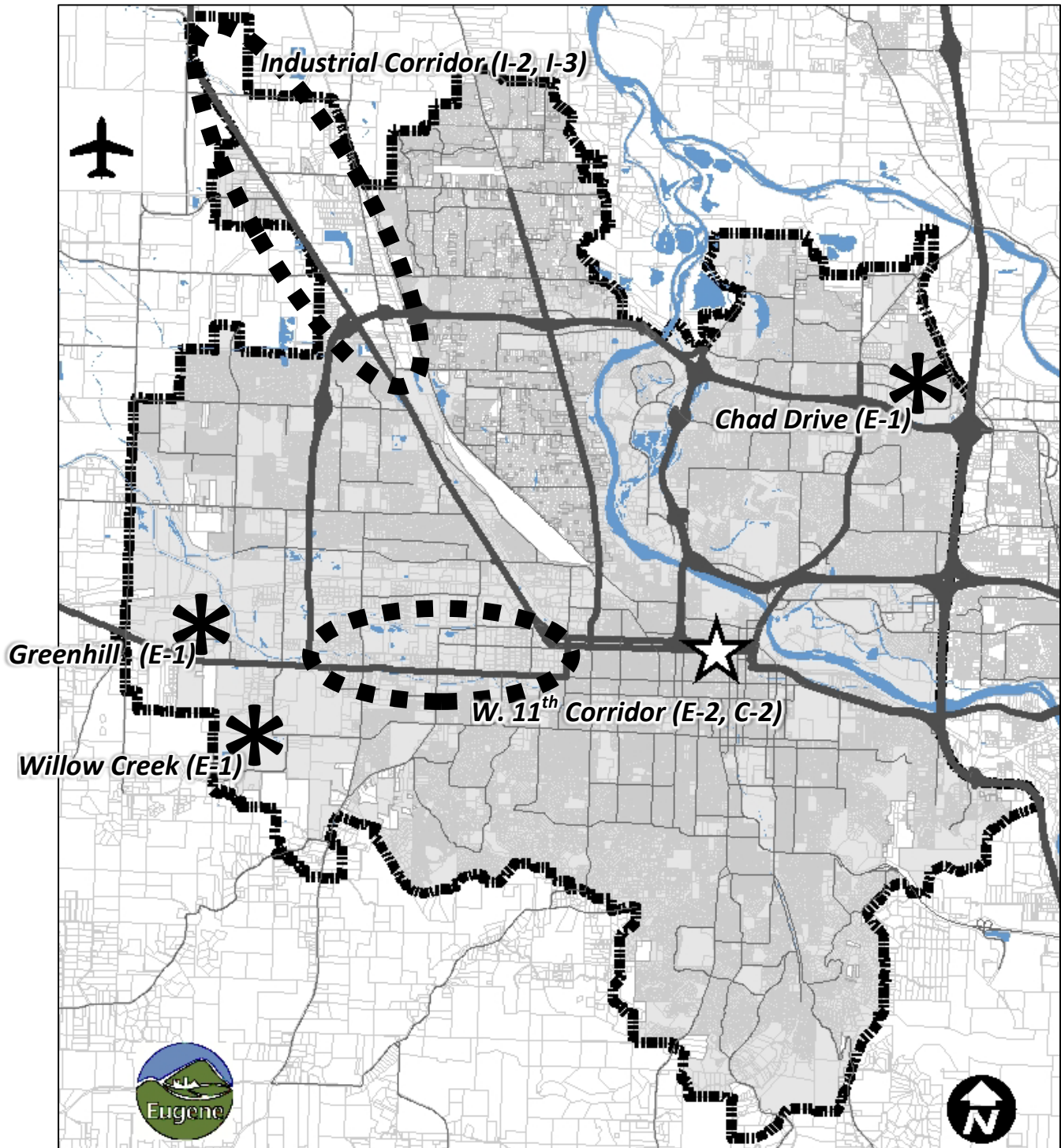
ALL EMPLOYMENT AND INDUSTRIAL ZONES

Summary of Changes to All E + I Zones

Address security concerns by adding "eyes" to the site.

Many sites in the employment and industrial zones have employees on-site throughout the day on multiple shifts, but may lack human activity for long periods at night, thereby raising security concerns. The draft code allows a single dwelling unit on all development sites in the employment and industrial zones, subject to development standards.

Locations affected by proposed Employment and Industrial Code Amendments



ORDINANCE NO. _____

AN ORDINANCE CONCERNING EMPLOYMENT AND INDUSTRIAL ZONES; AMENDING SECTIONS 2.1086, 3.005, 4.330, 6.755, 7.410, 9.0500, 9.1030, 9.1045, 9.1240, 9.2150, 9.2160, 9.2161, 9.2170, 9.2180, 9.2400, 9.2410, 9.2430, 9.2450, 9.2451, 9.2460, 9.2461, 9.2470, 9.2530, 9.2682, 9.3050, 9.3305, 9.3400, 9.3900, 9.3910, 9.3915, 9.4290, 9.4640, 9.5750, 9.5800, 9.6105, 9.6205, 9.6410, 9.6415, 9.6420, 9.6640, 9.6645, 9.6660, 9.6665, 9.6675, 9.6680, 9.6703, 9.6709, 9.6725, 9.6730, 9.6745, 9.6770, 9.6794, 9.8010, 9.8030, 9.8215, 9.8515, 9.8575, 9.8865 OF THE EUGENE CODE, 1971; ADDING SECTIONS 9.2405 AND 9.2463 TO THAT CODE; REPEALING SECTION 9.2130 OF THAT CODE; REPEALING RESOLUTION NO. 3862 AND RESOLUTION NO. 3885; AND PROVIDING FOR AN EFFECTIVE DATE.

THE CITY OF EUGENE DOES ORDAIN AS FOLLOWS:

Section 1. The Eugene Zoning Map is amended to remove the current zones from properties identified on Exhibit A attached to this Ordinance and to replace those zones as reflected on Exhibit A. (Maps depicting the zone amendments are included as Attachments A, B, C, and D to the findings set forth in Exhibit C attached to this Ordinance.)

Section 2. As a result of the zone amendments described in Section 1 above, Map 9.3055 is amended as set forth in Exhibit B attached to this Ordinance.

Section 3. Subsection (7)(c)2. of Section 2.1086 of the Eugene Code, 1971, is amended to provide as follows:

2.1086 Manufactured Dwelling Park Closures.

(7) Relocation Costs. After the notice of park closure is given, a park owner shall compensate affected tenants for their losses and relocation costs incurred due to the park closure as follows:

- (c)** The net amount to be paid by the park owner to an affected tenant under subparagraphs (a) or (b) of this section may be subject to an adjustment if:
 - 1.** There is a state subsidy payment available to an affected tenant at the time notice of park closure is given, the amount of the subsidy shall be deducted from the amount determined due the affected tenant under subparagraphs (a) and (b) of this section in arriving at the net amount due.
 - 2.** The manufactured dwelling park for which the notice of closure is given is located in an ***employment and*** industrial or commercial zone or flood plain, the amount determined due shall be reduced by 50%.

Section 4. The definition of “Commercial” in the “Solid Waste, Yard Debris and Recycling” section of Section 3.005 of the Eugene Code, 1971, is amended to provide as follows:

3.005 For the purposes of this chapter, the following words and phrases shall mean:

Solid Waste, Yard Debris and Recycling:

Commercial. Stores; offices, including manufacturing and industrial offices; restaurants; multi-family dwellings; warehouses; schools; colleges and universities; hospitals; and other ***employment and*** industrial, manufacturing and non-manufacturing entities; but does not include business activities conducted in residential dwellings.

Section 5. The definition of “Industrial zone” in Section 4.330 of the Eugene Code, 1971, is amended to provide as follows:

4.330 **Animal Control - Definitions.** For purposes of sections 4.330 to 4.500 of this chapter, the following words and phrases mean:

Employment and [A]industrial zone. Property zoned as "***employment and industrial***" by Chapter 9 of this Code.

Section 6. Subsection (1)(l) of Section 6.755 of the Eugene Code, 1971, is amended to provide as follows:

6.755 **Environmental Noise Disturbance – Exemptions, Variances.**

(1) **Exemptions.** The following sounds are exempted from the provisions of section 6.750 of this code:

- (l)** Sounds produced by leaf blowers and street sweepers being used to clean parking lots and adjacent areas in commercial or ***employment and*** industrial zones.

Section 7. Subsection (5) of Section 7.410 of the Eugene Code, 1971, is amended to provide as follows:

7.410 **Access Connections – Number, Width and Shared.**

- (5)** The width of an access connection for multi-family, commercial ***and employment and*** industrial developments shall be no less than 20 feet.

Section 8. Section 9.0500 of the Eugene Code, 1971, is amended by deleting the definition of “Business Park,” amending the definition of “Lands Committed to Urban Use,” and adding definitions for “Outdoor storage,” “Recycling-Deconstruction, Reuse, Resale,” and “Wholesale” to provide as follows:

9.0500 **Definitions.** As used in this land use code, unless the context requires otherwise, the following words and phrases mean:

~~**[Business Park.** A planned development with an integrated physical environment and characterized by a variety of industrial, and to a lesser extent, office and related commercial use.]~~

Lands Committed to Urban Use (as used in Willamette Greenway Permits beginning at EC 9.8800). Those properties that are inappropriate for non-urban uses due to economic, developmental, and/or locational factors. Economic, developmental, and locational factors include, but are not limited to: established ports, **employment and** industrial, commercial, residential, or recreational uses on or near the subject property; the effect such established uses have upon the subject property; previous public decisions regarding the subject property (as contained in ordinances and adopted plans); and other public actions that affect the subject property.

Outdoor storage. *The retention, by the permitted use on-site, of raw or finished materials, containers, equipment including vehicular fleet, or other property outside a building for an extended period of time. Items stored inside a building that is not enclosed on 100 percent of the area of its sides is considered outdoor.*

Recycling–Deconstruction, Reuse, Resale. *A facility that takes in common household goods or home furnishings, and then disassembles or repurposes the products for reuse or resale. Compared to traditional manufacturing uses, this use does not utilize raw materials, is not reliant upon national rail or truck shipping routes, and conducts the majority of operations indoors.*

Wholesale. *Establishments engaged in receipt, storage, and distribution of goods by truck, rail, or air to retailers and other wholesale vendors, but do not involve direct sale to the public.*

Section 9. The “Commercial” and “Industrial” entries in Table 9.1030 of Section 9.1030 of the Eugene Code, 1971, are amended to provide as follows:

9.1030 **Establishment and List of Zones.** The zones listed in Table 9.1030 Zones are established as follows:

Table 9.1030 Zones		
Broad Zone Category	Zone	
Commercial	C-1	Neighborhood Commercial Zone
	C-2	Community Commercial Zone
	C-3	Major Commercial Zone
	C-4	Commercial/ Industrial Zone
	GO	General Office Zone
Employment and Industrial	I-1 E-1	Campus Industrial Employment Zone
	E-2	Mixed Use Employment Zone
	I-2	Light-Medium Industrial Zone
	I-3	Heavy Industrial Zone

Section 10. Section 9.1045 of the Eugene Code, 1971, is amended to provide as follows:

9.1045 Reclassification of Prior Zones. The zoning classifications shown in Table 9.1045
Reclassification of Zones are reclassified effective ~~[August 1, 2001]~~ **on the date**
indicated in the Table.

Table 9.1045 Reclassification of Zones	
Effective August 1, 2011:	
Old Zone Title	New Zone Title
RA Suburban Residential District	R-1 Low Density Residential Zone
R-2 Limited Multiple Family Residential District	R-2 Medium Density Residential Zone
R-3 Multiple Family Residential District	R-3 Limited High Density Residential Zone
R-4 High Rise Multiple Family Residential District	R-4 High Density Residential Zone
C-2 General Commercial District	C-2 Community Commercial Zone
I-1 Special Industrial District	I-1 Campus Industrial Zone
Downtown Westside Mixed Use District	S-DW Downtown Westside Special Area Zone
MU-E Elmira Road Mixed Use District	S-E Elmira Road Special Area Zone
Fifth Avenue Development District	S-F Fifth Avenue Special Area Zone
Historic Districts	S-H Historic Zone
H Blair Boulevard Historic Commercial Area	S-HB Blair Boulevard Historic Commercial Special Area Zone
Riverfront Park Special Development District	S-RP Riverfront Park Special Area Zone
MU-W Whiteaker Mixed Use District	S-W Whiteaker Special Area Zone
Effective ____ [insert effective date of Ordinance]:	
Old Zone Title	New Zone Title
I-1 Campus Industrial Zone	E-1 Campus employment Zone

Section 11. Section 9.1240 of the Eugene Code, 1971, is amended to provide as follows:

9.1240 Legal Pre-Existing Uses. The uses listed in Table 9.1240 Legal Pre-Existing Uses shall be considered to be pre-existing uses. These uses may continue, and are not subject to the provisions of sections 9.1200 through 9.1230. Determinations as to whether a particular use qualifies as a pre-existing use shall be made by the planning commission.

Table 9.1240 Legal Pre-Existing Uses		
R-1 Low-Density Residential R-2 Medium-Density Residential	Nursing Home	Limited to those in existence on August 1, 2001
R-1 Low-Density Residential	Theater, Live Entertainment	Limited to those in existence on April 27, 1987 and operated by a non-profit organization
R-1 Low-Density Residential	Equestrian Academy and Stable	Limited to those in existence on August 1, 2001
R-1 Low-Density Residential	Equestrian Trail	Limited to those in existence on August 1, 2001
R-1 Low-Density Residential	Golf Course	Limited to those in existence on August 1, 2001
<i>E-1 Campus Employment</i>	<i>Church, Synagogue, and Temple, including associated residential structures for religious personnel</i>	<i>Limited to those in existence or permitted by an approved CUP on _____ [effective date of ordinance]</i>

Section 12. Section 9.2130 of the Eugene Code, 1971, is repealed.

~~[9.2130 — **Purpose of C-4 Commercial/Industrial Zone.** The C-4 Commercial/ Industrial zone is designed to implement the Metro Plan by providing areas that allow a compatible mix of commercial and industrial uses that are largely oriented to automobile traffic. The zone is intended to provide for commercial uses and complimentary processing, assembling, packaging, or repairing of previously manufactured products.]~~

Section 13. Section 9.2150 of the Eugene Code, 1971, is amended to provide as follows:

9.2150 Commercial Zone Siting Requirements. In addition to the approval criteria in EC 9.8865 Zone Change Approval Criteria, the following ***C-1 Neighborhood Commercial*** siting requirements apply:

~~[(1) — ***C-1 Neighborhood Commercial.***]~~

- ~~(a1)~~ New C-1 zones shall be located within convenient walking or bicycling distance of an adequate support population. For new C-1 areas between 4½ and 5 acres, an adequate support population is 4,000 people (existing or planned) within an area conveniently accessible to the site.
- ~~(b2)~~ New C-1 areas larger than 1.5 acres shall be located on a collector or arterial street.
- ~~(c3)~~ Existing neighborhood commercial areas shall not be allowed to expand to greater than 1.5 acres unless the development area site abuts a collector or arterial street.

~~[(2) — ***C-4 Commercial/Industrial.*** The application of the C-4 zone is limited to development sites with all of the following:~~

- ~~(a) — Strip or Street Oriented Commercial designation in the Metro Plan.~~
- ~~(b) — Direct access to and from an arterial street.~~
- ~~(c) — A mix of commercial and industrial establishments in the area.]~~

Section 14. Section 9.2160 of the Eugene Code, 1971, is amended to provide as follows:

9.2160 Commercial Zone Land Use and Permit Requirements. The following Table 9.2160 Commercial Zone Land Uses and Permit Requirements identifies those uses in Commercial Zones that are:

- (P) Permitted.
- (SR) Permitted, subject to an approved site review plan or an approved final planned unit development.
- (C) Subject to a 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.
- (#) The numbers in () in the table are uses that have special use limitations described in EC 9.2161.

Examples shown in Table 9.2160 are for informational purposes, and are not exclusive. Table 9.2160 does not indicate uses subject to Standards Review. Applicability of Standards Review procedures is set out at EC 9.8465.

Table 9.2160 Commercial Zone Land Uses and Permit Requirements					
	C-1	C-2	C-3	[C-4]	GO
Accessory Uses					
Accessory Use. <u>An example</u> includes storage and distribution incidental to the primary use of the site. Parking areas that are accessory to a primary use on the same development site shall comply with EC 9.2161(5).	P	P	P	[P]	P
Agricultural, Resource Production and Extraction					
Horticultural Use. <u>Examples</u> include field crops, orchards, berries, and nursery or flower stock.	P	P		[P]	P
Eating and Drinking Establishments					
Bar and Tavern	C(1)	P	P	[P]	
Delicatessen	P(1)	P	P	[P]	P(2)
Restaurant	P(1)	P	P	[P]	P(2)
Specialty Food and Beverage. <u>Examples</u> include bagel, candy, coffee, donut, and ice cream stores. Products manufactured on-site shall comply with manufacturing allowances for food and beverage products.	P(1)	P	P	[P]	P(2)
Education, Cultural, Religious, Social and Fraternal					
Artist Gallery/Studio	P(1)	P	P		
Ballet, Dance, Martial Arts, and Gymnastic School/Academy/Studio	P(1)	P	P		C
Church, Synagogue, and Temple, including associated residential structures for religious personnel	P(1)	P	P	[C]	P
Club and Lodge of State or National Organization		P	P		P
Community and Neighborhood Center	P	P	P		C
Library		P	P		
Museum		P	P		
School, Business or Specialized Educational Training (excludes driving instruction)		P	P		
School, Driving (including use of motor vehicles)		P	P	[P]	
School, Elementary through High School		P	P		

Table 9.2160 Commercial Zone Land Uses and Permit Requirements					
	C-1	C-2	C-3	[C-4]	GO
University or College		P	P		
Entertainment and Recreation					
Amusement Center (Arcade, pool tables, etc.)	C	P	P		
Arena, Indoors		C	C		
Athletic Facility and Sports Club	P(1)	P	P	[P]	C
Bowling Alley		P	P	[P]	
Golf Course, Miniature Indoor		P	P	[P]	
Golf Course, Miniature Outdoor		SR		[P]	
Golf Driving Range		SR		[P]	
Park and Non-Publicly Owned Open Space Use (See EC 9.2620): Uses not specifically listed in this Table 9.2160 that are listed under the "Entertainment and Recreation" category in Table 9.2630.		S(8)	S(8)		S(8)
Theater, Live Entertainment	C	P	P	[P]	
Theater, Motion Picture		P	P	[P]	
Financial Services					
Automated Teller Machine (ATM)	P(1)	P	P	[P]	P
Bank, Savings and Loan Office, Credit Union	P(1)	P	P	[P]	P
Government					
Government Services, not specifically listed in this or any other uses and permit requirements table. <u>An example</u> could include: a fire station.	P(1)	P	P	[P]	P
Information Technology Services					
Computer Networking (includes services and technical support center)	P(1)	P	P	[P]	P
E-commerce (includes on-site shipping via truck)		P	P	[P]	
E-commerce (excludes on-site shipping via truck)	P(1)	P	P	[P]	P
Healthcare Informatics (includes biotechnology, bioinformatics, and medical informatics)	P(1)	P	P	[P]	P
Internet and Web Site (includes services and technical support center)	P(1)	P	P	[P]	P
Software Development (includes services and technical support center)	P(1)	P	P	[P]	P
Lodging					
Bed and Breakfast Facility		P	P		P
Homeless Shelter not in existence as of January 1, 1984				[C]	
Hotel, Motel, and similar business providing overnight accommodations		P	P	[P]	
Recreational Vehicle Park, may include tent sites (See EC 9.5600)		S		[S]	
Manufacturing					

Table 9.2160 Commercial Zone Land Uses and Permit Requirements					
	C-1	C-2	C-3	[C-4]	GO
<p>Manufacturing Allowance in C-1, manufacturing is permitted if the following standards are met:</p> <ul style="list-style-type: none"> -- No external air emissions required a permit from an air quality public agency. -- All industrial activity completely enclosed within building. -- Industrial uses limited to apparel, food and beverage, handcraft industries, and other manufacturing uses with similar external impacts to other uses permitted in C-1. -- Each individual business is limited to 5,000 square feet of area exclusive of parking area. 	P				
<p>Manufacturing Allowance in C-2 and C-3, manufacturing is permitted if the following standards are met:</p> <ul style="list-style-type: none"> -- No external air emissions requiring a permit from an air quality public agency. -- All industrial activity completely enclosed within building. -- Industrial uses limited to apparel, food and beverage products, electronic communication assembly, handcraft industries, and other manufacturing uses with similar external impacts to other uses permitted in C-2 and C-3. -- Each individual business is limited to 10,000 square feet of floor area exclusive of parking area. These types of businesses are limited in size to assure that they will not dominate the commercial area and to limit any negative external impacts on commercial and residential uses. 		P	P		
[Manufacturing Allowance in C-4, manufacturing use in C-4 is regulated the same as in the I-2 Light-Medium Industrial district]				[See I-2]	
Recycling, reverse vending machine	P	P	P	[P]	P
Recycling, small collection facility (See EC 9.5650)	S	S	S	[S]	S
Medical, Health, and Correctional Services					
Blood Bank		P	P		P
Correctional Facility, excluding Residential Treatment Center		C	C	[C]	C
Clinic or other Medical Health Treatment Facility (including mental health).	P(1)	P	P		P
Drug Treatment Clinic - Non-residential		P(3)	P(3)	[P(3)]	
Hospital		C	C		C
Laboratory, medical, dental, X-ray		P	P		P
Meal Service, Non-Profit	C	P	P		
Nursing Home		P	P		P
Plasma Center, must be at least 800 feet between Plasma Centers		P			
Residential Treatment Center		P	P		C
Motor Vehicle Related Uses					
Car Wash		P	C	[P]	

Table 9.2160 Commercial Zone Land Uses and Permit Requirements					
	C-1	C-2	C-3	[C-4]	GO
Motor Vehicle Sales/Rental/Service, excluding recreational vehicles and heavy trucks		P	C	[P]	
Motorcycle Sales/Rental/Service		P	C	[P]	
Parking Area not directly related to a primary use on the same development site		SR (4)	P(5)	[P]	P
Parts Store		P	P	[P]	
Recreational Vehicles and Heavy Truck, Sales/Rental/Service		C		[P]	
Repair, includes paint and body shop		P		[P]	
Service Stations, includes quick servicing		P	C	[P]	
Structured Parking, up to two levels not directly related to a primary use on the same development site		P	P	[P]	P
Structured Parking, three or more levels not directly related to a primary use on the same development site		C	P	[P]	C
Tires, Sales/Service		P	C	[P]	
Transit, Neighborhood Improvement	P	P	P	[P]	P
Transit Park and Ride, Major		P	P	[P]	P
Transit Park and Ride, Minor	C	P	P	[P]	P
Transit Station, Major	C	SR	SR	[P]	SR
Transit Station, Minor	C	P	P	[P]	P
Office Uses					
Administrative, General, and Professional Office	P(1)	P	P	[P]	P
Scientific and Educational Research Center	P(1)	P	P	[P]	P
Personal Services					
Barber, Beauty, Nail, Tanning Shop	P(1)	P	P		P(2)
Day Care Facility (Not associated with a residence.)	P	P	P	[P]	P
Dry Cleaner	P(1)	P	P	[P]	P(2)
Film, Drop-off/Pick-up	P(1)	P	P	[P]	P(2)
Locksmith Shop	P(1)	P	P	[P]	P(2)
Laundromat, Self-Service	P(1)	P	P	[P]	P(2)
Mailing and Package Service	P(1)	P	P	[P]	P(2)
Shoe Repair Shop	P(1)	P	P	[P]	P(2)
Tailor Shop	P(1)	P	P	[P]	P(2)
Residential					
Dwellings					
One-Family Dwelling	P(6)	P(6)	P(7)		
Rowhouse (One-Family on Own Lot Attached to Adjacent Residence on Separate Lot with Garage or Carport Access to the Rear of the Lot)	S(6)	S			P
Duplex (Two-Family Attached on Same Lot)	P(6)	P(6)	P(7)		P
Tri-plex (Three-Family Attached on Same Lot) (See EC 9.5500)	S(6)	S	S		S
Four-plex (Four-Family Attached on Same Lot) (See EC 9.5500)	S(6)	S	S		S
Multiple Family (3 or More Dwellings on Same Lot) (See EC 9.5500)	S(6)	S	S		S
Assisted Care & Day Care (Residences Providing Special Services, Treatment or Supervision)					

Table 9.2160 Commercial Zone Land Uses and Permit Requirements					
	C-1	C-2	C-3	[C-4]	GO
Assisted Care (5 or fewer people living in facility and 3 or fewer outside employees on site at any one time)		P	P		P
Assisted Care (6 or more people living in facility)		P	P		C
Day Care (3 to 12 people served)	P	P	P		P
Day Care (13 or more people served)	C	P	P		P
Rooms for Rent Situations					
Boarding and Rooming House		P	P		C
Campus Living Organization, including Fraternities and Sororities		P	P		C
Single Room Occupancy (SRO)		P	P	[P]	
University and College Dormitories		P	P		P
Trade (Retail and Wholesale)					
Agricultural Machinery Rental/Sales/Service		C		[P]	
Appliance Sales/Service		P	P	[P]	
Bicycle Rental/Sales/Service	P(1)	P	P	[P]	
Boat and Watercraft Sales/Service		P	C	[P]	
Book Store	P(1)	P	P	[P]	
Building Materials and Supplies				[P]	
Computer Store	P(1)	P	P	[P]	
Convenience Store	P(1)	P	P	[P]	P(2)
Drug Store (excluding Drug Treatment Centers)	P(1)	P	P	[P]	
Electrical Appliances and Supplies	P(1)	P	P	[P]	
Equipment, Light, Rental/Sales/Service		P	P	[P]	
Equipment, Heavy, Rental/Sales/Service- includes truck and tractor sales		C		[P]	
Fabric Store		P	P	[P]	
Floor Covering Store		P	P	[P]	
Furniture and Home Furnishing Stores		P	P	[P]	
Garden Supply/Nursery	P(1)	P		[P]	
General Merchandise (includes supermarket and department store)	P(1)	P	P		P(2)
Hardware/Home Improvement Store	P(1)	P	P	[P]	
Healthcare Equipment and Supplies		P	P	[P]	
Liquor Store		P	P		
Manufactured Dwelling Sales/Service/Repair		C		[C]	
Office Equipment and Supplies		P	P	[P]	
Plumbing Supplies		P	P	[P]	
Regional Distribution Center				[P]	
Retail trade when secondary, directly related, and limited to products manufactured, repaired or assembled on the development site	P(1)	P	P	[P]	
Storage Facility, Household/Consumer Goods, enclosed		P		[P]	
Specialty Store (an example includes a gift store)	P(1)	P	P		P(2)
Toy and Hobby Store	P(1)	P	P	[P]	
Video Store	P(1)	P	P	[P]	
Wholesale Trade (excluding regional distribution center)				[P]	
Utilities and Communication					

Table 9.2160 Commercial Zone Land Uses and Permit Requirements					
	C-1	C-2	C-3	[C-4]	GO
Amateur Radio Antenna Structure (See EC 9.5050)	S	S	S		S
Broadcasting Studio, Commercial and Public Education		P	P	[P]	P(7)
Electrical Substation, must meet landscape standards in EC 9.6210(3) High Screen Landscape Standard (L-3) unless fully enclosed within a building or approved through a Type II procedure that shows low visual impact.	P	P	P	[P]	P
Fiber Optic Station, must meet landscape standards in EC 9.6210(3) High Screen Landscape Standard (L-3) unless fully enclosed within a building or approved through a Type II procedure that shows low visual impact.	P	P	P	[P]	P
Pump Station, well head, non-elevated reservoir, and other water or sewer facilities must meet landscape standards in EC 9.6210(3) High Screen Landscape Standard (L-3) unless fully enclosed within a building or approved through a Type II procedure that shows low visual impact.	P	P	P	[P]	P
Telecommunication Tower or Facility (See EC 9.5750)	S	S	S	[S]	S
Water Reservoir, elevated above ground level	SR	SR	SR	[SR]	SR
Other Commercial Services					
Building Maintenance Services		P	P	[P]	
Catering Service	P(1)	P	P	[P]	P(2)
Collection Center, Collection of Used Goods (See EC 9.5150)	S	S	S	[S]	
Home Occupation (See EC 9.5350)	S	S	S		S
Mortuary		P	P		
Photographers' Studio	P(1)	P	P	[P]	
Picture Framing and Glazing	P(1)	P	P	[P]	P
Printing, Blueprinting, and Duplicating		P	P	[P]	
Publishing Service		P	P	[P]	
Temporary Activity (See EC 9.5800)	S	S	S	[S]	S
Train Station		C	C	[P]	
Upholstery Shop		P	C	[P]	
Veterinarian Service	C	P		[P]	

Section 15. Subsection (3) of Section 9.2161 of the Eugene Code, 1971, is amended to provide as follows:

9.2161 Special Use Limitations for Table 9.2160.

- (3) **Drug Treatment Clinic - Non-Residential Allowance in C-2[,] and C-3 [and C-4].** Use is permitted on property located within a quarter of a mile of a transit route.

Section 16. Table 9.2170 in Section 9.2170 of the Eugene Code, 1971, and subsections

(3) and (8) are amended to provide as follows:

9.2170 Commercial Zone Development Standards - General.

Table 9.2170 Commercial Zone General Building Height and Setback Standards					
	C-1	C-2	C-3	[C-4]	GO
Building Height (See EC 9.2170(3))					
Maximum Building Height	35 feet	120 feet	150 feet	[50 feet]	50 feet
Setbacks (See EC 9.2170(4))					
Minimum Front Yard Setback	10 feet	0 feet	0 feet	[10 feet]	10 feet
Maximum Front Yard Setback	15 feet	15 feet	15 feet	[None]	15 feet
Minimum Interior Yard Setback	0 feet to 10 feet	0 feet to 10 feet	0 feet	[0 feet to 10 feet]	0 feet to 10 feet

(3) Building Height.

- (a) Exceptions to the general height restrictions for commercial structures stated in Table 9.2170 Commercial Zone General Building Height and Setback Standards are contained in:
 - 1. EC 9.6715 Height Limitation Areas.
 - 2. EC 9.6720 Height Exemptions for Roof Structures and Architectural Features.
- (b) Subject to the limitations in subsection (a) of this section, in the C-2[,] **or** C-3[, ~~or C-4~~] zones, no portion of a building located within 50 feet of a residential zone shall exceed the maximum building height permitted in the abutting residential zone.
- (c) Subject to the limitations in subsection (a) of this section, the maximum permitted building height for main or accessory buildings in the GO zone shall not exceed 35 feet in height within 50 feet of an abutting AG, R-1, or R-2 zone. Otherwise, main and accessory building height maximums shall not exceed 50 feet.

(8) Outdoor Merchandise Display.

- (a) Except for plants and garden supply products, outdoor merchandise display is not allowed in C-1 and GO zones.
- (b) In the C-2 [~~and C-4~~] zone[s], outdoor display of the uses listed in subsection 1. of this subsection, is permitted when in conformance with the standards listed in subsection 2. of this subsection.
 - 1. Plants and garden supply products; motor vehicle sales, service, and repair; new and used boat sales; large equipment sales and rentals; service station pump islands; vending machines; manufactured home sales; children's outdoor play equipment; and hot tubs.
 - 2. Outdoor merchandise display is not permitted in required setback areas. Except for plant and garden supply displays, outdoor display areas shall be set back a minimum of 7 feet from the front lot lines with required setbacks landscaped to at least the EC 9.6210(1) Basic Landscape Standard (L-1).

Section 17. Section 9.2180 of the Eugene Code, 1971, is amended to provide as follows:

9.2180 Commercial Zone Lot Standards. The following Table 9.2180 sets forth lot standards within commercial zones. The numbers enclosed within (#) indicate a special development standard of EC 9.2181.

Table 9.2180 Commercial Zone Lot Standards (See EC 9.2181 Special Standards for Table 9.2180.)					
	C-1	C-2	C-3	[C-4]	GO
Area Minimum (1)					
All Lots	6,000 square feet	6,000 square feet	6,000 square feet	[6,000 square feet]	6,000 square feet
Frontage Minimum (1)					
Interior Lot	50 feet	50 feet	50 feet	[50 feet]	50 feet
Corner Lot	50 feet	50 feet	50 feet	[50 feet]	50 feet
Curved Lot	35 feet	35 feet	35 feet	[35 feet]	35 feet
Cul-de-sac Bulb	35 feet	35 feet	35 feet	[35 feet]	35 feet
Flag Lot					
1 Lot	15 feet	15 feet	15 feet	[15 feet]	15 feet
2 to 4 Lots	25 feet	25 feet	25 feet	[25 feet]	25 feet
Width Minimum (1)					
Interior Lot	50 feet	50 feet	50 feet	[50 feet]	50 feet
Corner Lot	50 feet	50 feet	50 feet	[50 feet]	50 feet
Curved Lot	35 feet	35 feet	35 feet	[35 feet]	35 feet
Cul-de-sac Bulb	35 feet	35 feet	35 feet	[35 feet]	35 feet
Flag Lot	40 feet	20 feet	20 feet	[20 feet]	20 feet

Section 18. The heading appearing prior to Section 9.2400 of the Eugene Code, 1971, is amended to provide as follows:

Employment and Industrial Zones

Section 19. Section 9.2400 of the Eugene Code, 1971, is amended to provide as follows:

9.2400 Purpose of [I-1] E-1 Campus [Industrial] Employment Zone. The purpose of the [I-1] E-1 Campus [Industrial] **Employment** zone is to implement **the Campus Industrial designation** of the Metro Plan by providing large areas for [specialized] **a variety of light industrial and office-based scientific, medical, research and development, or other professional** firms to locate in a campus-like setting. In general, this zone is designed for firms that will help achieve economic diversification objectives and that typically have a large number of employees per acre. The activities of such firms do not generate offensive external impacts and usually do not tolerate substantial noise, pollution, or vibration from surrounding uses. [The zone is designed to provide sites for large-scale offices that provide a scientific and educational research function or directly serve manufacturing uses or other industrial or commercial enterprises (and not the general public).] **The “campus” setting is characterized by enhanced landscaping, pedestrian amenities, and unique architectural design.** Provision is also made for small-

~~[and medium-]scale [industrial uses within the context of business parks that will maintain the campus-like setting. On a limited basis,]~~ complementary **commercial** uses ~~[are permitted, such as restaurants]~~ that primarily serve employees in the ~~[immediate]~~ area **and are preferably part of a mixed-use development.**

Section 20. Section 9.2405 of the Eugene Code, 1971, is added to provide as follows:

- 9.2405** **Purpose of E-2 Mixed Use Employment Zone.** *The purpose of the E-2 Mixed Use Employment zone is to implement the Light-Medium Industrial designation of Metro Plan by providing areas for a mixture of compatible employment opportunities – both industrial, office, and commercial – that benefit from multi-modal transportation access. The zone is generally sited along key transit corridors with existing commercial and industrial businesses. It is intended to provide a wide range of permitted uses, while creating a transit-supportive, pedestrian friendly corridor.*

Section 21. Section 9.2410 of the Eugene Code, 1971, is amended to provide as follows:

- 9.2410** **Purpose of I-2 Light-Medium Industrial Zone.** The purpose of the I-2 Light-Medium Industrial zone is to implement ***the Light-Medium Industrial designation of the Metro Plan*** by providing areas to serve a wide variety of manufacturing and other industrial activities with controlled external impacts in locations designated for Light-Medium Industry in the Metro Plan. These types of industries are often involved in the secondary processing of materials into components, the assembly of components into finished products, transportation, communication and utilities, wholesaling, and warehousing. The external impact from these uses is generally less than Heavy Industrial, and transportation needs are often met by truck. Activities are generally located indoors, although there may be some outdoor storage. ~~[On a limited basis, s]~~ Supporting offices and ***small-scale*** commercial uses ***that serve employees in the immediate area*** are permitted.

Section 22. Section 9.2430 of the Eugene Code, 1971, is amended to provide as follows:

- 9.2430** **Employment and Industrial Zone Siting Requirements.** In addition to the approval criteria in EC 9.8865 Zone Change Approval Criteria, the following siting requirements apply:
- (1) ~~[I-1] E-1 Campus [Industrial]~~Employment.** This zone is limited to areas designated Campus Industrial in the Metro Plan.
 - (2) *E-2 Mixed Use Employment. This zone is limited to areas designated Light-Medium Industrial in the Metro Plan and those that meet either (a) or (b) of the following minimum siting requirements:***
 - (a) *Property has frontage on an arterial street.***
 - (b) *Contiguous to parcels currently zoned E-2 or C-2 Community Commercial.***
 - (23) I-2 Light-Medium Industrial.** This zone is limited to areas designated Light-Medium Industrial in the Metro Plan or those that meet all of the following minimum siting requirements:

- (a) Access to arterial streets without undue negative impact on residential streets.
 - (b) No more than 5 acres.
 - (c) Sufficient street frontage to accommodate structures, parking, and access in character with adjacent non-industrial properties.
- (34) I-3 Heavy Industrial.** This zone is limited to areas designated either Heavy Industrial or Special Heavy Industrial in the Metro Plan.

Section 23. Section 9.2450 of the Eugene Code, 1971, is amended to provide as follows:

9.2450 Employment and Industrial Zone Land Use and Permit Requirements. The following Table 9.2450 ***Employment and*** Industrial Zone Land Use and Permit Requirements identifies those uses in the ***Employment and*** Industrial Zones that are:

- (P) Permitted~~[, subject to zone verification]~~.
- (SR) Permitted, subject to an approved site review plan or an approved final planned unit development.
- (C) Subject to a conditional use permit or an approved final planned unit development.
- (S) Permitted, subject to ~~[zone verification and]~~ the Special Development Standards for Certain Uses beginning at EC 9.5000.
- (#) The numbers in () in the table are uses that have special use limitations that are described in EC 9.2451.

The examples listed in Table 9.2450 are for informational purposes and are not exclusive. Table 9.2450 does not indicate uses subject to Standards Review. Applicability of Standards Review procedures is set out at EC 9.8465.

Table 9.2450 <i>Employment and Industrial Zone Land Use and Permit Requirements</i>				
	[I-1] <i>E-1</i>	E-2	I-2	I-3
Accessory Uses				
Accessory Uses. <u>Examples</u> include [security work,] administration offices, and storage and distribution incidental to the primary use of the site.	P	P	P	P
Agricultural, Resource Production and Extraction				
Horticultural Uses. <u>Examples</u> include field crops, orchards, berries, and nursery or flower stock.		P	P	P
Mineral Resource Mining, Recovery, Stockpiling, Processing (excluding smelter or ore reduction)			SR	SR
Eating and Drinking Establishments				
<i>Bar and Tavern</i>	P(4)	P(2)	P(4)	
Delicatessen	P(54)	P(2)	P(24)	
Restaurant	P(54)	P(2)	P(24)	
Specialty Food and Beverage. <u>Examples</u> include bagel, candy, coffee, donut, and ice cream stores. Products manufactured on-site shall comply with manufacturing allowances for food and beverage products.	P(54)	P(2)	P(24)	
Education, Cultural, Religious, Social and Fraternal				
Artist Gallery/Studio	[P]	P	P	P

Table 9.2450 Employment and Industrial Zone Land Use and Permit Requirements				
	[I-1] E-1	E-2	I-2	I-3
Ballet, Dance, Martial Arts, and Gymnastic School/Academy/Studio	C(6)	P	C(6)	
Church, Synagogue, and Temple, including associated residential structures for religious personnel, in existence or permitted by an approved CUP by ____ [effective date of ordinance]	C		[C]	
Club and Lodge of State or National Organization		P	P	P
Library	P	P	[P]	[P]
Museum	P	P		
School, Business or Specialized Educational Training (excludes driver instruction)	P	P	P	P
School, Driving (including use of motor vehicles)			P	P
Entertainment and Recreation				
Amusement Center (Arcade, pool tables, etc.)		P(2)		
Athletic Facility and Sports Club	[C]P(4)	P(2)	[C]	
Bowling Alley		P(2)		
Golf Course, Miniature Indoor and Outdoor		P(2)		
Race Track, including drag strip and go-cart tracks			C	C
Theater, Live Entertainment	C(36)	P(2)	C(36)	[C(3)]
Theater, Motion Picture		P(2)		
Financial Services				
Automated Teller Machine (ATM)	P	P	P	P
Bank, Savings and Loan Office, Credit Union	P(54) [(6)]	P(2)	P(24) [(6)]	
Government				
Government Services, not specifically listed in this or any other uses and permit requirements table. <u>An example could include: a fire station.</u>	P	P	P	P
Information Technology Services				
Computer Networking (includes services and technical support center)	P[(6)]	P	P[(6)]	
E-commerce [(excludes on-site shipping via truck unless approved through a site review or PUD)](includes call centers, online sales & shipping, and business-to-business services)	P[(6)]	P	P[(6)]	
[Healthcare Informatics (includes biotechnology, bioinformatics, and medical informatics)]	[P(6)]		[P(6)]	
Internet and Web Site (includes services and technical support center)	P[(6)]	P	P[(6)]	
Software Development (includes services and technical support center)	P[(6)]	P	P[(6)]	
Lodging				
Homeless Shelter in Existence as of January 1, 1984 (See EC 9.5300)			[S]	S
Homeless Shelter Not in Existence as of January 1, 1984		C	C	C
Hotel, Motel, and similar business providing overnight accommodations		P		
Manufacturing (Includes processing, assembling, packaging, and repairing)				
Apparel, Clothing, and other finished products made from fabrics, wool, yarn and similar materials	P	P	P	P

Table 9.2450 Employment and Industrial Zone Land Use and Permit Requirements				
	[I-1] E-1	E-2	I-2	I-3
Asphalt Mixing and Batching/Concrete Mixing and Batching			SR	SR
Chemical, Drug, Cosmetics, and Related Products	P	P	P	P
Cleaning and Dyeing Plant		P	P	P
Concrete, Gypsum, and Plaster Products		P	P	P
Contractor's Storage Yard		P	P	P
Electronic and Communication Components, Systems, Equipment, and Supplies, includes computers and semi-conductors	P	P	P	P
Explosives, includes manufacturing				C
Food and Beverage Products	P	P	P	P
Furniture and Fixtures		P	P	P
Glass Products		P	P	P
Handcraft Industries, small scale manufacturing		P	P	P
Leather Products		P	P	P
Lumber and Wood Products		P	P	P
Machinery		P	P	P
Measuring, analyzing, and controlling instruments and time pieces	P	P	P	P
Metal Products Fabrication, machine/welding shops(no blast furnaces)		P	P	P
Motion Picture Production, Distribution, and Allied Services	P	P	P	P
Motor Vehicles and Transportation Equipment		P	P	P
Paints and Allied Products		P	P	P
Paper and Allied Products		P	P	P
Photographic and Copying Equipment	P	P	P	P
Precision Testing, Medical, Optical, Surgical, and Dental Goods	P	P	P	P
Recycling – composting, facilities requiring DEQ permit		P	P	P
Recycling – deconstruction, reuse, resale	P	P	P	
Recycling – large collection facility				P
Recycling – reverse vending machine		P	P	P
Recycling – scrap and dismantling yard (includes vehicle wrecking and salvage)				P
Recycling – small collection facility (See EC 9.5650)		S	S	P
Rubber and Plastic Products		P	P	P
Signs and Advertising Displays		P	P	P
Slaughterhouse and Rendering Plant (indoor only)				P
Stone, Cut Stone, and Clay Products		P	P	P
Textiles		P	P	P
Medical, Health, and Correctional Services				
Blood Bank		P		
Correctional Facility, excluding Residential Treatment Center	C	C	C	C
Clinic or other Medical Health Treatment Facility (including mental health)	P	P		
Drug Treatment Clinic - Non-Residential	P(5)	P(5)	P(45)	
Hospital	P	P		

Table 9.2450 Employment and Industrial Zone Land Use and Permit Requirements				
	[I-1] E-1	E-2	I-2	I-3
Laboratory, includes medical, dental, and x-ray. In the E-1 zone, the [U] use shall directly serve manufacturers, or other employment and industrial or commercial enterprises, but exclude services offered on premises to the general public other than on an incidental basis.	P	P		
Residential Treatment Center	C	C	[G]	
Motor Vehicle Related Uses				
Car Wash		P(2)		
Motor Vehicle Sales/Rental/Service, excluding recreational vehicles and heavy trucks		P	P	
Motorcycle Sales/Rental/Service		P	[P]	
Parking Area not directly related to a primary use on the same development site	P		P	P
Parts Store		P(2)		
Recreational Vehicle and Heavy Truck, Sales/Rental/Service		P(2)	P	P
Repair, includes paint and body shop		P(2)	P	P
Service Station, includes quick servicing --Only permitted if property is located over one-half mile by motor vehicle travel from commercially zoned land.		P(2)	P	P
Structured Parking, up to two levels not directly related to a primary use on the same development site	P	P	P	[P]
Structured Parking, three or more levels not directly related to a primary use on the same development site	P	P	P	[P]
Tires, Sales/Service		P(2)	P	P
Transit, Neighborhood Improvement	P	P	P	P
Transit Park and Ride, Major or Minor	P	P	P	P
Transit Station, Major or Minor	P	P	P	P
[Transit Station, Minor]	[P]		[P]	[P]
Trucking Terminal			P	P
Office Uses				
Administrative, General, and Professional Offices[; directly serving manufacturers or other industrial or commercial enterprises, but excluding services offered on premises to the general public other than on an incidental basis. Examples may include public relations; graphic arts and advertising; professional membership and labor union office; engineering, architectural, and surveying offices.]	P[(1)(6)]	P	[P(2)(6)]	
Scientific and Educational Research Center[; includes laboratory]	P[(6)]	P	P[(6)]	P
Personal Services				
Barber, Beauty, Nail, Tanning Shop	P(54)	P(2)	P(24)	
Day Care Facility (Not associated with a residence)	P(4)	P(2)	P(24)	
Dry Cleaner	P(4)	P(2)		
Film, drop-off/pick-up	P(4)	P(2)		
Locksmith Shop	P(4)	P(2)	P	
Laundromat	P(4)	P(2)		
Mailing and Package Service	P(4)	P(2)	P	
Shoe Repair Shop	P(4)	P(2)	P	
Tailor Shop	P(4)	P(2)		

Table 9.2450 Employment and Industrial Zone Land Use and Permit Requirements				
	[I-1] E-1	E-2	I-2	I-3
Residential				
Dwellings				
One-Family Dwelling	P(1)	P(1)	P(1)	P(1)
Trade (Retail and Wholesale)				
Agricultural Machinery Rental/Sales/Service		P(2)	P	P
Appliance Sales/Service		P(2)		
Bicycle Rental/Sales/Service	P(4)	P(2)		
Boat and Watercraft Sales/Service		P(2)	P	P
Book Store	P(4)	P(2)		
Building Materials and Supplies			P	P
Computer Store	P(4)	P(2)		
Convenience Store	P(54)	P(2)	P(24)	
Drug Store (excluding Drug Treatment Center)	P(4)	P(2)		
Electrical Appliances and Supplies	P(4)	P(2)		
Equipment, Light, Rental/Sales/Service		P(2)	P	P
Equipment, Heavy, Rental/Sales/Service- includes truck and tractor sales		P(2)	P	P
Fabric Store		P(2)		
Floor Covering Store		P(2)		
Furniture and Home Furnishings Stores		P(2)		
Garden Supply/Nursery, includes feed and seed store		P(2)	P	
General Merchandise (includes supermarket and department store)		P(2)		
Hardware/Home Improvement Store		P(2)		
Healthcare Equipment and Supplies	P(4)	P(2)		
Liquor Store		P(2)		
Manufactured Dwelling Sales/Service/Repair		P(2)	P	P
Office Equipment and Supplies	P(4)	P(2)		
Plumbing Supplies		P(2)	P	P
Regional Distribution Center	P		P	
Retail trade when secondary, directly related, and limited to products manufactured, repaired, or assembled on the development site	P(53)	P(3)	P(3)	P(3)
Storage Facility, Household/Consumer Goods		P(2)	P	P
Specialty Store (an example includes a gift store)	P(4)	P(2)		
Toy and Hobby Store		P(2)		
Video Store		P(2)		
Wholesale, Trade (excluding Regional Distribution Center) Warehousing, and Distribution	P	P	P	P
Utilities and Communication				
Amateur Radio Antenna Structure (See EC 9.5050)			S	S
Broadcasting Studio, Commercial and Public Education	P	P	P	
Electrical Substation, must meet landscape standards in EC 9.6210(3) High Screen Landscape Standard (L-3) unless fully enclosed within a building or approved through a Type II procedure that shows low visual impact.	P	P	P	P

Table 9.2450 Employment and Industrial Zone Land Use and Permit Requirements				
	[I-1] E-1	E-2	I-2	I-3
Fiber Optic Station, must meet landscape standards in EC 9.6210(3) High Screen Landscape Standard (L-3) unless fully enclosed within a building or approved through a Type II procedure that shows low visual impact.	SR	P	P	P
Pump Station, well head, non-elevated reservoir, and other water or sewer facilities, must meet landscape standards in EC 9.6210(3) High Screen Landscape Standard (L-3) unless fully enclosed within a building or approved through a Type II procedure that shows low visual impact.	SR	P	P	P
Telecommunication Tower or Facility (See EC 9.5750)	S	S	S	S
Water Reservoir, elevated above ground level	SR	SR	SR	SR
Other Commercial Services				
Building Maintenance Services	P(4)	P(2)	P	P
Catering Services	P(4)	P(2)		
[Cemetery, includes c]Crematoria[, columbaria, and mausoleums]			[G]P	[G]P
Collection Center, Collection of Used Goods (See EC 9.5150)		S	P	P
Garbage Dump, Sanitary Land Fill			C	C
Heliport and Helistop			C	C
Kennel			C	C
Mortuary		P(2)	[G]	[G]
Photographers' Studio		P(2)	P(24)	[P(2)]
Picture Framing and Glazing		P(2)	P(24)	[P(2)]
Printing, Blueprinting and Duplicating	P(4)	P(2)	P	P
Publishing Service	P	P(2)	P	P
Temporary Activity (See EC 9.5800)	S	S	S	S
Train Station		P	P	P
Upholstery Shop		P(2)		
Veterinarian Service		P(2)		

Section 24. Section 9.2451 of the Eugene Code, 1971, is amended to provide as follows:

9.2451 Special Use Limitations for Table 9.2450.

[(1) Office Allowance in I-1. At least fifty percent of a building designed and used primarily for office use shall be occupied by a single tenant. In addition, any office building constructed after August 1, 2001 shall require approval as part of a business park according to site review or planned unit development procedures. At least 50% of the total ground floor area within the business park shall be in industrial use. The total office space, combined with any commercial support services, shall not exceed 50% of the total ground floor area within the business park. (For purposes of this code, the term "industrial use" includes all uses in the categories of "Manufacturing" and "Information Technology Services," and the following uses: laboratory, includes medical, dental and x-ray; broadcasting studio; regional distribution center; printing, blueprinting, and duplicating; and publishing service.) For purposes of

~~inclusion of office space within a business park, industrial square footage existing on August 1, 2001 cannot be included for calculation purposes in business parks unless the industrial square footage was approved and constructed through a site review or planned unit development procedure prior to August 1, 2001.]~~

- (1) **Residential Standards.** *In all employment and industrial zones, one dwelling unit is allowed per development site. That unit may be contained within the primary structure on-site or it may be an external, stand-alone unit if it meets the following criteria:*

 - (a) *Unit shall not be located between the primary structure and the front property line, unless development in existence as of _____ [effective date of ordinance] precludes compliance.*
 - (b) *Unit shall be generally sited behind the primary structure except where development in existence as of _____ [effective date of ordinance] precludes compliance.*
- (2) ~~[Eating and Drinking, Financial, Office, Personal Services, and Trade]~~ **Special Allowances [in I-2] for properties with frontage on major arterial streets in the E-2 zone.** ~~[These uses require approval as part of a business park according to site review or planned unit development procedures. The combined floor area of all these types of uses shall not exceed 20 percent of the total floor area of all buildings within the business park.]~~ **On lots with frontage on a major arterial street, the uses allowed in Table 9.2450 subject to this standard shall not exceed 30,000 square feet per development site. This square footage limitation shall apply only to new development, and it shall not preclude reuse of existing buildings.**
- (3) **Special Retail Trade Allowance** *when accessory and directly related to the primary use in the E-1, E-2, I-2, and I-3 zones. Commercial uses allowed in Table 9.2450 subject to this standard can comprise up to 50 percent of the total square footage of the primary use on the development site and shall not exceed 30,000 square feet. The primary employment and industrial use must comprise no less than 50 percent of the total square footage.*
- (4) **Special Allowances** *when independent from the primary use in the E-1 and I-2 zones. These uses shall not exceed the following square footage limitations. The primary employment and industrial use must comprise no less than 50 percent of the total square footage.*

 - (a) *In the E-1 Campus Employment zone, the uses can comprise up to 20 percent of the total square footage of the primary use on a development site. No single "Specialty Retail" establishment shall exceed 5,000 square feet.*
 - (b) *In the I-2 Light Industrial zone, the uses can comprise up to 5,000 square feet on development sites with frontage on an arterial street.*
- (45) **Drug Treatment Clinic - Non-Residential.** *Use is permitted on property located within a quarter mile of a transit route.*
- (36) ~~[Theaters, Live Entertainment]~~ **Use of Existing Buildings.** *Theaters with live entertainment and ballet, dance, martial arts, and gymnastic school/academy/studio are conditionally permitted in existing buildings. No new buildings shall be constructed in the employment and industrial zones with the primary purpose of live theatrical productions or ballet, dance, martial arts, and gymnastic school/academy/studio.*

- ~~[(5) **Eating and Drinking, Financial, Personal Services, and Trade Allowance in I-1.** These uses require approval as part of a business park according to site review or planned unit development procedures. The combined floor area of all these types of uses shall not exceed 15 percent of the total floor area of all buildings within the business park. These uses shall be designed and located within buildings that contain another permitted primary use and shall exclude any drive-through.~~
- ~~(6) **Applicability of Large Commercial Facilities Standards for Offices in I-1 and I-2.** These uses shall comply with the standards in EC 9.2173 Commercial Zone Development Standards – Large Commercial Facilities.]~~

Section 25. Section 9.2460 of the Eugene Code, 1971, is amended to provide as follows:

9.2460 Employment and Industrial Zone Development Standards.

- (1) **Intent.** The **employment and** industrial zone development standards are intended to achieve the following:
- (a) Improve the quality and appearance of **business and** industrial development in the city.
 - (b) Ensure that such development is compatible with adjacent development and is complementary to the community as a whole.
 - (c) Encourage crime prevention through environmental design, decrease opportunity for crime, and increase user perception of safety.
 - (d) Increase opportunities for use of alternative modes of transportation.
 - (e) Regulate the intensity of uses allowed on a site.
 - (f) Promote streetscapes that are consistent with the desired character of the various **employment and** industrial zones.
 - (g) Promote safe, attractive, and functional pedestrian circulation systems in **employment and** industrial areas with higher employment ratios.
- (2) **Application of Standards.** In addition to applicable provisions contained elsewhere in this land use code, the development standards listed in Table 9.2460 **Employment and** Industrial Zone Development Standards shall apply to all development in **employment and** industrial zones. In cases of conflict, the standards specifically applicable in **employment and** industrial zones shall apply.

Table 9.2460 Employment and Industrial Zone Development Standards				
	[I-1] E-1	E-2	I-2	I-3
Maximum Building Height (1)	[None] 80 feet	80 feet	None	None
Minimum Front Yard Setback (2) (4)				
[Abutting any zone except residential or park and open space] Frontage on Arterial Street	[30] 20 feet	15 feet	0 feet	0 feet
[Abutting residential or park and open space zone] Frontage on all other streets	[30] 20 feet	5 feet	[10] 0 feet	[10] 0 feet
Maximum Front Yard Setback				
Frontage on Arterial Street		25 feet		
Frontage on all other streets		15 feet		
Minimum Interior Yard Setback				

Table 9.2460 <i>Employment and Industrial Zone Development Standards</i>				
	[I-1]E-1	E-2	I-2	I-3
Abutting any zone except residential or park and open space (2)	0 feet	0 feet	0 feet	0 feet
Abutting residential or park and open space zone (2)	20 feet	20 feet	20 feet	20 feet
Minimum Landscape Standard abutting a residential zone (3)	High Screen	High Screen	High Wall	High Wall
Minimum Landscape Area (3)	20%	10%	Some (43)	Some (43)
On-Site Pedestrian Requirements (5)	Yes	Yes	No	No
Fences (6)				
Outdoor Storage Areas (7)				
Outdoor Merchandise Display (8)				
Garbage Screening (9)				
Utilities (10)				
Drive Through Facilities (11)				
Delivery and Loading Facilities (12)				

Section 26. Section 9.2461 of the Eugene Code, 1971, is amended to provide as follows:

9.2461 Special Development Standards for Table 9.2460.

- (1) ***Building Height.*** Buildings in ***employment and*** industrial zones are subject to the general height regulations contained in:
 - (a) EC 9.6715 Height Limitation Areas[-];
 - (b) EC 9.6720 Height Exceptions for Roof Structures and Architectural Features[-]; ***and***
 - (c) ***Subject to the limitations in (a) and (b) of this subsection, in the E-1 and E-2 zones, no portion of a building located within 50 feet of a residential zone shall exceed the maximum building height permitted in the abutting residential zone.***
- (2) ***Exceptions.*** Exceptions to the general setbacks stated in Table 9.2460 ***Employment and*** Industrial Zone Development Standards are contained in the following:
 - (a) EC 9.6745 Setbacks - Intrusions Permitted.
 - (b) EC 9.6750 Special Setback Standards.
- (3) ***Landscape Standards.***
 - (a) Minimum Landscape Area Required.
 1. In [I-1]E-1, a minimum of 20 percent of the development site shall be landscaped with living plant materials. All required landscaping shall comply with landscape standards beginning at EC 9.6200 Purpose of Landscape Standards. Any required landscape, such as for required front or interior yard setbacks, or off-street parking areas, shall apply toward any development site area landscape requirement.
 2. ***Minimum landscape area requirements do not apply to developments in I-2 and I-3 zones except as associated with parking lot landscape and off-street loading requirements.***
 - (b) Landscaping in Front Yard Setbacks.
 1. In [I-1]E-1, required front yard setbacks along arterial streets shall be provided with landscaping that complies, at a minimum, with

the standards in EC 9.6210(7) Massed Landscape Standard (L-7). Front yard setbacks along collector or local streets shall be provided with landscaping that complies, at a minimum, with the standards in EC 9.6210(1) Basic Landscape Standard (L-1). The required landscaping may be pierced by pedestrian and vehicular access ways.

2. In [the] **E-1**, I-2 and I-3, required front yard setbacks shall be provided with landscaping that complies, at a minimum, with the standards in EC 9.6210(1) Basic Landscape Standard (L-1). The required landscaping may be pierced by pedestrian and vehicular access ways.
- (c) Landscaping in Interior Yard Setbacks Abutting Residential Zones.
 1. In [I-1] **E-1 and E-2**, required interior yard setbacks adjacent to a residential zone shall be provided with landscaping that is at least 10 feet in width and complies, at a minimum, with the standards in EC 9.6210(3) High Screen Landscape Standard (L-3).
 2. In [the] I-2 and I-3, required interior yard setbacks adjacent to a residential zone shall be provided with landscaping that is at least 10 feet in width and complies, at a minimum, with the standards in EC 9.6210(4) High Wall Landscape Standard (L-4).
- (d) Street Trees. Street tree requirements are specified in EC 7.280 Street Tree Program - Policies, Standards, Procedures.
- (4) **Front Yard Setbacks and Building Orientation. The front yard setbacks stated in Table 9.2460 Employment and Industrial Zone Development Standards, shall apply only to new buildings and any building addition that increases the length of the building facade facing a street by at least 100%. In addition, all new buildings and the portion of the development site specifically affected by the new building are subject to the requirements of this subsection.**
 - (a) **In the E-2 zone, a minimum of 25% of all street facing facades must be built within the specified front yard setback.**
 - (b) **In the E-2 zone, vehicular parking and circulation is not permitted between the street and the portion of the building that is used to comply with this subsection.**
 - (c) **In the E-1 and E-2 zones, buildings fronting on a street must provide a main entrance facing the street on the facade of the building located within the specified front yard setback.**
 - (d) **The requirements of (a) through (c) do not apply to developments in the I-2 and I-3 zones.**

[Minimum landscape area requirements do not apply to developments in I-2 and I-3 zones except as associated with parking lot landscape and off-street loading requirements.]
- (5) **Pedestrian Circulation.** Pedestrian facilities are required in [I-1] **E-1 and E-2** as specified in EC 9.6730 Pedestrian Circulation On-Site of this land use code. On-site pedestrian facilities are not required in I-2 or I-3, **except for uses listed as P(3) or P(4) in Table 9.2450.**
- (6) **Fences.**
 - (a) Types. The type of fence, wall, or screen used in any situation is limited only by specific requirements stated in the landscape standards beginning at EC 9.6200 Purpose of Landscape Standards. The standards apply to walls, fences, and screens of all types including

open, solid, wood, metal, wire, masonry or other material. Use of barbed wire and electric fencing is regulated in EC 6.010(d) Fences. Chain link fencing is prohibited within ~~[I-1]~~**E-1**.

(b) Location and Heights.

1. Fences up to 42 inches in height are permitted within the front yard setback.
2. Fences up to 8 feet high are permitted in the interior yard setbacks.
3. The height of fences that are not in required setback areas is the same as the regular height limits of the zone.
4. Fences must meet the standards in EC 9.6780 Vision Clearance Area.

(7) **Outdoor Storage Areas.** *Outdoor storage is permitted in the employment and industrial zones. The applicable setbacks and landscaping standards for outdoor merchandise display are stated in Table 9.2461(8) Outdoor Storage and Display-Setbacks and Landscaping. The following additional requirements are applicable in the E-1 Campus Employment zone.*

(a) **Front Setback.** *Outdoor storage is not permitted in required setback areas. Additionally, outdoor storage shall be located no closer to the front property line than the front façade of the main building on the development site.*

(b) **Residential Adjacency.** *Except for passenger vehicular fleet parking, outdoor storage is not permitted on lots abutting residential zones.*

(c) **Height Limit.** *Outdoor storage materials shall not be stored at levels that exceed 30 feet from grade.*

~~[(a) In I-1 zones, no equipment (except operational motor vehicles), materials, or supplies shall be stored on-site except within an enclosed building. Exceptions to this standard may be allowed as necessary only to comply with state or local safety regulations.~~

~~[(b) Outdoor storage is permitted in I-2 and I-3 zones. The setback and landscaping standards for outdoor storage areas are stated in Table 9.2461(8) Outdoor Storage and Display-Setbacks and Landscaping.]~~

(8) **Outdoor Merchandise Display.** *Outdoor display of goods is permitted in all **employment and** industrial zones except ~~[I-1]~~**E-1**. The **applicable** setbacks and landscaping standards for outdoor merchandise display are stated in Table 9.2461(8) Outdoor Storage and Display-Setbacks and Landscaping.*

Table 9.2461(8) Outdoor Storage and Display-Setbacks and Landscaping					
		[I-1] E-1	E-2	I-2	I-3
Outdoor Storage					
Adjacent to a street.	Permitted: Setback: Landscape:	[No] Yes 20 feet Low Screen Landscape Standard – (L-2)	Yes 15 feet Low Screen Landscape Standard – (L-2)	Yes 10 feet High Wall Landscape Standard – (L-43)	Yes 10 feet High Wall Landscape Standard – (L-43)

Table 9.2461(8) Outdoor Storage and Display-Setbacks and Landscaping					
		[I-1] E-1	E-2	I-2	I-3
Adjacent to a commercial or employment and industrial zone.	Permitted: Setback: Landscape:	No Yes 10 feet Low Screen Landscape Standard – (L-2)	Yes 10 feet Low Screen Landscape Standard – (L-2)	Yes None Screening Fence Landscape Standard – (L-5)	Yes None None
Adjacent to a residential or park and recreation zone.	Permitted: Setback: Landscape:	No Yes 10 feet High Screen Landscape Standard – (L-3)	Yes 10 feet High Screen Landscape Standard – (L-3)	Yes 10 feet High Wall Landscape Standard - (L-4)	Yes 10 feet High Wall Landscape Standard – (L-4)
Outdoor Display					
Adjacent to a street.	Permitted: Setback: Landscape:	No	Yes 10 feet Low Screen Landscape Standard – (L-2)	Yes 10 feet Low Screen Landscape Standard – (L-2)	Yes 10 feet Low Screen Landscape Standard – (L-2)
Adjacent to a commercial or employment and industrial zone.	Permitted: Setback: Landscape:	No	Yes 10 feet Low Screen Landscape Standard – (L-2)	Yes None None	Yes None None
Adjacent to a residential or park and recreation zone.	Permitted:	No	No	No	No

(9) Garbage Screening. In all zones except I-3 Heavy Industrial, garbage collection areas must be screened so as to meet the standards of subsections (a) and (b) below. Trash receptacles for pedestrian use are exempt from these requirements.

(a) Required screening shall comply with one of the following:

1. EC 9.6210(3) High Screen Landscape Standard (L-3).
2. EC 9.6210(4) High Wall Landscape Standard (L-4).
3. EC 9.6210(5) Partial Screen Fence Landscape Standard (L-5).

(b) Garbage collection areas shall not be located within required setback areas or within required landscape areas associated with parking areas.

(10) Utilities. Within ~~[I-1]~~ **E-1** ~~[Campus Industrial]~~ **and E-2**, all utilities on the development site shall be placed underground, unless adjusted pursuant to

the provisions of EC 9.8030(5) of this land use code. Undergrounding of utilities is not required in ~~[other industrial zones]~~ **I-2 and I-3**. This provision does not apply to temporary uses on a development site. This requirement is satisfied if the applicant verifies in writing that utilities will be placed underground concurrent with a planned future development to occur within 12 months. Exceptions shall be made for such features as ~~[pad mounted]~~ **pad mounted** transformers, switch cabinets, back flow prevention devices and closures needed to safely operate and maintain utility systems.

(11) Drive-Through Facilities.

- (a) Application. The following regulations apply to all uses that have drive-through facilities including new developments, the addition of drive-through facilities in existing developments, and the relocation of an existing drive-through facility.
- (b) Drive-Through Facilities in ~~[I-1]~~ E-1, I-2, or I-3. ***Drive-through facilities for eating and drinking establishments are not permitted in E-1. Drive-through facilities are not permitted in ~~[I-1]~~ I-2 or I-3.***
- (c) Service Areas Setback and Landscaping. Service areas and stacking lanes must be set back a minimum of 10 feet from all lot lines. Front yard setbacks shall be provided with landscaping that complies, at a minimum, with the standards in EC 9.6210(2) Low Screen Landscape Standard (L-2). Interior yard setbacks shall be provided with landscaping that complies, at a minimum, with the standards in EC 9.6210(3) High Screen Landscape Standard (L-3).
- (d) Driveway Entrances. All driveway entrances, including stacking lane entrances, must be at least 100 feet from an intersection, as measured along the property line from the tangent point of a corner radius and the closest edge of a driveway.
- (e) Pedestrian Access and Drive Aisles. ***In E-1 and E-2, direct pedestrian access shall be provided from the public right of way to the primary entrance. Drive aisles for vehicular circulation are not permitted between the street and primary entrance.***
- (ef) Stacking Lanes. Design of stacking lanes shall conform with the requirements of EC 9.6420 Parking Area Standards.
- (g) Adjustments. ***Adjustments to the standards stated in this subsection may be made based on criteria at EC 9.8030(2)(c) Setback Standards Adjustment.***

(12) Delivery and Loading Facilities.

- (a) Delivery and loading areas are not permitted in required setback areas.
- (b) On lots abutting parcels zoned for residential development, delivery and loading facilities shall be setback a minimum of 20 feet from property lines with required setbacks landscaped to at least the standards in EC 9.6210(4) High Wall Landscape Standard (L-4).

Section 27. Section 9.2463 of the Eugene Code, 1971, is added to provide as follows:

9.2463 Employment and Industrial Zone Development Standards - Large Facilities.

- (1) Description and Purpose. *The purpose of these regulations is to:***
 - (a) *Improve the appearance and function of large employment developments, while maintaining compatibility with adjacent property.***

- (b) *Create an attractive streetscape with a strong building presence on existing and future streets.*
 - (c) *Support all modes of transportation and improve pedestrian safety, comfort, and convenience.*
 - (d) *Promote human-scale site and building design with attention paid to visual detail.*
- (2) *Application of Standards. In addition to the standards of EC 9.2460, the standards in this section apply to any new building in the E-1 and E-2 zones with 25,000 square feet or more of floor area and the portion of the development site specifically affected by the new building.*
- (3) *Exemption. That portion of a building that contains warehouse and manufacturing space is exempt from subsection (7), below.*
- (4) *Building Entrances.*
 - (a) *All building sides that face an adjacent street shall feature at least one customer entrance. (For examples, see Figure 9.2173(3))*
 - (b) *Where a building faces more than two adjacent streets, excluding those with limited access, this requirement shall apply only to two sides of the building.*
 - (c) *Corner entrances, placed at an angle of up to 45 degrees from the primary street, as measured from the street lot line, may be substituted for separate entrances required under subsection (b), above. (For examples, see Figure 9.2173(3))*
- (5) *Off-Street Parking.*
 - (a) *In the E-1 Campus Employment zone, a drive aisle and single row of parking may be located between the front façade and the primary adjacent street. Vehicle use area is subject to front setbacks.*
- (6) *On-Site Pedestrian Circulation. In addition to the standards set forth in EC 9.6730 Pedestrian Circulation On-Site, the following standards shall apply to large facilities:*
 - (a) *A continuous internal pedestrian walkway, no less than 5 feet in width, shall be provided from the public sidewalks or right-of-way to all customer entrances of all buildings on the development site, and to all public sidewalks and paths abutting the development site.*
 - (b) *Sidewalks, no less than 5 feet in width, shall be provided along the full length of building walls and shall be located at least 6 feet from the wall of the building to provide planting beds for foundation landscaping, except where features such as arcades or entryways are part of the facade.*
 - (c) *All on-site pedestrian walkways located in vehicle use areas shall be distinguished from driving surfaces through the use of durable, low maintenance surface materials such as pavers, bricks, or scored concrete to enhance pedestrian safety and comfort, as well as the attractiveness of the walkways.*
- (7) *Exterior Wall Articulation, Facades, and Ground Floor Windows.*
 - (a) *Exterior building walls shall not continue along an uninterrupted plane for more than 100 feet. An uninterrupted plane is a wall that has no variation in exterior surface along its length. Except for building walls facing an alley, ground floor facades 100 feet or greater in length, measured horizontally, shall incorporate wall*

- plane projections or recesses having a depth of at least 3 percent of the length of the facade and extending at least 20 percent of the length of the facade. (For examples, see Figure 9.2173(10)(a).)*
- (b) *Except for building walls facing an alley, ground floor walls shall contain windows at the ground level. Solid walls are prohibited along street frontages. This standard does not apply to parking structures or the portion of a wall on which a loading dock is located.*
1. **General Standard.** *The windows in any walls that require windows shall occupy at least 50 percent of the length and 25 percent of the ground floor wall area. The portion of window area meeting this standard is that located between 4- and 9-feet above finished grade. (For examples, see Figure 9.2173(10)(c).)*
 2. **Corner Lots.** *On corner lots, the general ground floor window standard stated in subsection (b)1. must be met on one street frontage only. On the other street(s), the windows shall occupy at least 25% of the length and 12.5% of the ground floor wall area. The applicant may choose on which street to apply the general standard.*
- (8) ***Interior Yard Setbacks from Residential Zoning.*** *Interior yard setbacks shall be a minimum of 30 feet from abutting residentially zoned lots.*
- (9) ***Adjustments.*** *Adjustments to standards (1) through (7) stated in this section may be made based on criteria at EC 9.8030(33) Large Employment Facilities Standards Adjustment.*

Section 28. Section 9.2470 of the Eugene Code, 1971, is amended to provide as follows:

9.2470 **Employment and Industrial Zone Lot Standards.** The following Table 9.2470 sets forth lot standards within ***employment and*** industrial zones. The numbers enclosed within (#) indicate a special standard of EC 9.2471.

Table 9.2470 <i>Employment and Industrial Zone Lot Standards</i>				
	<u>[I-1]E-1</u>	<u>E-2</u>	<u>I-2</u>	<u>I-3</u>
Area Minimum (1) All Lots	[10 acres prior to site plan approval.] 2 acres [minimum lot size following site plan approval.]	6,000 square feet	6,000 square feet [5 acre minimum lot size for any business park and the allowance of non-manufacturing uses.]	6,000 square feet

Table 9.2470 <i>Employment and Industrial Zone Lot Standards</i>				
	[I-1]E-1	E-2	I-2	I-3
Frontage Minimum (1)				
Interior Lot	50 feet	50 feet	50 feet	50 feet
Corner Lot	50 feet	50 feet	50 feet	50 feet
Curved Lot	35 feet	35 feet	35 feet	35 feet
Cul-de-sac Bulb	35 feet	35 feet	35 feet	35 feet
Alley Access	na	na	na	na
Flag Lot				
1 Lot	15 feet	15 feet	15 feet	15 feet
2 to 4 Lots	25 feet	25 feet	25 feet	25 feet
Width Minimum (1)				
Interior Lot	50 feet	50 feet	50 feet	50 feet
Corner Lot	50 feet	50 feet	50 feet	50 feet
Curved Lot	35 feet	35 feet	35 feet	35 feet
Cul-de-sac Bulb	35 feet	35 feet	35 feet	35 feet
Alley Access	50 feet	50 feet	50 feet	50 feet
Flag Lot	40 feet	20 feet	20 feet	20 feet

Section 29. Subsection (20)(f) of Section 9.2530 of the Eugene Code, 1971, is amended to provide as follows:

9.2530 Natural Resource Zone Development Standards. In addition to applicable provisions contained elsewhere in this code, the development standards listed in this section shall apply to development in the NR zone, as specifically provided in EC 9.2520 Natural Resource Zone Land Use and Permit Requirements. In cases of conflict, the standards specifically applicable in the NR zone shall apply.

(20) Noise. For inventoried sites that received a Wildlife Habitat Rating of greater than 60 in the Metropolitan Natural Resources Inventory (Lev, 1990) and sites designated as high value wetlands in the wetland buffer provisions of this code, noise generated by uses within the NR zone and the wetland buffer overlay zone (as measured at the wetland boundary) and within the waterside protection overlay zone (as measured at the top of the high bank) shall not exceed the following standards:

- (f) Exceptions. Upon written application from the owner or operator of an **employment and** industrial or commercial noise source, the city manager or the manager's designee may authorize or conditionally authorize exceptions to local noise emission standards in the following situations:
1. Infrequent noise.
 2. Noise levels at or anywhere beyond the property lines of the property of origin when exceeded by an exempt noise, as listed in subsection (d) above, in the same location.
 3. Noise levels on property owned or controlled by the person generating the noise.
 4. If after applying reasonably available control technology, a use existing as of January 27, 1982, is unable to conform to the standards established by this section.

Exception applications shall be filed at the city's permit and information center on a form prescribed by the city manager, and shall be accompanied by a fee as established by the city manager pursuant to EC 2.020 City Manager - Authority to Set Fees and Charges.

Section 30. Subsection (2)(p) of Section 9.2682 of the Eugene Code, 1971, is amended to provide as follows:

9.2682 Public Land Zone Land Use and Permit Requirements.

- (2) **Uses Requiring a Conditional Use Permit.** The following uses not operated by the public agency that owns the property are permitted conditionally when all or part of the property is declared by the owner to not be needed:
- (p) Scientific and Educational Research Centers, provided there shall be no radioactive materials, toxic, or noxious matter associated with the use or process unless it is entirely surrounded by ***employment and*** industrial zoning.

Section 31. Subsection (5) of Section 9.3050 of the Eugene Code, 1971, is amended to provide as follows:

9.3050 Purpose of S-C Chambers Special Area Zone. The S-C Chambers Special Area zone is intended to:

- (5) Establish, strengthen, and maintain a high quality urban environment with compatible commercial, residential and ***employment and*** industrial use; and

Section 32. Section 9.3305 of the Eugene Code, 1971, is amended to provide as follows:

9.3305 S-E Elmira Road Special Area Zone Siting Requirements. In addition to approval criteria at EC 9.8865 Zone Change Approval Criteria, the following criteria shall apply:

- (1) The property is on the north side of Elmira Road; and
- (2) The property has historically been used for a variety of residential, commercial and ***employment and*** industrial functions.

Section 33. Subsection (2) of Section 9.3400 of the Eugene Code, 1971, is amended to provide as follows:

9.3400 Purpose of S-F Fifth Avenue Special Area Zone. The purpose of the S-F zone is to encourage a variety of uses that:

- (2) Allows redevelopment of the area with a variety of commercial and ***employment and*** industrial uses.

Section 34. Section 9.3900 of the Eugene Code, 1971, is amended to provide as follows:

- 9.3900 Purpose of S-W Whiteaker Special Area Zone.** The purpose of the S-W Whiteaker Special Area Zone is to encourage the economic vitality of the area for ***employment and*** industrial, institutional, and commercial uses while also allowing a mix of residential dwellings. This zone has a broad range of permitted uses. No single use is mandated or required within the area and the zone encourages both a mixture of uses within a building as well as within a block. The mix of land uses and increase in residential density and employment opportunities is designed to provide a place for people to live and work in the same area. It is intended that the character of the zone develop so that the diversity of uses are enhanced and tied together with various forms of usable public and private open space where there is pedestrian-oriented activity. Appropriate intermingling of structures, street amenities, and major landscape features will be necessary in order to integrate older development with newer development. Development within the zone will occur incrementally over time and this zoning will help ensure a coordinated effort is undertaken to improve the area by the public and private sectors. The S-W zone is also designed to:
- (1) Encourage the continued economic vitality of existing and redeveloped commercial and ***employment and*** industrial uses with recognition of their role in providing a needed diversity of land uses and job opportunities.
 - (2) Encourage an increase in residential density to create additional opportunities for people to live close to major employment areas.
 - (3) Encourage actions that will enhance the attractiveness of the area and increase the use of major landscape features that can help tie the public and private open spaces together.
 - (4) Encourage the preservation, rehabilitation, and restoration of significant historic structures and retention of older, mature street trees.

Section 35. The following entries in Table 9.3910 of Section 9.3910 of the Eugene Code, 1971, are amended to provide as follows:

- 9.3910 S-W Whiteaker Special Area Zone Land Use and Permit Requirements.** The following Table 9.3910 S-W Whiteaker Special Area Zone Uses and Permit Requirements identifies those uses in the S-W zone that are:
- | | |
|-------|---|
| (P) | Permitted, subject to zone verification. |
| (SR) | Permitted, subject to an approved site review plan or an approved final planned unit development. |
| (C) | Subject to conditional use permit or an approved final planned unit development. |
| (PUD) | Permitted, subject to an approved final planned unit development. |
| (S) | Permitted subject to zone verification and the Special Development Standards for Certain Uses beginning at EC 9.5000. |
| (#) | The numbers in () in the table are uses that have special use limitations that are described in EC 9.3911. |

Examples of uses in Table 9.3910 are for informational purposes and not exclusive. Table 9.3910 does not include uses subject to Standards Review. Applicability of

Standards Review procedures is set out at EC 9.8465.

Table 9.3910 S-W Whiteaker Special Area Zone Uses and Permit Requirements	
	S-W
Accessory Uses	
Accessory Uses. <u>Examples</u> related to residential uses include a garage, storage shed, bed and breakfast facility (see EC 9.5100), home occupations (see EC 9.5350), and secondary dwellings (see EC 9.2741(2)). <u>Examples</u> relating to commercial and employment and industrial uses include security work, administration activity and sales related to industrial uses manufactured on the same development site, and storage and distribution incidental to the primary use of the site.	P
Manufacturing	
Paper and Allied Products [In I-1 no manufacturing of raw materials]	P

Section 36. Subsection (10) of Section 9.3915 of the Eugene Code, 1971, is amended to provide as follows:

- 9.3915 S-W Whiteaker Special Area Zone Development and Lot Standards.** Except as provided in subsections (5) to (12) of this section, sections 9.6000 to 9.6885 General Standards for All Development in this land use code shall apply within this S-W zone. In the event of a conflict between the general development standards of this land use code and the standards set forth in this section, the specific provisions of this section shall control.
- (10) Sign Standards.** The provisions of the **Employment and** Industrial Sign Standards set forth in this land use code shall apply within this S-W zone, except that additional restrictions may be imposed through site review.

Section 37. Subsection (1)(c) of Section 9.4290 of the Eugene Code, 1971, is amended to provide as follows:

- 9.4290 Density and Development Standards.** In addition to the requirements of the base zone, the following standards shall apply to all development, except that the standards in subsection (2) and (3) do not apply to single-family dwellings or duplexes:
- (1) Minimum Residential Density and Floor Area Ratio (FAR).**
- (a) Where the base zone is R-1 or R-1.5, new subdivisions shall achieve a minimum residential density of 8 units per net acre. Minimum residential density in R-2 shall be 15 units per net acre; in R-3 it shall be 25 units per net acre; and in R-4 it shall be 30 units per net acre.
 - (b) Where the base zone is C-1, C-2, C-3, or GO, the /TD standards in EC 9.4530 shall apply, except that the minimum floor area ratio (FAR) shall be 1.0 FAR (1.0 square feet of floor area to 1 square foot of the development site).
 - (c) Where the base zone is [~~C-4, I-1~~]**E-1, E-2**, I-2, or I-3, the /TD standards in EC 9.4530 shall apply, except that the minimum floor area ratio (FAR) shall be .40 FAR (.40 square feet of floor area to 1 square foot of the development site).

Section 38. Subsection (1) of Section 9.4640 of the Eugene Code, 1971, is amended to provide as follows:

9.4640 Annexation and/or Annexation Agreements.

- (1)** Annexation of the entire development site, or execution of a consent to annexation agreement is required prior to any of the following actions:
 - (a) Any zone change or planned unit development approval if the development potential of the existing lot(s) would increase, or the proposed or allowable uses will generate, singly or in the aggregate, a direct additional need for key urban facilities and services.
 - (b) Approval of any new dwelling unit(s), commercial or **employment and industrial development**.
 - (c) Approval of an expansion of an existing commercial or **employment and industrial development** if the proposed use will generate, singly or in the aggregate, a direct additional need for key urban facilities and services provided by the city.

Section 39. Subsections (3)(a), (4)(a)1., (5)(a)1., (6)(c)2., (7)(b), (7)(d), and (7)(e) of Section 9.5750 of the Eugene Code, 1971, are amended to provide as follows:

9.5750 Telecommunication Devices-Siting Requirements and Procedures.

- (3) Collocation of Additional Antennas on Existing Transmission Tower.**
 - (a) Permitted Use. Collocation of an additional antenna on an existing transmission tower shall be considered an outright permitted use if property is zoned GO, PL, S, C-2, C-3, ~~[C-4, I-1]~~**E-1, E-2**, I-2, or I-3 or if the transmission tower is in any other zone and the city specifically approved, as part of a prior land use process authorizing the transmission tower, collocation of additional antennas.
- (4) Collocation of Antennas on Existing Buildings, Light or Utility Poles, and Water Towers.** In addition to collocation on a transmission tower, an antenna may be collocated on existing buildings, light or utility poles, and water towers.
 - (a) Permitted Use. Such collocation on a building, light or utility pole, or water tower, shall be considered an outright permitted use provided that the antennas and ancillary facilities comply with the standards contained in EC 9.5750 Telecommunications Devices-Siting Requirements and Procedures, the color of the antennas blends in with the existing structure and surroundings, and one of the following is met:
 1. The property is zoned PL, C-2, C-3, R-4, ~~[C-4, I-1]~~**E-1, E-2**, I-2, I-3, or S-WS and the antennas do not exceed the height limitation of the zone; or
- (5) Construction of Transmission Tower.** Construction of a transmission tower, or a modification of an existing transmission tower to increase its height, shall be allowed as follows:
 - (a) Permitted Use.
 1. Such construction or modification shall be considered an outright

permitted use in the ~~[C-4, I-1]~~ **E-1, E-2**, I-2 and I-3 zone.

(6) Application Requirements.

(c) Site Review and Conditional Use Permit Applications. In addition to the application requirements specified in paragraph (b) above, applications for site review or conditional use permits also shall include the following information:

2. Documentation that alternative sites within a radius of at least 2000 feet have been considered and have been determined to be technologically unfeasible or unavailable. For site reviews, alternative sites zoned ~~[C-4, I-1]~~ **E-1, E-2**, I-2, and I-3 must be considered. For conditional use permits, alternative sites zoned PL, C-2, C-3, ~~[C-4, I-1]~~ **E-1, E-2**, I-2, I-3 and S-WS must be considered.

(7) Standards for Transmission Towers and Antennas. Installation, construction or modification of all transmission towers and antennas shall comply with the following standards, unless a variance is obtained pursuant to the provisions of subsection (9) of this section:

(b) Height Limitation: Transmission tower heights shall be governed by this section except as provided for below. No transmission tower shall exceed the maximum heights provided below. In no case shall a variance be granted from the limitations of subparagraphs (1) through (4) below.

1. In any zones, no transmission tower shall exceed the height limitations established for buildings and structures in the specified areas surrounding Skinner Butte contained in EC 9.6715 Height Limitation Areas of this land use code to protect views to and from Skinner Butte.
2. In any zone within the area east of Willagillespie Road, south of Cal Young Road, west of Oakway Road, and north of Southwood Lane and Country Club Road, no transmission tower shall exceed 75 feet in height to protect views to and from Gillespie Butte.
3. If located within a PL, C-2, C-3, R-4, ~~[C-4, I-1]~~ **E-1, E-2**, I-2, I-3 or S-WS zone, the height limitation for that zone shall apply.
4. If located within a C-1, S (other than S-WS) or GO zone, the maximum height of a transmission tower, including antennas, is 100 feet.
5. If located within an R-1 zone, the maximum height of a transmission tower, including antennas, is 75 feet, unless a variance is granted pursuant to the provisions of subsection (9) of this section. In no event shall a variance be granted to construct such a tower in excess of 100 feet.

(d) Setback. The following setbacks from adjacent property lines and adjacent streets shall be required unless a variance is granted pursuant to the provisions of subsection (9) of this section:

1. If located within a PL, S, C-2, C-3, ~~[C-4, I-1]~~ **E-1, E-2**, I-2, I-3 or S-WS zone, no setback from adjacent property lines shall be required beyond that required by this land use code or the provisions applicable to the S zone.
2. If located within an R-1, C-1, or GO zone, the transmission tower shall be set back from adjacent property lines a minimum number of feet that is equal to the height of the transmission tower.

3. In the R-1, PL, C-1 and GO zones, transmission towers shall be set back from adjacent public street(s) a minimum number of feet that is equal to the height of the tower. In all other zones, the setback from adjacent public streets shall be a minimum of 25 feet.
- (e) Buffering. In all zones, existing vegetation shall be preserved to the maximum extent possible. In the ~~[C-4, I-1]~~**E-1, E-2**, I-2 and I-3 zones, no buffering is required beyond that required by this land use code. In all other zones, landscaping shall be placed completely around the transmission tower and ancillary facilities located at ground level except as required to access the facility. Such landscaping shall consist of evergreen vegetation with a minimum planted height of 6 feet placed densely so as to form a screen. Landscaping shall be compatible with other nearby landscaping and shall be kept healthy and well maintained.

Section 40. Subsection (5)(b) of Section 9.5800 of the Eugene Code, 1971, is amended to provide as follows:

9.5800 Temporary Activity Special Development Standards.

(5) Zone Category and Duration.

- (b) The standards for temporary activities in areas in the broad zone category of commercial, ***employment and*** industrial, or special (except S-H zones) are as follows:
 1. Parking Lot Sales. Parking lot sales in zones where outdoor merchandise display is not otherwise permitted are allowed for up to 2 consecutive weeks on 3 different occasions during a calendar year.
 2. Fairs and Carnivals. Fairs and carnivals are allowed for up to 2 consecutive weeks on 3 different occasions during a calendar year.

Section 41. Subsection (3)(a) of Section 9.6105 of the Eugene Code, 1971, is amended to provide as follows:

9.6105 Bicycle Parking Standards.

(3) Long Term Bicycle Parking Location and Security.

- (a) Long term bicycle parking required in association with a commercial, ***employment and*** industrial, or institutional use shall be provided in a well-lighted, secure location, sheltered from precipitation and within a convenient distance of a main entrance. A secure location is defined as one in which the bicycle parking is:
 1. A bicycle locker,
 2. A lockable bicycle enclosure, or
 3. Provided within a lockable room with racks complying with space standards at EC 9.6105(2).

Section 42. The following entries in Table 9.6205 of Section 9.6205 of the Eugene Code,

1971, are amended to provide as follows:

9.6205 Landscape Standards. The landscape standards reflected in Table 9.6205 and EC 9.6207 - 9.6255 establish minimum landscape requirements that apply to any development, except:

- (1) Building alterations.
- (2) Site improvements not listed in Table 9.6205.
- (3) Change of use.

Table 9.6205 Landscaping Required by this Land Use Code							
	L-1 Basic	L-2 Low Screen	L-3 High Screen	L-4 High Wall	L-5 Partial Screen Fence	L-6 Full Screen Fence	L-7 Massed
Front Yard Setbacks in [I-1] E-1 along Arterial Streets EC 9.2461(3)(b)1							x
Front Yard Setbacks in [I-1] E-1 along Collector or Local Streets EC 9.2461(3)(b)1	x						
Front Yard Setbacks in E-2 , I-2 and I-3 EC 9.2461(3)(b)2	x						
Interior Yard Setbacks in [I-1] E-1 and E-2 Zoned Lots Adjacent To Residentially Zoned Lots EC 9.2461(3)(c)1			x				
Garbage Screening in Employment and Industrial Zones, excluding I-3, (choose one of the three) EC 9.2461(9)(a)			x	x	x		
Front Yard Setbacks for Drive-Through Facility Service Area Landscaping in [Industrial] E-1 and E-2 Zones EC 9.2461(11)(c)		x					
Interior Yard Setbacks for Drive-Through Facility Service Area Landscaping in [Industrial] E-1 and E-2 Zones EC 9.2461(11)(c)			x				
Delivery and Loading Facilities on Industrially Zoned Lots Abutting Residential Zones EC 9.2461(12)(b)				x			

Table 9.6205 Landscaping Required by this Land Use Code							
	L-1 Basic	L-2 Low Screen	L-3 High Screen	L-4 High Wall	L-5 Partial Screen Fence	L-6 Full Screen Fence	L-7 Massed
Outdoor Storage and Display Standards in Employment and Industrial Zones (Standards vary, see Table 9.2461.)		x	x	x	x		
Off-Street Loading Spaces in [I-1] E-1 EC 9.6415(2)(b)				x			

Section 43. The following entries in Table 9.6410 of Section 9.6410 of the Eugene Code, 1971, are amended to provide as follows:

9.6410 Motor Vehicle Parking Standards.

Table 9.6410 Required Off-Street Motor Vehicle Parking	
Uses	Minimum Number of Required Off-Street Parking Spaces
Trade (Retail and Wholesale)	
[Regional Distribution Center	1 per each 660 square feet of floor area.]
Wholesale [Trade (excluding regional distribution center)], Warehousing, and Distribution	1 per each 1650 square feet of floor area.

Section 44. Section 9.6415 of the Eugene Code, 1971, is amended to provide as follows:

9.6415 Loading and Drive-Through Design Standards.

- (1) **Drive-Through Design Standards.** In connection with drive-through establishments, there shall be a specially designed area for vehicle stacking located on private property between the public right-of-way and the pick-up window or service area. For a single row of vehicles, the specially designed area shall be at least 200 feet in length to allow for stacking of up to 10 cars. For a double row of vehicles, the specially designed area shall be at least 100 feet in length to allow for stacking of up to 5 cars. This area shall not interfere with safe and efficient circulation on the development site or abutting public right-of-way, **nor shall the location of stacking lanes prevent access to and exit from parking spaces.**
- (2) **Landscaping.**
 - (a) Off-street loading areas and vehicle stacking areas shall be landscaped as required by EC 9.6420(3).
 - (b) In the [I-1] **E-1** zone, all off-street loading spaces and uses shall be on interior service courts or screened from view from all adjacent property lines according to EC 9.6210(4) High Wall Landscape Standard (L-4).
- (3) **Loading and Service Drives.** All loading spaces for commercial and **employment and** industrial buildings and uses shall be off the street, shall be

in addition to required off-street parking spaces, and shall be served by service drives and maneuvering areas so that no backward movement or other vehicle maneuvering within a street, other than an alley, will be required.

Section 45. Subsection (1)(a) of Section 9.6420 of the Eugene Code, 1971, is amended to provide as follows:

9.6420 Parking Area Standards.

- (1) **Dimensions and Striping.** All parking spaces shall be striped or marked in a manner consistent with Table 9.6420(1) Motor Vehicle Parking Dimensions. All tandem parking spaces shall be striped and marked in a manner consistent with Table 9.6420(1) Motor Vehicle Parking Dimensions for Tandem Parking. **(See Figure 9.6420(1) Motor Vehicle Parking Dimensions.)**
- (a) **Carpool and Vanpool Parking.** New commercial and ***employment and*** industrial developments with 20 or more employee parking spaces shall designate at least 5 percent of the employee parking spaces for carpool or vanpool parking. Employee carpool and vanpool parking shall be located closer to the building entrance or the employee entrance than other employee parking with the exception of parking for those with disability permits. The carpool/vanpool spaces shall be clearly marked "Reserved - Carpool/Vanpool Only" by use of signs painted on the parking spaces or posted

Section 46. Subsection (4)(a) of Section 9.6640 of the Eugene Code, 1971, is amended to provide as follows:

9.6640 General Provisions.

(4) Location Standards.

- (a) **Setbacks.** All signs shall comply with the setback requirements beginning at EC 9.2000 through EC 9.3915 and EC 9.6745 **Setbacks - Intrusions Permitted.** Signs may be installed up to 5 feet into the required front yard setback except that freestanding signs up to 5 feet in height in the ~~[I-1]~~**E-1** zone may be installed at least 5 feet from the front property line.

Section 47. Subsection (2) of Section 9.6645 of the Eugene Code, 1971, is amended to provide as follows:

9.6645 Applicability of Sign Standards.

- (2) Except as otherwise specified, signs located on property zoned S Special Zone shall be subject to the provisions of:
- (a) EC 9.6650 **Residential Sign Standards**, if the use thereon is primarily characterized as residential,
- (b) EC 9.6680 **Employment and Industrial Sign Standards**, if ***employment or*** industrial, or

(c) EC 9.6660 General Commercial Sign Standards.

Section 48. Subsection (1) of Section 9.6660 of the Eugene Code, 1971, is amended to provide as follows:

- 9.6660** **General Commercial Sign Standards.** The general commercial sign standards are hereby created and applied to all land as set forth below. Sign limitations reflect the commercial nature of the area and the amount of vehicular traffic.
- (1) Corresponding Zones.** Except as otherwise provided in the shopping center and highway commercial sign standards, the provisions of this section apply to all property located within the following zones: C-1[,] **or** C-2[, ~~or C-4~~].

Section 49. Subsection (1) of Section 9.6665 of the Eugene Code, 1971, is amended to provide as follows:

- 9.6665** **Shopping Center Sign Standards.** The shopping center sign standards are hereby created and applied to all land as set forth below. Sign limitations in these standards accommodate the special commercial character of these areas and the residential areas which are close to most shopping centers.
- (1) Corresponding Zones.** The provisions of this section apply to all property not regulated by the highway commercial sign standards on which a shopping center is located and which is within the following zones: C-1[,] **or** C-2[, ~~or C-4~~].

Section 50. Subsection (1) of Section 9.6675 of the Eugene Code, 1971, is amended to provide as follows:

- 9.6675** **Highway Commercial Sign Standards.** The highway commercial sign standards are hereby created and applied to all land as set forth below. Signs in this area are regulated to accommodate the mixed uses of the areas and the presence of major streets with high traffic volumes.
- (1) Corresponding Zones.** The provisions of this section apply to that property within the S-RP Riverfront Park Special Zone located within 200 feet of the Franklin Boulevard center line and to property within the C-1, C-2, C-3, [~~C-4~~] or any **employment and** industrial zone with frontage along the following named streets:
- (a) Beltline Road from 11th Avenue to Roosevelt Boulevard;
 - (b) Broadway from Mill Street to Franklin Boulevard;
 - (c) Coburg Road from 6th Avenue to 200 feet north of Frontier Drive;
 - (d) Franklin Boulevard east from Broadway, including the north-south segment;
 - (e) Garfield Street from 11th Avenue to 5th Avenue;
 - (f) Goodpasture Island Road from Valley River Drive to 1,700 feet north;
 - (g) Highway 99 North;
 - (h) I-5 from Henderson Avenue to 300 feet north of Laurel Hill Drive;

- (i) I-5 on the north side only, from 720 feet east of Henderson Avenue to 1,330 feet east of Henderson Avenue;
- (j) I-105 from the Coburg interchange to Scout Access Road;
- (k) Mill Street from Broadway to Coburg Road;
- (l) Railroad Boulevard;
- (m) 6th Avenue east of conjunction with Highway 99 North;
- (n) 7th Avenue east of conjunction with Highway 99 North; and
- (o) 11th Avenue from 200 feet east of the centerline of Chambers Street to Terry Street.

Section 51. Section 9.6680 of the Eugene Code, 1971, is amended to provide as follows:

- 9.6680** **Employment and Industrial Sign Standards.** The ***employment and*** industrial sign standards are hereby created and applied to all property zoned for ***employment and*** industrial use as set forth below. Signs are regulated to accommodate the minimal street frontage of most parcels and the general proximity to highways and arterial streets.
- (1) Corresponding Zones.** The provisions of this section apply to all property not regulated by the highway commercial sign standards and located within the following zones: all ***employment and*** industrial zones.
 - (2) Permitted Sign Types.** Signs allowed under the industrial sign standards shall be limited to the following types:
 - (a) Awning signs;
 - (b) Billboards;
 - (c) Electronic message centers;
 - (d) Freestanding signs;
 - (e) Marquee signs;
 - (f) Projecting signs;
 - (g) Readerboards;
 - (h) Roof signs;
 - (i) Under-marquee signs; and
 - (j) Wall signs.
 - (3) Maximum Number of Signs.** The employment and ***employment and*** industrial sign standards shall have no limit on the number of signs permitted except that no freestanding or roof sign may be constructed within 200 feet of any other freestanding or roof sign on the development site, regardless of the number of street frontages.
 - (4) Maximum Sign Area.** The employment and ***employment and*** industrial sign standards shall apply the following size limitations:
 - (a) Freestanding and roof signs shall not exceed 100 square feet in area for 1 face and 200 square feet for 2 or more faces.
 - (b) Notwithstanding any other provision, the sum of the area of all billboards, awning signs, marquee signs, projecting signs, and wall signs located on a single development site where the employment and ***employment and*** industrial sign standards apply shall be limited to 0.5 square feet times the length of the perimeter wall upon which the signs are located. If not located on a wall, the area of any billboard located on the development site shall be included in the total sign area attributed to that site.

- (c) Awning, marquee, projecting or wall signs shall be less than 200 square feet for any 1 face, and less than 400 square feet for 2 or more faces.
- (d) Notwithstanding the number of street frontages, no business occupant shall use more than 1000 square feet of sign surface area, including billboards, at any single development site.
- (5) **Maximum Height.** All billboards, freestanding signs and roof signs shall be no more than 30 feet in height except freestanding signs up to 5 feet in height are allowed in the ~~[L-1]~~**E-1** zone at a minimum of 5 feet from the front property line.
- (6) **Billboards.** Billboards regulated by the **employment and** industrial sign standards shall be subject to the following:
 - (a) Billboards shall be permitted only along property which abuts the following named streets:
 1. Garfield Street north of 5th Avenue to the intersection of Roosevelt Boulevard.
 2. Seneca Street north of 11th Avenue to the intersection of Roosevelt Boulevard.
 3. Bertelsen Road north of 11th Avenue to the intersection of Roosevelt Boulevard.
 4. Obie Street north of 11th Avenue to the end of the street, but no further north than the intersection of Stewart Road.
 5. West 11th Avenue from 200 feet east of the centerline of Chambers Street to Terry Street.
 - (b) No billboard shall exceed 250 square feet in area.
 - (c) Notwithstanding the required connection between perimeter wall size and billboard size established in (4)(b) of this section, a billboard not to exceed 200 square feet may be located on an otherwise vacant lot abutting any street designated in this section.
 - (d) The provisions of EC 9.6675(6)(d) to (i) shall apply to all billboards in areas regulated by the **employment and** industrial sign standards.

Section 52. Subsection (1) of Section 9.6703 of the Eugene Code, 1971, is amended to provide as follows:

9.6703 Driveways and Internal Circulation

- (1) Unless otherwise permitted in this code, driveways abutting an arterial or major collector street that serve a commercial, **employment and** industrial or multi-family development shall be a minimum of 20 feet wide.

Section 53. Subsection (2)(b) of Section 9.6709 of the Eugene Code, 1971, is amended to provide as follows:

9.6709 Special Flood Hazard Areas - Standards.

- (2) **Specific Standards.** In all areas of special flood hazards where base flood elevation data has been provided as required in subsections 9.6707(1) or (2), the following provisions are required:

- (b) Nonresidential Construction. New construction and substantial improvement of any commercial, **employment and** industrial or other nonresidential structure shall either have the lowest floor, including basement, elevated to the level of the base flood elevation; or, together with attendant utility and sanitary facilities, shall:
1. Be flood proofed so that below the base flood level the structure is watertight with walls substantially impermeable to the passage of water;
 2. Have structural components capable of resisting hydrostatic and hydrodynamic loads and effects of buoyancy;
 3. Be certified by a registered professional engineer or architect that the design and methods of construction are in accordance with accepted standards of practice for meeting provisions of this subsection based on their development and/or review of the structural design, specifications and plans. Such certifications shall be provided to the building official as required in section 9.6707.
 4. Nonresidential structures that are elevated, not floodproofed, must meet the same standards for space below the lowest floor as described in subparagraph (2)(a)2. of this section.
 5. Applicants floodproofing nonresidential buildings shall be notified that flood insurance premiums will be based on rates that are one foot below the floodproofed level (e.g. a building constructed to the base flood level will be rated as one foot below that level).

Section 54. Subsection (8)(d) of Section 9.6725 of the Eugene Code, 1971, is amended to provide as follows:

9.6725 Outdoor Lighting Standards.

- (8) **Creation of Outdoor Lighting Classifications.** To ensure appropriate lighting while minimizing its undesirable side effects, the zones established elsewhere in this land use code are consolidated into lighting zones, as follows:
- (d) High Ambient Light Areas (O-4) shall be permitted in areas planned or developed for a mix of uses and a high level of nighttime activity. This includes areas in the broad zone category of commercial, except for C-1, and areas in the broad zone category of **employment and** industrial. It also includes portions of colleges and universities, high schools, the fairgrounds, and other areas zoned PL determined by the planning director to have a high level of nighttime activity. Areas determined not to have a high level of nighttime activity that are zoned PL shall be considered Low Ambient Light Areas (O-2).

Section 55. Subsection (2) of Section 9.6730 of the Eugene Code, 1971, is amended to provide as follows:

Pedestrian Circulation On-Site.

(2) **Applicability of Standards.** As more specifically provided in this section, the standards in this section apply to any development that creates a new building entrance, but not to a building alteration or change in use.

- (a) In any zone, except I-2 and I-3, on-site pedestrian paths shall be constructed in the following cases for institutional, office, commercial and **employment and** industrial development:
1. Between all new building entrances and all streets adjacent to the development site. On-site pedestrian paths shall be designed and constructed to provide a direct connection to existing public right-of-way and public accessways.
 2. To connect any new building entrances on a development site to all other new and existing building entrances on the same development site, except entrances used primarily for loading and unloading freight.
 3. Along the exterior walls of new buildings greater than 100 feet in length when the wall of the building is located next to a street, parking lot or when a public entrance or entrances are located on the edge of the building, except in the following cases:
 - a. When the edge of a building is within 20 feet of a public sidewalk and the building entrance is connected to the public sidewalk by an on-site pedestrian facility, no on-site pedestrian facility on the edge of the building adjacent to the sidewalk is required.
 - b. When the edge of the building is bordered by a perimeter of landscaping which does not exceed 30 feet in width, and an on-site pedestrian facility is constructed at the edge of the landscaping, no on-site pedestrian facility immediately adjacent to the landscaped building edge is required.
 4. To connect institutional, office, commercial and **employment and** industrial uses on the development site to adjacent existing or planned institutional, office, commercial or **employment and** industrial uses, and to existing or planned transit stops, schools, or neighborhood parks where the addition of on-site pedestrian paths would reduce walking or cycling distance between the uses by 200 feet and by at least 50 percent over other available pedestrian routes.
 5. Along any development site, an on-site pedestrian facility connecting the street to the main building(s) shall be provided for every 300 feet of street frontage or for every 8 rows of vehicle parking, or for whichever standard requires the most on-site pedestrian paths.
- (b) In **employment and** industrial developments on [I-1]**E-1** zoned property, on-site pedestrian paths shall be constructed in the following cases:
1. Between the main building entrance and all streets adjacent to the development site. On-site pedestrian paths shall be designed and constructed to provide a direct connection to existing public right-of-way and public accessways.
 2. To connect the main building entrance on the development site to adjacent existing or planned office, commercial or **employment and** industrial uses, and to existing or planned transit stops where

the addition of the on-site pedestrian facility would reduce walking or cycling distance between the uses by 200 feet and by at least 50 percent over other available pedestrian routes.

- (c) In all zones, on-site pedestrian paths shall be constructed within new multiple-family residential developments with 3 or more units to insure that access is provided:
 - 1. From every unit to all other units within the residential development.
 - 2. From every unit to all laundry, recreational and other community facilities in the residential development.
 - 3. From every building located within 40 feet of a public or private street to the street right-of-way line.

Section 56. Subsection (7)(b) of Section 9.6745 of the Eugene Code, 1971, is amended to provide as follows:

9.6745 Setbacks-Intrusions Permitted.

(7) Parking Spaces in Required Setbacks.

- (b) In areas with the broad zone category of commercial or ***employment and industrial***, as depicted in Table 9.1030 Zones, except for the C-1, C-2 [~~and E-1~~], ***E-1, and E-2*** zones, parking spaces and parking areas are permitted in any required interior yard setback.

Section 57. Subsection (1) of Section 9.6770 of the Eugene Code, 1971, is amended to provide as follows:

9.6770 Transit Improvements.

- (1) The location of transit stops shall be based upon the size and trip generation of new development adjacent to an existing or planned transit corridor. The transit operator shall review site plans and may recommend transit-related facilities be constructed for the following developments:
 - (a) Residential developments having an average peak hour trip rate of 25 trips or greater.
 - (b) Commercial and ***employment and industrial*** developments other than office developments, having an average peak hour trip rate of 100 trips or greater. Office developments generating 50 or more average peak hour trips.
 - (c) Institutional uses and public facilities, including churches, hospitals, middle schools, high schools, universities and colleges, public parks (other than neighborhood parks), libraries, post offices, and other institutional and public facilities generating 100 or more average peak hour trips.

Section 58. Subsection (2) of Section 9.6794 of the Eugene Code, 1971, is amended to provide as follows:

9.6794 Stormwater Oil Control.

- (2) **Applicability.** Oil control standards set forth in EC 9.6794(3) apply to:
- (a) All new commercial and **employment and** industrial development with parking lots that store wrecked or impounded vehicles; or
 - (b) Any development that would result in an expected daily traffic count greater than one hundred vehicles per 1,000 square feet of gross building area, based on the most recent version of The Institute of Transportation Engineers' Trip Generation Manual; or
 - (c) Any development that would result in 100 or more off-street parking spaces; or
 - (d) Any commercial or **employment and** industrial development that receives an adjustment approving the installation of 125 percent or more of the minimum off-street parking spaces required by EC 9.6410(3), Minimum Number of Required Off-Street Parking Spaces and that adjustment will result in, at least, a total of 10 parking spaces.

Section 59. Table 9.8010 of Section 9.8010 of the Eugene Code, 1971, is amended to provide as follows:

9.8010 List of Adopted Plans. The documents listed in the following Table 9.8010, including any adopted amendments, are the currently effective adopted plans that may be applicable to a particular land use application. The plans and adopted policies are more particularly set forth beginning at EC 9.9500, and the boundaries for each are depicted on Map 9.8010 Adopted Plans.

Table 9.8010 List of Adopted Plans	
Bethel-Danebo Refinement Plan (Phase II)	River Road-Santa Clara Urban Facilities Plan
Bethel-Danebo Refinement Plan	Riverfront Park Study
Comprehensive Stormwater Management Plan	South Hills Study
Downtown Riverfront Specific Area Plan	South Willamette Subarea Study
Eugene Commercial Lands Study	TransPlan (Metro Area Transportation Plan)
Eugene Downtown Plan	Walnut Station Specific Area Plan
Eugene-Springfield Metropolitan Area General Plan (Metro Plan)	West University Refinement Plan
Fairmount/U of O Special Area Study	Westside Neighborhood Plan
Jefferson/Far West Refinement Plan	Whiteaker Plan
Laurel Hill Neighborhood Plan	Willakenzie Area Plan
19 th and Agate Special Area Study	Willow Creek Special Area Study
[Resolution No. 3862 Adopting the West 11 th Commercial Land Use Policy and Refining the Eugene-Springfield Metropolitan Area General Plan (Adopted June 13, 1984)]	[Resolution No. 3885 Establishing Areas for the Application of C-4 Commercial-Industrial District Zoning, and Amending Resolution No. 3862 (Adopted on November 13, 1984)]

Section 60. Subsections (2)(d), (20), and (22) of Section 9.8030 of the Eugene Code, 1971, are amended, and subsection (33) is added to provide as follows:

9.8030 Adjustment Review - Approval Criteria. The planning director shall approve, conditionally approve, or deny an adjustment review application. Approval or

conditional approval shall be based on compliance with the following applicable criteria.

- (2) **Setback Standards Adjustment.** Where this land use code provides that the setback standards applicable to specific zones may be adjusted, the standards may be adjusted upon finding that the proposed setback is consistent with the following applicable criteria:
 - (d) Outdoor Merchandise Display in C-2 ~~and C-4~~. The limitation on outdoor merchandise display in EC 9.2170(8)(b)2. may be adjusted upon a finding that the proposed adjustment is consistent with the intent set out in EC 9.2170(1).
- (20) **Public Accessways.** The public accessway standards of 9.6835(1) may be adjusted if the developer has shown that pedestrian and bicyclists traveling to and from nearby residential areas, transit stops, neighborhood activity centers, and other commercial and **employment and** industrial areas are already being provided safe, convenient and direct access. "Nearby" means within 1/4 mile that can reasonably be expected to be used by pedestrians, and within 2 miles that can reasonably be expected to be used by bicyclists.
- (22) **Pedestrian Circulation On-site Adjustment.** Where this land use code provides that on-site pedestrian circulation may be adjusted, the standards may be adjusted upon finding that, considering site constraints or practical difficulties, the proposed design provides adequate pedestrian connections:
 - (a) Between building entrances and streets or accesways;
 - (b) Between new and existing buildings on the development site, including recreation and community facilities;
 - (c) From proposed **employment and** industrial, commercial and institutional uses to adjacent parcels having similar existing or planned uses;
 - (d) To nearby transit stops, parks and other recreation facilities; and
 - (e) Between parking lots and main buildings.
- (33) **Large Employment Facilities Standards Adjustment.** *Where this land use code provides that the large employment facilities standards may be adjusted, the standards may be adjusted upon finding that the proposed development achieves the purpose of EC 9.2463 through alternative or innovative design solutions.*

Section 61. Subsection (4)(c) of Section 9.8215 of the Eugene Code, 1971, is amended to provide as follows:

- 9.8215** **Partition, Tentative Plan Approval Criteria- General.** The planning director shall approve, approve with conditions, or deny a partition, with findings and conclusions. Approval, or approval with conditions, shall be based on compliance with the following criteria:
- (4) If the provisions of EC 9.8215(1) require a public street, or if the applicant proposes the creation of a public street, all of the following criteria also apply:
 - (c) The proposed partition provides direct bicycle and pedestrian access to nearby and adjacent residential areas, transit stops, neighborhood activity centers, commercial areas, and **employment and** industrial areas, and provides safe, convenient and direct transit circulation, provided the city makes findings to demonstrate consistency with

constitutional requirements. "Nearby" means uses within 1/4 mile that can reasonably be expected to be used by pedestrians, and uses within 2 miles that can be reasonably expected to be used by bicyclists.

Section 62. Subsection (6) of Section 9.8515 of the Eugene Code, 1971, is amended to provide as follows:

- 9.8515 Subdivision, Tentative Plan Approval Criteria - General.** The planning director shall approve, approve with conditions, or deny a proposed subdivision. Approval, or approval with conditions shall be based on compliance with the following criteria:
- (6)** The proposed subdivision provides safe, convenient, and direct bicycle and pedestrian access to nearby and adjacent residential areas, transit stops, neighborhood activity centers, commercial areas, and **employment and** industrial areas, and provides safe, convenient, and direct transit circulation, provided the city makes findings to demonstrate consistency with constitutional requirements. "Nearby" means uses within 1/4 mile that can reasonably be expected to be used by pedestrians, and uses within 2 miles that can reasonably be expected to be used by bicyclists.

Section 63. Subsections (1)(b) and (2) of Section 9.8575 of the Eugene Code, 1971, are amended to provide as follows:

- 9.8575 Special Platting Standards.** In addition to the partition and subdivision requirements contained in this land use code, the following specific platting standards may also apply to partition and subdivision applications that include lots or parcels designated as conservation parcels and lots or parcels located adjacent to a railroad right-of-way:
- (1) Conservation Land Divisions.** Conservation land divisions are intended to facilitate the sale or donation of valuable natural resource areas to public or non-profit agencies for long-term protection and management by dividing conservation areas and remaining areas into separate parcels.
- (b)** Remainder parcels are those parcels that are not being protected for natural resource values. Remainder parcels may be developed, partly developed, or undeveloped. The planning director may authorize exceptions to the minimum platting standards for lot area, lot frontage, lot width, and lot depth for remainder parcels provided the following standards are met:
1. At least one of the lots created must be a conservation parcel and must be rezoned to NR Natural Resource zone prior to or concurrent with land division.
 2. The number of remainder parcels created must be the least number that will accomplish the purpose of the conservation land division.
 3. Exceptions to minimum lot and parcel platting standards will not be allowed on residentially zoned remainder parcels.
 4. Exceptions to minimum lot and parcel platting standards for remainder parcels in agricultural, commercial and **employment**

and industrial zones will be no more than the minimum needed to accomplish the purpose of the conservation land division.

(2) Platting Standards-Railroads.

- (a) In accordance with the purpose of EC 9.8400 Purpose of Property Line Adjustments, special requirements may be imposed by the planning director in connection with railroad crossings including, but not limited to, provisions for separation of street and railroad grades, if necessary for the safety of the residents of the partition or subdivision and of the general public.
- (b) Where the partition or subdivision is adjacent to a railroad right-of-way, and the surrounding economic and physical conditions indicate the property will be used for **employment and** industrial purposes, all streets shall be located at a sufficient distance from the right-of-way to allow for reasonable sites for **employment and** industrial use adjacent to the right-of-way.

Section 64. Subsection (4) of Section 9.8865 of the Eugene Code, 1971, is amended to provide as follows:

9.8865 Zone Change Approval Criteria. Approval of a zone change application, including the designation of an overlay zone, shall not be approved unless it meets all of the following criteria:

- (4)** The proposed zone change is consistent with the applicable siting requirements set out for the specific zone in:
- (a) EC 9.2150 Commercial Zone Siting Requirements.
 - (b) EC 9.2430 **Employment and** Industrial Zone Siting Requirements.
 - (c) EC 9.2510 Natural Resource Zone Siting Requirements.
 - (d) EC 9.2610 Park, Recreation, and Open Space Siting Requirements.
 - (e) EC 9.2681 Public Land Zone Siting Requirements.
 - (f) EC 9.2735 Residential Zone Siting Requirements.
 - (g) EC 9.3055 S-C Chambers Special Area Zone Siting Requirements.
 - (h) EC 9.3105 S-CN Chase Node Special Area Zone Siting Requirements.
 - (i) EC 9.3140 S-DR Downtown Riverfront Special Area Zone Siting Requirements.
 - (j) EC 9.3205 S-DW Downtown Westside Special Area Zone Siting Requirements.
 - (k) EC 9.3305 S-E Elmira Road Special Area Zone Siting Requirements.
 - (l) EC 9.3605 S-JW Jefferson Westside Special Area Zone Siting Requirements.
 - (m) EC 9.3705 S-RP Riverfront Park Special Area Zone Siting Requirements.
 - (n) EC 9.3805 S-RN Royal Node Special Area Zone Siting Requirements.
 - (o) EC 9.3905 S-W Whiteaker Special Area Zone Siting Requirements.
 - (p) EC 9.3955 S-WS Walnut Station Special Area Zone Siting Requirements.
 - (q) EC 9.4205 /EC East Campus Overlay Zone Siting Requirements.
 - (r) EC 9.4715 /WP Waterside Protection Overlay Zone Siting Requirements.
 - (s) EC 9.4776 /WQ Water Quality Overlay Zone Siting Requirements (only

- for the purposes of adding the overlay zone. See EC 9.4786.).
- (t) EC 9.4915 /WR Water Resources Conservation Overlay Zone Siting Requirements (only for the purposes of adding the overlay zone. See EC 9.4960.).
- (u) EC 9.4815 /WB Wetland Buffer Overlay Zone Siting Requirements.
- (v) An uncodified ordinance establishing a site specific S-H Historic Special Area Zone, a copy of which is maintained at the city's planning and development department.

Section 65. The findings set forth in Exhibit C attached to this Ordinance are adopted as findings in support of this Ordinance.

Section 66. Due to the Code amendments adopted by this Ordinance, it is necessary to repeal Resolution No. 3862 and Resolution No. 3885. Therefore, Resolution No. 3862 and Resolution No. 3885 are repealed as of the effective date of this Ordinance, and Map 9.8010 is amended to reflect the repeal of those Resolutions as set forth in Exhibit D attached to this Ordinance.

Section 67. Based on the findings set forth in Exhibit C (attached hereto and adopted as findings in support of this Ordinance), the following limitation on the use of the land referenced in Section 1, above, is hereby imposed:

Development on individual lots within the E-1 Campus Employment zone and the West Eugene study area, including E-2 Mixed Use Employment and C-2 Community Commercial zones, is limited in intensity to that which results in an equivalent or lesser number of maximum peak hour vehicle trips as that allowed by the zoning designation that preceded the zone changes adopted by this Ordinance. The maximum peak hour vehicle trips are based on the Trip Generation Manual from the Institute of Transportation Engineers (ITE).

The trip cap numbers are aggregate for all the affected lots; each individual lot is limited at the time of development to the maximum peak hour vehicle trips allowed by the prior zone designation of that lot. The aggregate vehicular trip cap within the West Eugene study area is 4,960 trips. The aggregate vehicular trip cap for the three discrete E-1 Campus Employment zoned areas are as follows: Greenhill Technology Park – 1250, Willow Creek – 1270, and Chad Drive – 1370.

The City may allow a modification of the trip cap beyond this maximum number of peak hour vehicle trips only if the applicant submits to the City a traffic impact analysis that demonstrates that the proposed intensification of use would be consistent with the Transportation Planning Rule (TPR) at OAR 660-12-0060. The applicant shall seek and the City shall consider such approval using the City's Type II land use application procedures.

Section 68. The City Recorder, at the request of, or with the concurrence of the City Attorney, is authorized to administratively correct any reference errors contained herein or in other provisions of the Eugene Code, 1971, to the provisions added, amended or repealed herein.

Section 69. If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held invalid or unconstitutional by 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.

Section 70. This Ordinance shall take effect pursuant to Section 32 of the Eugene Charter 2002, or on the date of its acknowledgement as provided in ORS 197.625, whichever is later.

Passed by the City Council this

____ day of _____, 2014

Approved by the Mayor this

____ day of _____, 2014

City Recorder

Mayor

Exhibit A

Employment and Industrial Zoning Amendments:

Map	Lot	Current Zoning	Proposed Zoning	Proposed Split Zone	Proposed Acres
BIG Y AREA (Any overlay zones are unaffected by the proposed zone changes.)					
17043622	1800	I-2	C-2		0.57
17043622	2200	I-2	C-2		0.51
17043622	2306	I-2	C-2		0.16
17043622	2310	I-2	C-2		0.12
17043622	2500	I-2	C-2		0.28
CHAD DRIVE (/SR Site Review Overlay removed from Chad Drive area; other overlays remain in effect.)					
17031600	302	I-1/WQ	E-1/WQ	Yes	1.19
17031600	1201	I-1/WQ	E-1/WQ		0.62
17031600	3300	I-1/SR/WQ	E-1/WQ		6.95
17031600	3400	I-1/SR/WQ	E-1/WQ		22.37
17031600	3600	I-1/SR	E-1		8.44
17031600	3700	I-1/SR	E-1		13.23
17031600	3800	I-1/SR	E-1		4.67
17031600	3900	I-1/SR	E-1		8.09
17031631	200	I-1/SR	E-1		4.79
17031631	300	I-1/SR	E-1		4.16
17031631	502	I-1/SR	E-1		1.16
17031631	503	I-1/SR	E-1		0.94
17031631	90000	I-1/SR	E-1		1.02
17031631	90001	I-1/SR	E-1		0.07
17031631	90002	I-1/SR	E-1		0.07
17031631	90003	I-1/SR	E-1		0.10
17031631	90004	I-1/SR	E-1		0.09
17031632	600	I-1/SR/WQ	E-1/WQ		9.79
17031632	901	I-1/SR	E-1		2.10
17031632	1000	I-1/SR	E-1		2.91
17031632	1300	I-1/SR	E-1		0.37
17031634	3701	I-1/SR/WQ	E-1/WQ		3.03
17031634	3703	I-1/SR/WQ	E-1/WQ		1.60
17031634	3704	I-1/SR/WQ	E-1/WQ		1.00
17031634	3705	I-1/SR/WQ	E-1/WQ		1.58
17031634	3800	I-1/SR/WQ	E-1/WQ		8.39
17031641	200	I-1/SR	E-1		1.82
17031641	201	I-1/SR	E-1		7.14
17031641	300	I-1/SR	E-1		1.52
17031641	1100	I-1/SR	E-1		5.00
17031643	100	I-1/SR/WQ	E-1/WQ		19.99
17031644	500	I-1/SR	E-1		0.37
17031644	600	I-1/SR	E-1		6.17
17031644	800	I-1/SR	E-1		1.48
17031641	400	R-1	E-1		6.40
GREENHILL TECHNOLOGY PARK (No overlay zones are affected by the proposed zone changes.)					
17043320	600	NR	E-1	Yes	1.87

Map	Lot	Current Zoning	Proposed Zoning	Proposed Split Zone	Proposed Acres
STEWART ROAD (No overlay zones are affected by the proposed zone changes.)					
17043413	100	I-2	E-2	Yes	0.17
17043414	900	I-2	E-2	Yes	0.38
W. 11th AVE. CORRIDOR (No overlay zones are affected by the proposed zone changes.)					
17043621	5500	S-C/C-2	C-2		0.70
17043621	5600	S-C/C-2	C-2		0.45
17043621	5700	S-C/C-2	C-2		0.34
17043621	5800	S-C/C-2	C-2		0.34
17043542	501	C-1	C-2		0.43
17043623	101	C-2	E-2		0.24
17043310	4500	C-2	E-2		0.83
17043310	2302	C-4	E-2		0.84
17043310	2303	C-4	E-2		2.59
17043310	2400	C-4	E-2		5.09
17043441	600	C-4	C-2		0.20
17043441	700	C-4	C-2		1.34
17043441	900	C-4	C-2		1.61
17043441	1001	C-4	C-2		0.41
17043441	1002	C-4	C-2		0.43
17043441	1003	C-4	C-2		0.01
17043441	1004	C-4	C-2		2.88
17043441	1200	C-4	C-2		0.62
17043441	1300	C-4	C-2		0.77
17043441	1301	C-4	C-2		1.11
17043442	100	C-4	C-2		1.28
17043442	101	C-4	C-2		1.12
17043442	3101	C-4	C-2		1.83
17043531	200	C-4	C-2		0.33
17043531	300	C-4	C-2		0.37
17043531	400	C-4	C-2		0.41
17043531	501	C-4	C-2		0.30
17043531	600	C-4	C-2		0.29
17043531	802	C-4	C-2		0.29
17043531	803	C-4	C-2		1.04
17043531	805	C-4	C-2		0.21
17043532	103	C-4	C-2		0.68
17043532	104	C-4	C-2		0.25
17043532	105	C-4	C-2		1.90
17043532	108	C-4	C-2		0.09
17043532	109	C-4	C-2		1.38
17043532	200	C-4	C-2		1.14
17043532	401	C-4	C-2		0.60
17043532	402	C-4	C-2		0.75
17043532	500	C-4	C-2		1.23
17043542	400	C-4	C-2		0.70
17043542	90000	C-4	C-2		1.82
17043542	90100	C-4	C-2		0.10
17043542	90200	C-4	C-2		0.51
17043621	1400	C-4	E-2		0.81
17043621	1900	C-4	E-2		0.69
17043621	2000	C-4	E-2		0.74

Map	Lot	Current Zoning	Proposed Zoning	Proposed Split Zone	Proposed Acres
17043621	2100	C-4	E-2		0.40
17043621	2200	C-4	E-2		0.58
17043621	2400	C-4	E-2		0.04
17043621	2800	C-4	C-2		0.39
17043621	2801	C-4	C-2		0.34
17043621	3000	C-4	C-2		0.91
17043621	3100	C-4	C-2		0.07
17043621	3101	C-4	C-2		0.22
17043621	3200	C-4	C-2		0.09
17043621	3301	C-4	C-2		0.02
17043621	4901	C-4	E-2		0.22
17043621	4903	C-4	E-2		0.15
17043621	5100	C-4	E-2		0.14
17043621	5200	C-4	E-2		0.15
17043621	5300	C-4	E-2		0.15
17043621	5501	C-4	C-2		0.29
17043621	5502	C-4	E-2		0.22
17043621	5503	C-4	C-2		0.16
17043621	7000	C-4	C-2		0.03
17042543	100	I-2	E-2		0.55
17042543	200	I-2	E-2		0.18
17042543	300	I-2	E-2		0.13
17042543	400	I-2	E-2		0.23
17042543	500	I-2	E-2		0.37
17042543	600	I-2	E-2		0.19
17042543	700	I-2	E-2		0.19
17042543	800	I-2	E-2		0.19
17042543	900	I-2	E-2		0.19
17042543	1000	I-2	E-2		0.39
17042543	1100	I-2	E-2		0.19
17042543	1200	I-2	E-2		0.19
17042543	1300	I-2	E-2		0.37
17042543	1400	I-2	E-2		0.09
17042543	1500	I-2	E-2		0.09
17042543	1600	I-2	E-2		0.18
17042543	1700	I-2	E-2		0.16
17042543	1800	I-2	E-2		0.14
17042543	1900	I-2	E-2		0.13
17042543	2000	I-2	E-2		0.13
17042543	2100	I-2	E-2		0.27
17042543	2200	I-2	E-2		0.37
17042543	2900	I-2	E-2		1.17
17042543	3300	I-2	E-2		0.90
17042543	3400	I-2	E-2		0.28
17042543	3500	I-2	E-2		0.32
17042543	3700	I-2	E-2		0.22
17042543	3801	I-2	E-2		0.23
17042543	3900	I-2	E-2		0.26
17042543	4000	I-2	E-2		0.49
17042543	4100	I-2	E-2		0.45
17042543	4200	I-2	E-2		0.26

Map	Lot	Current Zoning	Proposed Zoning	Proposed Split Zone	Proposed Acres
17042543	4300	I-2	E-2		0.26
17042543	4500	I-2	E-2		0.17
17042543	4600	I-2	E-2		0.56
17042543	4700	I-2	E-2		0.13
17042543	4800	I-2	E-2		0.19
17042543	5200	I-2	E-2		0.45
17042543	5400	I-2	E-2		0.27
17042543	5500	I-2	E-2		0.35
17042543	5600	I-2	E-2		0.23
17042543	5700	I-2	E-2		0.22
17042543	5800	I-2	E-2		0.22
17042543	5900	I-2	E-2		0.12
17042543	6100	I-2	E-2		0.13
17042543	6900	I-2	E-2		0.13
17042543	7100	I-2	E-2		0.19
17042543	7200	I-2	E-2		0.27
17042543	7300	I-2	E-2		0.09
17042543	7400	I-2	E-2		0.11
17042543	7500	I-2	E-2		0.20
17042543	7600	I-2	E-2		1.11
17042543	8000	I-2	E-2		1.56
17042543	8600	I-2	E-2		0.46
17042543	8700	I-2	E-2		0.83
17042543	9000	I-2	E-2		0.21
17042543	9001	I-2	E-2		1.55
17042543	12500	I-2	E-2		0.82
17042543	13000	I-2	E-2		1.22
17042543	13001	I-2	E-2		0.36
17042543	13300	I-2	E-2		0.08
17042543	13400	I-2	E-2		0.71
17042543	13600	I-2	E-2		0.00
17042544	5500	I-2	E-2		1.14
17042544	5900	I-2	E-2		0.13
17042544	6000	I-2	E-2		0.06
17042544	6100	I-2	E-2		0.20
17042544	6402	I-2	E-2		0.22
17042544	6800	I-2	E-2		0.22
17042544	7000	I-2	E-2		0.15
17043400	3400	I-2	E-2		2.34
17043400	3500	I-2	E-2		0.97
17043400	3501	I-2	E-2		1.24
17043400	3600	I-2	E-2		0.69
17043400	3601	I-2	E-2		1.31
17043400	3800	I-2	E-2		0.89
17043400	3801	I-2	E-2		0.74
17043400	3802	I-2	E-2		1.19
17043413	101	I-2	E-2		0.27
17043413	200	I-2	E-2		0.37
17043413	201	I-2	E-2		0.54
17043413	400	I-2	E-2		0.69
17043413	401	I-2	E-2		0.77

Map	Lot	Current Zoning	Proposed Zoning	Proposed Split Zone	Proposed Acres
17043413	500	I-2	E-2		5.04
17043413	501	I-2	E-2		4.51
17043413	502	I-2	E-2		1.18
17043413	600	I-2	E-2		0.40
17043413	1500	I-2	E-2		0.43
17043413	1800	I-2	E-2		0.07
17043413	1900	I-2	E-2		0.11
17043413	2100	I-2	E-2		0.72
17043413	2200	I-2	E-2		0.92
17043413	2600	I-2	E-2		2.16
17043414	401	I-2	E-2		1.05
17043414	402	I-2	E-2		0.34
17043414	404	I-2	E-2		0.39
17043414	405	I-2	E-2		0.04
17043414	407	I-2	E-2		0.80
17043414	408	I-2	E-2		0.31
17043414	501	I-2	E-2		0.29
17043414	502	I-2	E-2		0.36
17043414	503	I-2	E-2		0.44
17043414	504	I-2	E-2		0.43
17043414	506	I-2	E-2		0.87
17043414	701	I-2	E-2		0.27
17043414	801	I-2	E-2		0.26
17043414	802	I-2	E-2		0.52
17043414	1100	I-2	E-2		0.30
17043414	1200	I-2	E-2		0.79
17043414	1300	I-2	E-2		0.84
17043414	1500	I-2	E-2		0.71
17043414	1501	I-2	E-2		1.60
17043414	1600	I-2	E-2		1.56
17043414	1601	I-2	E-2		0.85
17043414	1602	I-2	E-2		0.86
17043423	1800	I-2	E-2		2.31
17043423	1800	I-2	E-2		0.06
17043423	1800	I-2	E-2		0.04
17043423	1800	I-2	E-2		0.04
17043423	1800	I-2	E-2		0.07
17043423	1800	I-2	E-2		0.07
17043423	1800	I-2	E-2		0.07
17043423	1800	I-2	E-2		0.07
17043423	1800	I-2	E-2		0.07
17043423	1800	I-2	E-2		0.04
17043423	1800	I-2	E-2		0.04
17043423	1800	I-2	E-2		0.04
17043423	1800	I-2	E-2		0.04
17043423	1800	I-2	E-2		0.04
17043423	1800	I-2	E-2		0.06
17043424	201	I-2	E-2		1.01
17043424	202	I-2	E-2		0.59
17043424	203	I-2	E-2		2.14
17043424	204	I-2	E-2		2.99

Map	Lot	Current Zoning	Proposed Zoning	Proposed Split Zone	Proposed Acres
17043424	600	I-2	E-2		0.68
17043424	601	I-2	E-2		0.55
17043424	1000	I-2	E-2		0.31
17043424	1001	I-2	E-2		0.31
17043424	1002	I-2	E-2		0.64
17043424	1003	I-2	E-2		0.47
17043424	1004	I-2	E-2		0.24
17043424	1005	I-2	E-2		0.34
17043424	1006	I-2	E-2		0.26
17043424	1007	I-2	E-2		0.74
17043424	1008	I-2	E-2		1.52
17043424	1009	I-2	E-2		0.80
17043424	1010	I-2	E-2		0.75
17043424	1011	I-2	E-2		0.34
17043424	1012	I-2	E-2		0.28
17043424	1013	I-2	E-2		0.13
17043424	1014	I-2	E-2		0.31
17043424	1600	I-2	E-2		0.10
17043430	101	I-2	E-2		3.17
17043430	102	I-2	E-2		4.22
17043430	103	I-2	E-2		0.84
17043430	200	I-2	E-2		1.22
17043430	301	I-2	E-2		0.31
17043430	302	I-2	E-2		0.19
17043430	303	I-2	E-2		0.19
17043430	304	I-2	E-2		0.19
17043430	305	I-2	E-2		0.19
17043430	306	I-2	E-2		0.19
17043430	307	I-2	E-2		0.19
17043430	308	I-2	E-2		0.20
17043430	309	I-2	E-2		0.24
17043430	310	I-2	E-2		0.22
17043430	311	I-2	E-2		0.18
17043430	312	I-2	E-2		0.18
17043430	313	I-2	E-2		0.18
17043430	314	I-2	E-2		0.18
17043430	315	I-2	E-2		0.18
17043430	316	I-2	E-2		0.18
17043430	317	I-2	E-2		0.19
17043430	318	I-2	E-2		0.23
17043430	400	I-2	E-2		0.27
17043430	401	I-2	E-2		0.25
17043430	501	I-2	E-2		1.47
17043430	502	I-2	E-2		1.40
17043430	700	I-2	E-2		0.83
17043430	800	I-2	E-2		2.54
17043430	901	I-2	E-2		1.55
17043430	902	I-2	E-2		0.86
17043430	903	I-2	E-2		0.86
17043430	904	I-2	E-2		0.86
17043430	1000	I-2	E-2		5.00

Map	Lot	Current Zoning	Proposed Zoning	Proposed Split Zone	Proposed Acres
17043430	1100	I-2	E-2		4.78
17043430	1601	I-2	E-2		3.36
17043430	1701	I-2	E-2		0.88
17043430	1702	I-2	E-2		1.08
17043430	1800	I-2	E-2		2.20
17043430	2200	I-2	E-2		1.82
17043430	2400	I-2	E-2		0.72
17043430	2500	I-2	E-2		1.43
17043430	2700	I-2	E-2		1.13
17043430	2800	I-2	E-2		0.55
17043430	2900	I-2	E-2		0.53
17043430	3000	I-2	E-2		0.53
17043430	3100	I-2	E-2		0.89
17043430	3200	I-2	E-2		0.90
17043430	3300	I-2	E-2		0.90
17043430	3400	I-2	E-2		0.89
17043430	3500	I-2	E-2		0.94
17043430	3600	I-2	E-2		0.91
17043430	3700	I-2	E-2		1.12
17043430	3800	I-2	E-2		0.71
17043430	3900	I-2	E-2		0.70
17043430	4000	I-2	E-2		0.78
17043430	4100	I-2	E-2		0.62
17043430	4200	I-2	E-2		0.00
17043430	4400	I-2	E-2		0.00
17043430	4500	I-2	E-2		0.94
17043430	4600	I-2	E-2		0.67
17043430	4601	I-2	E-2		0.41
17043430	4700	I-2	E-2		11.94
17043430	4800	I-2	E-2		10.76
17043430	5200	I-2	E-2		0.37
17043440	14400	I-2	E-2		1.00
17043441	101	I-2	C-2		0.88
17043441	102	I-2	C-2		1.22
17043441	200	I-2	C-2		1.27
17043441	501	I-2	C-2		0.49
17043441	701	I-2	C-2		0.39
17043441	702	I-2	C-2		0.08
17043441	800	I-2	C-2		0.86
17043441	801	I-2	C-2		0.36
17043442	200	I-2	C-2		3.75
17043442	201	I-2	E-2		0.08
17043442	1000	I-2	E-2		0.19
17043442	1300	I-2	E-2		0.24
17043442	1400	I-2	E-2		0.19
17043442	1500	I-2	E-2		0.38
17043442	1700	I-2	E-2		0.31
17043442	1800	I-2	E-2		0.37
17043442	1900	I-2	E-2		0.20
17043442	2000	I-2	E-2		0.38
17043442	2100	I-2	E-2		0.07

Map	Lot	Current Zoning	Proposed Zoning	Proposed Split Zone	Proposed Acres
17043442	2101	I-2	E-2		0.12
17043442	2200	I-2	E-2		0.19
17043442	2300	I-2	E-2		0.19
17043442	2301	I-2	E-2		0.29
17043442	2302	I-2	E-2		0.11
17043442	2400	I-2	E-2		0.18
17043442	2500	I-2	E-2		0.18
17043442	2600	I-2	E-2		0.18
17043442	2700	I-2	E-2		0.18
17043442	2800	I-2	E-2		0.18
17043442	2900	I-2	E-2		0.19
17043442	3000	I-2	E-2		0.37
17043442	3100	I-2	C-2		3.24
17043442	3200	I-2	E-2		3.55
17043442	3300	I-2	E-2		3.65
17043442	3301	I-2	E-2		0.50
17043442	3302	I-2	E-2		0.50
17043442	3400	I-2	E-2		4.83
17043442	3503	I-2	E-2		0.23
17043442	3504	I-2	E-2		0.19
17043442	3505	I-2	E-2		0.19
17043442	3506	I-2	E-2		0.19
17043442	3507	I-2	E-2		0.19
17043442	3508	I-2	E-2		0.23
17043442	3509	I-2	E-2		0.23
17043442	3510	I-2	E-2		0.09
17043442	3511	I-2	E-2		0.09
17043442	3512	I-2	E-2		0.19
17043442	3513	I-2	E-2		0.19
17043442	3514	I-2	E-2		0.23
17043442	3517	I-2	E-2		0.09
17043442	3518	I-2	E-2		0.09
17043442	3601	I-2	E-2		0.31
17043442	3700	I-2	E-2		3.83
17043513	1100	I-2	C-2		0.21
17043513	1200	I-2	C-2		0.67
17043531	100	I-2	C-2		0.33
17043531	500	I-2	C-2		0.51
17043531	800	I-2	C-2		1.90
17043531	801	I-2	C-2		1.16
17043531	804	I-2	C-2		0.46
17043532	106	I-2	C-2		0.31
17043532	107	I-2	C-2		0.03
17043532	111	I-2	C-2		0.15
17043532	201	I-2	C-2		2.54
17043532	600	I-2	E-2		0.10
17043532	700	I-2	C-2		2.28
17043532	701	I-2	C-2		2.29
17043532	702	I-2	C-2		0.24
17043532	800	I-2	E-2		3.97
17043532	900	I-2	E-2		3.35

Map	Lot	Current Zoning	Proposed Zoning	Proposed Split Zone	Proposed Acres
17043532	1300	I-2	E-2		0.25
17043541	102	I-2	C-2		1.71
17043541	105	I-2	C-2		0.07
17043541	106	I-2	C-2		0.55
17043541	108	I-2	C-2		0.61
17043542	100	I-2	C-2		1.32
17043542	101	I-2	C-2		0.75
17043542	200	I-2	C-2		0.41
17043542	800	I-2	C-2		0.31
17043612	1700	I-2	E-2		0.94
17043612	2000	I-2	E-2		0.20
17043612	2100	I-2	E-2		0.20
17043612	2200	I-2	E-2		0.20
17043612	2400	I-2	E-2		0.54
17043612	2500	I-2	E-2		0.34
17043612	2900	I-2	E-2		0.81
17043612	3700	I-2	E-2		0.18
17043612	3800	I-2	E-2		0.28
17043612	4000	I-2	E-2		0.23
17043621	400	I-2	C-2		0.41
17043621	800	I-2	E-2		1.21
17043621	900	I-2	C-2		0.20
17043621	1000	I-2	C-2		0.20
17043621	1201	I-2	E-2		0.34
17043621	1202	I-2	E-2		0.33
17043621	2701	I-2	C-2		0.34
17043621	2702	I-2	C-2		0.25
17043621	2703	I-2	C-2		0.19
17043621	4300	I-2	C-2		0.62
17043621	5400	I-2	E-2		1.07
17043621	5901	I-2	E-2		0.35
17043621	6100	I-2	E-2		0.35
17043621	6200	I-2	E-2		0.28
17043621	6201	I-2	E-2		0.06
17043621	6800	I-2	C-2		1.38
17043621	6900	I-2	C-2		0.18
17043621	6901	I-2	C-2		0.09
17043621	6902	I-2	C-2		0.09
17043623	200	I-2	E-2		0.07
17043623	300	I-2	E-2		0.29
17043623	501	I-2	E-2		0.53
17043623	502	I-2	E-2		0.70
17043623	600	I-2	E-2		5.41
17043623	602	I-2	E-2		2.25
17043623	700	I-2	E-2		2.02
17043623	701	I-2	E-2		0.15
17043623	702	I-2	E-2		0.21
17043623	704	I-2	E-2		2.01
17043623	902	I-2	E-2		4.35
17043623	903	I-2	E-2		2.25
17043623	1000	I-2	E-2		1.03

Map	Lot	Current Zoning	Proposed Zoning	Proposed Split Zone	Proposed Acres
17043623	1001	I-2	E-2		1.03
17043623	1002	I-2	E-2		1.04
17043623	1003	I-2	E-2		1.04
17043623	1100	I-2	E-2		0.41
17043623	1101	I-2	E-2		1.08
17043623	1200	I-2	E-2		0.69
17043624	301	I-2	E-2		0.14
17043624	302	I-2	E-2		0.19
17043624	303	I-2	E-2		0.15
17043624	304	I-2	E-2		0.14
17043624	500	I-2	E-2		1.14
17043624	600	I-2	E-2		0.20
17043624	700	I-2	E-2		0.20
17043624	1000	I-2	E-2		0.20
17043624	1100	I-2	E-2		0.42
17043624	1200	I-2	E-2		0.21
17043624	1300	I-2	E-2		0.23
17043624	1500	I-2	E-2		0.62
17043624	1501	I-2	E-2		1.15
17043624	1502	I-2	E-2		0.55
17043624	1600	I-2	E-2		0.21
17043624	1700	I-2	E-2		0.82
17043624	1800	I-2	E-2		1.04
17043623	703	I-2	E-2	Yes	2.84
17043623	703	C-2	C-2	Yes	0.69
17043513	3500	I-3	E-2		0.31
17043520	1100	I-3	E-2		3.04
17043520	1200	I-3	E-2		8.88

Zoning Legend	
E-1	Campus Employment
E-2	Mixed Use Employment
I-2	Light-Medium Industrial
I-3	Heavy Industrial
C-2	Community Commercial
C-4	Commercial/ Industrial
/SR	Site Review Overlay
/WQ	Water Quality Overlay
S-C	Special-Chambers
NR	Natural Resource

S-C Chambers Special Area Zone and Subareas



-  Chambers Special Area Zone Boundary
 S-C/R-1 Low Density Residential
 S-C/R-2 Medium Density Residential
 S-C/C-2 Community Commercial



Exhibit C
Findings for CA 13-4 and Z 13-08
Employment and Industrial Zone Changes and Land Use Code Amendments

Land Use Code Amendments (CA 13-4)

Eugene Code Section 9.8065 requires that the following approval criteria (in ***bold italics***) be applied to a code amendment:

(1) The amendment is consistent with applicable statewide planning goals adopted by the Land Conservation and Development Commission.

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

The City has acknowledged provisions for citizen involvement which insure the opportunity for citizens to be involved in all phases of the planning process and set out requirements for such involvement. The amendments do not amend the citizen involvement program. The process for adopting these amendments complied with Goal 1 because it is consistent with the citizen involvement provisions.

Prior to the formal adoption process, community stakeholders with experience and expertise in commercial and industrial business and development gave feedback on the concepts and code language. These stakeholders included property owners, business owners, neighborhood leaders, developers, commercial brokers, architects, and the Chamber of Commerce.

The Planning Commission public hearing on the proposal was duly noticed to all neighborhood organizations, community groups and individuals who have requested notice, as well as to the City of Springfield and Lane County. In addition, notice of the public hearing was also published in the Register Guard. The City Council will hold a duly noticed public hearing to consider approval, modification, or denial of the amendments. These processes afford ample opportunity for citizen involvement consistent with Goal 1. Therefore, the proposed ordinance is consistent with Statewide Planning Goal 1.

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

The Eugene land use code specifies the procedure and criteria that were used in considering these amendments. The record shows that there is an adequate factual base for the amendments. The Goal 2 coordination requirement is met when the City engages in an exchange, or invites such an exchange, between the City and any affected governmental unit and when the City uses the information obtained in the exchange to balance the needs of the citizens. To comply with the Goal 2 coordination requirement, the City engaged in an exchange about the subject of these amendments with all of the affected governmental units.

Specifically, the City provided notice of the proposed action and opportunity to comment to Lane County, Springfield and the Department of Land Conservation and Development. There are no exceptions to Statewide Planning Goal 2 required for these amendments. Therefore, the amendments are consistent with Statewide Planning Goal 2.

Goal 3 - Agricultural Lands. To preserve agricultural lands.

The amendments are for property located within the urban growth boundary and do not affect any land designated for agricultural use. Therefore, Statewide Planning Goal 3 does not apply.

Goal 4 - Forest Lands. To conserve forest lands.

The amendments are for property located within the urban growth boundary and do not affect any land designated for forest use. Therefore, Statewide Planning Goal 4 does not apply.

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

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

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

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

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

Goal 6 addresses waste and process discharges from development, and is aimed at protecting air, water and land from impacts from those discharges. The amendments do not affect the City's ability to provide for clean air, water or land resources. Therefore, Statewide Planning Goal 6 does not apply.

Goal 7 - Areas Subject to Natural Disasters and Hazards. *To protect life and property from natural disasters and hazards.*

Goal 7 requires that local government planning programs include provisions to protect people and property from natural hazards such as floods, land slides, earthquakes and related hazards, tsunamis and wildfires. The Goal prohibits a development in natural hazard areas without appropriate safeguards. The amendments do not affect the City's restrictions on development in areas subject to natural disasters and hazards. Further, the amendments do not allow for new development that could result in a natural hazard. Therefore, Statewide Planning Goal 7 does not apply.

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

Goal 8 ensures the provision of recreational facilities to Oregon citizens and is primarily concerned with the provision of those facilities in non-urban areas of the state. The amendments do not affect the City's provisions for or access to recreation areas, facilities or recreational opportunities. Therefore, Statewide Planning Goal 8 does not apply.

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

The Administrative Rule for Statewide Planning Goal 9 (OAR 660, Division 9) requires cities to evaluate the supply and demand of commercial land relative to community economic objectives. The Eugene Commercial Lands Study (1992) was adopted by the City of Eugene as a refinement of the Metro Plan, and complies with the requirements of Goal 9 and its Administrative Rule.

The Eugene Commercial Lands Study acknowledged that the inventory of commercial land is dynamic and that different commercial services need to be accommodated through a variety of means. An emphasis of the study is to encourage higher intensity in-fill and redevelopment of commercial lands by constraining the supply of new commercial land. Findings addressing the relevant policies of the Eugene Commercial Lands Study are provided below under EC 9.8065 (2), and are incorporated herein by reference.

The amendments are specifically intended to facilitate commercial and industrial development and redevelopment. The amendments do not affect the amount of land designated for commercial use and will have no direct impact on the existing supply of commercially designated land. Rather, the amendments implement an Envision Eugene efficiency strategy to encourage more efficient use of industrial lands inside the UGB by allowing for mixed commercial and industrial development through the new E-2 Mixed Use Employment zone. This zone will replace the existing C-4 Commercial Industrial zone and is consistent with the existing plan designations in the study area (primarily Light Medium Industrial, small amount of Heavy

Industrial).

Therefore, the zone and code amendments are consistent with Statewide Planning Goal 9.

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

Goal 10 requires that communities plan for and maintain an inventory of buildable residential land for needed housing units. None of the amendments affect residentially designated properties. Therefore, the amendments are consistent with Statewide Planning Goal 10.

Goal 11- Public Facilities and Services. *To plan and develop a timely, orderly and efficient arrangement of public facilities and services to serve as a framework for urban and rural development.*

The amendments do not affect the City's provision of public facilities and services. Therefore, Statewide Planning Goal 11 does not apply.

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

The Transportation Planning Rule (OAR 660-012-0060) contains the following requirement:

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

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

The proposed amendments do not change the functional classification of a transportation facility or change the standards implementing a functional classification system. Therefore, the amendments do not have a significant effect under (a) or (b). In regards to (c), the type of development currently permitted through existing code and zoning regulations will change with the creation and application of the new E-2 Mixed Use Employment zone in West Eugene and the converting of the I-1 Campus Industrial zone to the E-1 Campus Employment zone in three areas of the city.

As detailed in the following findings, the city proposes to impose trip caps on all of the properties that are subject to a code amendment or zone change that would allow uses that would generate more traffic than is currently allowed on those properties. Specifically, the city proposes to impose trip caps on all of the properties where the currently allowed uses will be expanded, either as a result of the newly-named E-1 zone or a zone change to C-2 or E-2. With the proposed trip caps traffic generated from the subject properties after the code amendments and zone changes cannot exceed the amount of traffic that could be generated from these properties prior to adoption of the code amendments and zone changes.

West Eugene

The analysis for West Eugene compared the reasonable worst-case scenario traffic generation under existing zoning to reasonable worst-case scenario traffic generation under the proposed zoning. The area is proposed to change from a mix of Commercial zones (C-1, S-C, C-2, and C-4) and Industrial zones (I-2 and a few I-3) to a combination of C-2 zoning along the commercial corridor and E-2 zoning in the light industrial areas (see Attachment A). To determine if the proposed zoning would result in more traffic generation than the current zoning, the analysis applied the reasonable worst case traffic generation scenario from the Institute of Traffic Engineers trip generation manual.

The analysis showed that the number of PM peak hour trips generated by reasonable worst-case scenario development allowed under the existing zoning is 4960 trips. This aggregate trip generation number is derived from the reasonable worst-case scenario development allowed under the current zoning of each of the properties within the West Eugene study area. In comparison, the number of PM peak hour trips generated by reasonable worst-case scenario development allowed under the proposed zoning is 5730 trips.

As a means of eliminating the potential significant effect of the proposed code amendments and zone changes on the existing and planned transportation facilities within the West Eugene Study area the city proposes to cap the number of trips that can be generated by the properties within the West Eugene study area at 4960 trips.

By imposing a trip cap on the properties within the West Eugene Study area that are subject to

code amendments and zone changes, the traffic generated from each of the subject properties after the amendments cannot exceed traffic that could be generated by uses that are already allowed under the current zoning. The trip cap is an enforceable, ongoing requirement that will demonstrably limit traffic generation for the subject properties by preventing the traffic generation beyond currently allowed levels. The trip cap is enforceable and ongoing because it will be monitored for the subject properties each time a building permit is received by the City. Until the cap is lifted, each of the properties within the subject area can only develop with a use that generates the same or less trips than could have been generated under the previous zoning.

The trip cap and the manner in which it can be modified will be recorded with the rezoning ordinance adopting the zone changes. Thus, in accordance with OAR 660-012-0060(1)(c), the proposed trip cap can be considered when determining whether a proposed amendment will significantly affect an existing or planned transportation facility. Because imposing a trip cap of 4960 prevents the proposed amendments and zone changes from creating any additional traffic generation from the subject properties, the trip cap completely eliminates the potential significant effect of the amendments and zone changes and, therefore, no additional TPR analysis is needed.

With a trip cap that prevents trip generation beyond currently allowed levels the proposed amendment complies with the TPR; any modification or lifting of the trip cap requires a separate demonstration of TPR compliance. Thus, prior to modifying or lifting of the trip cap, an analysis must be done to determine whether, without the trip cap or with a modified trip cap, any existing or planned transportation facilities will be significantly affected by the amendments. If the analysis shows that there is a significant effect from the amendments, the trip cap could be lifted or modified only if one or more of the mitigation measures set forth in OAR 660-012-0060(2) is adopted. This analysis and, if necessary, adoption of mitigation measures, could occur as part of the City's update to its Transportation System Plan (TSP) or could occur through a separate process. Whether done through the TSP adoption process or a separate application, the trip cap modification process will include notice and an opportunity for public participation and a demonstration of compliance with the TPR.

As such, per OAR 660-012-0060(3) the potential significant effect of the code amendments and zone changes on existing and planned transportation facilities within the West Eugene study area is eliminated because the amendments and code changes include a trip cap that is an enforceable, ongoing requirement that limits traffic generation to currently allowed levels; therefore the proposed code amendments and zone changes are consistent with Goal 12.

Campus Industrial Areas

The campus industrial areas are zoned I-1 (Campus Industrial; see maps in Attachments B, C, and D). This zone is proposed to be renamed E-1 Campus Employment and the use list revised to include more office and medical uses. For each of the three campus industrial areas the analysis compared reasonable worst-case scenario traffic generation under the existing I-1 zoning to reasonable worst-case scenario traffic generation under the proposed E-1 zoning. The

table below shows the results of the analysis:

Study Area	Projected PM Peak Trips Existing I-1 Zoning	Projected PM Peak Trips Proposed E-1 Zoning
Greenhill	1250	1855
Willow Creek	1270	1885
Chad Drive	1370	2335

This aggregate trip generation numbers shown in the above-chart are derived from the reasonable worst-case scenario development allowed under the current and proposed zoning of each of the properties within the three campus industrial study areas. The analysis shows that for each of the three campus industrial areas, the proposed E-1 zoning will generate more PM peak hour trips than currently generated under the existing I-1 zoning. As a means of eliminating the potential significant effect of the proposed zone change on the existing and planned transportation facilities within the campus industrial areas the city proposes to cap the number of trips that can be generated by the properties within each of the three campus industrial areas at the number of trips currently projected for reasonable worst-case scenario development under the existing I-1 zoning.

By imposing a trip cap on the properties within the three campus industrial areas that are subject to the zone change, the traffic generated from each of the subject properties after the zone change cannot exceed the traffic that could be generated by uses that are already allowed under the current zoning. The trip cap is an enforceable, ongoing requirement that will demonstrably limit traffic generation for the subject properties by preventing the traffic generation beyond currently allowed levels. The trip cap is enforceable and ongoing because it will be monitored for the properties subject to the zone change each time a building permit is received by the City. Until the cap is lifted, each of the properties within the three subject areas can only develop with a use that generates the same or less trips than could have been generated under the previous zoning.

The trip cap and the manner in which it can be modified will be recorded with the rezoning ordinance adopting the zone changes. Thus, in accordance with OAR 660-012-0060(1)(c), the proposed trip cap can be considered when determining whether a proposed amendment will significantly affect an existing or planned transportation facility. Because imposing a trip cap of 1250 for the Greenhill and Willow Creek study areas and 1370 for the Chad Drive study area prevents the zone change from creating any additional traffic generation from the subject properties, the trip cap completely eliminates the potential significant effect of zone change and, therefore, no additional TPR analysis is needed.

With a trip cap that prevents trip generation beyond currently allowed levels the proposed zone change complies with the TPR; any modification or lifting of the trip cap requires a

separate demonstration of TPR compliance. Thus, prior to modifying or lifting of the trip cap, an analysis must be done to determine whether, without the trip cap or with a modified trip cap, any existing or planned transportation facilities will be significantly affected by the amendment.

If the analysis shows that there is a significant effect from the amendment, the trip cap could be lifted or modified only if one or more of the mitigation measures set forth in OAR 660-012-0060(2) is adopted. This analysis and, if necessary, adoption of mitigation measures, could occur as part of the City's update to its Transportation System Plan (TSP) or could occur through a separate process. Whether done through the TSP adoption process or a separate application, the trip cap modification process will include notice and an opportunity for public participation and a demonstration of compliance with the TPR.

As such, per OAR 660-012-0060(3) the potential significant effect of the zone change is eliminated because the zone change includes a trip cap that is an enforceable, ongoing requirement that limits traffic generation to currently allowed levels; therefore the proposed zone change is consistent with Goal 12.

Goal 13 - Energy Conservation. To conserve energy.

The amendments do not impact energy conservation. Therefore, Statewide Planning Goal 13 does not apply.

Goal 14 - Urbanization. To provide for an orderly and efficient transition from rural to urban land use.

The amendments do not affect the City's provisions regarding the transition of land from rural to urban uses. Therefore, Statewide Planning Goal 14 does not apply.

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

The amendments do not contain any changes that affect the Willamette River Greenway regulations; therefore, Statewide Planning Goal 15 does not apply.

Goal 16 through 19 - Estuarine Resources, Coastal Shorelands, Beaches and Dunes, and Ocean Resources.

There are no coastal, ocean, estuarine, or beach and dune resources within the local jurisdiction. Therefore, these goals are not locally relevant and the amendments will not affect compliance with Statewide Planning Goals 16 through 19.

(2) The amendment is consistent with applicable provisions of the Metro Plan and

applicable adopted refinement plans.

Applicable Metro Plan Policies

The following policies from the *Metro Plan* (identified below in *italics*) are applicable to these amendments. Based on the findings provided below, the amendments are consistent with and supported by the applicable provisions of the *Metro Plan*.

Economic Element

- B.8** *Encourage the improvement of the appearance of existing industrial areas, as well as their ability to serve the needs of existing and potential light industrial development.*

The proposed code amendments introduce design standards for larger facilities in the Employment and Industrial zones. These standards address building design as it relates to the adjacent public street, including pedestrian connectivity, first floor transparency, and articulation. These requirements, in concert with enhanced landscaping and vegetative screening of outdoor storage areas, are intended to improve the appearance of all employment and industrial zones.

- B.15** *Encourage compatibility between industrially zoned lands and adjacent areas in local planning programs.*

The proposed code amendments retain certain landscape standards that are intended to screen industrial areas from adjacent residential zones, while also introducing several requirements that increase separation between uses and limit building height. These compatibility standards will reduce visual intrusion on residential areas, thereby maintaining privacy.

- B.17** *Improve land availability for industries dependent on rail access.*

The I-3 Heavy Industrial and I-2 Light-Medium Industrial zones have extensive railroad access. Recognizing the value of this access for industrial uses, the proposed code amendments remove several non-industrial uses from the list of permitted uses in each zone. This action helps to preserve industrial land with rail access for industries that need it.

- B.23** *Provide for limited mixing of office, commercial, and industrial uses under procedures which clearly define the conditions under which such uses shall be permitted and which: (a) preserve the suitability of the affected areas for their primary uses; (b) assure compatibility; and (c) consider the potential for increased traffic congestion.*

This policy is directly implemented by the proposed amendments, in particular the E-2 Mixed Use Employment zone, which allows for limited mixing of uses under clear conditions (special use limitations). Numerous retail commercial uses are added to the permitted use list in all four

Employment and Industrial zones. The retail commercial is intended as supporting uses in previously single-use industrial areas. The introduction of such uses is accompanied by limitations on square footage or overall percentages per development site, thereby maintaining the industrial predominance of development.

Mixing land uses along key transit corridors is a central theme of the Envision Eugene vision. In addition, these efficiency measures are aimed at efficient use of lands inside the existing urban growth boundary, where the city's transportation system plan will provide for facilities to support these planned land uses and densities. A full explanation of transportation impacts and required analysis and mitigation measures is provided above under Goal 12.

Transportation Element

Transportation System Improvements: Pedestrian

F.26 Provide for a pedestrian environment that is well integrated with adjacent land uses and is designed to enhance the safety, comfort, and convenience of walking.

Consistent with this policy, the amendments modify pedestrian connectivity standards in industrial areas that previously lacked such standards. The introduction of select retail commercial uses necessitates the concurrent implementation of standards to improve pedestrian amenities. These standards are triggered by the presence of retail uses.

Finance

F.36 Require that new development pay for its capacity impact on the transportation system.

Consistent with this policy, developments will continue to be subject to transportation system development charges (SDCs). These amendments do not modify or change the applicability of SDCs.

Based on the above findings, the zone changes and code amendments are consistent with the Metro Plan.

Applicable Refinement Plans

The applicability of these code amendments is confined to industrial zones across the city and the West Eugene study area. These areas are addressed by several city council-adopted refinement plans, and each applicable plan was reviewed for consistency. Findings addressing relevant provisions of applicable refinement plans are provided below.

Bethel-Danebo Refinement Plan Phase II (1977)

The refinement plan lacks a plan diagram but the broad policies are supportive of both the proposed zone changes and code amendments. The proposed zone changes will enable the diversification of the employment base, while also consolidating the current jumble of zones. Both these actions are consistent with the policy direction stated below. The proposed E-2

Mixed Use Employment zone will expand the list of permitted uses in existing industrial areas, which will allow property owners to more nimbly respond to local market demands. Those specific uses listed in Policy 3, below, are allowed in the current zones and will be retained in the proposed E-2 Mixed Use Employment zone.

2. *Economic development should:*
 - a. *Diversify the employment base...*
3. *Industrial park development, including areas for warehousing, distributive industries, and research developments is to be encouraged.*

Eugene Commercial Lands Study (1992)

The Eugene Commercial Lands Study (ECL) is a policy document that applies citywide. In general, the relevant ECL policy directives are to increase development potential and, to the greatest degree possible, accommodate that compact development within the existing UGB. On both counts, the zone changes and code amendments are consistent with and advance this policy direction, as explained below.

- 4.0 *Allow some flexibility to mix commercial and industrial uses where the site and public infrastructure can ensure compatibility with surrounding land uses and adequate provision of public services.*

The entirety of the area proposed for zone changes is well served by necessary public services. The code amendments allow increased flexibility of uses by permitting commercial uses along major transportation corridors, in campus industrial areas, and in a limited fashion, throughout the industrial zones. Currently, the industrial zones do not allow such flexibility of uses.

- 6.0 *Promote redevelopment of existing commercial areas and compact, dense growth by encouraging business to revitalize and reuse existing commercial sites.*

The proposed zone changes affect a large swath on the south side of West 11th Avenue presently regulated with four zones. This area will be consolidated into a single zone, C-2 Community Commercial. The proposal is intended to simplify the regulations by providing zone consistency in a compact, close-in corridor. This approach supports redevelopment and reuse of existing commercial and industrial sites. The code amendments are crafted to exempt reuse and repurposing of existing structures from new development and design standards. This is achieved by applying the standards to new development only.

- 12.0 *Concentrate development in existing commercial areas to minimize traffic impacts on the rest of the city.*

Envision Eugene focuses redevelopment efforts like these efficiency strategies in core commercial areas and along key transit corridors. The two areas affected by the proposed zone changes and code amendments – West Eugene and Chad Drive – are within the existing urban

growth boundary. The proposed zone changes to C-2 Community Commercial are applied to an existing commercial street. In the three areas designated Campus Industrial, the code amendments to the E-1 zone will allow a wider range of supporting uses, such as restaurants, fitness centers, day care, and corner stores, that should diversify a zone that was previously envisioned as a single use office park. This is intended to reduce vehicular miles traveled and create a more pedestrian-friendly environment.

- 19.0 Consider additional commercial land in the West Eugene Subarea to accommodate both neighborhood commercial needs and those of the larger community. In siting additional commercial land, evaluate impacts on traffic patterns and surrounding land uses.*

The West Eugene Subarea comprises approximately a quarter of the area within the city limits, much larger than the current study area. Thus, the current project advances in part the policy directive. A full discussion of the additional commercial uses and land zoned C-2 is included under Policy 6.0 above. All of the amendments will be served by transportation system plan projects designed to accommodate Envision Eugene land uses, with TSP adoption slated to follow local adoption of Envision Eugene efficiency strategies, comprehensive plan, and UGB.

Jefferson Far West Refinement Plan (1983)

The proposed zone changes and code amendments are consistent with the plan's policy direction. As described below, the Land Use Element policies lend general support for the employment efficiency strategy proposals.

Commercial/ Industrial policies

- 1. Promote a mix of mutually supportive land uses which will help stimulate neighborhood-based economic development.*

The intent of the proposed E-2 Mixed Use Employment zone is to diversify the permitted land uses in a single zone. Currently, commercial retail, light industrial, and offices are all separated into specific zones. The proposed E-2 is intended to assist local property owners and local businesses respond to market forces in those areas along key transit corridors such as West 11th and Garfield Streets adjacent to the Far West neighborhood. Subarea 5, described in more detail below, is designated Commercial/ Industrial on the Plan Diagram, and the proposed E-2 zone will implement the designation.

- 5. North Commercial/ Industrial Area*
 - *This area is appropriate for commercial and industrial uses.*
 - *Broadway shall be recognized as a transition line between commercial and industrial uses to the north and residential uses to the south.*
 - *Site reviews shall be required in conjunction with rezonings which may result in development along Broadway or Chambers Street to ensure compatibility with residential areas to the south and east.*

Subarea 5 is designated Commercial/ Industrial on the Plan Diagram, and the proposed E-2 zone change will implement the designation. Zoning those properties along 7th Avenue as C-2 Community Commercial is consistent with this policy and those of the adjacent Whiteaker Plan, which is discussed below.

The residential areas south of Broadway (West 9th Avenue) are zoned R-1 low density residential. The proposed zone changes are consistent with this intended transition and do not extend across the current zone line along Broadway.

The final policy calls for Site Review (/SR) to be required in conjunction with rezonings along Chambers or Broadway. As part of this project, the /SR suffix will be applied to those parcels fronting Chambers Street and Broadway.

6. *West 11th Avenue/ Garfield Street Commercial Area*
 - *The City shall promote development along West 11th Avenue and Garfield Street that will allow it to continue to be a major commercial corridor and yet respond to the need for efficient movement of automobile traffic.*

The proposed zone changes on the south side of West 11th Avenue will apply C-2 Community Commercial in accordance with the plan policy direction. Transportation needs are being addressed in the current TSP update to serve Envision Eugene planned land uses and densities.

Whiteaker Plan (1994)

Several policies in the Whiteaker Plan are relevant to the current proposals. While some were acted upon by previous City Council actions, the current proposals will still advance the policy directives, thereby maintaining consistency with the plan.

Neighborhood History and Character Element Design Standards

7. *Review existing City Code regulations on height, setback, area, and lot coverage to strengthen compatibility between existing residential development and new commercial, industrial, medium and high-density residential development, and the positive impact of new development on the public streetscape.*

The proposed code amendments introduce compatibility measures to address the interface between residential and non-residential uses. Where such measures are absent in the current I-2 Light-Medium Industrial zone, the proposed E-2 Mixed Use Employment zone includes several measures, including;

- height limits not to exceed that of the abutting residential zone when located within 50 feet,
- landscape buffering of large canopy trees and continuous hedgerow,
- wider setbacks for larger development, and
- the majority of parking areas sited at the side and rear to increase separation and improve

privacy.

Land Use Element

Subarea 4. Blair Industrial Area

1. *Recognize the Blair Industrial Area as appropriate for light-medium and heavy industrial uses as shown on the Whiteaker Plan Land Use Diagram.*

Areas currently zoned I-2 Light-Medium Industrial are proposed for a change to E-2 Mixed Use Employment. The E-2 Mixed Use Employment zone will implement the Light-Medium Industrial designation. The E-2 zone retains the light-medium industrial uses that are permitted in I-2, while also opening the door to a compatible mix of retail trade and office uses. The proposed zone changes do not affect the heavy industrial designated areas.

3. *Help protect residential areas close to the Blair Industrial Area from the impacts of industrial expansion and changes in use occurring within this area. Apply the site review /SR suffix on all industrially zoned parcels adjacent, across an alley, or across a street from property zoned low-density residential.*

The /SR site review suffix was previously applied to the industrial properties abutting residential zones. No changes are proposed to that city action. Additionally, as noted above, the proposed code amendments introduce regulations intended to improve compatibility between potentially incompatible uses.

Subarea 5. 6th and 7th Avenues Commercial Area

1. *Recognize the 6th / 7th Avenues Area as appropriate for community commercial activities.*

The proposed zone changes directly implement this policy. Those properties with frontage on W. 6th and W. 7th Avenues are proposed for zone changes from I-2 Light-Medium Industrial and C-4 Commercial/ Industrial to C-2 Community Commercial.

Willakenzie Area Plan (1992)

The following policies lend general support for the proposed code amendments. There is one proposed zone change within the area covered by the Willakenzie Area Plan. The proposal changes one property near the east end of Chad from R-1 to E-1, as allowed by the Campus Industrial plan designation. The code amendments affect the area designated Campus Industrial and zoned I-1 by renaming the zone E-1 Campus Employment, expanding the permitted use list, and incorporating new compatibility standards.

Land Use Policies

6. *Minimize land use conflicts by promoting compatibility between low-density and higher-density residential land uses as well as between residential and nonresidential land uses.*

The proposed code amendments introduce compatibility measures to address the interface between residential and non-residential uses. Where such measures are absent in the current I-1 Campus Industrial zone, the proposed renamed and updated zone E-1 Campus Employment includes several measures, including;

- height limits not to exceed that of the abutting residential zone when located within 50 feet,
- landscape buffering of large canopy trees and continuous hedgerow,
- wider setbacks for larger development, and
- the majority of parking areas sited at the side and rear to increase separation and improve privacy.

General Commercial and Industrial Policies

1. *The City shall encourage the development of programs to improve the overall appearance of existing and new commercial and industrial areas.*

The proposed code amendments create a set of Large Employment Facility standards that are applicable in the E-1 Campus Employment zone. This package addresses the major themes of pedestrian-friendly and transit supportive design, enhanced landscaping, façade articulation, and fenestration, while restraining from dictating a particular architectural style and aesthetic.

Coburg-Crescent Subarea Policies

3. *The City of Eugene shall ensure that industrial development in the Coburg/Crescent subarea is sensitive to and compatible with surrounding uses and will conform to the Coburg/Crescent Special Light Industrial Siting and Development Standards.*

In regards to compatibility between uses, an explanation is provided with Land Use Policy 6, above. The Coburg/Crescent Special Light Industrial Siting and Development Standards were previously incorporated into the Eugene Code. The proposed amendments provide additional transitional standards that are intended to improve the interface between industrial and residential land uses. The new standards implement the policy direction in the Willakenzie Area Plan, and therefore the Site Review overlay in this area is proposed for removal, as indicated in the draft ordinance.

4. *The City shall allow for a gradual transition from existing residential to future industrial use for those areas along Old Coburg Road that are currently zoned residential but are industrially designated.*

The proposed zone changes include bringing the last remaining industrially designated parcel into the new Campus Employment zone. The 6.4 acre parcel is currently zoned R-1. The plan-zone conflict has existed since Willakenzie Area Plan adoption, and the property no longer has any residential use on it (it is currently vacant).

Based on the above findings, the proposal is consistent with and supported by the applicable provisions of the Willakenzie Area Plan.

Willow Creek Special Area Study (1982)

There are no refinement plan policies that apply to the proposed code amendments or zone changes. The plan designates the affected area as Special Light Industrial, which was subsequently renamed Campus Industrial in the Metro Plan and has been implemented by the Campus Industrial zone. There are no proposed re-designations or zone changes within the Willow Creek special area, and the proposed code amendments do not conflict with the special area study policies.

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

The amendments do not establish a special area zone. Therefore, this criterion does not apply to these amendments.

EC 9.8865 Criteria for Approval of a Zone Change.

Two areas are proposed for zone changes: a 6.4 acre parcel on Chad Drive is proposed to be rezoned from R-1 Low Density Residential to E-1 Campus Employment, and numerous parcels are proposed to be rezoned in West Eugene, as summarized in the table below and shown on the maps in Attachments A and B.

West Eugene Zone Change Summary

From Zone – To Zone	Acres
C-1 to C-2	0.4
C-4 to C-2	30.2
I-2 to C-2	35.6
S-C to C-2	1.8
Total to C-2	68.0
C-2 to E-2	0.7
C-4 to E-2	12.8
I-2 to E-2	238.7
I-3 to E-2	12.2
R-1 to E-2	1.2
Total to E-2	265.6

Findings for the Zone Change approval criteria are outlined below.

(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 Chad Drive zone change reconciles the site's Metro Plan designation and zoning by changing the zoning to comply with the Campus Industrial plan designation. Applicable Metro Plan policies are discussed under EC 9.8065 (2) above, and the findings are incorporated herein by reference.

In West Eugene, the zone changes implement the Metro Plan as well. The C-2 zone is proposed to implement areas shown as Commercial on the plan diagram. The E-2 zone is proposed to implement areas shown as Light Medium Industrial and a few parcels shown as Heavy Industrial. The plan text for the industrial designations allows the City to implement them with commercial-industrial zoning such as the proposed E-2 zone. Applicable Metro Plan policies are discussed under EC 9.8065 (2) above, and the findings are incorporated herein by reference.

(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 Chad Drive zone change implements the site's Special Light Industrial refinement plan designation. Applicable Refinement Plan policies from the Willakenzie Area Plan and Commercial Lands Study are discussed under EC 9.8065 (2) above, and the findings are incorporated herein by reference.

In West Eugene, the zone changes are consistent with applicable refinement plans as outlined under EC 9.8065 (2) above. The findings of consistency with the Bethel Danebo Refinement Plan, Commercial Lands Study, Jefferson Far West Refinement Plan, Whiteaker Plan, Willakenzie Area Plan, and Willow Creek Special Area Study are incorporated herein by reference.

City Council Resolutions 3885 – Establishing Areas for Application of C-4 Commercial-Industrial District Zoning and 3862 – West 11th Commercial Land Use Policy are locally regarded as refinement plans due to the legal land use controls contained therein. Each is proposed for repeal as part of this project; therefore, the resolution policy direction is not applicable.

(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.

The Chad Drive zone change involves a vacant parcel in an existing Campus Industrial area served by all key urban facilities and services, including water, sanitary sewer, storm water, electric service, and transportation. This zone change package is being coordinated with the Transportation System Plan update, and a trip cap is proposed for the area until TSP adoption, as explained under the Goal 12 findings above.

The West Eugene zone changes apply to areas fully served by key urban facilities and services, including water, sanitary sewer, storm water, electric service, and transportation. This zone change package is being coordinated with the Transportation System Plan update, and a trip cap is proposed for the area until TSP adoption, as explained under the Goal 12 findings above.

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

There are no siting requirements outlined for the C-2 zone.

The current I-1 zone (to be amended to E-1 with this project) is subject to the following siting criterion:

9.2430 Industrial Zone Siting Requirements.

(1) I-1 Campus Industrial. *This zone is limited to areas designated Campus Industrial in the Metro Plan.*

The proposed zone change from R-1 to E-1 (the new name for the existing I-1 zone) complies with this requirement. The parcel is designated Campus Industrial in the Metro Plan.

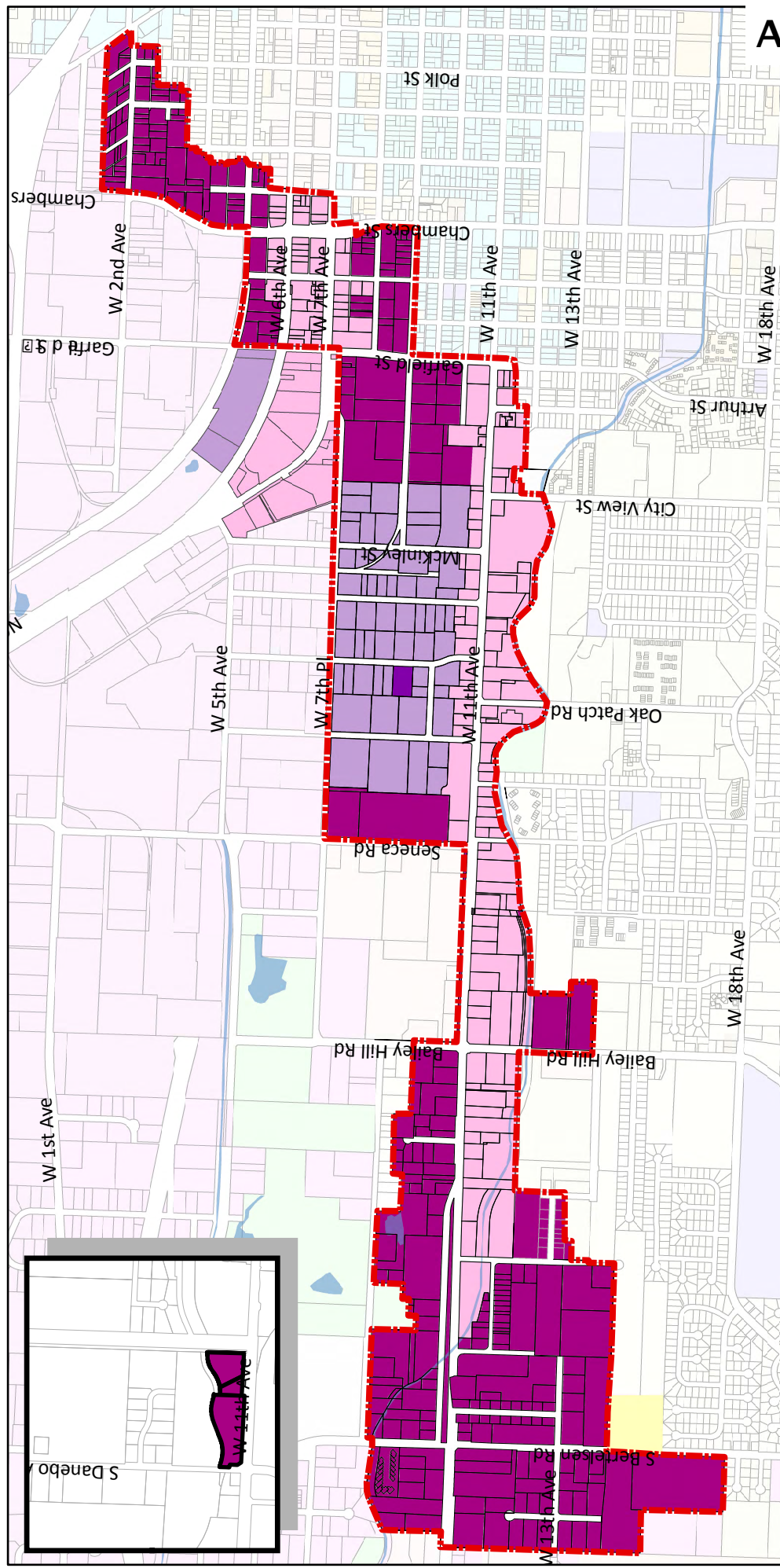
There are no siting criteria for the new E-2 zone. The city proposes to add siting criteria to guide future zone change requests to E-2, as outlined in the ordinance.

(5) In cases where the NR zone is applied based on EC 9.2510(3), 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.

No NR zoning is proposed as part of this project; therefore this criterion does not apply.

W. 11th Avenue study area: Zoning Designations

The zoning designations do not affect applicable overlays.

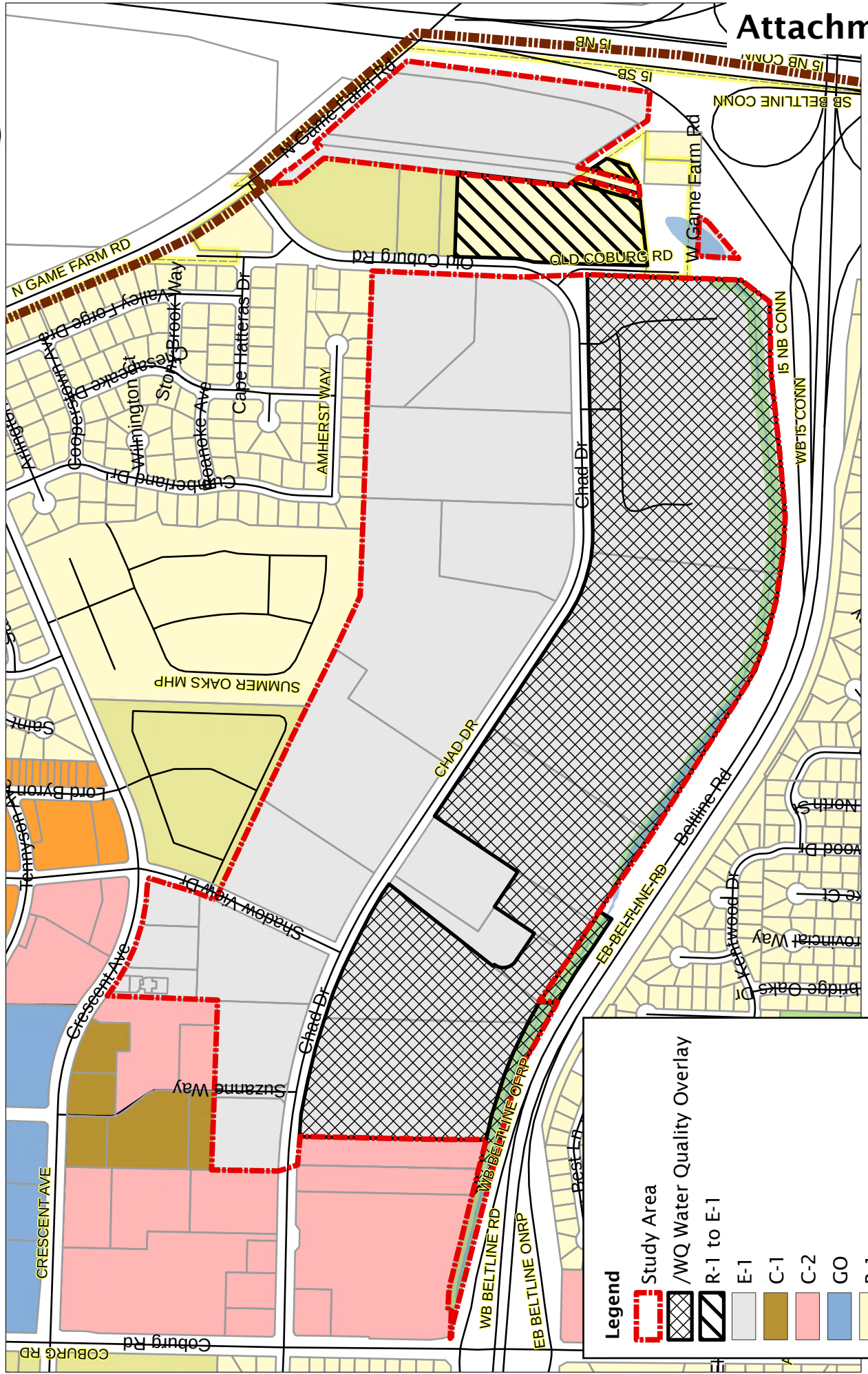


Legend

- Study Area
- E-2 Mixed Use Employment
- C-2 Community Commercial
- I-2 Light-Medium Industrial
- I-3 Heavy Industrial



Chad Drive study area: Zoning Designations

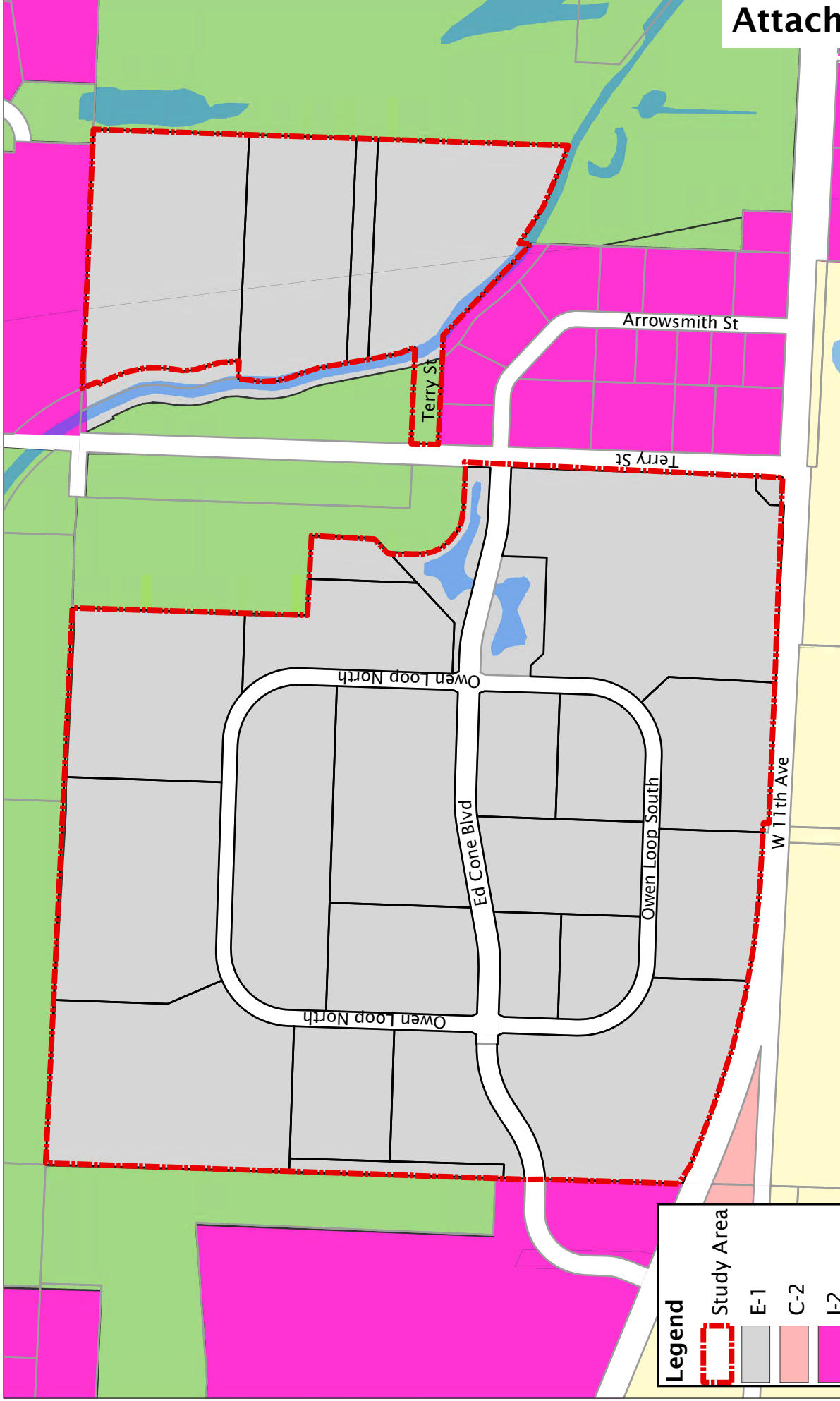


Legend

- Study Area
- /WQ Water Quality Overlay
- R-1 to E-1
- E-1
- C-1
- C-2
- GO
- R-1
- R-2
- R-4

Greenhill Technology Park study area: Zoning Designations

The zoning designations do not affect applicable overlays.



Legend

Study Area

E-1

C-2

I-2

NR

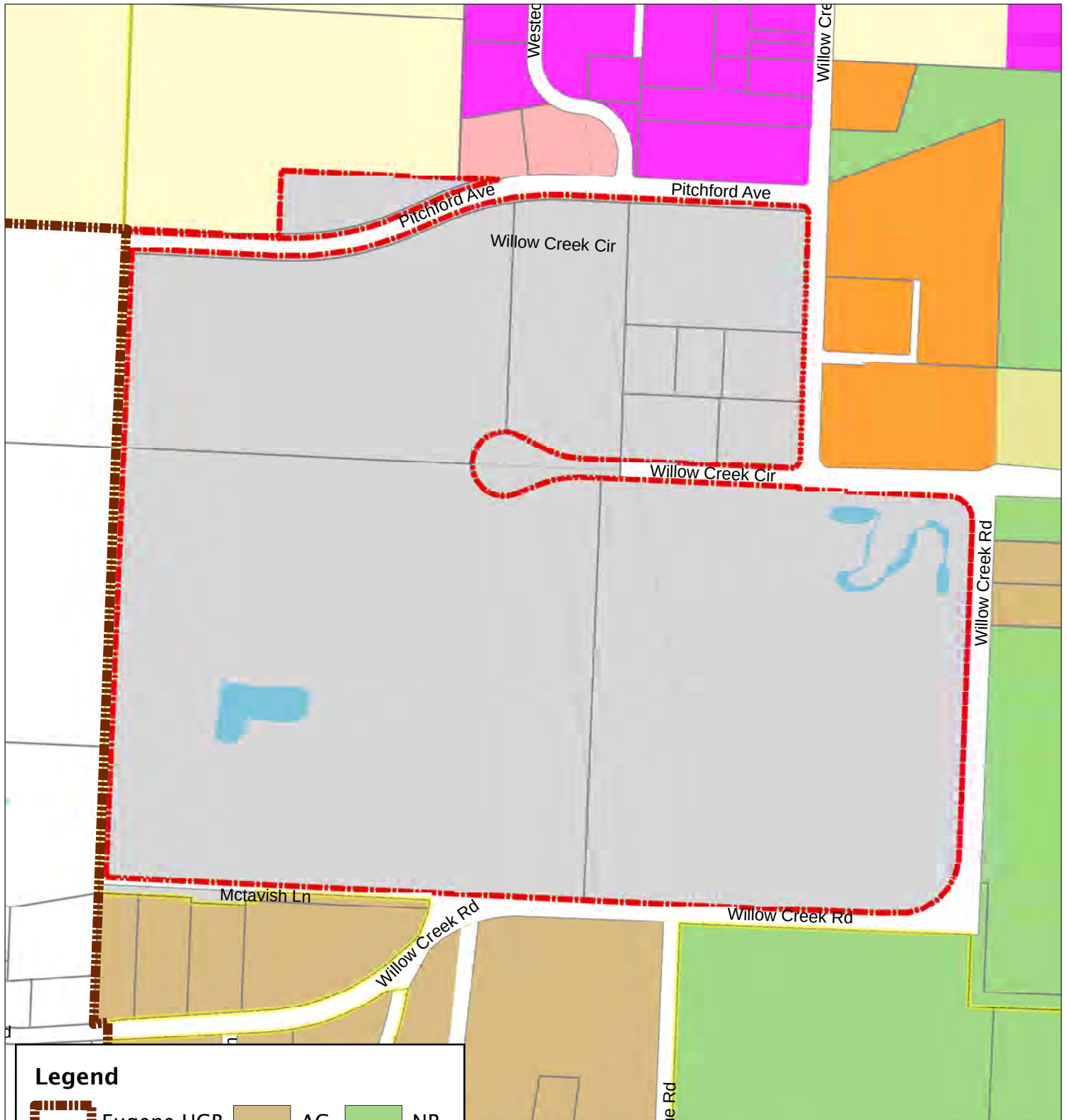
R-1

R-2



Willow Creek study area: Zoning Designations

The zoning designations do not affect applicable overlays.



Legend

	Eugene UGB		AG		NR
	City Limits		C-2		R-1
	Study Area		I-1		R-2
			I-2		R-4

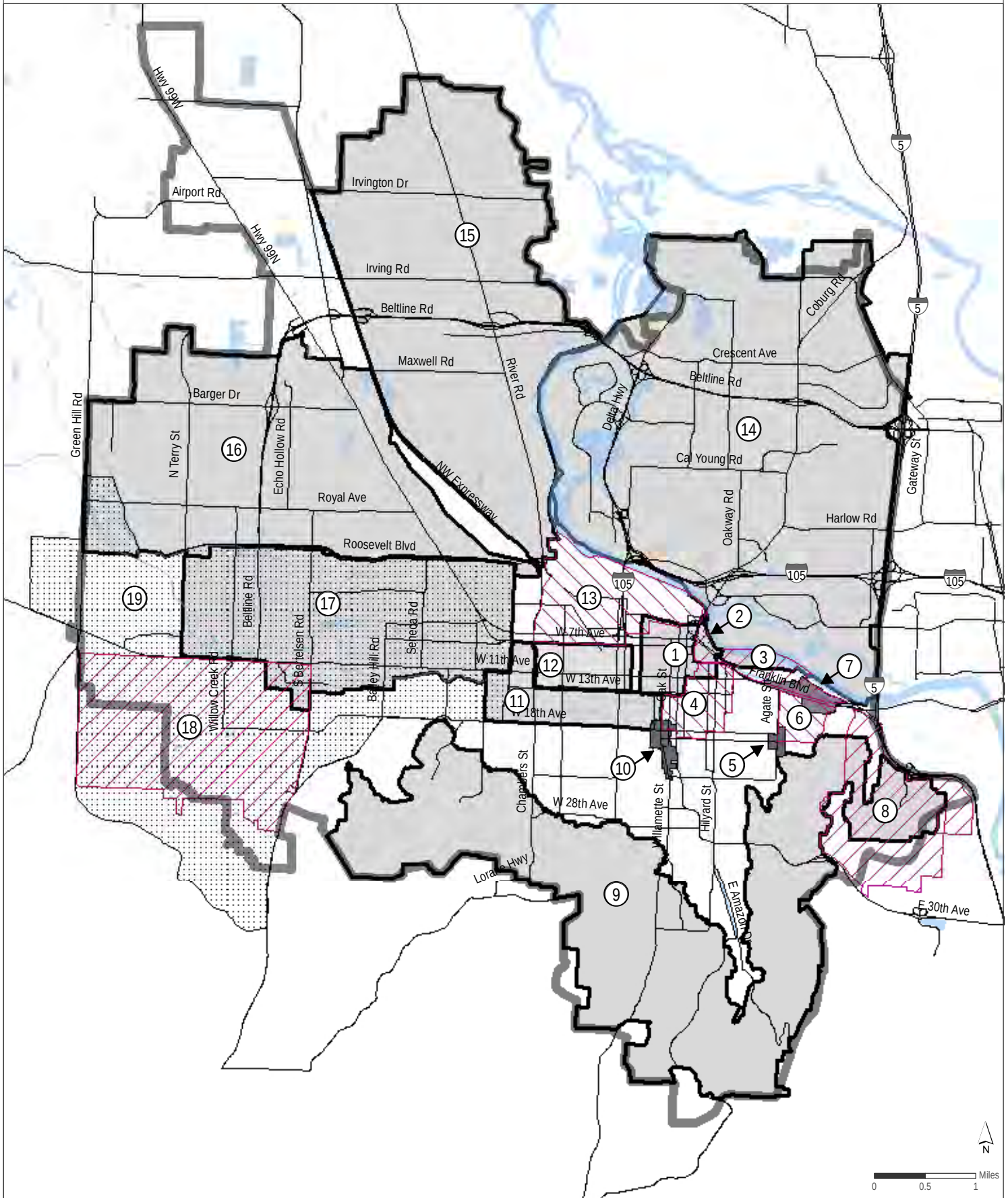


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04.01.2014

Map 9.8010 Adopted Plans



Map 9.8010

Adopted Plans Legend



- 1  Eugene Downtown Plan
- 2  EWEB Downtown Riverfront Specific Area Plan
- 3  Riverfront Park Study Area
- 4  West University Refinement Plan
- 5  19th & Agate Special Area Study
- 6  Fairmount/University Special Area Plan
- 7  Walnut Station Specific Area Plan
- 8  Laurel Hill Plan
- 9  South Hills Study
- 10  South Willamette Subarea Study
- 11  Jefferson/Far West Refinement Plan
- 12  Westside Neighborhood Plan
- 13  Whiteaker Plan
- 14  Willakenzie Area Plan
- 15  River Road -Santa Clara Urban Facilities Plan
- 16  Bethel-Danebo Refinement Plan
- 17  Bethel-Danebo Neighborhood Refinement Plan, Phase II, West Eugene Industrial Study
- 18  Willow Creek Special Area Study
- 19  West Eugene Wetlands Plan

City or Metropolitan Area Plans

-  Urban Growth Boundary (UGB)
 - Comprehensive Stormwater Management Plan = City Limits (not shown)
 - Eugene Commercial Lands Study = UGB
 - Eugene Parks & Recreation Plan = UGB
 - Metro Plan = Metro Area
 - TransPlan = Metro Area

This map is intended as general reference for the boundaries of plans adopted by the Eugene City Council. For specific boundaries, please refer to the plan. Map prepared by Eugene Planning and Development Department. (Some plans have overlapping boundaries.)

Memorandum

To: Eugene Planning Commission

From: Terri Harding, Planning Division
Zach Galloway, Planning Division
Katharine Kappa, Building and Permit Services Division

Date: March 4, 2014

Subject: FINAL RECOMMENDATION: Envision Eugene Implementation
Employment + Industrial Zone Changes and Code Amendments

ISSUE SUMMARY

The Planning Commission completed deliberations on the proposed Employment and Industrial Zone Changes and Code Amendments, which implement strategies under the Economic Opportunity and Compact Development pillars of Envision Eugene, in early 2014. The Commission made formal recommendations at four deliberation sessions – November 18 and December 2, 2013, and January 6 and 27, 2014 – with final action taken on January 27th.

The proposed zone changes and code amendments are intended to:

- 1) Create more business and job development opportunities in those areas designated Campus Industrial through the E-1 zone;
- 2) Provide commercial-industrial zone flexibility and consistent standards in the West Eugene Study Area through application of the E-2 and C-2 zones; and
- 3) Update the I-2 and I-3 zones to better meet the purpose of the zones and the goals of Envision Eugene.

FINAL PLANNING COMMISSION RECOMMENDATIONS

Zone Changes

The Commission discussed the proposed zone changes early in the deliberations. In the Campus Industrial areas (Chad Drive, Greenhill Technology Park, and Willow Creek Circle/Hynix) the existing I-1 Campus Industrial zone will be renamed E-1 Campus Employment and additional permitted uses added, including several types of manufacturing and medical offices. In addition, one tax lot in the Chad Drive area located along Old Coburg Road will be changed from R-1 to E-1 to bring it into consistency with the Metro Plan and local refinement plan.

In West Eugene, the Commission's recommendation will apply the C-2 Community Commercial zone along both sides of West 11th Avenue from Garfield Street westward to Bailey Hill Road, and further west on the south side of 11th to the Amazon Channel crossing. The new E-2 Mixed

Use Employment zone is proposed in three main areas along the West Eugene EmX alignment: along Chambers Street from 2nd to 6th Avenues; along Garfield Street from 6th to 11th Avenues; and around the intersection of West 11th Avenue and Bertelsen Road. E-2 will allow a mix of commercial and industrial employment uses and up to 30,000 square feet of retail per development site along major arterials.

Code Amendments

The following table summarizes decisions about the code language made by the Commission during the deliberation sessions. A final version of the Employment and Industrial Code, which reflects the Commission's final recommendations is included as Attachment C. The previous versions of the Employment and Industrial Code are available on the [Envision Eugene](#) website.

TABLE 1. SUMMARY OF RECOMMENDATIONS

Topic	Staff Proposal	PC Direction on staff proposal
Church, Synagogue, & Temple Uses	Remain conditional in E-1 if already approved through a CUP.	Approved
Ballet, Dance, Martial Arts, & Gymnastics	Retain as conditional use in E-1 and I-2.	Approved, but apply a <i>revised</i> note (6).
Handcraft Industry, small scale manufacturing	Remove from use table as a clean-up item, because the use is an unnecessary subcategory of manufacturing uses that are listed elsewhere in the use table.	Approved
Hotel as permitted use in E-1	Do not add Hotels as a permitted use in E-1.	Approved
Theater, Live Entertainment	Retain as conditional use in E-1 and I-2, with note (6).	Approved
E-2 Siting Criteria	Revise to make future application of the zone more flexible by allowing sites with frontage on an arterial <i>or</i> adjacency to E-2 or C-2.	Approved
Manufacturing Uses in E-1	Two options were proposed to the Commission: Allow the manufacturing uses outright or establish performance standards similar to those in the Commercial zones.	Approved first option: Permit outright.

Topic	Staff Proposal	PC Direction on staff proposal
Language regulating Special Use Limitations	<ol style="list-style-type: none"> 1. Residential standards: place unit behind the main building unless current/ existing siting precludes that placement. 2. 30,000 sq. ft. retail allowance in E-2 along arterial streets. 3. Retail directly related to a primary employment use: allow up to 50% of square footage. 4. Retail independent from the primary employment use 	<ol style="list-style-type: none"> 1. Approved, with addition of effective/ adoption date. 2. Approved. 3. Approved 50% allowance, and revised to limit total square footage not to exceed 30,000 sq. ft. 4. Approved, and revised to ensure allowances for notes 3 and 4 are not combined to exceed 50% of total square footage.
Additional Permitted Uses	Add <i>Boat and Watercraft Sales/Service</i> to E-2.	Approved
Front Yard Setback	<ol style="list-style-type: none"> 1. E-2 setback responds to LTD's West Eugene EmX project. Proposed setback is 15' (min.) – 25' (max.) along arterial streets. 2. Reduce E-1 front yard setback from 30- to 20-feet. 	<ol style="list-style-type: none"> 1. Approved 2. Approved
Site Review requirement	In E-1, remove the /SR requirement in the lot standards table for lots greater than 10 acres because items intended to be addressed through /SR process have since been codified.	Approved
/SR Site Review Overlay	In E-1, remove the /SR Overlay from all parcels because items intended to be addressed through /SR process have since been codified.	Approved, with language that the greater setback adjacent to residential zones cannot be adjusted (reduced).
'Outdoor storage' definition	A general definition that could be applied citywide, not just within the E and I zones.	Approved with clarifying language that vehicular fleets are considered storage and storage is limited to items related to the permitted use on-site.

Topic	Staff Proposal	PC Direction on staff proposal
Outdoor storage regulations	Two options: outright prohibition adjacent to residential lots and a regulatory approach to minimize impacts.	Approved prohibition of storage on lots adjacent to residential lots with the exception of passenger vehicle fleets with additional limitation on the front setback and height of stored items.
E-2 siting requirements	Allow E-2 zone to be sited on lots with frontage on both major and minor arterial streets, but limit retail allowance to major arterials only.	Approved.

ATTACHMENTS

- A. Planning Commission's Final Recommendation – Employment and Industrial Zone Code Amendments (V5, 01.27.14)

FOR MORE INFORMATION

Terri Harding 541.682.5635 or terri.l.harding@ci.eugene.or.us

Zach Galloway 541.682.5485 or zach.a.galloway@ci.eugene.or.us

www.envisioneugene.org > implementation projects > economic development strategies

Planning Commission Final Recommendation: Employment and Industrial Zones Code Amendments

Definitions

9.0500 **Definitions.** As used in this land use code, unless the context requires otherwise, the following words and phrases mean:

Outdoor storage. The retention, by the permitted use on-site, of raw or finished materials, containers, equipment including vehicular fleet, or other property outside a building for an extended period of time. Items stored inside a building that is not enclosed on 100 percent of the area of its sides is considered outdoor.

...

Recycling – Deconstruction, Reuse, Resale. A facility that takes in common household goods or home furnishings, and then disassembles or repurposes the products for reuse or resale. Compared to traditional manufacturing uses, this use does not utilize raw materials, is not reliant upon national rail or truck shipping routes, and conducts the majority of operations indoors.

...

Wholesale. Establishments engaged in receipt, storage, and distribution of goods by truck, rail, or air to retailers and other wholesale vendors, but do not involve direct sale to the public.

...

Legal Nonconforming Situations

...

9.1240 **Legal Pre-Existing Uses.** The uses listed in Table 9.1240 Legal Pre-Existing Uses shall be considered to be pre-existing uses. These uses may continue, and are not subject to the provisions of sections 9.1200 through 9.1230. Determinations as to whether a particular use qualifies as a pre-existing use shall be made by the planning commission.

Table 9.1240 Legal Pre-Existing Uses		
R-1 Low-Density Residential R-2 Medium-Density Residential	Nursing Home	Limited to those in existence on August 1, 2001
R-1 Low-Density Residential	Theater, Live Entertainment	Limited to those in existence on April 27, 1987 and operated by a non-profit organization
R-1 Low-Density Residential	Equestrian Academy and Stable	Limited to those in existence on August 1, 2001
R-1 Low-Density Residential	Equestrian Trail	Limited to those in existence on August 1, 2001
R-1 Low-Density Residential	Golf Course	Limited to those in existence on August 1, 2001
E-1 Campus Employment	Church, Synagogue, and Temple, including associated residential structures for religious personnel	Limited to those in existence or permitted by an approved CUP on [INSERT ADOPTION DATE]

Employment and Industrial Zones

- 9.2400 Purpose of E-1 Campus Employment Zone.** The purpose of the E-1 Campus Employment zone is to implement the Campus Industrial designation of the Metro Plan by providing large areas for a variety of light industrial and office-based scientific, medical, research and development, or other professional firms to locate in a campus-like setting. In general, this zone is designed for firms that will help achieve economic diversification objectives and that typically have a large number of employees per acre, or high employment density. The activities of such firms do not generate offensive external impacts and usually do not tolerate substantial noise, pollution, or vibration from surrounding uses. The “campus” setting is characterized by enhanced landscaping, pedestrian amenities, and unique architectural design. Provision is also made for small- -scale complementary commercial uses that primarily serve employees in the area and are preferably part of a mixed-use development.
- 9.2405 Purpose of E-2 Mixed Use Employment Zone.** The purpose of the E-2 Mixed Use Employment zone is to implement the Light-Medium Industrial designation of Metro Plan by providing areas for a mixture of compatible employment opportunities – both industrial, office, and commercial – that benefit from multi-modal transportation access. The zone is generally sited along key transit corridors with existing commercial and industrial businesses. It is intended to provide a wide range of permitted uses, while creating a transit-supportive, pedestrian friendly corridor.
- 9.2410 Purpose of I-2 Light-Medium Industrial Zone.** The purpose of the I-2 Light-Medium Industrial zone is to implement the Light-Medium Industrial designation of the Metro Plan by providing areas to serve a wide variety of manufacturing and other industrial activities with controlled external impacts in locations designated for Light-Medium Industrial in the Metro Plan. These types of industries are often involved in the secondary processing of materials into components, the assembly of components into finished products, transportation, communication and utilities, wholesaling, and warehousing. The external impact from these uses is generally less than Heavy Industrial, and transportation needs are often met by truck. Activities are generally located indoors, although there may be some outdoor storage. Supporting offices and small-scale commercial uses that serve employees in the immediate area are permitted.
- 9.2420 Purpose of I-3 Heavy Industrial Zone.** The purpose of the I-3 Heavy Industrial zone is to implement the Metro Plan by providing areas to serve a range of manufacturing uses including those involved in the processing of large volumes of raw materials into refined products and/or industrial uses that have significant external impacts. In general, these areas are designated for heavy industry in the Metro Plan. Heavy industrial uses often have transportation needs that include both rail and truck. Less intensive industrial uses that are permitted in the Light-Medium Industrial zone are also permitted.
- 9.2430 Employment and Industrial Zone Siting Requirements.** In addition to the approval criteria in EC 9.8865 Zone Change Approval Criteria, the following siting requirements apply:

- (1) **E-1 Campus Employment.** This zone is limited to areas designated Campus Industrial in the Metro Plan.
- (2) **E-2 Mixed Use Employment.** This zone is limited to areas designated Light-Medium Industrial in the Metro Plan and those that meet either (a) or (b) of the following minimum siting requirements:
 - (a) Property has frontage on an arterial street.
 - (b) Contiguous to parcels currently zoned E-2 or C-2 Community Commercial.
- (3) **I-2 Light-Medium Industrial.** This zone is limited to areas designated Light-Medium Industrial in the Metro Plan and those that meet all of the following minimum siting requirements:
 - (a) Access to arterial streets without undue negative impact on residential streets.
 - (b) No more than 5 acres.
 - (c) Sufficient street frontage to accommodate structures, parking, and access in character with adjacent non-industrial properties.
- (4) **I-3 Heavy Industrial.** This zone is limited to areas designated either Heavy Industrial or Special Heavy Industrial in the Metro Plan.

9.2450 Employment and Industrial Zone Land Use and Permit Requirements. The following Table 9.2450 Employment and Industrial Zone Land Use and Permit Requirements identifies those uses in the Industrial Zones that are:

- (P) Permitted.
- (SR) Permitted, subject to an approved site review plan or an approved final planned unit development.
- (C) Subject to a 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.
- (#) The numbers in () in the table are uses that have special use limitations that are described in EC 9.2451.

The examples listed in Table 9.2450 are for informational purposes and are not exclusive. Table 9.2450 does not indicate uses subject to Standards Review. Applicability of Standards Review procedures is set out at EC 9.8465.

Table 9.2450 Employment and Industrial Zone Land Use and Permit Requirements				
	E-1	E-2	I-2	I-3
Accessory Uses				
Accessory Uses. <u>Examples</u> include administration offices, and storage and distribution incidental to the primary use of the site.	P	P	P	P
Agricultural, Resource Production and Extraction				
Horticultural Uses. <u>Examples</u> include field crops, orchards, berries, and nursery or flower stock.		P	P	P
Mineral Resource Mining, Recovery, Stockpiling, Processing (excluding smelter or ore reduction)			SR	SR
Eating and Drinking Establishments				
Bar and Tavern	P(4)	P(2)	P(4)	
Delicatessen	P(4)	P(2)	P(4)	
Restaurant	P(4)	P(2)	P(4)	

Table 9.2450 Employment and Industrial Zone Land Use and Permit Requirements				
	E-1	E-2	I-2	I-3
Specialty Food and Beverage. <u>Examples</u> include bagel, candy, coffee, donut, and ice cream stores.	P(4)	P(2)	P(4)	
Education, Cultural, Religious, Social and Fraternal				
Artist Gallery/Studio		P	P	P
Ballet, Dance, Martial Arts, and Gymnastic School/Academy/Studio	C(6)	P	C(6)	
Church, Synagogue, and Temple, including associated residential structures for religious personnel, in existence or permitted by an approved CUP by [INSERT ADOPTION DATE] .	C			
Church, Synagogue, and Temple, including associated residential structures for religious personnel		P		
Club and Lodge of State or National Organization		P	P	P
Library	P	P		
Museum	P	P		
School, Business or Specialized Educational Training (excludes driver instruction)	P	P	P	P
School, Driving (including use of motor vehicles)			P	P
Entertainment and Recreation				
Amusement Center (Arcade, pool tables, etc.)		P(2)		
Athletic Facility and Sports Club	P(4)	P(2)		
Bowling alley		P(2)		
Golf Course, Miniature Indoor and Outdoor		P(2)		
Race Track, including drag strip and go-cart tracks			C	C
Theater, Live Entertainment	C(6)	P(2)	C(6)	
Theater, Motion Picture		P(2)		
Financial Services				
Automated Teller Machine (ATM)	P	P	P	P
Bank, Savings and Loan Office, Credit Union	P(4)	P(2)	P(4)	
Government				
Government Services, not specifically listed in this or any other uses and permit requirements table. <u>An example</u> could include: a fire station.	P	P	P	P
Information Technology Services				
Computer Networking (includes services and technical support center)	P	P	P	
E-commerce (includes call centers, online sales & shipping, and business-to-business services)	P	P	P	
Internet and Web Site (includes services and technical support center)	P	P	P	
Software Development (includes services and technical support center)	P	P	P	
Lodging				
Homeless Shelter in Existence as of January 1, 1984 (See EC 9.5300)				S
Homeless Shelter Not in Existence as of January 1, 1984		C	C	C
Hotel, Motel, and similar business providing overnight accommodations		P		

Table 9.2450 Employment and Industrial Zone Land Use and Permit Requirements				
	E-1	E-2	I-2	I-3
Manufacturing (Includes processing, assembling, packaging, and repairing)				
Apparel, Clothing, and other finished products made from fabrics, wool, yarn and similar materials	P	P	P	P
Asphalt Mixing and Batching/Concrete Mixing and Batching			SR	SR
Chemical, Drug, Cosmetics, and Related Products	P	P	P	P
Cleaning and Dyeing Plant		P	P	P
Concrete, Gypsum, and Plaster Products		P	P	P
Contractor's Storage Yard		P	P	P
Electronic and Communication Components, Systems, Equipment, and Supplies, includes computers and semi-conductors	P	P	P	P
Explosives, includes manufacturing				C
Food and Beverage Products	P	P	P	P
Furniture and Fixtures		P	P	P
Glass Products		P	P	P
Leather Products		P	P	P
Lumber and Wood Products		P	P	P
Machinery		P	P	P
Measuring, analyzing, and controlling instruments and time pieces	P	P	P	P
Metal Products Fabrication, machine/welding shops(no blast furnaces)		P	P	P
Motion Picture Production, Distribution, and Allied Services	P	P	P	P
Motor Vehicles and Transportation Equipment		P	P	P
Paints and Allied Products		P	P	P
Paper and Allied Products		P	P	P
Photographic and Copying Equipment	P	P	P	P
Precision Testing, Medical, Optical, Surgical, and Dental Goods	P	P	P	P
Recycling – Deconstruction, Reuse, Resale	P	P	P	
Recycling – composting, facilities requiring DEQ permit		P	P	P
Recycling – large collection facility				P
Recycling – reverse vending machine		P	P	P
Recycling – scrap and dismantling yard (includes vehicle wrecking and salvage)				P
Recycling – small collection facility (See EC 9.5650)		S	S	P
Rubber and Plastic Products		P	P	P
Signs and Advertising Displays		P	P	P
Slaughterhouse and Rendering Plant (indoor only)				P
Stone, Cut Stone, and Clay Products		P	P	P
Textiles		P	P	P
Medical, Health, and Correctional Services				
Blood bank		P		
Correctional Facility, excluding Residential Treatment Center	C	C	C	C
Clinic or other Medical Health Treatment Facility (including mental health)	P	P		
Drug Treatment Clinic - Non-Residential	P(5)	P(5)	P(5)	
Hospital	P	P		

Table 9.2450 Employment and Industrial Zone Land Use and Permit Requirements				
	E-1	E-2	I-2	I-3
Laboratory, includes medical, dental, and x-ray. In the E-1 zone, the use shall directly serve manufacturers, or other industrial or commercial enterprises, but exclude services offered on premises to the general public other than on an incidental basis.	P	P		
Residential Treatment Center	C	C		
Motor Vehicle Related Uses				
Car Wash		P(2)		
Motor vehicle Sales/Rental/Service, excluding recreational vehicles and heavy trucks		P	P	
Motorcycle Sales/Rental/Service		P		
Parking Area not directly related to a primary use on the same development site	P		P	P
Parts Store		P(2)		
Recreational Vehicle and Heavy Truck, Sales/Rental/Service		P(2)	P	P
Repair, includes paint and body shop		P(2)	P	P
Service Station, includes quick servicing --Only permitted if property is located over one-half mile by motor vehicle travel from commercially zoned land.		P(2)	P	P
Structured Parking, up to two levels not directly related to a primary use on the same development site	P	P	P	
Structured Parking, three or more levels not directly related to a primary use on the same development site	P	P	P	
Tires, Sales/Service		P(2)	P	P
Transit, Neighborhood Improvement	P	P	P	P
Transit Park and Ride, Major or Minor	P	P	P	P
Transit Station, Major or Minor	P	P	P	P
Trucking Terminal			P	P
Office Uses				
Administrative, General, and Professional Offices	P	P		
Scientific and Educational Research Center	P	P	P	P
Personal Services				
Barber, Beauty, Nail, Tanning Shop	P(4)	P(2)	P(4)	
Day Care Facility (Not associated with a residence)	P(4)	P(2)	P(4)	
Dry Cleaner	P(4)	P(2)		
Film, drop-off/ pick-up	P(4)	P(2)		
Locksmith shop	P(4)	P(2)	P	
Laundromat	P(4)	P(2)		
Mailing and Package service	P(4)	P(2)	P	
Shoe repair shop	P(4)	P(2)	P	
Tailor shop	P(4)	P(2)		
Residential				
Dwellings				
One-family dwelling	P(1)	P(1)	P(1)	P(1)
Trade (Retail and Wholesale)				
Agricultural Machinery Rental/Sales/Service		P(2)	P	P
Appliance Sales/Service		P(2)		
Bicycle Rental/Sales/Service	P(4)	P(2)		
Boat and Watercraft Sales/Service		P(2)	P	P
Book Store	P(4)	P(2)		

Table 9.2450 Employment and Industrial Zone Land Use and Permit Requirements				
	E-1	E-2	I-2	I-3
Building Materials and Supplies			P	P
Computer Store	P(4)	P(2)		
Convenience Store	P(4)	P(2)	P(4)	
Drug Store (excluding Drug Treatment Center)	P(4)	P(2)		
Electrical Appliances and Supplies	P(4)	P(2)		
Equipment, Light, Rental/Sales/Service		P(2)	P	P
Equipment, Heavy, Rental/Sales/Service- includes truck and tractor sales		P(2)	P	P
Fabric Store		P(2)		
Floor Covering Store		P(2)		
Furniture and Home Furnishings Stores		P(2)		
Garden Supply/Nursery, includes feed and seed store		P(2)	P	
General Merchandise (includes supermarket and department store)		P(2)		
Hardware/Home Improvement Store		P(2)		
Healthcare Equipment and Supplies	P(4)	P(2)		
Liquor Store		P(2)		
Manufactured Dwelling Sales/Service/Repair		P(2)	P	P
Office Equipment and Supplies	P(4)	P(2)		
Plumbing Supplies		P(2)	P	P
Retail trade when secondary, directly related, and limited to products manufactured, repaired, or assembled on the development site	P(3)	P(3)	P(3)	P(3)
Storage Facility, Household/Consumer Goods		P(2)	P	P
Specialty Store (an example includes a gift store)	P(4)	P(2)		
Toy and Hobby Store		P(2)		
Video Store		P(2)		
Wholesale, Warehousing, and Distribution	P	P	P	P
Utilities and Communication				
Amateur Radio Antenna Structure (See EC 9.5050)			S	S
Broadcasting Studio, Commercial and Public Education	P	P	P	
Electrical Substation, must meet landscape standards in EC 9.6210(3) High Screen Landscape Standard (L-3) unless fully enclosed within a building or approved through a Type II procedure that shows low visual impact.	P	P	P	P
Fiber Optic Station, must meet landscape standards in EC 9.6210(3) High Screen Landscape Standard (L-3) unless fully enclosed within a building or approved through a Type II procedure that shows low visual impact.	SR	P	P	P
Pump Station, well head, non-elevated reservoir, and other water or sewer facilities, must meet landscape standards in EC 9.6210(3) High Screen Landscape Standard (L-3) unless fully enclosed within a building or approved through a Type II procedure that shows low visual impact.	SR	P	P	P
Telecommunication Tower or Facility (See EC 9.5750)	S	S	S	S
Water Reservoir, elevated above ground level	SR	SR	SR	SR
Other Commercial Services				

Table 9.2450 Employment and Industrial Zone Land Use and Permit Requirements				
	E-1	E-2	I-2	I-3
Building Maintenance Services	P(4)	P(2)	P	P
Catering Services	P(4)	P(2)		
Crematoria			P	P
Collection Center, Collection of Used Goods (See EC 9.5150)		S	P	P
Garbage Dump, Sanitary Land Fill			C	C
Heliport and Helistop			C	C
Kennel			C	C
Mortuary		P(2)		
Photographers' Studio		P(2)	P(4)	
Picture Framing and Glazing		P(2)	P(4)	
Printing, Blueprinting and Duplicating	P(4)	P(2)	P	P
Publishing Service	P	P(2)	P	P
Temporary Activity (See EC 9.5800)	S	S	S	S
Train Station		P	P	P
Upholstery Shop		P(2)		
Veterinarian Service		P(2)		

9.2451 Special Use Limitations for Table 9.2450.

- (1) **Residential standards.** In all employment and industrial zones, one dwelling unit is allowed per development site. That unit may be contained within the primary structure on-site or it may be an external, stand-alone unit that if it meets the following criteria:
 - (a) Unit shall not be located between the primary structure and the front property line, unless development in existence as of **[INSERT ADOPTION DATE]** precludes compliance.
 - (b) Unit shall be generally sited behind the primary structure except where development in existence as of **[INSERT ADOPTION DATE]** precludes compliance.
- (2) **Special Allowances for properties with frontage on major arterial streets in the E-2 zone.** On lots with frontage on an arterial street, the uses allowed in Table 9.2450 subject to this standard shall be allowed up to 30,000 square feet per development site. This square footage limitation shall apply only to new development, and it shall not preclude reuse of existing buildings.
- (3) **Special Retail Trade Allowance when accessory and directly related to the primary use in the E-1, E-2, I-2, and I-3 zones.** Commercial uses allowed in Table 9.2450 subject to this standard can comprise up to 50 percent of the total square footage of the primary use on the development site and shall not exceed 30,000 square feet. The primary, employment and industrial use must comprise no less than 50 percent of the total square footage.
- (4) **Special Allowances when independent from the primary use in the E-1 and I-2 zones.** These uses shall not exceed the following square footage limitations. The primary, employment and industrial use must comprise no less than 50 percent of the total square footage.
 - (a) In the E-1 Campus Employment zone, the uses can comprise up to 20 percent of the total square footage of the primary use on a development

site. And, no single “Specialty retail” establishment shall exceed 5,000 square feet.

- (b) In the I-2 Light Industrial zone, the uses can comprise up to 5,000 square feet on development sites with frontage on an arterial street.
- (5) **Drug Treatment Clinic - Non-Residential.** Use is permitted on property located within a quarter mile of a transit route.
- (6) **Development in Existing buildings.** Theaters with live entertainment and Ballet, Dance, Martial Arts, and Gymnastic School/Academy/Studio are conditionally permitted in existing buildings. No new buildings shall constructed in the employment and industrial zones with the primary purpose of live theatrical productions or Ballet, Dance, Martial Arts, and Gymnastic School/Academy/Studio.

9.2460 **Employment and Industrial Zone Development Standards.**

- (1) **Intent.** The employment and industrial zone development standards are intended to achieve the following:
 - (a) Improve the quality and appearance of business and industrial development in the city.
 - (b) Ensure that such development is compatible with adjacent development and is complementary to the community as a whole.
 - (c) Encourage crime prevention through environmental design, decrease opportunity for crime, and increase user perception of safety.
 - (d) Increase opportunities for use of alternative modes of transportation.
 - (e) Regulate the intensity of uses allowed on a site.
 - (f) Promote streetscapes that are consistent with the desired character of the various employment and industrial zones.
 - (g) Promote safe, attractive, and functional pedestrian circulation systems in employment and industrial areas with high employment densities.
- (2) **Application of Standards.** In addition to applicable provisions contained elsewhere in this land use code, the development standards listed in Table 9.2460 Employment and Industrial Zone Development Standards shall apply to all development in the employment and industrial zones. In cases of conflict, the standards specifically applicable in employment and industrial zones shall apply.

Table 9.2460 Employment and Industrial Zone Development Standards				
	E-1	E-2	I-2	I-3
Maximum Building Height (1)	80 feet	80 feet	None	None
Minimum Front Yard Setback (2)(4)				
Frontage on Arterial street	20 feet	15 feet	0 feet	0 feet
Frontage on all other streets	20 feet	5 feet	0 feet	0 feet
Maximum Front Yard Setback				
Frontage on Arterial street		25 feet		
Frontage on all other streets		15 feet		
Minimum Interior Yard Setback				
Abutting any zone except residential or park and open space (2)	0 feet	0 feet	0 feet	0 feet
Abutting residential or park and open space zone (2)	20 feet	20 feet	20 feet	20 feet
Minimum Landscape Standard abutting a residential zone (3)	High Screen	High Screen	High Wall	High Wall
Minimum Landscape Area (3)	20%	10%	Some (3)	Some (3)
On-Site Pedestrian Requirements (5)	Yes	Yes	No	No

Table 9.2460 Employment and Industrial Zone Development Standards				
	E-1	E-2	I-2	I-3
Fences (6)				
Outdoor Storage Areas (7)				
Outdoor Merchandise Display (8)				
Garbage Screening (9)				
Utilities (10)				
Drive Through Facilities (11)				
Delivery and Loading Facilities (12)				

9.2461 Special Development Standards for Table 9.2460.

- (1) **Building Height.** Buildings in employment and industrial zones are subject to the general height regulations contained in:
 - (a) EC 9.6715 Height Limitation Areas;
 - (b) EC 9.6720 Height Exceptions for Roof Structures and Architectural Features; and
 - (c) Subject to the limitations in (a) and (b) of this subsection, in the E-1 and E-2 zones, no portion of a building located within 50 feet of a residential zone shall exceed the maximum building height permitted in the abutting residential zone.
- (2) **Exceptions.** Exceptions to the general setbacks stated in Table 9.2460 Employment and Industrial Zone Development Standards are contained in the following:
 - (a) EC 9.6745 Setbacks - Intrusions Permitted.
 - (b) EC 9.6750 Special Setback Standards.
- (3) **Landscape Standards.**
 - (a) Minimum Landscape Area Required.
 1. In E-1, a minimum of 20 percent of the development site shall be landscaped with living plant materials. All required landscaping shall comply with landscape standards beginning at EC 9.6200 Purpose of Landscape Standards. Any required landscape, such as for required front or interior yard setbacks, or off-street parking areas, shall apply toward any development site area landscape requirement.
 2. Minimum landscape area requirements do not apply to developments in I-2 and I-3 zones except as associated with parking lot landscape and off-street loading requirements.
 - (b) Landscaping in Front Yard Setbacks.
 1. In E-1, required front yard setbacks along arterial streets shall be provided with landscaping that complies, at a minimum, with the standards in EC 9.6210(7) Massed Landscape Standard (L-7). Front yard setbacks along collector or local streets shall be provided with landscaping that complies, at a minimum, with the standards in EC 9.6210(1) Basic Landscape Standard (L-1). The required landscaping may be pierced by pedestrian and vehicular access ways.
 2. In the E-2, I-2 and I-3, required front yard setbacks shall be provided with landscaping that complies, at a minimum, with the standards in EC 9.6210(1) Basic Landscape Standard (L-1). The

required landscaping may be pierced by pedestrian and vehicular access ways.

(c) Landscaping in Interior Yard Setbacks Abutting Residential Zones.

1. In E-1 and E-2, required interior yard setbacks adjacent to a residential zone shall be provided with landscaping that is at least 10 feet in width and complies, at a minimum, with the standards in EC 9.6210(3) High Screen Landscape Standard (L-3).
2. In the I-2 and I-3, required interior yard setbacks adjacent to a residential zone shall be provided with landscaping that is at least 10 feet in width and complies, at a minimum, with the standards in EC 9.6210(4) High Wall Landscape Standard (L-4).

(d) Street Trees. Street tree requirements are specified in EC 7.280 Street Tree Program - Policies, Standards, Procedures.

(4) Front Yard Setbacks and Building Orientation. The front yard setbacks stated in Table 9.2460 Employment and Industrial Zone Development Standards, shall apply only to new buildings and any building addition that increases the length of the building facade facing a street by at least 100%. In addition, all new buildings and the portion of the development site specifically affected by the new building are subject to the requirements of this subsection.

- (a) In the E-2 zones, a minimum of 25% of all street facing facades must be built within the specified front yard setback.
- (b) In the E-2 zone, vehicular parking and circulation is not permitted between the street and the portion of the building that is used to comply with this subsection.
- (c) In the E-1 and E-2 zones, buildings fronting on a street must provide a main entrance facing the street on the facade of the building located within the specified front yard setback.
- (d) The requirements of (a) through (c) do not apply to developments in the I-2 and I-3 zones.

(5) Pedestrian Circulation. Pedestrian facilities are required in E-1 and E-2 as specified in EC 9.6730 Pedestrian Circulation On-Site of this land use code. On-site pedestrian facilities are not required in I-2 or I-3, except when uses permitted by EC 9.2451 (2) and (3) are present.

(6) Fences.

- (a) Types. The type of fence, wall, or screen used in any situation is limited only by specific requirements stated in the landscape standards beginning at EC 9.6200 Purpose of Landscape Standards. The standards apply to walls, fences, and screens of all types including open, solid, wood, metal, wire, masonry or other material. Use of barbed wire and electric fencing is regulated in EC 6.010(d) Fences. Chain link fencing is prohibited within E-1.

- (b) Location and Heights.

1. Fences up to 42 inches in height are permitted within the front yard setback.
2. Fences up to 8 feet high are permitted in the interior yard setbacks.
3. The height of fences that are not in required setback areas is the same as the regular height limits of the zone.
4. Fences must meet the standards in EC 9.6780 Vision Clearance

Area.

- (7) **Outdoor Storage Areas.** Outdoor storage is permitted in the employment and industrial zones. The setbacks and landscaping standards for outdoor merchandise display are stated in Table 9.2461(8) Outdoor Storage and Display-Setbacks and Landscaping. The following additional requirements are applicable in the E-1 Campus Employment zone.
- (a) *Front setback.* Outdoor storage is not permitted in required setback areas. Additionally, outdoor storage shall be located no closer to the front property line than the front façade of the main building on the development site.
 - (b) *Residential adjacency.* Except for passenger vehicular fleet parking, outdoor storage is not permitted on lots adjacent to residential zones.
 - (c) *Height limit.* Outdoor storage materials shall not be stored at levels that exceed 30 feet.
- (8) **Outdoor Merchandise Display.** Outdoor display of goods is permitted in all employment and industrial zones except E-1. The setbacks and landscaping standards for outdoor merchandise displays are stated in Table 9.2461(8) Outdoor Storage and Display-Setbacks and Landscaping.

Table 9.2461(8) Outdoor Storage and Display-Setbacks and Landscaping					
		E-1 (7)	E-2	I-2	I-3
Outdoor Storage					
Adjacent to a street.	Permitted: Setback: Landscape:	Yes 20 feet Low Screen Landscape Standard – (L-2)	Yes 15 feet Low Screen Landscape Standard – (L-2)	Yes 10 feet High Screen Landscape Standard – (L-3)	Yes 10 feet High Screen Landscape Standard – (L-3)
Adjacent to a commercial or industrial zone.	Permitted: Setback: Landscape:	Yes 10 feet Low Screen Landscape Standard – (L-2)	Yes 10 feet Low Screen Landscape Standard – (L-2)	Yes None Screening Fence Landscape Standard – (L-5)	Yes None None
Adjacent to a residential or park and recreation zone.	Permitted: Setback: Landscape:	Yes 10 feet High Screen Landscape Standard – (L-3)	Yes 10 feet High Screen Landscape Standard – (L-3)	Yes 10 feet High Wall Landscape Standard – (L-4)	Yes 10 feet High Wall Landscape Standard – (L-4)
Outdoor Display					
Adjacent to a street.	Permitted: Setback: Landscape:	No	Yes 10 feet Low Screen Landscape Standard – (L-2)	Yes 10 feet Low Screen Landscape Standard – (L-2)	Yes 10 feet Low Screen Landscape Standard – (L-2)

Table 9.2461(8) Outdoor Storage and Display-Setbacks and Landscaping					
		E-1 (7)	E-2	I-2	I-3
Adjacent to a commercial or industrial zone.	Permitted: Setback: Landscape:	No	Yes 10 feet Low Screen Landscape Standard – (L-2)	Yes None None	Yes None None
Adjacent to a residential or park and recreation zone.	Permitted:	No	No	No	No

(9) **Garbage Screening.** In all zones except I-3 Heavy Industrial, garbage collection areas must be screened so as to meet the standards of subsections (a) and (b) below. Trash receptacles for pedestrian use are exempt from these requirements.

- (a) Required screening shall comply with one of the following:
 1. EC 9.6210(3) High Screen Landscape Standard (L-3).
 2. EC 9.6210(4) High Wall Landscape Standard (L-4).
 3. EC 9.6210(5) Partial Screen Fence Landscape Standard (L-5).
- (b) Garbage collection areas shall not be located within required setback areas or within required landscape areas associated with parking areas.

(10) **Utilities.** Within E-1 Campus Employment and E-2 Mixed Use Employment, all utilities on the development site shall be placed underground, unless adjusted pursuant to the provisions of EC 9.8030(5) of this land use code. Undergrounding of utilities is not required in I-2 and I-3. This provision does not apply to temporary uses on a development site. This requirement is satisfied if the applicant verifies in writing that utilities will be placed underground concurrent with a planned future development to occur within 12 months. Exceptions shall be made for such features as pad mounted transformers, switch cabinets, back flow prevention devices and closures needed to safely operate and maintain utility systems.

(11) **Drive-Through Facilities.**

- (a) Application. The following regulations apply to all uses that have drive through facilities including new developments, the addition of drive-through facilities in existing developments, and the relocation of an existing drive-through facility.
- (b) Exceptions/ Prohibitions. Drive-through facilities for eating and drinking establishments are not permitted in E-1. Drive-through facilities are not permitted in I-2 or I-3.
- (c) Service Areas Setback and Landscaping. Service areas and stacking lanes must be set back a minimum of 10 feet from all lot lines. Front yard setbacks shall be provided with landscaping that complies, at a minimum, with the standards in EC 9.6210(2) Low Screen Landscape Standard (L-2). Interior yard setbacks shall be provided with landscaping that complies, at a minimum, with the standards in EC 9.6210(3) High Screen Landscape Standard (L-3).
- (d) Driveway Entrances. All driveway entrances, including stacking lane entrances, must be at least 100 feet from an intersection, as measured along the property line from the tangent point of a corner radius and the closest edge of a driveway.

- (e) Pedestrian access in E-1 and E-2. Direct pedestrian access shall be provided from the public right of way to the primary entrance. Drive aisles for vehicular circulation are not permitted between the street and primary entrance.
- (f) Stacking Lanes. Design of stacking lanes shall conform with the requirements of EC 9.6420 Parking Area Standards.
- (g) Adjustments. Adjustments to the standards stated in this subsection may be made based on criteria at EC 9.8030(2) Setback Standards Adjustment.

(12) Delivery and Loading Facilities.

- (a) Delivery and loading areas are not permitted in required setback areas.
- (b) On lots abutting parcels zoned for residential development, delivery and loading facilities shall be setback a minimum of 20 feet from property lines with required setbacks landscaped to at least the standards in EC 9.6210(4) High Wall Landscape Standard (L-4).

9.2463 Employment and Industrial Zone Development Standards - Large Facilities.

- (1) Description and Purpose.** The purpose of these regulations is to:
 - (a) Improve the appearance and function of large employment developments, while maintaining compatibility with adjacent property.
 - (b) Create an attractive streetscape with a strong building presence on existing and future streets.
 - (c) Support all modes of transportation and improve pedestrian safety, comfort, and convenience.
 - (d) Promote human-scale site and building design with attention paid to visual detail.
- (2) Application of Standards.** In addition to the standards of EC 9.2460 Employment and Industrial Zone Development Standards, the standards in this section apply to any new building in the E-1 Campus Employment and E-2 Mixed Use Employment zones with 25,000 square feet or more of floor area in a permitted employment or industrial use and the portion of the development site specifically affected by the new building.
- (3) Exemption.** That portion of a building that contains warehouse and manufacturing space is exempt from subsection (7), below.
- (4) Building Entrances.**
 - (a) All building sides that face an adjacent street shall feature at least one customer entrance. **(For examples, see Figure 9.2173(3))**
 - (b) Where a building faces more than two adjacent streets, excluding those with limited access, this requirement shall apply only to two sides of the building.
 - (c) Corner entrances, placed at an angle of up to 45 degrees from the primary street, as measured from the street lot line, may be substituted for separate entrances required under subsection (b), above. **(For examples, see Figure 9.2173(3))**
- (5) Off-Street Parking.**
 - (a) In the E-1 Campus Employment zone, a drive aisle and single row of parking may be located between the front façade and the primary adjacent street. Vehicle use area is subject to front setbacks.
- (6) On-Site Pedestrian Circulation.** In addition to the standards set forth in EC 9.6730 Pedestrian Circulation On-Site, the following standards shall apply to

large facilities:

- (a) A continuous internal pedestrian walkway, no less than 5 feet in width, shall be provided from the public sidewalks or right-of-way to all customer entrances of all buildings on the development site, and to all public sidewalks and paths abutting the development site.
 - (b) Sidewalks, no less than 5 feet in width, shall be provided along the full length of building walls and shall be located at least 6 feet from the wall of the building to provide planting beds for foundation landscaping, except where features such as arcades or entryways are part of the facade.
 - (c) All on-site pedestrian walkways located in vehicle use areas shall be distinguished from driving surfaces through the use of durable, low maintenance surface materials such as pavers, bricks, or scored concrete to enhance pedestrian safety and comfort, as well as the attractiveness of the walkways.
- (7) **Exterior Wall Articulation, Facades, and Ground Floor Windows.**
- (a) Exterior building walls shall not continue along an uninterrupted plane for more than 100 feet. An uninterrupted plane is a wall that has no variation in exterior surface along its length. Except for building walls facing an alley, ground floor facades 100 feet or greater in length, measured horizontally, shall incorporate wall plane projections or recesses having a depth of at least 3 percent of the length of the facade and extending at least 20 percent of the length of the facade. **(For examples, see Figure 9.2173(10)(a).)**
 - (b) Except for building walls facing an alley, ground floor walls shall contain windows at the ground level. Solid walls are prohibited along street frontages. This standard does not apply to parking structures or the portion of a wall on which a loading dock is located.
 - 1. General Standard. The windows in any walls that require windows shall occupy at least 50 percent of the length and 25 percent of the ground floor wall area. The portion of window area meeting this standard is that located between 4- and 9-feet above finished grade. **(For examples, see Figure 9.2173(10)(c).)**
 - 2. Corner Lots. On corner lots, the general ground floor window standard stated in subsection (c) must be met on one street frontage only. On the other street(s), the requirement is ½ of the general standard. The applicant may choose on which street to apply the general standard.
- (8) **Interior Yard Setbacks from Residential Zoning.** Interior yard setbacks shall be a minimum of 30 feet from abutting residentially zoned lots.
- (9) **Adjustments.** Adjustments to standards (1) through (7) stated in this section may be made based on criteria at EC 9.8030(31) Large Employment Facilities Standards Adjustment.

9.2470 Employment and Industrial Zone Lot Standards. The following Table 9.2470 sets forth lot standards within employment and industrial zones. The numbers enclosed within (#) indicate a special standard of EC 9.2471.

Table 9.2470 Employment and Industrial Zone Lot Standards				
	E-1	E-2	I-2	I-3
Area Minimum (1)				
All Lots	2 acres	6,000 square feet	6,000 square feet	6,000 square feet
Frontage Minimum (1)				
Interior Lot	50 feet	50 feet	50 feet	50 feet
Corner Lot	50 feet	50 feet	50 feet	50 feet
Curved Lot	35 feet	35 feet	35 feet	35 feet
Cul-de-sac Bulb	35 feet	35 feet	35 feet	35 feet
Alley Access	na	na	na	na
Flag Lot				
1 Lot	15 feet	15 feet	15 feet	15 feet
2 to 4 Lots	25 feet	25 feet	25 feet	25 feet
Width Minimum (1)				
Interior Lot	50 feet	50 feet	50 feet	50 feet
Corner Lot	50 feet	50 feet	50 feet	50 feet
Curved Lot	35 feet	35 feet	35 feet	35 feet
Cul-de-sac Bulb	35 feet	35 feet	35 feet	35 feet
Alley Access	50 feet	50 feet	50 feet	50 feet
Flag Lot	40 feet	20 feet	20 feet	20 feet

9.2471 Special Standards for Table 9.2470.

- (1) Lot area, frontage, and width minimums may be adjusted pursuant to the provisions of EC 9.8030(1) of this land use code. Modifications may be approved through a site review or planned unit development. (For planned unit development procedures refer to EC 9.7300 General Overview of Type III Application Procedures and for approval criteria refer to EC 9.8320 Tentative Planned Unit Development Approval Criteria - General.)

Adjustment Review

9.8030 **Adjustment Review - Approval Criteria.** The planning director shall approve, conditionally approve, or deny an adjustment review application. Approval or conditional approval shall be based on compliance with the following applicable criteria.

...

(31) Large Employment Facilities Standards Adjustment. Where this land use code provides that the large employment facilities standards may be adjusted, the standards may be adjusted upon finding that the proposed development achieves the purpose of EC 9.2463, in which the specified standard is located, through alternative or innovative design solutions.

Additional Chapter 9 code sections to be amended to refer to new E-1 and E-2 zones (e.g. sign standards, zone change criteria, etc.).

EUGENE CITY COUNCIL AGENDA ITEM SUMMARY



Public Hearing: An Ordinance Vacating a Portion of Mill Alley, Located between East 8th Avenue and East Broadway, and a Portion of East 8th Alley, Located between High Street and Mill Alley (VRI 14-1)

Meeting Date: April 21, 2014
Department: Planning and Development
www.eugene-or.gov

Agenda Item Number: 2
Staff Contact: Becky Taylor
Contact Telephone Number: 541/682-5437

ISSUE STATEMENT

The City Council will hold a public hearing on a right-of-way vacation request submitted by Broadway and Pearl Associates, LLC. The requested vacation of two improved public rights-of-way consist of the following: the portion of Mill Alley that is 14 feet wide and 334 feet in length, between East 8th Avenue and East Broadway; and the portion of East 8th Alley that is 14 feet wide and 160 feet long, between High Street and Mill Alley.

BACKGROUND

The total area of request, as described above, consists of 6,916 square feet of public right-of-way. An aerial context map of the alley vacation request and the applicant's conceptual development plan of the adjacent lands are included as Attachments A and B. The applicant owns all of the properties abutting the alleys proposed to be vacated.

The vacation request process serves as a means to evaluate the need for public ways as land develops and uses change over time. This request for vacation is being considered in accordance with sections 9.8700-9.8725 of the Eugene Code (EC) and Oregon Revised Statutes (ORS) 271.080-271.230, and processed pursuant to EC 9.7445-9.7455. The public hearing is being conducted consistent with quasi-judicial procedures in State law and as set forth in EC 9.7065 through EC 9.7095.

A complete copy of the application along with other documents and information related to the vacation request including a written statement, consent forms and written testimony are contained in a binder that has been placed in the Council Office for reference.

Public Hearing Notice

Notice of public hearing for the requested alley vacation has been provided in the following manner: On March 27, 2014, notice was mailed to property owners, interested parties, the officially recognized neighborhood group, the Downtown Neighborhood Association; on March 31, 2014, the property was posted in the immediate vicinity of the requested alley vacation; and on April 7, 2014, and April 21, 2014, legal notice was published in *The Register-Guard* newspaper.

No public comments have been received at this time. Any additional written testimony received prior to close of the public record will be forwarded to the City Council for consideration. Public comments, notice, and all other record materials are included in the council binder, which is available at the City Manager's Office.

Consent of Abutting and Affected Property Owners

In accordance with ORS 271.080, the applicant has provided evidence of consent to the vacation from owners of at least two-thirds of the property within the affected area. The affected area per ORS is an area that is 200 feet on either side of the right-of-way and 400 feet beyond each end of the right-of-way to be vacated.

ORS 271.080 also requires the applicant to obtain concurrence from all abutting property owners. The abutting lands are owned by the applicant. Included in the application materials is a map showing the affected area and identifying properties with signed consent forms for the vacation request.

Applicable Criteria

The Eugene City Council must determine whether the consent of the owners of the requisite area has been obtained and whether notice has been duly given, and must address the relevant approval criterion from EC 9.8725 in making a decision on the proposed right-of-way vacation, as listed below:

The city council shall approve, or approve with conditions and reservations of easements, the vacation of improved public right-of-way, public ways acquired with public funds, or undeveloped subdivision and partition plats, or portions thereof, including public right-of-way and improved public easements located therein, only if the council finds that approval of the vacation is in the public interest.

The applicant has provided a conceptual redevelopment plan to help illustrate their intention to revitalize the entire block and demonstrate the need for the vacations. The concept calls for the replacement of the two existing buildings and disjointed surface parking lots with a consolidated development concept for the entire block. While this plan is conceptual in nature, it attempts to demonstrate how this site is likely to be redeveloped. As the plan shows, vacation of the current alleys is necessary in order to accommodate redevelopment options similar to the applicant's illustration.

Circulation and Access

The applicant indicates that with the vacation of the alleys, properties will continue to take primary access from the abutting East Broadway, High Street, and East 8th Avenue. The applicant proposes to maintain vehicular connectivity between East 8th Avenue and East Broadway, by maintaining a private drive aisle, as shown on the conceptual development plan. Analysis from the City's Public Works staff indicate that the alleys are predominantly used to access the adjacent surface parking lots, while bikes and pedestrians predominately use the adjoining street and sidewalk network. The applicant's redevelopment concept shows how vehicle, bike and pedestrian access, as well as on-site circulation can be accomplished without the alleys. The applicant notes that pedestrian and bicycle connectivity and outdoor seating areas on High Street and/or East Broadway will be important features of any development on the block to take advantage of and enhance downtown street level activity.

Utilities

The applicant's survey drawings (Exhibits B and D) delineate the alleys to be vacated and the location of existing utilities. The applicant proposes to reserve a 14-foot public utility easement over the entire segment of Mill Alley, which contains the following underground utilities: Northwest Natural gas lines; CenturyLink cable; Comcast fiber optic lines and vault; and City wastewater and stormwater mains. Eugene Water & Electric Board (EWEB) staff confirms that the steam lines within the alleys have been abandoned and that they have no related issues or concerns. The applicant submitted concurrences from the affected utility providers, all of whom confirm that the applicant's proposed 14-foot-wide public utility easement in the location of the existing Mill Alley is all that is required for their services. There are no existing utilities in the portion of East 8th Alley to be vacated.

With the retention of the 14-foot public utility easement over Mill Alley, any larger buildings will need to be oriented in a north-south direction. As such, vacation of the East 8th Alley is necessary in order to establish a reasonable buildable area that can facilitate redevelopment of this site.

Determination of Assessment

Pursuant to EC 9.8710(4), the applicant is required to pay a deposit equal to the assessment of special benefit resulting from the vacation. The amount of money to be deposited is to be determined by the City Manager. Pursuant to the City Code, the City provided a notice of the assessment 20 days prior to the public hearing. At that time, the assessment was determined to be \$207,765, which considered the value of the easement to be reserved by the City. The applicant has deposited the required assessment with the City. If the application is approved and the vacation becomes effective, the deposit will be retained by the City; if the application is denied or the vacation fails to take effect for another reason, the money will be returned.

RELATED CITY POLICIES

Approval criteria for vacation requests (the full text is included above) are located at EC 9.8725 which requires the council to find that approval of the vacation request is in the public interest.

COUNCIL OPTIONS

This item is scheduled for public hearing only. Council action will occur subsequent to the public hearing and the close of the record. Council action is scheduled for May 12, 2014.

CITY MANAGER'S RECOMMENDATION

No recommendation is provided at this time. A recommendation will be provided for the scheduled action on May 12, 2014.

SUGGESTED MOTION

No motion is suggested at this time.

ATTACHMENTS

- A. Aerial Context Map of Alley Vacation Request
- B. Applicant's Conceptual Redevelopment Plan
- C. Draft Ordinance (with Exhibits A – E) for Alley Vacation

FOR MORE INFORMATION

Staff Contact: Becky Taylor, Associate Planner
Telephone: 541-682-5437
Staff E-Mail: becky.g.taylor@ci.eugene.or.us

Right-of-Way Vacation Request (VR1 14-1)



Legend

□ Taxlots

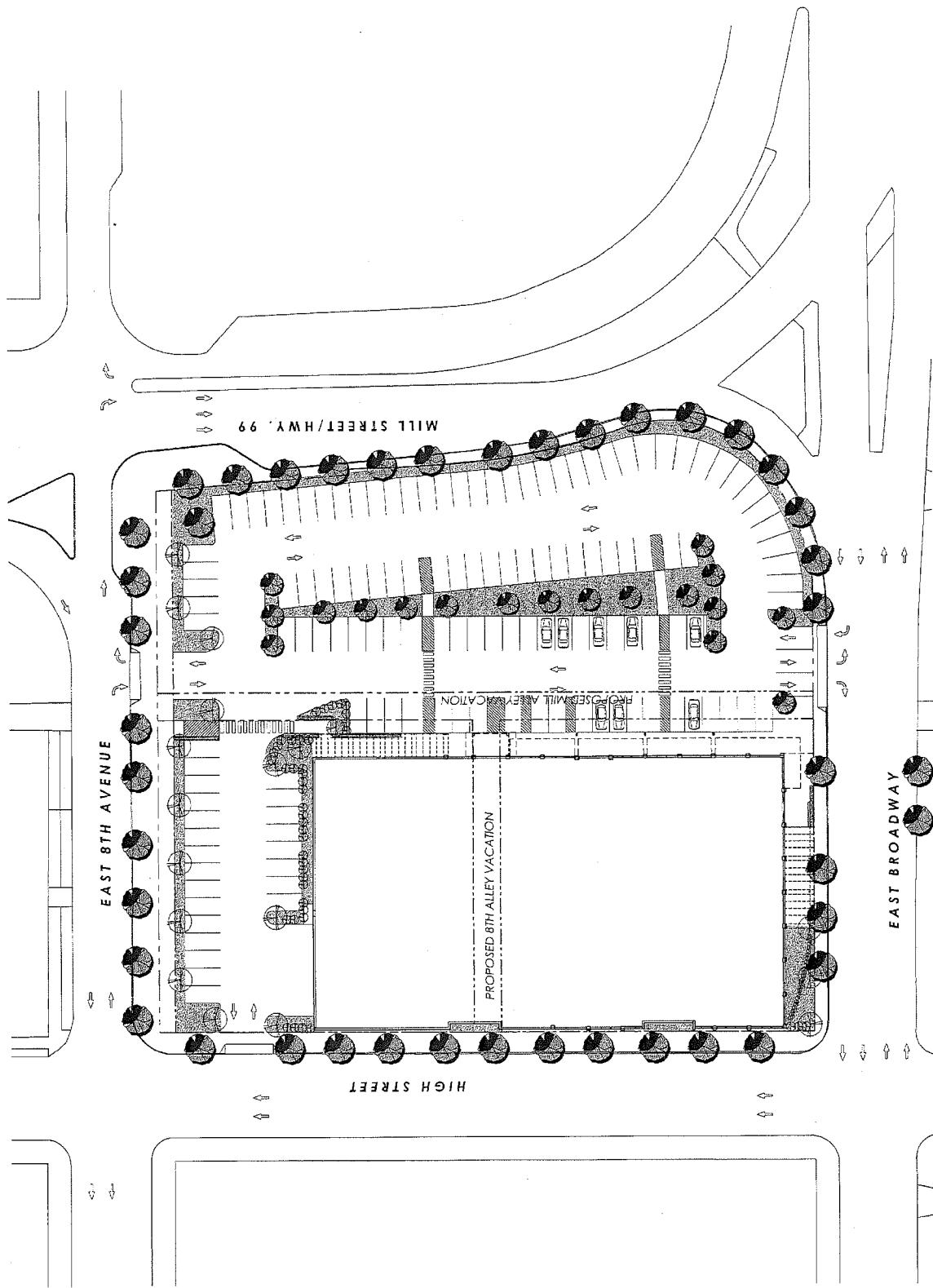
0 20 40 80 Ft

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

February 19, 2014



Attachment B



Date
30 OCTOBER 2013

0 10 20 50



CONCEPT SITE PLAN

ORDINANCE NO. _____

AN ORDINANCE VACATING A PORTION OF MILL ALLEY, LOCATED BETWEEN EAST 8TH AVENUE AND EAST BROADWAY, AND A PORTION OF EAST 8TH ALLEY, LOCATED BETWEEN HIGH STREET AND MILL ALLEY.

The City Council of the City of Eugene finds that:

A. The City Council of the City of Eugene has approved an agenda setting a public hearing to be held at 7:30 p.m. on April 21, 2014, at Harris Hall, for the purpose of hearing protests and remonstrances to the proposed vacation of the following described right-of-way:

The portion of **Mill Alley**, located between East 8th Avenue and East Broadway, as more particularly described in Exhibit A and depicted on the map attached as Exhibit B, reserving a public utility easement over the entire 14 feet of right-of-way width, and the portion of **East 8th Alley**, located between High Street and Mill Alley, as more particularly described in Exhibit C and depicted on the map attached as Exhibit D

B. Notice was duly and regularly given of the public hearing, and on March 27, 2014, the City Council held a public hearing and heard all objections to the proposed vacation.

THE CITY OF EUGENE DOES ORDAIN AS FOLLOWS:

Section 1. The City Council of the City of Eugene finds that notice of the hearing was published and posted as required by law, that the consent of the owner(s) of the abutting property has been filed in the proceedings, and that the vacation of the right-of-way is in the public interest, as described in the Findings attached as Exhibit E to this Ordinance.

Section 2. The right-of-way described and depicted on Exhibits A through D attached to this Ordinance is vacated subject to the easement described in Finding A, above, and shall revert pursuant to the statutes of the State of Oregon.

Section 3. The City Recorder is directed to file a certified copy of this Ordinance with the Recorder of Lane County, Oregon, together with a map or plat of said property, and a certified copy of this Ordinance shall be filed with the Lane County Assessor and another certified copy shall be filed with the Lane County Surveyor.

Passed by the City Council this

_____ day of _____, 2014.

Approved by the Mayor this

_____ day of _____, 2014.

City Recorder

Mayor

Exhibit A

LEGAL DESCRIPTION

For: Vacation of a Portion of the Mill Alley 14.00' Public Right-Of-Way

A 14.00 foot wide strip of land situated in the Southeast Quarter of the Northeast Quarter of Section 31, Township 17 South, Range 3 West of the Willamette Meridian, in Eugene, Lane County, Oregon, said strip being more particularly described as follows:

Beginning at the Northeast corner of Lot 2, Block A, MULLIGAN'S ADDITION EAST, as depicted on the PLAN OF EUGENE CITY, as platted and recorded in Volume A, Page 122, Lane County Oregon Plat Records, said point also being on the South margin of East 8th Avenue (Eighth Street), 33.00 feet from the centerline thereof; thence along said South margin North 89°49'16" East, 14.00 feet to the Northwest corner of Lot 1, Block A of said plat; thence leaving said South margin run along the West lines of Lots 1, 4, 5 and 8, Block A of said plat, South 00°01'07" East, 336.22 feet to the North margin of East Broadway (East 9th Avenue / Ninth Street), 33.00 feet from the centerline thereof; thence along said North margin South 89°48'54" West, 14.00 feet to the Southeast corner of Lot 7, Block A of said plat; thence leaving said North margin run along the East lines of Lots 7 and 6, Block A of said plat, North 00°01'07" West, 161.11 feet to the Northeast corner of said Lot 6; thence continue North 00°01'07" West, 14.00 feet to the Southeast corner of Lot 3, Block A of said plat; thence along the East lines of Lots 3 and 2, Block A of said plat, North 00°01'07" West, 161.11 feet to the Point of Beginning, in Eugene, Lane County, Oregon.

The City of Eugene to reserve an easement for public utilities over the above described 14.00 foot wide strip of land.

Containing 4,707 square feet, more or less.

REGISTERED
PROFESSIONAL
LAND SURVEYOR

Michael R. Dahrens

OREGON
JULY 11, 2000
MICHAEL R. DAHRENS
60052

RENEWAL DATE: 12-31-2015

Exhibit B

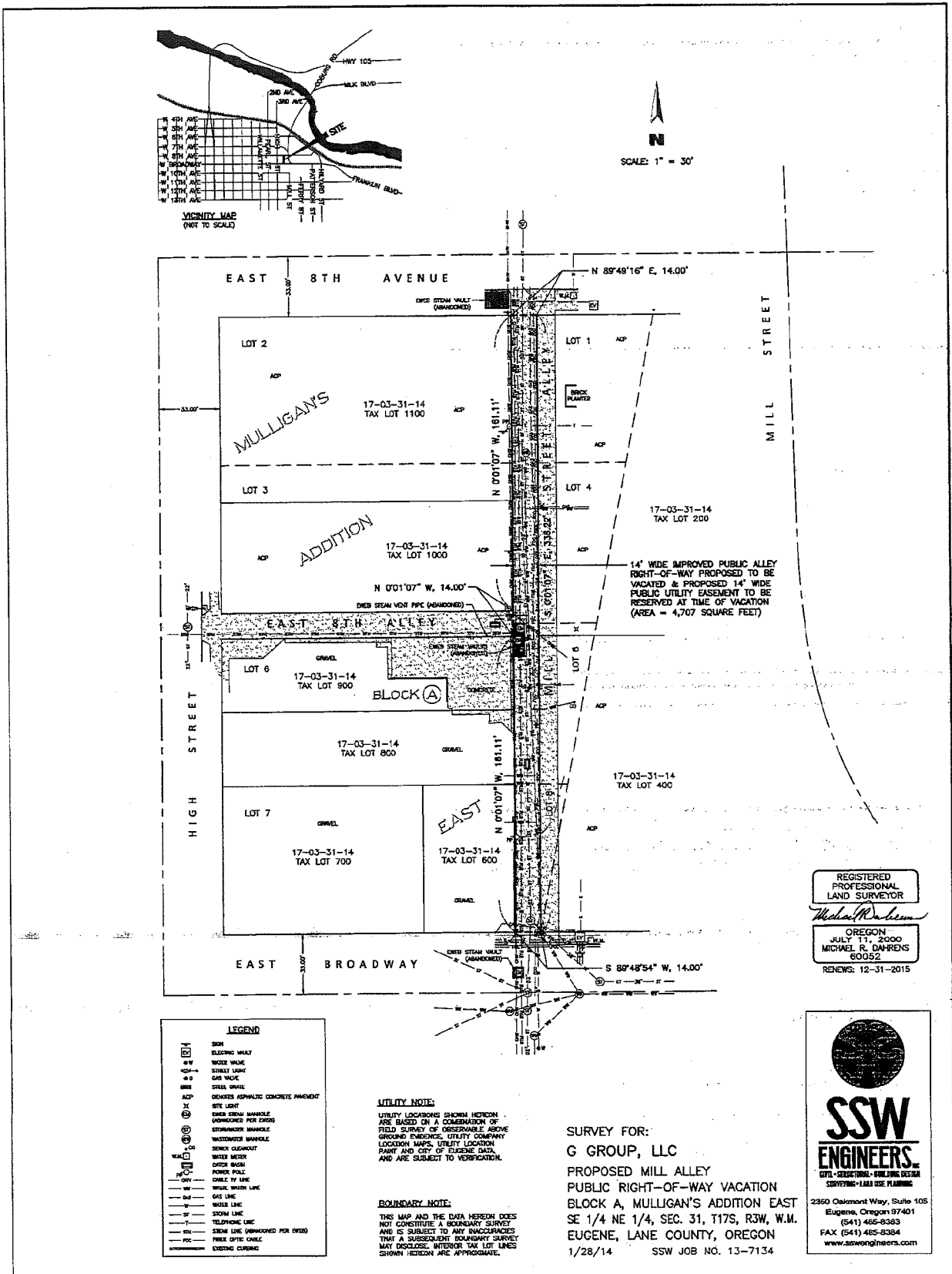


Exhibit C

LEGAL DESCRIPTION

For: Vacation of a Portion of the East 8th Alley 14.00' Public Right-Of-Way

A 14.00 foot wide strip of land situated in the Southeast Quarter of the Northeast Quarter of Section 31, Township 17 South, Range 3 West of the Willamette Meridian, in Eugene, Lane County, Oregon, said strip being more particularly described as follows:

Beginning at the Northwest corner of Lot 6, Block A, MULLIGAN'S ADDITION EAST, as depicted on the PLAN OF EUGENE CITY, as platted and recorded in Volume A, Page 122, Lane County Oregon Plat Records, said point also being on the East margin of High Street, 33.00 feet from the centerline thereof; thence along said East margin North, 14.00 feet to the Southwest corner of Lot 3, Block A of said plat; thence leaving said East margin run along the South line of said Lot 3 North $89^{\circ}49'05''$ East, 160.04 feet to the Southeast corner of said Lot 3; thence South $00^{\circ}01'07''$ East, 14.00 feet to the Northeast corner of said Lot 6; thence along the North line of said Lot 6 South $89^{\circ}49'05''$ West, 160.05 feet to the Point of Beginning, in Eugene, Lane County, Oregon.

Containing 2,241 square feet, more or less.



Exhibit D

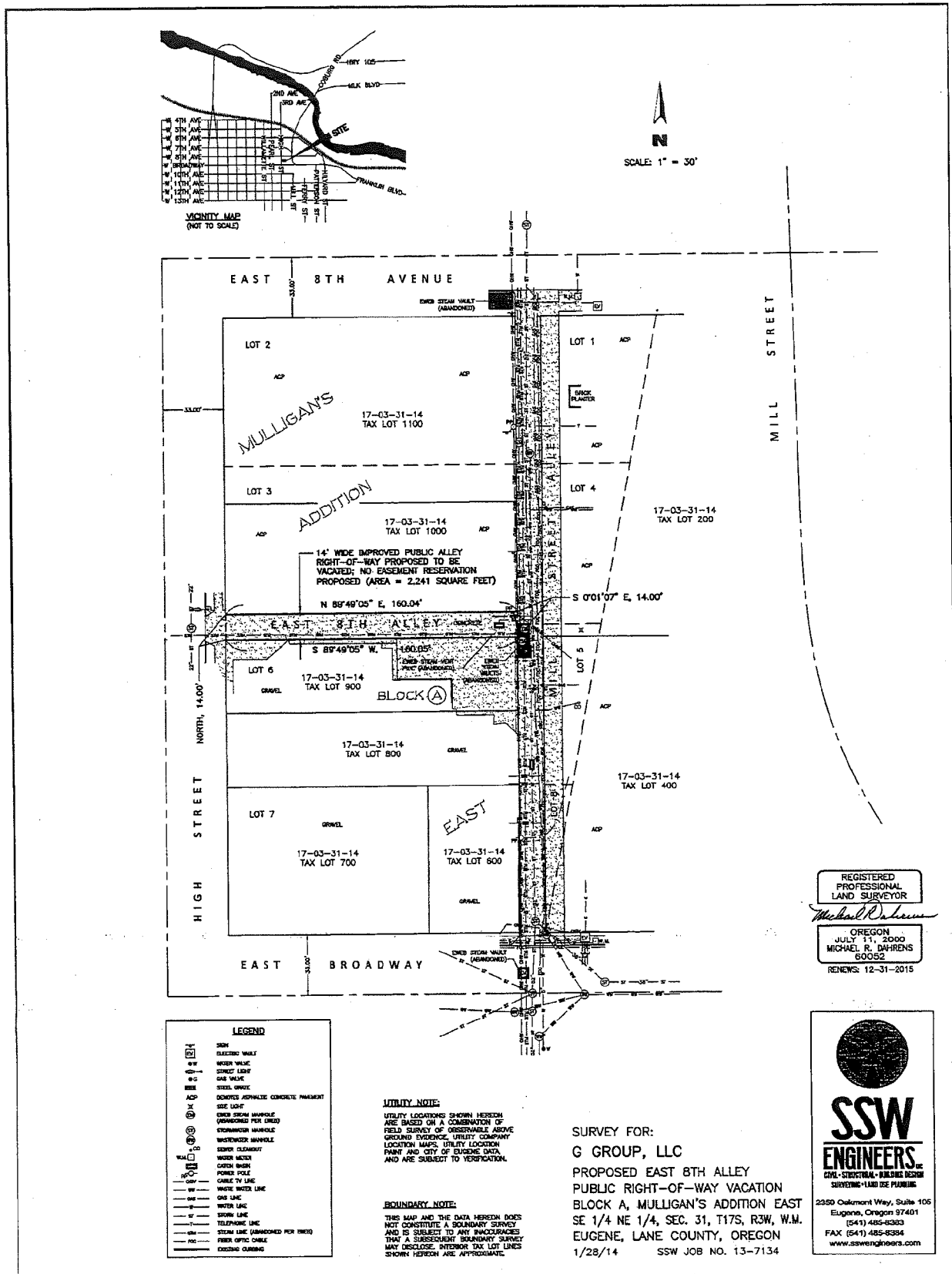


Exhibit E: Findings

Background:

Broadway & Pearl Associates, LLC (Applicant) requests the vacation of two improved public rights-of-way: the portion of Mill Alley that is 14 feet wide and 334 feet in length, between East 8th Avenue and East Broadway; and the portion of East 8th Alley that is 14 feet wide and 160 feet long, between High Street and Mill Alley. The total area of request consists of 6,916 square feet of public right-of-way. The applicant owns all of the properties abutting the alleys proposed to be vacated.

The Applicant's properties are currently developed with surface parking lots and two commercial buildings; one a restaurant use and the other a former bank use. The applicant submitted signed consent from at least two-thirds of owners in the affected area, as required by Eugene Code (EC) 9.8710(6) and Oregon Revised Statutes (ORS) 271.080(2).

The applicant's representative, Kristen Taylor, TBG Architects and Planners, indicates that the requested vacation is necessary to redevelop the block located between High Street and Mill Street, and East Broadway and East 8th Avenue, to accommodate a new vibrant commercial building and the associated site infrastructure, such as parking, landscaping and pedestrian walkways. The applicant provided a conceptual site plan to illustrate how the entire block might be redeveloped. The concept calls for the replacement of the two existing buildings and disjointed surface parking lots with a new comprehensive commercial development on the entire block, which is the eastern gateway to Eugene's downtown.

When rights-of-way are vacated, ORS requires ownership of the underlying land to revert back to the adjacent lands from which they were originally dedicated. If the vacation is approved, the alleys will revert from public to private ownership by Broadway & Pearl Associates, LLC. EC 9.8710(5) requires the applicant to pay a deposit equal to the assessed value of the real property and any costs incurred by the city in the construction of public improvements. The city's real property officer has calculated the assessed value as being \$207,765. The applicant has submitted a deposit in this amount, which will either be retained by the city if the vacation is approved or returned to the applicant if the vacation is not approved.

The vacation request process provides a means to evaluate the need for public ways as land develops and uses change over time, and to address the manner in which the City may dispense with public ways. Requests for the vacation of public streets and alleys are considered in accordance with Eugene Code (EC) 9.8700-9.8725 and Oregon Revised Statutes (ORS) 271.080-271.230. These requests are also subject to procedural requirements at EC 9.7445-9.7455.

Compliance with Approval Criteria:

The sole approval criterion at EC 9.8725 requires the City Council to find that approval of the requested right-of-way vacation is in the public interest. The full text of the approval criterion is provided below, with findings demonstrating compliance:

The city council shall approve, or approve with conditions and reservations of easements, the vacation of improved public right-of-way, public ways acquired with public funds, or undeveloped subdivision and partition plats, or portions thereof, including public right-of-way and improved public easements located therein, only if the council finds that approval of the vacation is in the public interest.

The required public notice and hearing have occurred on the vacation request in accordance with applicable statutory and local code requirements. Consent for the vacation request from abutting and affected owners, and payment of a special assessment for the area of vacated right-of-way, has been provided by the applicant, as required by statutes and local code. The vacation request was referred to affected city departments and public utility service providers; referral responses indicate that the public interest is maintaining the function of existing underground utilities in Mill Alley.

The applicant's survey drawings delineate the alleys to be vacated, existing utilities, and the proposed reservation of a 14-foot wide public utility easement (PUE) over Mill Alley. The applicant proposes to reserve a public utility easement over the entire segment of Mill Alley, which contains the following underground utilities: Northwest Natural gas lines; CenturyLink cable; Comcast fiber optic lines and vault; and City wastewater and stormwater mains. Eugene Water and Electric Board (EWEB) staff confirms that the steam lines within the alleys have been abandoned and that they have no related issues or concerns. The applicant submitted concurrences from the affected utility providers, all of whom confirm that the applicant's proposed 14-foot-wide public utility easement in the location of the existing Mill Alley is all that is required for their services.

There are no existing utilities in the portion of East 8th Alley to be vacated. The applicant's conceptual development plan shows a building over East 8th Alley, which would provide greater building presence abutting High Street. The applicant notes that pedestrian and bicycle connectivity and outdoor seating areas on High Street and/or East Broadway will be important features of any development on the block to take advantage of and enhance downtown street level activity. The applicant's properties will continue to take primary access from the abutting East Broadway, High Street, and East 8th Avenue. With the retention of the 14-foot public utility easement over Mill Alley, any larger buildings will need to be oriented in a north-south direction. As such, vacation of the East 8th Alley is critical in order to establish a reasonable buildable area that can facilitate redevelopment of this site.

The applicant proposes to maintain the vehicular connectivity between East 8th Avenue and East Broadway, which is shown as a private drive aisle on the conceptual development plan. Given the retention of a public utility easement over this same area, this portion of the site will need to remain free of structures and therefore lends itself well for access and circulation. Under existing conditions, pedestrians share the paved alley with vehicles, since the City's design standards do not include sidewalks on alleys. The alley is predominantly used to access the adjacent surface parking lots. The applicant's redevelopment concept shows how vehicle access and on-site circulation can be accomplished without the alleys. Referral comments from Public Works staff confirm that the alleys do not provide significant public transportation benefit, given the surrounding street network that provides ample connectivity for vehicles, bikes and pedestrians.

Conclusion:

The applicant's requested right-of-way vacation is in the public interest, based on the above facts and the terms of the ordinance, to redevelop the two existing buildings and disjointed surface parking lots with a new comprehensive commercial development on the entire block, which is the eastern gateway to Eugene's downtown.