



Eugene City Council

101 W 10th Ave., Suite 203
Eugene, OR 97401
541-682-5010 • 541-682-5414 Fax
www.eugene-or.gov

EUGENE CITY COUNCIL AGENDA

October 18, 2023

12:00 p.m. CITY COUNCIL WORK SESSION

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

Meeting of October 18, 2023; Her Honor Mayor Lucy Vinis Presiding

Councilors

Randy Groves, President
Lyndsie Leech
Jennifer Yeh
Mike Clark

Matt Keating, Vice President
Emily Semple
Alan Zelenka
Greg Evans

12:00 p.m. CITY COUNCIL WORK SESSION

Mayor: I call the October 18, 2023, meeting of the Eugene City Council to order.

- 1. WORK SESSION: Public Health Industrial Development Standards**
- 2. WORK SESSION: Gas Stations**
- 3. WORK SESSION: Neighborhood Planning**

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.

October 18, 2023 Work Session

EUGENE CITY COUNCIL AGENDA ITEM SUMMARY



Work Session: Public Health Industrial Development Standards

Meeting Date: October 18, 2023
Department: Planning and Development
www.eugene-or.gov

Agenda Item Number: 1
Staff Contact: Reid Verner
Contact Telephone Number: 541-682-5534

ISSUE STATEMENT

This work session is a follow-up to previous discussions and community requests for a public health overlay one. This item responds to Council direction and will discuss options that can be implemented in the short-term and achieve outcomes intended through a public health overlay zone. The City Manager is requesting Council initiate a land use code amendment to implement public health industrial development standards.

BACKGROUND

At the February 28, 2022, City Council meeting, Council passed a motion made by Councilor Syrett to schedule a work session on the concept of a public health overlay zone, including:

- What the benefits of creating an overlay zone might be, and
- How the City would develop criteria for deciding which areas might benefit from such a zone.

On May 23, 2022, Council had a separate but related work session titled Addressing Chronic Toxic Polluters. This item reviewed the City's role in the regulation of pollutants, the role of other regulatory authorities, and what areas are appropriate for the City's role in regulation. The breadth of possible pollutants across air, water, land, and noise, makes the regulatory environment associated with pollutants complex and multi-layered as outlined in the following attachment provided at the May 2022 work session (Attachment A).

On September 26, 2022, Council held a work session to discuss the concept of a public health overlay zone as applied in other communities. In addition to a traditional overlay zone, which amends the base zoning of all properties to which it is applied, the Council discussed other tools, such as buffer zones and regulating specific uses that have negative community impacts. While an overlay zone is traditionally limited to a specific geographic area, development standards would generally apply City-wide. Attachment B shows the current industrial zone use table. This identifies permitted uses (P), uses requiring a Site Review or final Planned Unit Development (SR), uses requiring a Conditional Use Permit (C), and uses that require compliance with special development standards (S). Eugene Code's current industrial special development standards are included as Attachment C.

Development standards can be crafted and implemented to address the most immediate needs of the community. As a recent example of this approach, the Eugene City Council acted in November 2022 to regulate commercial and industrial noise in the form of vibrations and low frequency sound, amending EC 6.750. Staff and Council heard regularly from community members that this type of noise was significantly impacting their quality of life. Since adoption, staff have code authority to require businesses to comply with these new standards. Staff used to receive daily complaints. Now, virtually no complaints about vibrations are submitted. Development of specific industrial development standards to address the negative impacts from some industries can achieve the same outcome.

Industrial Development Standards Process

Council previously discussed the difference between an overlay zone, which is a zoning designation that is added to the base zone of properties and time consuming to develop and implement, and other tools including development standards. These standards could be focused on filling gaps not addressed by other agencies. Development standards, like creating buffers between residential and new industrial uses and expanding prohibited uses from the industrial use list, is an approach that can be implemented throughout the City and does not require creating an entirely new zoning district like an overlay zone.

If Council chooses to direct the City Manager to initiate a land use code amendment to implement public health development standards, staff would do the following:

- **Conduct research on tools including:**
 - Collaborate with the Lane Regional Air Protection Agency (LRAPA) and the Department of Environmental Quality (DEQ) on development standards and use restrictions.
 - Develop appropriate buffer zones or setbacks for new industry when adjacent to residential land.
 - Review other municipalities industrial development standards and use restrictions.
 - Review the Clearlake Overlay Zone (Attachment D) to consider additional uses that would be restricted or require land use approval through a Site Review or Conditional Use Permit process.
 - Research legal limitations and ramifications, including regulatory takings laws.
- **Public Outreach:**
 - Develop public outreach to neighborhoods, existing and proposed industrial businesses, landowners, and industrial developers to determine the community needs and understand impacts to existing and proposed businesses.
 - Utilize the Eugene Planning Commission for public involvement and to craft a recommendation for the City Council.
- **Propose New Development Standards and Use Restrictions**
 - Respond to issues raised during public outreach.
 - Work with the Eugene Planning Commission to draft a recommended proposed ordinance for Council consideration.
 - Return to Eugene City Council for a work session, deliberations and action in the summer of 2024.

RELATED CITY POLICIES

This item supports the Council goal of Safe Community for Community Wellbeing in the City of Eugene [Strategic Plan](#).

This item is also related to the following:

- Envision Eugene Comprehensive Plan: The Economic Development Chapter includes the following relevant policies:
 - 3.22 West Eugene industrial areas. Protect industrial areas in west Eugene, while supporting their evolution into diverse places of commerce with a flexible regulatory approach that offers a broad mix of employment and industrial uses, thereby accommodating increased employment densities and services to surrounding neighborhoods.
 - 3.23 Flexible campus employment areas. Recognize changing market demands and accommodate land needs through flexible zoning for light industrial/campus employment areas, including Greenhill Technology Park, Willow Creek Circle and Chad Drive.
 - 3.24 Environmental justice and compatibility. To promote compatibility between industrial lands and adjacent areas, apply and maintain land use regulations to avoid the siting of new heavy industrial uses in areas that already accommodate a disproportionate amount of such uses or near residentially designated lands, schools, day care centers, and community recreational facilities such as athletic fields, pools and playgrounds; or, mitigate typical associated impacts when adjacency cannot be avoided.
- Neighborhood Planning: Several health-related aspects can be addressed through neighborhood planning, including walkability, transportation options, access to parks and open space and equitable opportunities for access to healthy food. The River Road-Santa Clara neighborhoods are currently undertaking a neighborhood planning effort. The University area, and Bethel, are slated to be the next efforts.
- Climate Friendly and Equitable Communities Rulemaking Implementation: The City is currently developing and implementing several land use and transportation comprehensive plan and regulatory changes to reduce greenhouse gas emissions.
- Climate Action Plan 2.0 (CAP 2.0): The purpose of the CAP2.0 is to outline the actions needed to reach Eugene's community-wide Climate Recovery Ordinance (CRO) goals. These goals include a science-based projection that returning to 350 parts per million of carbon dioxide equivalent will limit the earth's warming to 1 degree Celsius. This plan, Eugene's Community Climate Action Plan 2.0 continues the momentum created by Eugene's Climate Recovery Ordinance by identifying research-based actions that will help the community reach its climate goals most quickly. The CAP 2.0 connects readers to other plans and policies already in place that are foundational to achieving these goals to create an equitable and livable community for everyone.

PREVIOUS COUNCIL DIRECTION

[February 28, 2022, City Council Meeting](#)

City Council passed a motion made by Councilor Syrett seconded by Councilor Groves, to direct the City Manager to schedule a work session on the concept of a public health overlay zone; the work session should provide information on what the benefits of

creating an overlay zone might be, and how the City would develop criteria for deciding which areas of the City might benefit from such a zone. (Motion Passed 8:0)

May 23, 2022, Work Session

City Council held a work session titled Addressing Chronic Toxic Polluters and reviewed the City's role in the regulation of pollutants, the role of other regulatory authorities, and then discussed opportunities for the City's role in regulation.

September 26, 2022, Work Session

City Council held a work session on Public Health Overlay Zone and Other Concepts.

COUNCIL OPTIONS

1. Direct the City Manager to initiate a land use code amendment to implement public health industrial development standards.
2. Take no action at this time.

CITY MANAGER'S RECOMMENDATION

The City Manager recommends Option 1.

SUGGESTED MOTION

Move to direct the City Manager to initiate a land use code amendment to implement public health industrial development standards.

ATTACHMENTS

- A. Summary of Pollutant Regulator Authority & Programs in Eugene
- B. EC 9.2450 Employment and Industrial Zone Land Use and Permit Requirements
- C. EC 9.2460 Employment and Industrial Zone Development Standards
- D. EC 9.4165 /CL Clear Lake Overlay Zone Special Application and Development Standards

FOR MORE INFORMATION

Staff Contact: Reid Verner, Land Use Supervisor
Telephone: (541) 682-5534
Staff E-Mail: rverner@eugene-or.gov

Pollutant	Lead Regulator in Eugene	Complaint Process	City of Eugene Related Regulations	City of Eugene Related Programs	Other Tools
Air	LRAPA (delegated by DEQ)	<ul style="list-style-type: none"> • Submit complaint to LRAPA (pollutants) • Submit complaint to City (land use) 	<ul style="list-style-type: none"> • Clear Lake Overlay Zone • Zoning/Planning (use adjacency, permitted uses, etc.) • Fireworks ban 	<ul style="list-style-type: none"> • Council-appointed LRAPA board members • Eugene Toxics Right-to-Know Program/Toxics Board • Climate Recovery Ordinance • EV strategy/electric mobility program (Council action) • TransPlan (transportation system plan) 	<p><u>Policy</u></p> <ul style="list-style-type: none"> • Lobbying (rules, staffing/funding, enforcement) • Particulate restrictions on poor air quality days (via LRAPA) • Economic development strategies (promote green businesses) • Risk Bonds/insurance requirements (future Council work session) <p><u>Operations</u></p> <ul style="list-style-type: none"> • Additional monitoring (\$/FTE) • Regulation of specific uses (i.e., gas-powered leaf blowers, fueling stations, etc.) • Inspections (Fire, Building, etc.) <p><u>Community Members</u></p> <ul style="list-style-type: none"> • Homeowner assistance (grants for HEPA filters) • Education and information (home wood heating, idling engines) • Community engagement (DEQ Site Assessment Program)

Pollutant	Lead Regulator in Eugene	Complaint Process	City of Eugene Related Regulations	City of Eugene Related Programs	Other Tools
Water	Oregon DEQ	<ul style="list-style-type: none"> • Submit complaint to DEQ • Submit complaint to City (stormwater, erosion) 	<ul style="list-style-type: none"> • NPDES permit (wastewater, stormwater) (regulated) • Stormwater drywells (regulated) • TMDL Plan/provisions (regulated) • Stormwater permit (1200- CA (construction) (regulated) • Erosion prevention (code/permits) (regulator) • Industrial stormwater (permits) (regulator) • Illicit discharge detection and elimination (regulator) • Stormwater standards for new and re-development (regulator) • Zoning/Planning (use adjacency, permitted uses, etc.) • Storage tank permitting 	<ul style="list-style-type: none"> • Industrial Wastewater Pretreatment Program • Stormwater Management and Monitoring plans (i.e., green infrastructure) • Water Quality (WQ) Overlay Zone • MWMC (biosolid management) • Eugene Toxics Right-to-Know Program/Toxics Board • COE outreach, information and education • ROW maintenance (street sweeping, leaf collection, etc.) 	<p><u>Policy</u></p> <ul style="list-style-type: none"> • Lobbying (rules, staffing/funding, enforcement) <p><u>Operations</u></p> <ul style="list-style-type: none"> • Additional monitoring (\$/FTE) • Development incentives and offsets for scaled stormwater approach

Pollutant	Lead Regulator in Eugene	Complaint Process	City of Eugene Related Regulations	City of Eugene Related Programs	Other Tools
Land	Oregon DEQ	<ul style="list-style-type: none"> • Submit complaint to DEQ 	<ul style="list-style-type: none"> • Zoning/Planning (use adjacency, permitted uses, etc.) • Storage tank permitting • Single Use Ordinances • Solid Waste Hauler regulation 	<ul style="list-style-type: none"> • Eugene Toxics Right-to-Know Program/Toxics Board • City of Eugene Emergency Management Plan • Waste Prevention Program (Love Food Not Waste) • Brownfields Assessment Grant • ESF Extremely Hazardous Substance Plan • Hazardous Substance Information System Survey (FMO) • Storage tank tracking 	<u>Policy</u> <ul style="list-style-type: none"> • Zoning/Planning • Risk bonds/insurance requirements (future Council work session)
Noise & Vibration	City of Eugene	<ul style="list-style-type: none"> • Submit complaint to City (Building/Zoning, Animal Services or Police) 	<ul style="list-style-type: none"> • Eugene Code (4.080-4.084; 6.750-6.755) (• Clear Lake Overlay Zone (vibration) • Fireworks ban 	<ul style="list-style-type: none"> • Railroad Quiet Zone 	<u>Policy</u> <ul style="list-style-type: none"> • Adoption of vibration regulations <u>Operations</u> <ul style="list-style-type: none"> • Regulation of specific uses (i.e., leaf blowers, etc.) • Increased FTE/\$ for noise complaint response/enforcement

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.

(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	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)	
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(4)	P(2)	P(4)	

The Eugene Code is current through Ordinance 20693, passed July 12, 2023.

Table 9.2450 Employment and Industrial Zone Land Use and Permit Requirements				
	E-1	E-2	I-2	I-3
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 June 23, 2014	C			
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. An <u>example</u> could include: a fire station.	P	P	P	P
Information Technology Services				

The Eugene Code is current through Ordinance 20693, passed July 12, 2023.

Table 9.2450 Employment and Industrial Zone Land Use and Permit Requirements				
	E-1	E-2	I-2	I-3
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		
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
Handcraft Industries, small scale manufacturing		P	P	P

The Eugene Code is current through Ordinance 20693, passed July 12, 2023.

Table 9.2450 Employment and Industrial Zone Land Use and Permit Requirements				
	E-1	E-2	I-2	I-3
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		

The Eugene Code is current through Ordinance 20693, passed July 12, 2023.

Table 9.2450 Employment and Industrial Zone Land Use and Permit Requirements				
	E-1	E-2	I-2	I-3
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		
Laboratory, includes medical, dental, and x-ray. In the E-1 zone, the 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		
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

The Eugene Code is current through Ordinance 20693, passed July 12, 2023.

Table 9.2450 Employment and Industrial Zone Land Use and Permit Requirements				
	E-1	E-2	I-2	I-3
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				
Single-Unit 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(4)	P(2)	P(4)	

The Eugene Code is current through Ordinance 20693, passed July 12, 2023.

Table 9.2450 Employment and Industrial Zone Land Use and Permit Requirements				
	E-1	E-2	I-2	I-3
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)(7)	P(2)(7)		
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)	P	P	P	P

The Eugene Code is current through Ordinance 20693, passed July 12, 2023.

Table 9.2450 Employment and Industrial Zone Land Use and Permit Requirements				
	E-1	E-2	I-2	I-3
unless fully enclosed within a building or approved through a Type II procedure that shows low visual impact.				
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)		
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

The Eugene Code is current through Ordinance 20693, passed July 12, 2023.

Table 9.2450 Employment and Industrial Zone Land Use and Permit Requirements				
	E-1	E-2	I-2	I-3
Train Station		P	P	P
Upholstery Shop		P(2)		
Veterinarian Service		P(2)		

(Section 9.2450, see chart at front of Chapter 9 for legislative history from 2/26/01 through 6/1/02; amended by Ordinance No. 20269, enacted November 25, 2002, effective December 25, 2002; Ordinance No. 20299, enacted October 22, 2003, effective November 21, 2003, remanded on February 25, 2005 and provisions administratively removed on April 11, 2005; amended by Ordinance No. 20353, enacted November 28, 2005, effective January 1, 2006; Ordinance No. 20417, enacted August 11, 2008, effective July 7, 2009; Ordinance No. 20528, enacted May 14, 2014, effective June 23, 2014; Ordinance No. 20584, enacted July 17, 2017, effective August 24, 2017; Ordinance No. 20602, enacted July 23, 2018, effective August 24, 2018; Ordinance No. 20667, enacted May 24, 2022, effective June 25, 2022.)

The Eugene Code is current through Ordinance 20693, passed July 12, 2023.

Disclaimer: The city recorder's office has the official version of the Eugene Code. Users should contact the city recorder's office for ordinances passed subsequent to the ordinance cited above.

[City Website: www.eugene-or.gov](http://www.eugene-or.gov)

[Hosted by Code Publishing Company, A General Code Company.](#)

The Eugene Code is current through Ordinance 20693, passed July 12, 2023.

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				
	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

The Eugene Code is current through Ordinance 20693, passed July 12, 2023.

Table 9.2460 Employment and Industrial Zone Development Standards				
	E-1	E-2	I-2	I-3
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
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 9.2460, see chart at front of Chapter 9 for legislative history from 2/26/01 through 6/1/02; amended by Ordinance No. 20528, enacted May 14, 2014, effective June 23, 2014.)

The Eugene Code is current through Ordinance 20693, passed July 12, 2023.

Disclaimer: The city recorder's office has the official version of the Eugene Code. Users should contact the city recorder's office for ordinances passed subsequent to the ordinance cited above.

[City Website: www.eugene-or.gov](http://www.eugene-or.gov)

[Hosted by Code Publishing Company, A General Code Company.](#)

The Eugene Code is current through Ordinance 20693, passed July 12, 2023.

9.4165 /CL Clear Lake Overlay Zone Special Application and Development Standards.

(1) *Application Requirements.* In addition to standard required application materials, a development permit proposing a new building, change of use, additional use, or building expansion that exceeds 25 percent of the existing building square footage on the development site shall include the following additional application material at the time of submittal:

- (a) Demonstration of compliance with EC [9.7007](#) Neighborhood/Applicant Meetings. Developments that require multiple applications may convene a single neighborhood/ applicant meeting to address all materials; and
- (b) A pre-clearance letter issued by the Lane Regional Air Protection Agency (LRAPA) confirming that the proposed use and associated operations have the ability to meet air quality standards with appropriate control technologies and mitigation measures. The LRAPA pre-clearance letter does not constitute formal approval of the use by either LRAPA or the City of Eugene.

(2) *Development Standards.* In addition to the development standards of the applicable base and overlay zones, a development permit proposing a new building, change of use, additional use, or building expansion that exceeds 25 percent of the existing building square footage on the development site shall demonstrate compliance with the following standards at the time of application submittal.

- (a) *Single Business.* Development shall be limited to a single business per tax lot (tax lots shown on Figure 9.4170 or subsequently created as permitted by the lot standards in EC [9.4170](#)).
- (b) *Lighting.* The proposed use shall comply with the Outdoor Lighting standards in EC [9.6725](#).
- (c) *Indoor Activity.* For development located south of Clear Lake Road only, manufacturing operations of the proposed use shall be conducted indoors.

(3) *Performance Standards.* In addition to demonstrating compliance with the development standards of the applicable base and overlay zones, a development permit proposing a new building, change of use, additional use, or building expansion that exceeds 25 percent of the existing building square footage on the development site shall provide a statement on the application plans committing the applicant to compliance with the following performance standards during operation:

- (a) *Odors and Emissions.* Emission of smoke, dust, fumes, offensive odors, or gases associated with the proposed use will not be noticeable at the property line by a human observer relying on human senses without the aid of a device. Additionally, the permit requirements of the State and/or LRAPA will remain applicable.

The Eugene Code is current through Ordinance 20693, passed July 12, 2023.

(b) *Vibration*. Uses are operated so that any generated ground vibrations – continuous or recurrent – will not be perceptible, without instruments, at any point along the property boundary within which the proposed use is located.

(c) *Noise*. The proposed use will comply with the Environmental Noise Disturbance standards in EC [6.750](#). In addition to the standards therein, measurements of the 60 dBA limitation shall also be applicable along property lines of adjacent, affected public lands (i.e., schools, public parks).

(4) *Prohibited Uses in the /CL Clear Lake Overlay Zone*. The following uses are prohibited within the /CL Clear Lake Overlay zone:

- (a) Asphalt mixing and batching.
- (b) Chemical products manufacturer (includes synthetic fertilizers).
- (c) Chrome and nickel plating.
- (d) Cleaning and dyeing plant.
- (e) Correctional facility, excluding residential treatment center.
- (f) Concrete, gypsum, and plaster products manufacturer.
- (g) Dry cleaner.
- (h) Garbage dump, sanitary land fill.
- (i) Mineral resource mining, recovery, stockpiling, processing (including smelter or ore reduction).
- (j) Paper mill (conversion of raw material, i.e., pulp to paper).
- (k) Petroleum/fuel refining and re-refining.
- (l) Race track, including drag strip and go-cart tracks (not including indoor uses).
- (m) Rubber and plastic products manufacturer (includes tire manufacturing and re-tread operations).
- (n) Wood preservation.
- (o) Wood biomass-fueled cogeneration facility.
- (p) Wastewater (sewer) treatment facility (not including industrial pre-treatment facilities).
- (q) On land designated Campus Industrial by the comprehensive plan, the following uses are also prohibited:

- 1. Manufactured and mobile homes manufacturer.
- 2. Recreational vehicles manufacturer.

The Eugene Code is current through Ordinance 20693, passed July 12, 2023.

3. Wholesale, warehousing, and distribution (unless provided as an accessory use)

(5) *Adjustment Review.*

(a) The standards at EC [9.4165\(2\)](#) through [\(3\)](#) may be adjusted in accordance with EC [9.8030\(36\)](#).

(b) Even if adjustment would be allowed in the base zone, the stormwater standards in EC [9.6790](#) through [9.6797](#) are not eligible for adjustment in the /CL Clear Lake Overlay Zone.

(Section 9.4165 added by Ordinance No. 20584, enacted July 17, 2017, effective August 24, 2017.)

The Eugene Code is current through Ordinance 20693, passed July 12, 2023.

Disclaimer: The city recorder's office has the official version of the Eugene Code. Users should contact the city recorder's office for ordinances passed subsequent to the ordinance cited above.

[City Website: www.eugene-or.gov](http://www.eugene-or.gov)

[Hosted by Code Publishing Company, A General Code Company.](#)

The Eugene Code is current through Ordinance 20693, passed July 12, 2023.

EUGENE CITY COUNCIL AGENDA ITEM SUMMARY



Work Session: Gas Stations

Meeting Date: October 18, 2023
Department: Planning & Development
www.eugene-or.gov

Agenda Item Number: 2
Staff Contact: Jeff Gepper
Contact Telephone Number: 541-682-5282

ISSUE STATEMENT

At this work session, City Council will be provided with an overview of gas stations in Eugene and potential avenues for changing land use regulations for gas stations in the City. Requested by City Council through a poll, this work session is intended to respond to the questions in the poll. This is an informational item, and no Council action is requested.

BACKGROUND

The City Council requested a work session regarding the environmental and public health impact of gas stations on the community, as well as possible opportunities for restricting or banning gas stations in Eugene. The following response to the Council's request includes information on gas stations within the City of Eugene, including the land use framework that impacts the development of new gas stations. Several options and ideas for regulating gas stations through the land use code are presented as possible actions that could be evaluated further for potential implementation.

In support of regulating gas stations, research generally concludes that the dispensing of fossil fuels has the potential for two direct negative impacts on public health and the environment. The first is the release of harmful fumes that are known to be toxic to humans. The second is the leeching or discharge of fossil fuel products into the earth, groundwater, and stormwater. For these reasons, gas stations are regulated heavily by many different jurisdictions as discussed below. Also, as cited by the City's Climate Action Plan 2.0, transportation is one of three, and the largest, "buckets" for Eugene's greenhouse gas emissions. It's noted in the Plan that the combustion of gasoline and diesel fuels is the primary source of greenhouse gas emissions in the transportation bucket. As gas stations are integral to the transportation system and the dispensing of fossil fuels, they are part of that cycle for continued production of greenhouse gases.

The following information provides a snapshot of gas stations in Eugene, gas stations in the context of Eugene's land use code, and the multi-jurisdictional framework in place to mitigate the potential for negative impacts. Finally, several options are discussed for providing new or enhanced land use regulations for new gas stations being developed in Eugene, as well as information on electric vehicle charging stations.

Gas Stations Numbers for the City of Eugene

There are 42 gas stations within Eugene's urban growth boundary (UGB). Since 2018, four new gas stations have been developed in Eugene and two others are proposed and in the process of acquiring necessary permits. While the majority of these new gas stations (four of the six) are located on lands zoned C-2 Community Commercial, the two others are located on property zoned E-2 Mixed Use Employment and the S-C Chambers Special Area Zone.

Five of the six new facilities are located on major transportation corridors, including Highway 99 and Highway 126 (i.e., West 6th, 7th, and 11th Avenues). The newly developed or developing gas stations are located at the following intersections:

- Highway 99 and Roosevelt (2)
- West 7th Avenue and Polk Street
- West 6th Avenue and Garfield
- West 11th Avenue and Bailey Hill Road
- Barger Road and West Irwin Way

A list and map of all 42 gas stations are included in Attachments A and B. These locations have also been visualized on a [Gas Stations Webmap](#). From this visualization, it is apparent that gas stations tend to be sited on high volume streets, like arterials and larger highways. They also tend to cluster around major intersections throughout Eugene.

Eugene's Definition for Gas Stations

While this agenda item summary uses the term "Gas Stations," it is important to recognize that the City's land use code does not specifically define "Gas Stations." Rather, Eugene Code (EC) Chapter 9 incorporates gas stations into its broader definition, "Service Station," which is defined as:

"A place where motor fuel and oil for motor vehicles is sold. Incidental services consist of selling, servicing and installing tires, batteries, accessories and related products, as well as minor repair and service when conducted entirely within an enclosed building. 'Minor repair and service,' as used in this definition, excludes activities such as painting, body work, steam cleaning, tire recapping, major engine or transmission overhaul or repair involving removal of a cylinder head or crankcase, and mechanical car washing that includes equipment to wash more than one car at a time."

This nuance in the land use code can have significant bearing on the implementation and standards governing where and how gas stations, or rather, service stations are regulated. One beneficial opportunity associated with any changes around this topic would be to modernize the land use code definitions and define gas stations more explicitly. Specifically, it would be helpful to clarify the difference between gas stations, other fossil fuel providers, and electric vehicle charging stations, none of which are defined in the land use code. Updating the definitions would allow for a more nuanced approach to allowing different types of service stations throughout the City.

Zoning Allowances for Gas Stations

Currently, service stations, which includes gas stations, are permitted outright in the following base zones and Special Area Zones (SAZs):

- C-2 Community Commercial
- C-3 Major Commercial
- E-2 Mixed Use Employment
- I-2 Light-Medium Industrial
- I-3 Heavy Industrial
- S-F Fifth Avenue SAZ
- S-WS Walnut Station SAZ
- S-C Chambers SAZ (C-2 Subarea)

The E-2 Mixed Use Employment, I-2 Light-Medium Industrial, and I-3 Heavy Industrial zones permit service stations only if the subject property is located over one-half mile by motor vehicle travel from commercially zoned land. Additionally, the PL Public Land zone allows for service stations intended for use by government vehicles.

Certain zones, such as the residential zones, do not include services stations as an allowable use, and other zones and overlay zones explicitly prohibit service stations. These include:

- S-CN Chase Node SAZ
- S-DR Downtown Riverfront SAZ
- /BW Broadway Overlay
- /EC East Campus Overlay
- /ND Nodal Development Overlay

Based on the allowances above, service stations are broadly permitted on Eugene's commercial and industrial lands, and generally prohibited on residential, parks, and public lands. The zones that permit gas stations are included on the [Gas Stations Webmap](#) to illustrate where zoning generally permits gas stations as a use. For ease of reference, a map of these zones has also been provided in Attachment B.

City of Eugene Development Standards for Gas Stations and Required Permits

While Eugene's land use code lacks development standards specific to gas stations, new gas stations are subject to the City's general development standards, which include requirements for necessary infrastructure, setbacks, height limitations, driveway locations, and many more. All developments are subject to a general set of development standards and in certain cases a specific zone may have additional standards that apply.

One important set of standards applicable to gas stations are the City's stormwater standards. These standards require that all facilities be constructed according to the Stormwater Management Manual, which has special rules for 3.2 Fuel Dispensing Facilities because of the risk of contamination into the water supply.

New gas stations also require building permits and often require other permits, such as erosion control, depending on the extent of work being done on site. Typically, new gas stations also require Traffic Impact Analysis (TIA), a Type II land use application, because the development will generate more than 100 new vehicle trips. A Type II land use application is subject to public notice and comment, Planning Director approval based on specific approval criteria and an appeal opportunity. The purpose of TIA review is to ensure that developments that generate a significant amount of traffic or cause additional traffic problems provide the facilities necessary to

accommodate the traffic impact of the proposed development.

Finally, the Eugene Fire Marshal's Office reviews and inspects fuel tanks, both underground and aboveground, for compliance with Eugene Fire Code as part of the permitting process. Inspection of the tanks and fuel delivery lines is done during construction to ensure proper installation.

Other Agencies, Regulations, and Oversight of Gas Stations

Beyond the City's land use regulations for gas stations, there are federal, state, and other local agencies that regulate gas stations in some way and may require gasoline dispensing facilities to limit emissions of hazardous air pollutants, obtain applicable permits, keep records of equipment inspection and maintenance, and report operational details to designated agencies. Some federal, state, and local gas station regulations are provided below.

Federal: The Environmental Protection Agency (EPA) requires gasoline dispensing facilities to demonstrate compliance with national emission limitations and management practices for hazardous air pollutants. The EPA requires that gasoline dispensing facilities coordinate with delegated state authorities to obtain necessary permits; periodically test vapor balance systems on site; and report monitoring results, operation and maintenance records, and inspection records to the applicable EPA Regional Office and state authorities.

State: As the delegated state authority, Oregon's Department of Environmental Quality (DEQ) requires all gasoline dispensing facilities to submit an initial notification that includes monthly and annual gasoline throughputs. Requirements for obtaining permits; installing appropriate equipment; inspection and maintenance of vapor balance equipment; recordkeeping; and reporting vary depending on gasoline throughput. DEQ rules also specify that submerged fill pipes are required at all gasoline dispensing facilities.

Local: In Lane County, Lane Regional Air Protection Agency (LRAPA) is responsible for issuing air permits, including the General Air Contaminant Discharge Permit (ACDP). An ACDP is required for gasoline dispensing facilities, to commercial and industrial operations with emissions above a certain threshold. LRAPA has requirements related to the installation, use, and maintenance of vapor balance systems. Similarly to federal and state rules, LRAPA requires gasoline dispensing facilities to take "reasonable precautions" to prevent gasoline vapor releases to the atmosphere.

Gas Station Land Use Regulation Concepts

Within the context of the land use code, there are several different opportunities to regulate the siting and development of new gas stations within the City. As stated above, with any of the options discussed below, it would behoove the City to also modernize the definition of service stations to identify gas stations more explicitly as a specific use. This will allow siting and development of "gas stations" specifically, as opposed to any "service stations." When looking at potential avenues for further regulating gas stations, it can be broken down into three general tiers, those being:

- Tier 1: An outright ban of new gas stations
- Tier 2: Limiting the allowed zones and locations of new gas stations
- Tier 3: Additional development standards for new gas stations

Tiers 2 and 3 could be used in combination to establish an interwoven set of tools to regulate newly developed gas stations.

Tier 1 To prohibit new gas stations would be a relatively simple change as it pertains to changes within the land use code itself. In effect, gas stations would be listed as a use, but would not be permitted in any zone, thereby eliminating it as an allowed use within the City. While the textual change within the land use code would be relatively simple, demonstrating compliance with the applicable approval criteria to ensure an ordinance would withstand opposition would likely require a significant amount of work.

Tier 2 As opposed to an outright elimination of new gas stations, the siting of new gas stations can be controlled by establishing additional requirements within the land use code. A similar tool already exists within Eugene's land use development standards in which there is a requirement for the "separation between retail marijuana uses." This existing standard requires that any new retail marijuana use must be 1,000 feet from the premises of any other retail marijuana use.

A similar tool could be used for gas stations, in which a distance is set by which no new gas station can be located within that distance of another gas station. In the [Gas Stations Webmap](#), a distance buffer of 1,000 feet, a quarter (1/4) mile, and a half (1/2) mile are illustrated to demonstrate the impacts of where new gas stations could be sited to avoid clusters of new gas stations.

This same methodology could be used to buffer new gas stations from vulnerable populations or incompatible uses. For example, a distance requirement could be set to establish a buffer from any residentially zoned property or public schools. An example of a 500 foot distance from residentially zoned properties and a 1,000 foot distance from public schools is also available for review in the [Gas Stations Webmap](#).

The distances provided are intended to provide an example and further research would be required to identify a rationale for any required distance.

Tier 3 To control the development and design of gas stations, a set of "special development standards" could be created to help mitigate some of the negative externalities associated with gas stations. Special development standards are a tool commonly applied to uses that have potential impacts on neighboring properties or may need additional standards to ensure compatibility with surrounding uses.

Some special development standards already exist for several uses, including telecommunication towers, apartments, middle housing, and large commercial developments. New special development standards for gas stations could include special standards for buffering from adjacent properties (i.e., increased setbacks), enhanced landscaping requirements, or limiting the size of new stations.

Additionally, to help facilitate the transition to electric vehicle charging, a standard could be established that requires a certain ratio of charging stations for each fossil fuel

October 18, 2023 Work Session – Item 2

dispensing unit (i.e., gas pump).

Each of the listed tiers above would require land use code amendments, a process the City Council has engaged with recently for projects like Middle Housing or Parking Reform for Climate Friendly and Equitable Communities work. These changes follow a Type V legislative land use process and are subject to public hearings conducted by both the Planning Commission and Eugene City Council and would be applicable within Eugene city limits. Any changes would also necessitate outreach with the local business community, including owners of local gas stations and those businesses that heavily rely upon them.

Electric Vehicle Charging

At this time, electric vehicle (EV) charging locations or stations are permitted through the land use code, typically as an “accessory use” to a primary use on a site. However, Eugene’s land use code does not regulate, define, or recognize EV charging locations or stations as a use, nor are there development standards for these types of facilities. The recent changes made under the [Climate Friendly and Equitable Communities](#) (CFEC) rule making has initiated some changes on the topic. For example, CFEC is looking to help prepare for a future with more EVs by ensuring new mixed-use and multi-family housing development provides charging infrastructure. As a result, certain developments are required to install electric vehicle infrastructure so that these new developments have the capacity for EV charging stations in the future. Additionally, the City Council is currently considering a land use code amendment for Parking Reform as required under CFEC. A component of this amendment includes the City’s first ever development standards for EV Charging. As outlined in Tier 3 above, there are ways to incentivize or require EV charging through the land use code, but those opportunities require further exploration and analysis.

RELATED CITY POLICIES

Strategic Plan 2023-2026

Urgent Community Needs Focus Area. *We will prioritize crises that are, or may become, problems impacting health, safety, and welfare.*

- Strategic Goal: Advance climate action and community resilience to natural and human caused disasters.
- Hight Impact Action: Decrease transportation-related emissions and make the transportation network diverse and adaptable through continued implementation of the Eugene 2035 Transportation System Plan and related compact development actions in Envision Eugene.

Climate Action Plan 2.0

Goal 3. By the year 2030, all businesses, individuals, and others living or working in the city collectively shall reduce the total (not per capita) use of fossil fuels by 50% compared to 2010 usage.

Goal 4. By the year 2100, total community greenhouse gas emissions shall be reduced to an amount that is no more than the city of Eugene’s average share of global atmospheric greenhouse gas level of 350ppm, which is estimated in 2016 to require an average emission reduction level of 7.6 percent.

EV Ideas: (14) Regulate gasoline sales and the sale of internal combustion engine vehicles by a

October 18, 2023 Work Session – Item 2

certain date.

Transportation System Plan

Greenhouse Gas, Climate Change, and Natural Environment Policies

(1) Support the use of more highly fuel-efficient vehicles including electric, hydrogen fuel cell, and non-motorized vehicles.

(2) Create a strategy that advances the goal of having an integrated transportation system that reduces fossil fuel consumption by 50 percent and reduces reliance on single-occupancy automobiles. (TSP, pg. 28)

PREVIOUS COUNCIL DIRECTION

None.

COUNCIL OPTIONS

Informational item only.

CITY MANAGER'S RECOMMENDATION

Informational item only.

SUGGESTED MOTION

None.

ATTACHMENTS

- A. List of Gas Stations in Eugene
- B. Map of Gas Stations in Eugene
- C. Map of Zones Permitting Gas Stations in Eugene

FOR MORE INFORMATION

Staff Contact: Jeff Gepper, Senior Planner

Telephone: 541-682-5282

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

Gas Stations within Eugene's Urban Growth Boundary

Gas Station	Address	Map/Tax Lot Number
Fred Meyer Fuel Center	3333 11th Avenue, West	1704352001600
7-Eleven (NEW - 2018-2023)	3738 11th Avenue, West	1704344100200
76	3890 11th Avenue, West	1704344200101
Shell	6085 11th Avenue, West	1704320000602
76 / Buy2 Fuel	1695 18th Avenue, West	1704364303900
Shell	1809 6th Avenue, West	1704362101700
7-Eleven (NEW - 2018-2023)	1963 6th Avenue, West	1704362102200
Petrocard Pacific Pride	285 6th Avenue, West	1703311204400
Astro	925 6th Avenue, West	1703312202901
Shell	1080 7th Avenue, West	1704361115500
7-Eleven (NEW - 2018-2023)	1320 7th Avenue, West	1704361219100
Chevron	330 7th Avenue, West	1703311213200
76 (NEW - 2018-2023)	5039 Barger Drive	1704163303800
Costco Gas Station	2828 Chad Drive	1703162200400
76	11 Coburg Road	1703293001100
Chevron / ExtraMile	274 Coburg Road	1703291000200
Speedway Express	317 Coburg Road	1703291001006
Space Age Fuel #19	4419 Commerce Street #5457	1704334101100

76	2155 Cubit Street East	1704153300600
Fred Meyer Fuel Center	60 Division Avenue	1704132200301
76	2091 Franklin Boulevard	1703333202600
Shell	3640 Glenwood Drive	1803032001305
76	3650 Glenwood Drive	1803032000700
Chevron	4820 Goodpasture Loop	1703183200103
76	1025 Green Acres Road	1703181300203
Chevron	1030 Green Acres Road	1703181300206
Chevron Eugene/Pacific Roads	2340 Irving Road	1704090001900
Shell / CFNstation	2690 Prairie Road	1704103100800
Buy2 Stores - River Road	2090 River Road	1704141400100
Shell	2690 River Road	1704114108000
ARCO	2785 River Road	1704114105600
Arco ampm (NEW - 2018-2023)	2815 Roosevelt Boulevard	1704262401500
Chevron	4690 Royal Avenue	1704281201900
Speedway Express	4710 Royal Avenue	1704282100202
Travelcard Commercial Fueling	65 Seneca Road N	1704260001700
76	1395 State Hwy 99 N	1704233002500
7-Eleven (NEW - 2018-2023)	190 State Hwy 99 N	1704261304200 / 04300
Mobil	367 State Hwy 99 N	1704261305101

Curtis Serve N Save / Pumpkin Premium Clear	885 State Hwy 99 N	1704233300500
Higgins Petroleum	1796 Willamette Street	1703314318000
Chevron	2795 Willamette Street	1803064402000
76	2910 Willamette Street	1803071107900

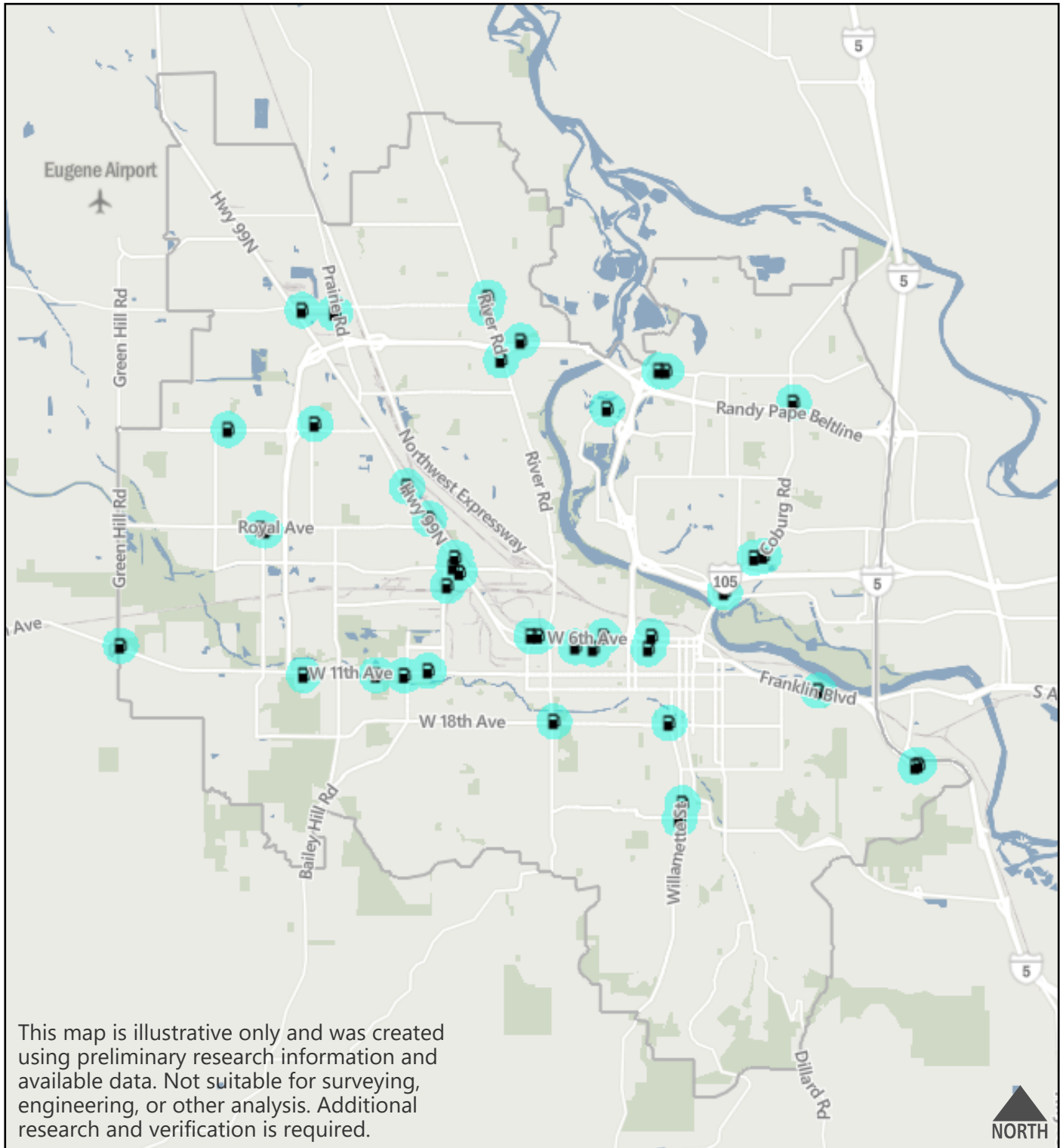
This list of gas stations, or “service stations”, was developed as preliminary research to identify all fossil fuel dispensing service stations within Eugene’s Urban Growth Boundary. While this list is anticipated to be comprehensive, without further analysis, there may be additional stations located within the study area. This list only contains stations that dispense fossil fuels and does not include any stations dedicated to the charging of electric vehicles.



City of Eugene Gas Stations

Gas Station Locations within Eugene's Urban Growth Boundary

Attachment B



Gas Station

Caution: This map is based on imprecise source data, subject to change, and for general reference only. Created on 9/30/2023 by City of Eugene Planning Division

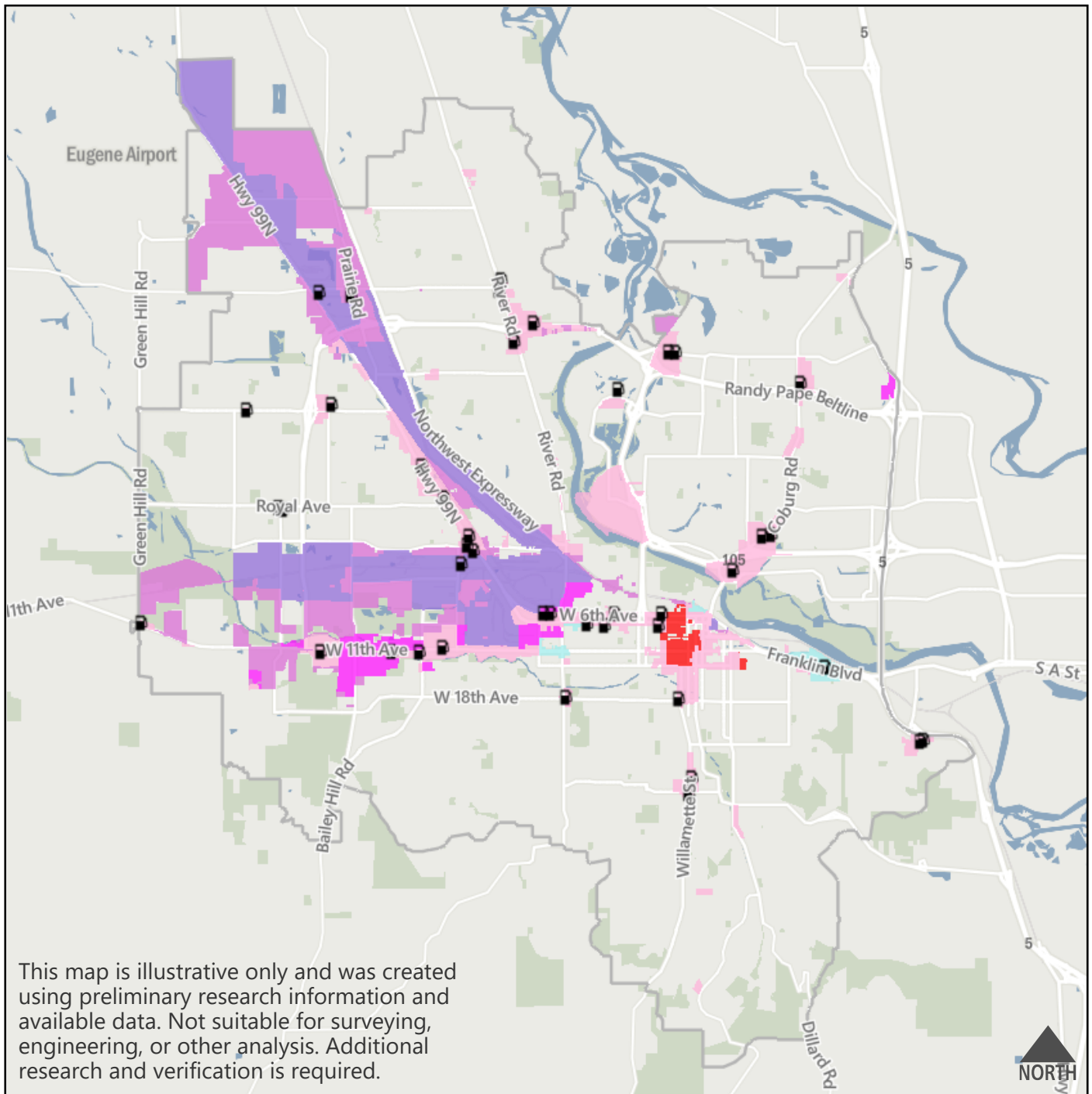
Please visit the Gas Stations Webmap for a explorable mapping tool, which includes additional data, references, and other useful information. The Gas Stations Webmap is available by clicking [here](#).



City of Eugene Gas Stations

Eugene Zoning Allowing Gas Stations

Attachment C



- | | |
|-------------------------------|---|
| C-2 Community Commercial | I-3 Heavy Industrial |
| C-3 Major Commercial | S-WS Walnut Station Special Area |
| E-2 Mixed Use Employment | S-F Fifth Avenue Special Area |
| I-2 Light-Medium Industrial | S-C Chambers Special Area Zone (C-2 Subarea only) |

Caution: This map is based on imprecise source data, subject to change, and for general reference only. Created on 9/30/2023 by City of Eugene Planning Division

Please visit the Gas Stations Webmap for a explorable mapping tool, which includes additional data, references, and other useful information. The Gas Stations Webmap is available by clicking [here](#).

EUGENE CITY COUNCIL AGENDA ITEM SUMMARY



Work Session: Neighborhood Planning

Meeting Date: October 18, 2023
Department: Planning & Development
www.eugene-or.gov

Agenda Item Number: 3
Staff Contact: Alissa Hansen
Contact Telephone Number: 541-682-5508

ISSUE STATEMENT

This work session is a follow up to the City Council's April 19, 2023 work session on the Planning & Development Department Work Plan and Bethel Neighborhood Planning Effort Discussion. Specifically, this work session responds to Council's request to explore options for simultaneously advancing neighborhood planning efforts for both the University and Bethel areas. A copy of the Agenda Item Summary from the Council's April 19, 2023 work session is provided as Attachment A.

At this work session, staff will provide background on neighborhood planning in Eugene, the changing conditions which necessitate a change in practice, and a proposal for moving forward.

BACKGROUND

The City of Eugene has a rich history of working with community members to create neighborhood or area-specific plans that address a wide range of land use related issues. Historically, this work has been led by the Planning Division and has typically resulted in the adoption of refinement or land use plans, which serve as refinements to the Metro Plan (the regional comprehensive plan). Refinement plans of the Metro Plan have included specific neighborhood plans, special area plans, or functional plans. Typically, these plans have provided policy guidance on land use, transportation, and other related topics for a specific area within the city. The majority of these adopted plans do not follow neighborhood association boundaries, but rather respond to unique conditions or impacts of a specific area, or topographic similarities. Attachment B includes a list of Eugene's adopted neighborhood refinement plans by date of adoption.

Neighborhood planning work has been underway in the River Road and Santa Clara neighborhoods since 2017 and is anticipated to wrap up in spring of 2024. Based on previous council direction, the next neighborhood planning effort in the queue is the area around the University of Oregon, followed by Bethel. At the April 19, 2023 work session, councilors expressed a desire to move forward with both plans at the same time if possible, and there was acknowledgement that a new approach was needed.

As discussed during the April 19, 2023 work session, there are several factors that necessitate

looking at a new approach to neighborhood planning. One of the biggest reasons is the evolving legal landscape and planning practices that emphasize a more equitable, future-oriented, city-wide focus. While there hasn't been a specific change in state law that prohibits the adoption of neighborhood refinement plans, recent actions by the state, including the accessory dwelling unit requirements, middle housing requirements, Climate Friendly and Equitable Communities rules and legislation related to housing planning and production and needed housing/clear and objective requirements have placed an emphasis on equitable tools implemented at the citywide scale. Cumulatively, these changes have substantially altered the focus of Planning's work plan and have also limited the ability to address certain issues at a neighborhood level.

In addition, the advent of a local comprehensive plan (Envision Eugene Comprehensive Plan) and a local transportation plan (Eugene 2035 Transportation System Plan) provide the opportunity to adopt Eugene-specific land use and transportation policies that previously did not exist. While the Metro Plan addresses these topics, it does so on a regional scale. Previously, neighborhood plans have filled the gap by providing localized policies, which can now be included in Eugene-specific plans.

Resource constraints are also an issue. The River Road-Santa Clara Neighborhood Plan process has taken over five years, countless staff and volunteer hours, and has been costly. Changes in state law that occurred mid-process (including middle housing and parking reform) impacted the timeline and the outcome of the process. Given the Planning Division's work plan, which is primarily comprised of state-mandated projects, and the City's budget constraints, continuing neighborhood planning in its current form would be impractical and resource-intensive.

As a result of these factors, there is a compelling need for a different approach to neighborhood planning. Such an approach would continue to recognize and place value on the unique nature of different areas in the city and be a collaborative effort with neighborhood residents and business owners. However, it would shift the focus from land use policies to addressing neighborhood needs and priorities. The process would include staff from a variety of divisions, departments and organizations, including Economic Development, Housing, Parks, Transportation, Planning, Office of Equity and Community Engagement, Police and Fire, as well as local schools, utility providers, affordable housing providers and local non-profits.

At the work session, staff will provide more details on a proposed path for implementing this new approach and piloting it for both the University and Bethel areas. At a high level, the process will include capacity building, identification of neighborhood needs, prioritization of actions and identification of tools for implementation. In addition, it will integrate with existing plans and projects, align with the City's Strategic Plan and engage the community in a way that advances the City's objectives around belonging.

RELATED CITY POLICIES

A number of plans and policy documents are relevant to neighborhood planning, including but limited to:

[Envision Eugene.](#) The Envision Eugene Comprehensive Plan is the City's long range land use plan that serves as the basic guiding policy document for land use planning in Eugene's urban growth boundary and addresses the future of Eugene through goals and regulatory policies regarding land use.

[Eugene 2035 Transportation System Plan \(TSP\).](#) The TSP establishes a system of transportation facilities and services that will serve the needs of Eugene residents, businesses, and visitors over the next 20 years.

Eugene's Park and Recreation System Plan. This plan contains both a 30-year vision and a 10-year implementation plan for Eugene's park and recreation system.

Capital Improvement Program. The CIP forecasts the City's capital needs over a six-year period based on various City long-range plans, goals, and policies and provides a six-year funding plan for the City's capital improvements, including projects from transportation, airport, public buildings, parks and open space, stormwater and wastewater.

[Housing Implementation Pipeline \(HIP\).](#) The HIP is the 5-year internal work plan to coordinate current and future resources, goals, and priorities with a systems-thinking approach to housing across the full spectrum from people experiencing homelessness to overall housing supply.

[Climate Action Plan 2.0 \(CAP 2.0\).](#) The CAP 2.0 was created through a data-driven process that engaged people and organizations in new ways that reflect the urgency of climate change. The Plan captures the actions our community is prepared to implement, as well as the community ideas for what else is needed to create an equitable and livable community for everyone.

[Eugene-Springfield 2020 Consolidated Plan.](#) The Con Plan presents an assessment of local housing, homelessness, and community development needs, identification of priority needs for use of funds received from US Department of Housing and Urban Development and presents strategies to address the priority needs.

City of Eugene Strategic Plan 2023-2026. Several strategic goals and actions are relevant to neighborhood action planning:

Urgent Community Needs

- Stabilize the cost of housing
- Increase sense of safety.
- Improve support for local businesses and the business environment.

Culture of Belonging.

- Strengthen relationships with the whole community, with emphasis on the inclusion of the most marginalized groups.

Communication and Outreach.

- Improve community awareness and understanding of priority topics.
- Engage with a broader cross-section of the community.

PREVIOUS COUNCIL DIRECTION

[April 19, 2023, Work Session](#)

As part of their discussion, several councilors expressed a desire for staff to return with a proposal for moving forward with neighborhood planning efforts for both the University and Bethel areas.

COUNCIL OPTIONS

This work session is informational only.

CITY MANAGER'S RECOMMENDATION

None.

SUGGESTED MOTION

None.

ATTACHMENTS

- A. Eugene City Council Agenda Item Summary, April 19, 2023
- B. List of Adopted Neighborhood Plans by Date

FOR MORE INFORMATION

Staff Contact: Alissa Hansen, Planning Director
Telephone: 541-682-5508
Staff E-Mail: ahansen@eugene-or.gov

Staff Contact: Fabio Andrade, Equity & Community Engagement Program Manager
Telephone: 541-682-5009
Staff E-Mail: fandrade@eugene-or.gov

EUGENE CITY COUNCIL AGENDA ITEM SUMMARY



Work Session: Planning & Development Department Work Plan and Bethel Neighborhood Planning Effort Discussion

Meeting Date: April 19, 2023
Department: Planning and Development
www.eugene-or.gov

Agenda Item Number: 1
Staff Contact: Denny Braud
Contact Telephone Number: 541-682-5536

ISSUE STATEMENT

This work session responds to a Council poll requested by Councilor Evans about the Planning Division's work plan and discussion of moving the Bethel neighborhood to the top of neighborhood planning priority. As a comprehensive context for this discussion, staff will provide an overview of the Planning and Development Department work plan, including ongoing core services, current projects and future projects and initiatives to address urgent community needs.

BACKGROUND

Planning and Development Department

The Planning and Development Department (PDD) is one of six departments within the City of Eugene. The work of the department is undertaken by approximately 132 budgeted staff positions within four divisions (Building & Permit Services; Community Development; Planning; and Administration) who work on a variety of ongoing programs and services and community projects and initiatives.

The majority of PDD staff is engaged in ongoing core functions and dependable community services (such as building permit review and inspections, land use application review, parking enforcement, business loans, growth monitoring program, homeless shelter system management and affordable housing programs). The other categories of work of the department include other projects and initiatives that address urgent community needs and are responsive to opportunities that arise within the community. A summary of the major items currently included in Planning and Development Department's Work Plan are provided as Attachment A.

Many of the highest priorities identified in the recent community survey relate to PDD work (housing, homelessness, safety and climate). Because of this, PDD has an active role working closely with City Council on many issues. Some examples of projects that relate to these priorities include the Housing Implementation Pipeline, Climate Friendly and Equitable Communities implementation, Downtown Urban Renewal updates, Renter Protections and Urban Reserves.

Neighborhood Planning

Although neighborhood planning has long been housed within the Planning Division, recent

efforts have highlighted the need to broaden the process to include staff from a variety of other divisions, departments and organizations, including Community Development, Parks, Transportation, Office of Equity and Community Engagement, as well as local schools, utility providers, affordable housing providers and local non-profits. Also notable, recent actions at the state, such as the middle housing requirements and Climate Friendly and Equitable Communities rules have placed an emphasis on citywide planning and substantially changed the focus of Planning's work.

Neighborhood planning work has been underway in the River Road and Santa Clara neighborhoods since 2018 and is anticipated to wrap up early next year. The next neighborhood planning effort in the queue is the area around the University of Oregon. The Bethel neighborhood was added to the queue in 2017. In response to Councilor Evan's poll, Council has requested a discussion regarding whether the Bethel neighborhood should be prioritized, moving to the top of the list when the City has capacity to begin a new neighborhood planning process.

The issues to be addressed and outcomes identified in Councilor Evans' poll are provided below in *italics*:

- *Bethel is in desperate need of a comprehensive area plan.*
- *Bethel's last area planning effort dates back to 1982. Other city neighborhoods have received more detailed planning efforts including unincorporated areas of Eugene (River Road and Santa Clara).*
- *Since the 1980, Bethel has experienced exponential residential growth and limited commercial development. We need to create balance and vision for the future of Bethel now.*
- *Outcomes*
 - *Development of the Golden Gardens Sports Facility.*
 - *Redevelopment of Highway 99 Commercial area.*
 - *Residential development planning.*

RELATED CITY POLICIES

A number of plans and policy documents guide the Planning and Development Department's work, including but limited to:

[Envision Eugene](#). The Envision Eugene Comprehensive Plan is the City's long range land use plan that serves as the basic guiding policy document for land use planning in Eugene's urban growth boundary and addresses the future of Eugene through goals and regulatory policies regarding land use.

[Housing Implementation Pipeline \(HIP\)](#). The HIP is the 5-year internal work plan to coordinate current and future resources, goals, and priorities with a systems-thinking approach to housing across the full spectrum from people experiencing homelessness to overall housing supply.

[Downtown Plan](#). The Downtown Plan is used to guide public and private decisions regarding change in downtown and has served as a work plan for downtown project prioritization.

[Eugene-Springfield 2020 Consolidated Plan](#). The Con Plan presents an assessment of local housing, homelessness, and community development needs, identification of priority needs for use of funds received from US Department of Housing and Urban Development and presents strategies to address the priority needs.

[Climate Action Plan 2.0 \(CAP 2.0\)](#). The CAP 2.0 was created through a data-driven process that engaged people and organizations in new ways that reflect the urgency of climate change. The Plan captures the actions our community is prepared to implement, as well as the community ideas for what else is needed to create an equitable and livable community for everyone.

[Eugene 2035 Transportation System Plan \(TSP\)](#). The TSP establishes a system of transportation facilities and services that will serve the needs of Eugene residents, businesses, and visitors over the next 20 years.

PREVIOUS COUNCIL DIRECTION

[April 26, 2017 Work Session](#)

Moved to direct the City Manager to refocus the City's planning efforts on 1) developing special area zones or refinement plans for the River Road/Santa Clara area where significant preparatory work and planning has already occurred by area residents, 2) continuing the work on Building a Better Bethel, and 3) developing and bringing back to Council a plan for moving forward on University neighborhoods. If neighborhoods other than those mentioned above bring neighborhood planning ideas to the City Manager, the City Manager shall forward those ideas to Council for consideration. (*Motion passed 4:3*)

CITY MANAGER RECOMMENDATION

Informational only. No decision needed at this time.

SUGGESTED MOTION

Informational only. No decision needed at this time.

ATTACHMENTS

A. Summary of Planning and Development Department Work Plan

FOR MORE INFORMATION

Staff Contact: Denny Braud
Telephone: 541-682-5536
Staff E-Mail: DBraud@eugene-or.gov

Summary of Planning and Development Department Work Plan

Ongoing Programs/Core Services

- Affordable Housing Landbank Program
- Affordable Housing Development Programs
- Affordable Housing System Development Charge (SDC) Exemptions
- Rental Rehabilitation Revolving Loan Program
- Emergency Home Repair Program
- Low-Income Rental Housing Property Tax Exemption Program
- Construction Excise Tax/Affordable Housing Trust Fund Program
- Community Development Block Grant (CDBG) Program
- Social Service Provider Support
- Fair Housing
- City Supported Shelters
- Homeless Services Support
- Homeless Services System Regional Coordination
- Renter Protections Program
- Business Growth Loans
- Enterprise Zone
- Business Outreach and Support
- Downtown Loans
- Downtown Service Districts
- Downtown Activity Zone Permits
- Downtown Development Support
- Downtown Urban Renewal District
- Riverfront Urban Renewal District
- Multiple-Unit Property Tax Exemption Program
- West University Service District
- Board/Commission Support
 - Eugene Planning Commission
 - Historic Review Board
 - Envision Eugene Technical Advisory Committee
 - Housing Policy Board
 - Human Services Commission
 - Community Development Block Grant Advisory Committee
 - Affordable Housing Trust Fund Advisory Committee
 - HOME Consortium Governing Board
 - Multi-Unit Property Tax Exemption Review Panel
 - Loan Advisory Committee
- Land Use Application Review
- Historic Preservation Program
- Growth Monitoring Program/Annual Reporting
- Urban Design Program

- Building Permit Review
- Building Permit Inspection
- Code Compliance
- Rental Housing Program
- Business License Program
- Erosion Prevention/ Construction Site Management Program
- Permit and Information Center
- Parking Permit Services
- Parking Structure Management
- Commercial Property Lease Management
- Parking Enforcement
- Electric Vehicle Charging Station Program
- Neighborhood Services Officer Program
- Solid Waste Diversion and Education
- City-Wide Food Waste Composting
- Solid Waste Hauler Licensing
- e-Build/Technology Services
- Department Financial Management
- Department Administration
- Other Program/Project Support - examples include:
 - State/Federal Legislation Tracking
 - Transportation (Franklin Boulevard, MovingAhead)
 - Code Amendments (floodplain, bike parking)
- Racial Equity & Access Project Review Implementation (HIP)

Current Projects

- Housing Implementation Pipeline (HIP) Initiative and Projects
- Broadband Exploration
- Downtown Priorities and Projects Implementation
- 8th Avenue Streetscape
- Downtown Riverfront Development (Atkins Dame)
- Downtown Urban Renewal Plan Update
- Riverfront Urban Renewal Plan Update
- Renter Protections Phase II
- Mayor's Blue Ribbon Business Council on Economic Development
- Housing Policy Board Update
- Crow Road/Clear Lake Infrastructure
- 1059 Willamette Street Redevelopment
- Affordable Housing Project Support
 - Naval Reserve Apartments
 - The Coleman
 - Ross Lane
 - Bridges on Broadway

- Land Use Fee Update
- Middle Housing Code Amendments (Appeal)
- Urban Reserves Adoption
- Willamette Greenway Code Amendments
- Public Facilities and Services Plan Update
- Goshen/Short Mountain Landfill Metro Plan Amendment
- River Road/Santa Clara Neighborhood Planning
- CFEC: Parking Reform
- CFEC: Climate Friendly Area Study
- CFEC: Climate Friendly Area Designation
- Urban Growth Boundary Update
- Comprehensive Plan: Housing & Compact Development Chapters
- Comprehensive Plan: Parcel-Specific Land Use Diagram/Align Zoning
- Recycling Modernization Act
- eBuild Development and Expansion

Future Projects

- Housing Implementation Pipeline (HIP) initiative and projects
- Downtown Riverfront Development (Steam Plant)
- Downtown Riverfront Development (Affordable Housing Site RFP)
- Comprehensive Plan: Remaining Chapters (Health, Resiliency, etc)
- University Neighborhood Planning
- Bethel Neighborhood Planning
- Clear Lake Local Wetland Inventory Adoption
- CFEC: Scenario Planning & Compact Development code amendments
- Key Transportation Corridor Planning (HIP)
- Building Electrification
- Livability Code
- Public Health Overlay Concept
- Gas Stations (Council request for work session)
- Tree Preservation (Council request for work session)
- Solar Access Standards (Council request for work session)
- Residential Character Definition (Council request for work session)
- Short-term Rentals (Council request for work session)

List of Adopted Neighborhood Land Use Plans (adoption date)

Walnut Station Specific Area Plan (2010)

Eugene Downtown Plan (2004)

Whiteaker Plan (1994)

Willakenzie Area Plan (1992)

19th and Agate Special Area Study (1988)

River Road-Santa Clara Urban Facilities Plan (1987)

Bethel-Danebo Refinement Plan - Phase II/Industrial (1987)

South Willamette Subarea Study (1987)

Westside Neighborhood Plan (1987)

Riverfront Park Study (1985)

Jefferson/Far West Refinement Plan (1983)

Bethel-Danebo Refinement Plan (1982)

Fairmount/U of O Special Area Study (1982)

Laurel Hill Neighborhood Plan (1982)

West University Refinement Plan (1982)

Willow Creek Special Area Study (1982)

South Hills Study (1974)