



**City Council**

500 E 4th Ave., Suite 302

Eugene, OR 97401

541-682-5010 • 541-682-5414 Fax

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

# EUGENE CITY COUNCIL AGENDA

January 21, 2025

## 5:30 p.m. CITY COUNCIL PUBLIC HEARING

City Council meetings will continue to be held in hybrid format using in person and 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>

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**Meeting of January 21, 2025;  
Her Honor Mayor Kaarin Knudson Presiding**

**Councilors**

Matt Keating, President  
Mike Clark  
Eliza Kashinsky  
Jennifer Yeh

Randy Groves, Vice President  
Greg Evans  
Lyndsie Leech  
Alan Zelenka

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## 5:30 p.m. CITY COUNCIL PUBLIC HEARING

- 1. PUBLIC HEARING: An Ordinance Providing for Withdrawal of Annexed Properties from the Following Special Districts: River Road Park & Recreation District; River Road Water District; Santa Clara Rural Fire Protection District; Santa Clara Water District; Lane Fire Authority and Junction City Water Control District.**
- 2. PUBLIC HEARING: An Ordinance Amending the Eugene-Springfield Metropolitan Area General Plan Diagram and the Willakenzie Area Plan Diagram to Redesignate the Property Identified as Assessor's Map 17-03-16-41, Tax Lot 01100 from Campus Industrial to Light Medium Industrial and Rezone the Property from E-1 Campus Employment to E-2 Mixed Use Employment.**
- 3. PUBLIC HEARING: An Ordinance Amending Section Eugene Code 6.552; and Providing for an Immediate Effective Date.**

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

# EUGENE CITY COUNCIL AGENDA ITEM SUMMARY



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Public Hearing: An Ordinance Providing for Withdrawal of Annexed Properties from the Following Special Districts: River Road Park & Recreation District; River Road Water District; Santa Clara Rural Fire Protection District; Santa Clara Water District; Lane Fire Authority and Junction City Water Control District.

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Meeting Date: January 21, 2025  
Department: Planning and Development  
[www.eugene-or.gov](http://www.eugene-or.gov)

Agenda Item Number: 1  
Staff Contact: Shawn Burgett  
Contact Telephone Number: 541-682-5485

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## ISSUE STATEMENT

The City Council will hold a required public hearing to consider an ordinance concerning the annual withdrawal of annexed land from special service districts.

## BACKGROUND

State law and the Eugene Code provide for the withdrawal of properties that are annexed to the City from special service districts. The withdrawal process is separate from the process for annexation of those properties. When annexed properties are withdrawn from special districts, the City assumes responsibility for providing the services formerly provided by the special districts, such as fire protection and water service, and the properties are removed from the tax rolls of the special district and included on the City's tax roll.

Withdrawals come before the City Council on an annual basis. The withdrawal of properties annexed during the previous year are batched together to facilitate this process. The 2025 withdrawal ordinance addresses the ten properties that were annexed to the City of Eugene in 2024—for a total of fourteen tax lots.

The special districts affected by this year's annexations are the Lane Fire Authority; River Road Park & Recreation District; River Road Water District; Santa Clara Rural Fire Protection District; Santa Clara Water District; and Junction City Water Control District.

Withdrawals from special districts are reviewed by the City Council through a public hearing process, consistent with state law and Eugene Code requirements. After the public hearing, the City Council will be asked to determine whether the withdrawals meet the approval criterion established by state law and the Eugene Code; the only approval criterion is that the City "shall determine whether the withdrawal is in the best interest of the city" (Eugene Code section 9.7835).

The attached ordinance (Attachment A to this AIS) describes the affected properties and withdraws them from the identified special districts. If the withdrawals are found to be in the

January 21, 2025 Public Hearing – Item 1

City's best interest, the ordinance should be adopted to make the withdrawals effective.

Withdrawals are time sensitive. State law provides that, if certain withdrawals are not approved prior to March 31, the withdrawal does not become effective until July 1 of the following year (i.e., 2026 for these properties). This delay would mean that the properties will remain on the tax roll of the special service districts that no longer provide services to the property for more than a year. Approving the withdrawal ordinance prior to March 31, 2025, will result in the withdrawals taking effect on July 1, 2025, and those properties being included on the City tax roll immediately thereafter. City Council action on the ordinance is scheduled for February 10, 2025.

Public notice of the hearing was published and posted as required by state law and Eugene Code requirements, including notice to the affected special service districts. Staff will provide any written testimony to City Council. The inclusion of these properties on City tax rolls and withdrawal from the identified special districts is anticipated by the property owners as well as by the special districts as part of the annexation process.

Legal descriptions and maps showing the location of each annexed property subject to withdrawal from special service districts are included as Exhibits A through J of the withdrawal ordinance attached as Attachment A to this AIS.

#### **RELATED CITY POLICIES**

As noted above, the attached ordinance (Attachment A to this AIS) describes the affected properties and withdraws them from the identified special districts. If the withdrawals are found to be in the City's best interest, the ordinance should be adopted to make the withdrawals effective.

#### **PREVIOUS COUNCIL DIRECTION**

Withdrawals of recently annexed properties from special districts are routinely batch-processed on an annual basis. This is the first step in a two-step process that includes City Council public hearing followed by City Council action.

#### **COUNCIL OPTIONS**

This item is scheduled for a public hearing only. Options will be provided at the time of City Council action, which is scheduled for February 10, 2025.

#### **CITY MANAGER'S RECOMMENDATION**

None.

#### **SUGGESTED MOTION**

None.

**ATTACHMENTS****A. Proposed Ordinance**

Exhibits A-J (maps and legal descriptions of subject properties)

**FOR MORE INFORMATION**

Staff Contact: Shawn Burgett, Associate Planner

Telephone: 541-682-5485

Staff e-mail: [SBurgett@eugene-or.gov](mailto:SBurgett@eugene-or.gov)

**ORDINANCE NO. \_\_\_\_\_****AN ORDINANCE PROVIDING FOR WITHDRAWAL OF ANNEXED PROPERTIES FROM THE FOLLOWING SPECIAL DISTRICTS: RIVER ROAD PARK & RECREATION DISTRICT; RIVER ROAD WATER DISTRICT; SANTA CLARA RURAL FIRE PROTECTION DISTRICT; SANTA CLARA WATER DISTRICT; LANE FIRE AUTHORITY; AND JUNCTION CITY WATER CONTROL DISTRICT.****The City Council of the City of Eugene finds that:**

**A.** Notice of the proposed withdrawal of real property which has been annexed to the City, but is currently contained within the boundaries of the River Road Park & Recreation District; River Road Water District; Santa Clara Rural Fire Protection District; Santa Clara Water District; Lane Fire Authority; and Junction City Water Control District (“the Districts”) was published in the Register-Guard on January 7 and 14, 2025, posted in four public places in the City of Eugene for a period of two successive weeks prior to the hearing date, and mailed to the Districts.

**B.** The Notice provided that a public hearing to allow the City Council to hear objections to the withdrawals and to determine whether the withdrawals are in the best interest of the City was scheduled in-person and remotely for January 21, 2025, at 5:30 p.m., using virtual meeting technology.

**C.** The City is willing to assume the liabilities and indebtedness previously contracted by the Districts proportionate to the parts of the Districts that have been annexed to the City upon the effective date of the withdrawals as provided in ORS 222.520.

**D.** The withdrawals of the annexed territories from the Districts are consistent with adopted City policies and are in the best interest of the City.

**NOW, THEREFORE,****THE CITY OF EUGENE DOES ORDAIN AS FOLLOWS:**

**Section 1.** The following territories in Lane County, Oregon, annexed to the City of Eugene by Resolution of the Eugene City Council, are withdrawn from the Districts indicated effective July 1, 2025:

**River Road Park & Recreation District**

| <b>Name</b>    | <b>File #</b> | <b>Site Address or Location</b> | <b>Assessor's Map</b> | <b>Tax Lot</b> | <b>Resolution</b> | <b>Approval Date</b> | <b>Effective Date</b> | <b>Legal Desc. &amp; Map</b> |
|----------------|---------------|---------------------------------|-----------------------|----------------|-------------------|----------------------|-----------------------|------------------------------|
| 1010 Horn Lane | A 23-9        | 1010 Horn Lane                  | 17-04-23-11           | 6401           | 5405              | 4/22/2024            | 5/22/2024             | Ex. B                        |
| Stults Ave     | A 24-3        | Vacant, east of 805 River Road  | 17-04-24-31           | 7700           | 5415              | 7/22/2024            | 7/29/2024             | Ex. E                        |
| Clinton Reeve  | A 24-4        | Vacant, west of 31 Sandra Lane  | 17-04-24-21           | 2100           | 5416              | 7/22/2024            | 7/29/2024             | Ex. F                        |
| Rosetta Avenue | A 24-5        | Vacant, west of 125 Rosetta Ave | 17-04-24-22           | 300            | 5424              | 9/23/2024            | 11/6/2024             | Ex. G                        |

|                  |        |                  |             |     |      |          |           |       |
|------------------|--------|------------------|-------------|-----|------|----------|-----------|-------|
| 255 Maxwell Road | A 24-9 | 255 Maxwell Road | 17-04-14-41 | 201 | 5420 | 9/9/2024 | 11/6/2024 | Ex. H |
|------------------|--------|------------------|-------------|-----|------|----------|-----------|-------|

#### River Road Water District

| Name             | File # | Site Address or Location        | Assessor's Map | Tax Lot | Resolution | Approval Date | Effective Date | Legal Desc. & Map |
|------------------|--------|---------------------------------|----------------|---------|------------|---------------|----------------|-------------------|
| 1010 Horn Lane   | A 23-9 | 1010 Horn Lane                  | 17-04-23-11    | 6401    | 5405       | 4/22/2024     | 5/22/2024      | Ex. B             |
| Stults Ave       | A 24-3 | Vacant, east of 805 River Road  | 17-04-24-31    | 7700    | 5415       | 7/22/2024     | 7/29/2024      | Ex. E             |
| Clinton Reeve    | A 24-4 | Vacant, west of 31 Sandra Lane  | 17-04-24-21    | 2100    | 5416       | 7/22/24       | 7/29/2024      | Ex. F             |
| Rosetta Avenue   | A 24-5 | Vacant, west of 125 Rosetta Ave | 17-04-24-22    | 300     | 5424       | 9/23/2024     | 11/6/2024      | Ex. G             |
| 255 Maxwell Road | A 24-9 | 255 Maxwell Road                | 17-04-14-41    | 201     | 5420       | 9/9/2024      | 11/6/2024      | Ex. H             |

#### Santa Clara Rural Fire Protection District

| Name               | File #  | Site Address or Location                           | Assessor's Map | Tax Lot   | Resolution | Approval Date | Effective Date | Legal Desc. & Map |
|--------------------|---------|----------------------------------------------------|----------------|-----------|------------|---------------|----------------|-------------------|
| 214 Grizzly Ave    | A 23-8  | 214 Grizzly Ave/Vacant lot west of 214 Grizzly Ave | 17-04-12-20    | 3003/3009 | 5404       | 4/8/2024      | 5/22/2024      | Ex. A             |
| Irvington Drive    | A 24-1  | Vacant, south of 120 Irvington Dr.                 | 17-04-02-34    | 5800      | 5406       | 5/13/2024     | 5/22/2024      | Ex. C             |
| 320 Ferndale Drive | A 24-12 | 320 Ferndale Drive                                 | 17-04-11-24    | 800/900   | 5426       | 10/28/2024    | 11/6/2024      | Ex. J             |

#### Santa Clara Water District

| Name            | File # | Site Address or Location                           | Assessor's Map | Tax Lot   | Resolution | Approval Date | Effective Date | Legal Desc. & Map |
|-----------------|--------|----------------------------------------------------|----------------|-----------|------------|---------------|----------------|-------------------|
| 214 Grizzly Ave | A 23-8 | 214 Grizzly Ave/Vacant Lot west of 214 Grizzly Ave | 17-04-12-20    | 3003/3009 | 5404       | 4/8/2024      | 5/22/2024      | Ex. A             |
| Irvington Drive | A 24-1 | Vacant, south of 120 Irvington Dr.                 | 17-04-02-34    | 5800      | 5406       | 5/13/2024     | 5/22/2024      | Ex. C             |

|                          |         |                       |             |             |      |          |           |       |
|--------------------------|---------|-----------------------|-------------|-------------|------|----------|-----------|-------|
| 320<br>Ferndale<br>Drive | A 24-12 | 320 Ferndale<br>Drive | 17-04-11-24 | 800/<br>900 | 5426 | 10/28/24 | 11/6/2024 | Ex. J |
|--------------------------|---------|-----------------------|-------------|-------------|------|----------|-----------|-------|

**Lane Fire Authority**

| Name            | File #  | Site Address or Location                 | Assessor's Map              | Tax Lot      | Resolution | Approval Date | Effective Date | Legal Desc. & Map |
|-----------------|---------|------------------------------------------|-----------------------------|--------------|------------|---------------|----------------|-------------------|
| 29960 East Enid | A 24-2  | 29960 East Enid Road                     | 17-04-03-33/<br>17-04-04-44 | 1700/<br>100 | 5407       | 5/13/2024     | 5/22/2024      | Ex. D             |
| Clear Lake      | A 24-10 | Vacant,<br>northwest of<br>90680 Hwy 99N | 17-04-05-00                 | 400          | 5423       | 9/23/2024     | 11/6/2024      | Ex. I             |

**Junction City Water Control District**

| Name            | File #  | Site Address or Location                 | Assessor's Map              | Tax Lot      | Resolution | Approval Date | Effective Date | Legal Desc. & Map |
|-----------------|---------|------------------------------------------|-----------------------------|--------------|------------|---------------|----------------|-------------------|
| 29960 East Enid | A 24-2  | 29960 East Enid Road                     | 17-04-03-33/<br>17-04-04-44 | 1700/<br>100 | 5407       | 5/13/2024     | 5/22/2024      | Ex. D             |
| Clear Lake      | A 24-10 | Vacant,<br>northwest of<br>90680 Hwy 99N | 17-04-05-00                 | 400          | 5423       | 9/23/2024     | 11/6/2024      | Ex. I             |

**Section 2.** The City Recorder is requested to forward a copy of this Ordinance to the above referred Districts.

**Passed by the City Council this**

\_\_\_\_\_ day of February, 2025.

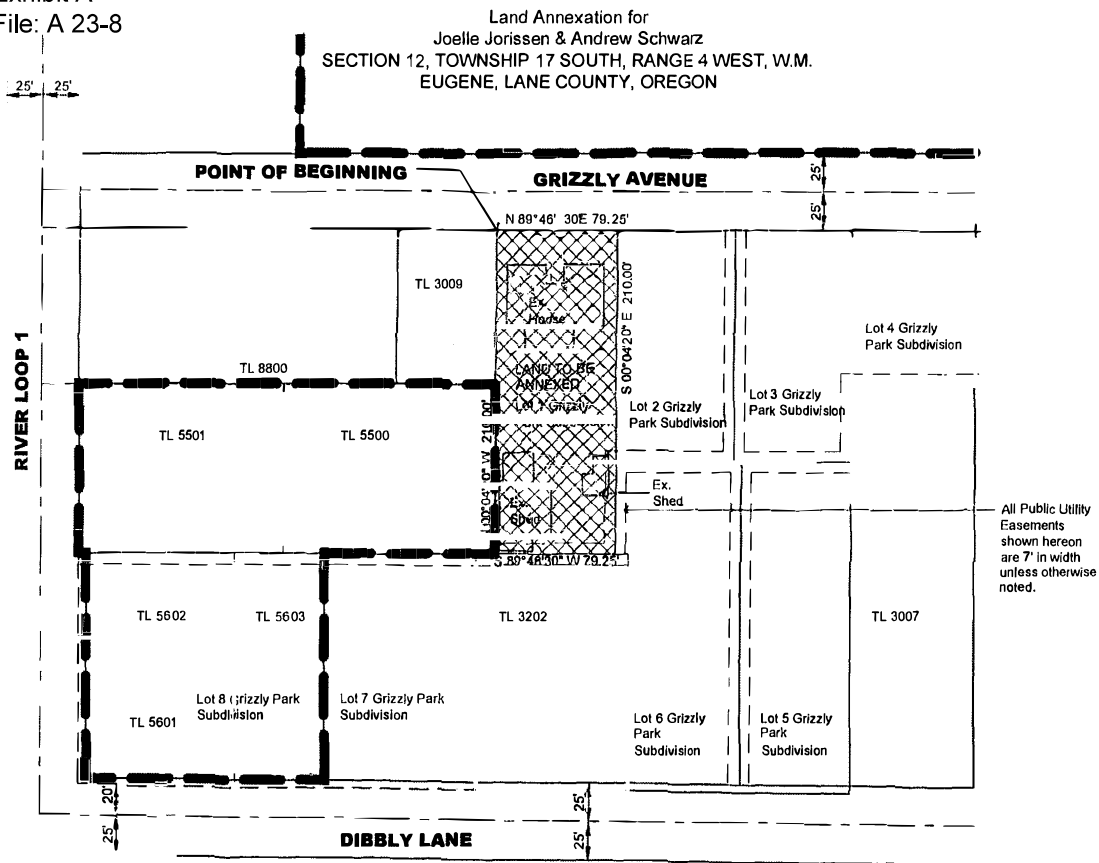
**Approved by the Mayor this**

\_\_\_\_\_ day of February, 2025.

\_\_\_\_\_  
**City Recorder**

\_\_\_\_\_  
**Mayor**

Exhibit A  
File: A 23-8



#### LEGEND



LAND TO BE ANNEXED



CITY LIMITS



EXISTING BUILDINGS

POB

POINT OF BEGINNING

#### NOTES

1. CITY LIMIT BOUNDARIES SHOWN PER CITY of EUGENE ON-LINE INTERACTIVE MAP (EUGMAPS-APP) NOVEMBER 10, 2023.
2. EXISTING SINGLE DWELLING ON SITE.
3. EASEMENTS OR OTHER RECORDED RESTRICTIONS ARE SHOWN, IF EXISTING, ON THE SITE.

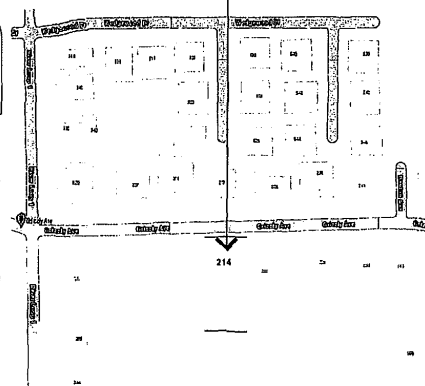
REGISTERED  
PROFESSIONAL  
LAND SURVEYOR

OREGON  
JULY 15, 2003  
**KENT BAKER**  
#59885

RENEWS: 12-31-2023

#### SUBJECT PROPERTY

#### VICINITY MAP



#### ANNEXATION SITE PLAN

**Grizzly Avenue Annexation**  
214 Grizzly Avenue, Eugene, OR 97404

Date: November 29, 2023  
Revised: January 6, 2024

MAP: 17 04 12 20 Tax Lot 3003

Scale: 1" = 100' - 0"



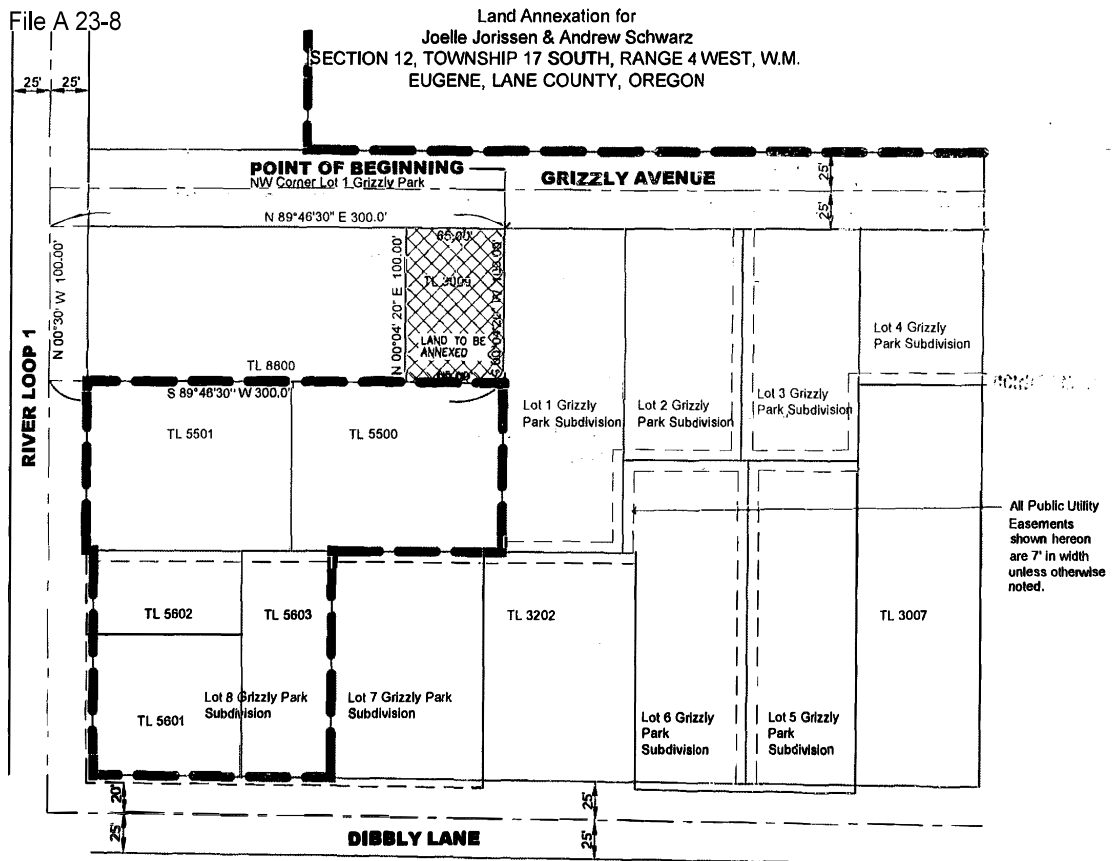
Exhibit A  
File: A 23-8

**LEGAL DESCRIPTION**

Lot 1, GRIZZLY PARK, as platted and recorded in Book 47, Page 9, Lane County Oregon Plat Records,  
Lane County, Oregon.



Exhibit A  
File A 23-8

**LEGEND**

LAND TO BE ANNEXED



CITY LIMITS



EXISTING BUILDINGS

POB

POINT OF BEGINNING

**NOTES**

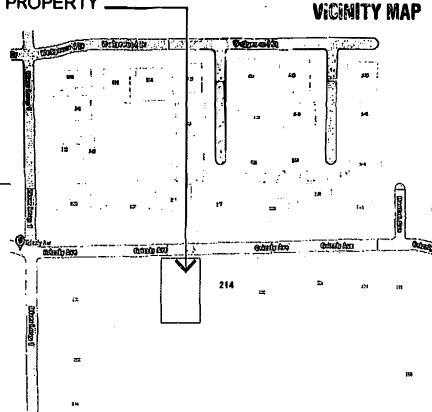
1. CITY LIMIT BOUNDARIES SHOWN PER CITY OF EUGENE ON-LINE INTERACTIVE MAP (EUGMAPS-APP) NOVEMBER 10, 2023.
2. EXISTING SINGLE DWELLING ON SITE.
3. EASEMENTS OR OTHER RECORDED RESTRICTIONS ARE SHOWN, IF EXISTING, ON THE SITE.

**SUBJECT PROPERTY****VICINITY MAP**

REGISTERED  
PROFESSIONAL  
LAND SURVEYOR

OREGON  
JULY 15, 2003  
**KENT BAKER**  
#59885

RENEWS: 12-31-2023

**ANNEXATION SITE PLAN**

**Grizzly Avenue Annexation**  
Grizzly Avenue, Eugene, OR 97404

Date: November 29, 2023  
Revised: January 8, 2024

MAP: 17 04 12 20 Tax Lot 3009

Scale: 1" = 100' - 0"

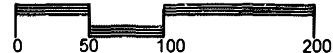


Exhibit A  
File: 23-8

**LEGAL DESCRIPTION**

A unit of land being situated in the Northwest 1/4 of Section 12, Township 17 South, Range 4 West of the Willamette Meridian, said unit of land being more particularly described as follows:

Beginning at the Northwest corner of Lot 1, GRIZZLY PARK, as platted and recorded in Book 47, Page 9, Lane County Plat Records, in Lane County, Oregon;

Thence along the westerly boundary of said Lot 1, South 00°04'20" West a distance of 100.00 feet;

Thence leaving the westerly boundary of said Lot 1, South 89°46'30" West a distance of 65.00 feet;

Thence parallel with the westerly boundary of said Lot 1, North 00°04'20" East a distance of 100.00 feet to the southerly margin of Grizzly Avenue;

Thence along the southerly margin of Grizzly Avenue North 89°46'30" East a distance of 65.00 feet to the point of beginning, all in Lane County, Oregon and containing 6,500 square feet (0.15 acres) of land, more or less.

Exhibit B

File: A 23-9

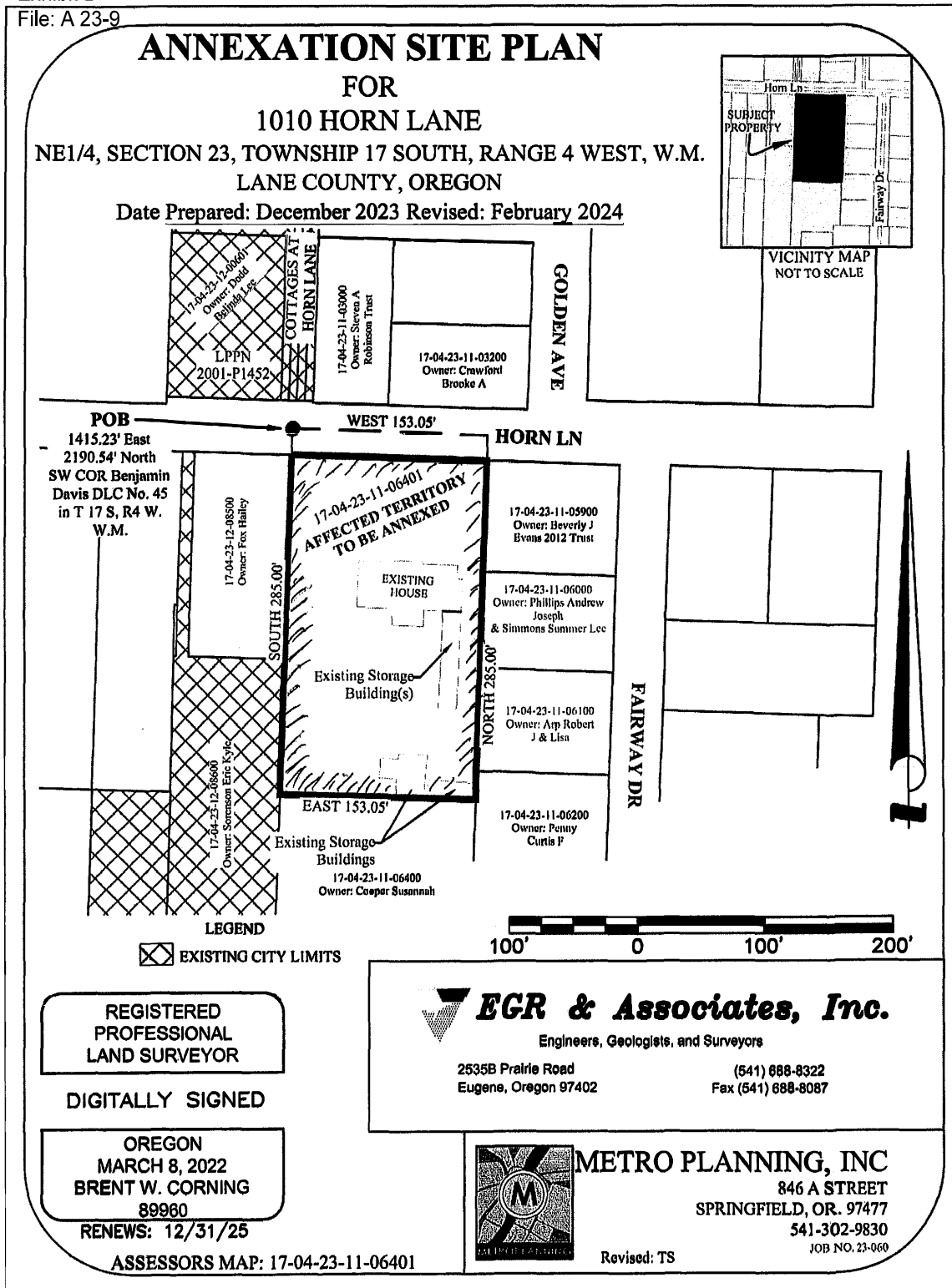


Exhibit B  
File: A 23-9

**Legal Description**

Beginning at a point 1415.23 feet East of a point 2190.54 feet North of the Southwest corner of the Benjamin Davis Donation Land Claim No. 45 in Township 17 South, Range 4 West of the Willamette Meridian; thence running South 285.0 feet; thence East 153.05 feet; thence North 285.0 feet; thence West 153.05 feet to the point of beginning, in Lane County, Oregon.

EXCEPTING THEREFROM the North 20.0 feet lying within Horn Lane, in Lane County, Oregon.

Exhibit C  
File: A 24-1

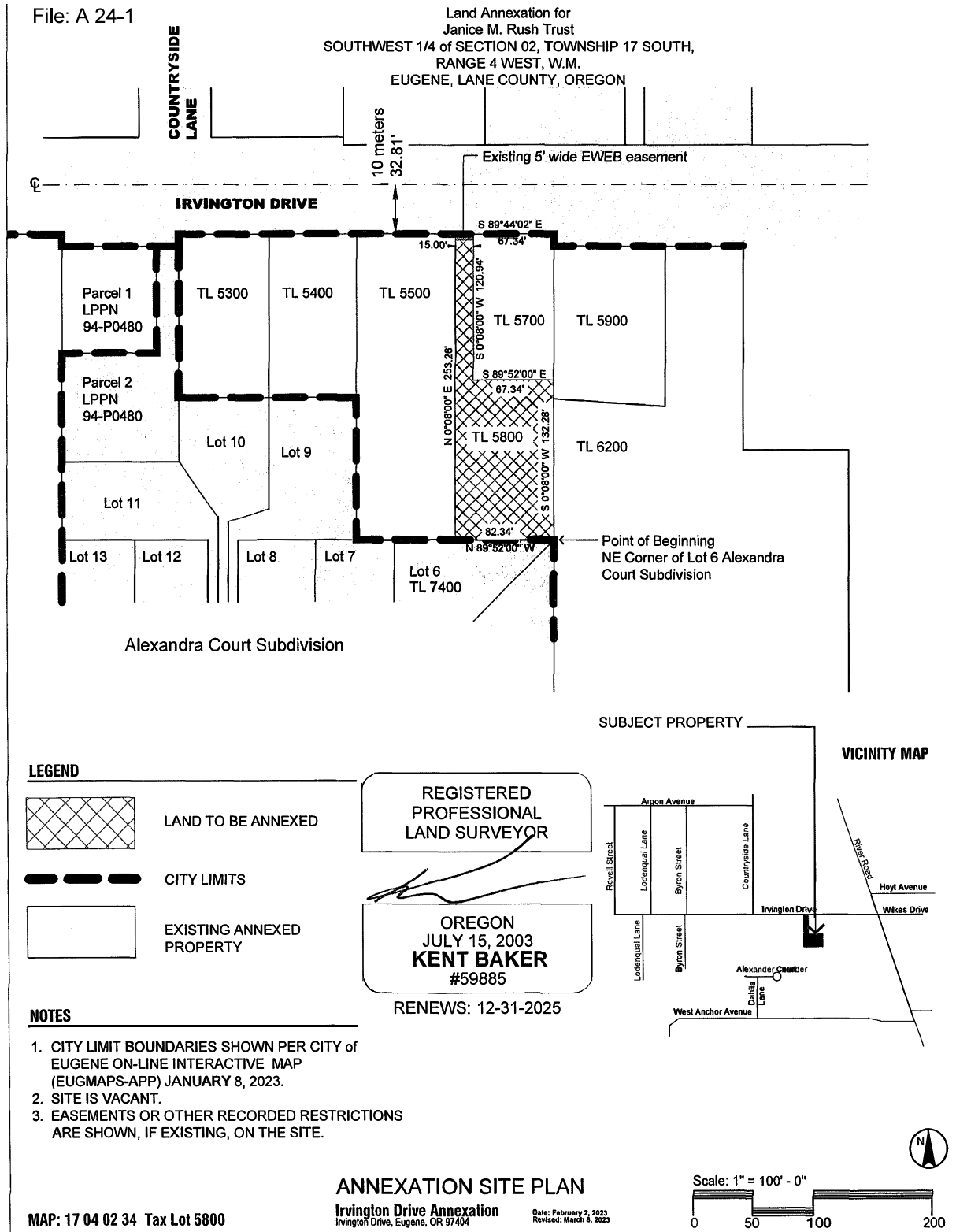


Exhibit C  
File: A 24-1

**Legal Description of Affected Territory to be Annexed**  
**(Tax Lot #5800)**

A unit of land being situated in the Southwest 1/4 of Section 2, Township 17 South, Range 4 West of the Willamette Meridian, said unit of land being more particularly described as follows:

Beginning at the Northeast corner of Lot 6, ALEXANDRA COURT SUBDIVISION, as platted and recorded in File 75, Slides 124 - 126, Lane County Plat Records, in Lane County, Oregon;

Thence along the northerly boundary of said Lot 6, North 89°52'00" West a distance of 82.34 feet;

Thence leaving the northerly boundary of said Lot 6, North 00°08'00" East a distance of 253.26 feet to the northerly margin of Irvington Road, said northerly margin being 10 meters (32.81 feet) from the centerline;

Thence along the northerly margin of Irvington Road parallel with and 10 meters southerly of the centerline, South 89°44'02" East a distance of 15.00 feet;

Thence leaving the northerly margin of Irvington Road, South 00°08'00" West a distance of 120.94 feet;

Thence South 89°52'00" East a distance of 67.34 feet;

Thence South 00°08'00" West a distance of 132.28 feet to the point of beginning, all in Lane County, Oregon and containing 12,706 square feet (0.29 acres) of land, more or less.

Exhibit D  
File: A 24-2

ASSESSOR'S MAP(S) TAX MAPS 17-04-03-33 & 17-04-04-44, TAX LOTS 01700 & 00100

Z:\2023\23-302 Lark View Ventures - 23-302 Enid Rd\Assessor\Drawings\23-302 ANNEXATION\_EXHIBIT B.dwg 3/11/2024 12:07 PM HEATHM

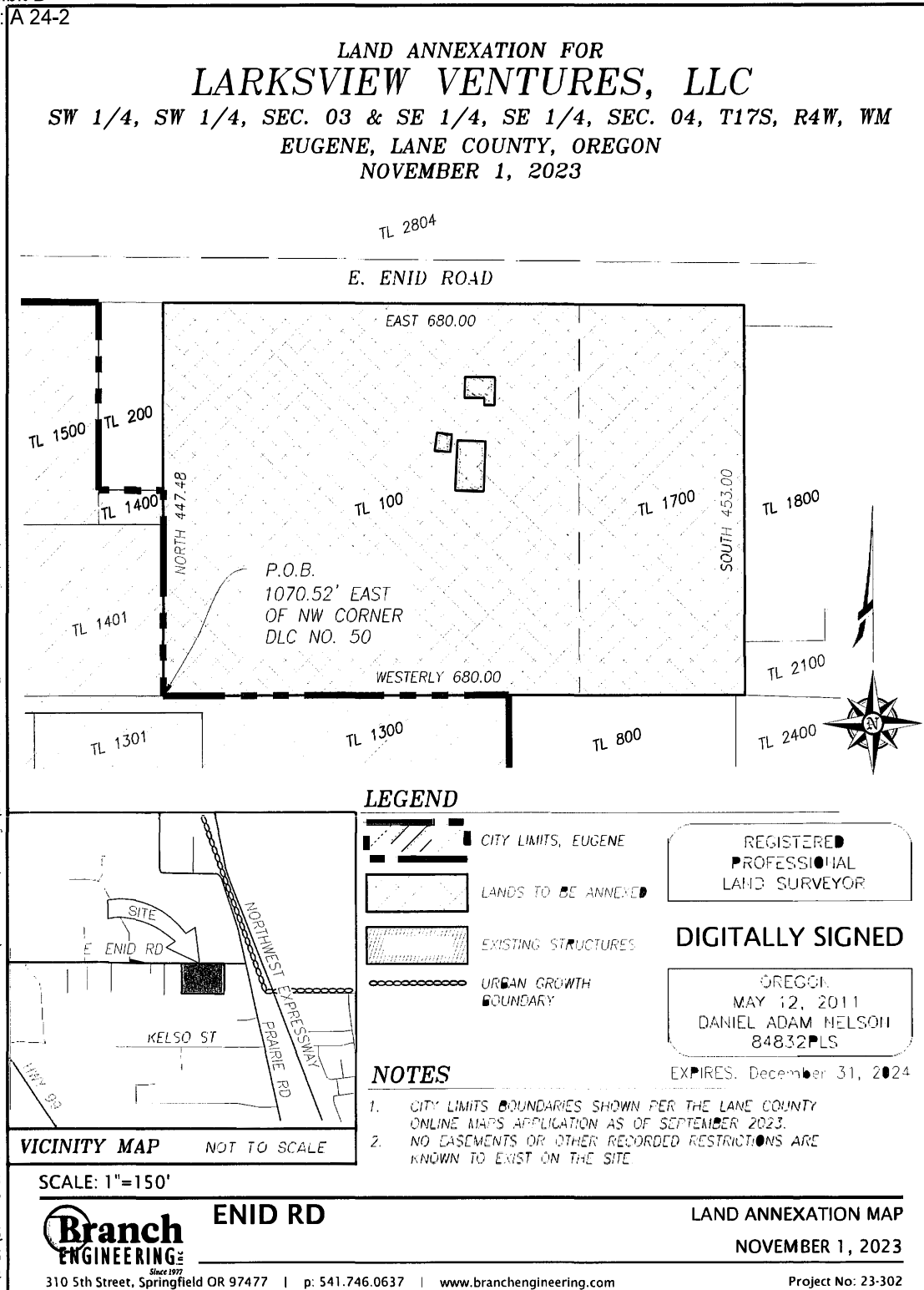


Exhibit D  
File: A 24-2

**LEGAL DESCRIPTION**

**ANNEXATION**

**TM 17- 04- 04- 44 TL 100 & 17- 04- 03- 33 TL 1700**

Branch Engineering Inc. Project No. 23-302

ALL THOSE LANDS CONVEYED IN STATUTORY WARRANTY DEED RECORDED AUGUST 2, 2023 IN DOCUMENT NO. 2023-022277, LANE COUNTY DEEDS AND RECORDS, LANE COUNTY, OREGON, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

**BEGINNING** AT A POINT ON THE NORTH LINE OF THE JAMES PEEK DONATION LAND CLAIM NO. 50, TOWNSHIP 17 SOUTH, RANGE 4 WEST OF THE WILLAMETTE MERIDIAN, 1070.52 FEET EAST OF THE NORTHWEST CORNER THEREOF;

**THENCE** NORTH, ALONG THE WESTERLY LINE OF SAID LANDS, 447.48 FEET TO THE SOUTHERLY RIGHT OF WAY OF THE COUNTY ROAD NO. 618;

**THENCE** EAST ALONG THE SOUTHERLY RIGHT OF WAY OF SAID COUNTY ROAD, 680.00 FEET;

**THENCE** SOUTH, ALONG THE EASTERLY LINE OF SAID LANDS, 453.00 FEET TO THE NORTH LINE OF SAID PEEK CLAIM;

**THENCE** WESTERLY ALONG THE NORTH LINE OF SAID PEEK CLAIM 680.00 FEET TO THE PLACE OF BEGINNING, IN LANE COUNTY, OREGON.

THIS LEGAL DESCRIPTION HAS BEEN CHECKED FOR CONSISTENCY WITH THE VESTING DEED AND TAX MAP. THIS LEGAL DESCRIPTION IS SUITABLE FOR USE IN ANNEXATION PROCEEDINGS, BUT IS NOT SUITABLE FOR ACTIVITIES NEEDING A SURVEYED BOUNDARY.

Exhibit E  
File: A 24-3

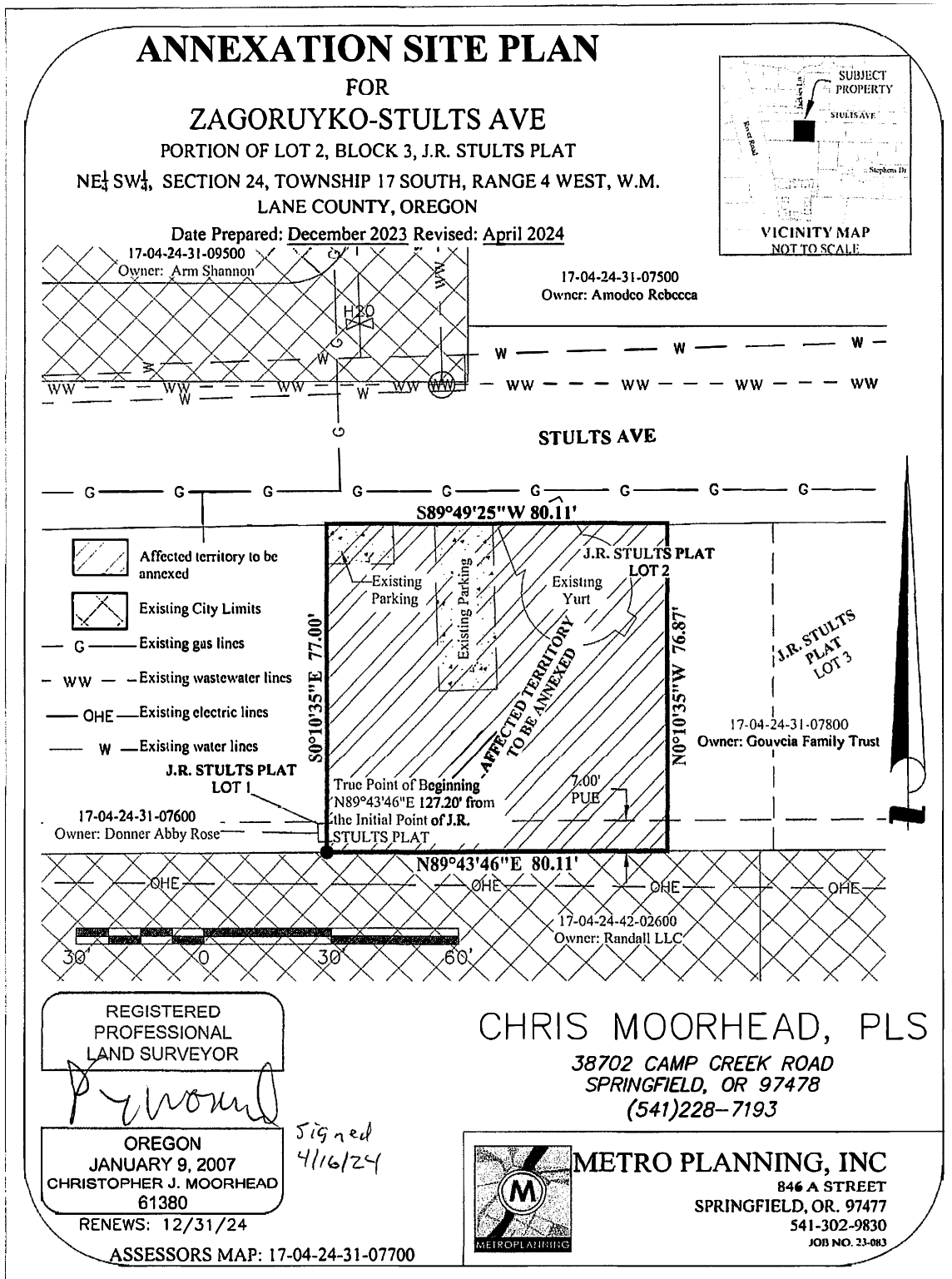


Exhibit E  
File: A 24-3

LEGAL DESCRIPTION

Lot 2, Block 3, J.R. STULTS PLAT, as platted and recorded in Book 39, Page 29, Lane County Oregon Plat Records, in Lane County, Oregon.

More particularly described as follows:

Beginning at the Initial Point of J.R. STULTS PLAT, as platted and recorded in Book 39, Page 29, Lane County Oregon Plat Records; thence North 89°43'46" East 127.20 feet along the south line of J.R. STULTS PLAT, to the True Point of Beginning; thence continuing along said south line North 89°43'46" East 80.11 feet; thence leaving said south line North 0°10'35" West 76.87 feet to a point on the southerly right of way of Stults Avenue; thence continuing along said southerly right of way South 89°49'25" West 80.11 feet; thence leaving said southerly right of way South 0°10'35" East 77.00 feet to the True Point of Beginning, all in Lane County, Oregon.

Exhibit F  
File: A 24-4

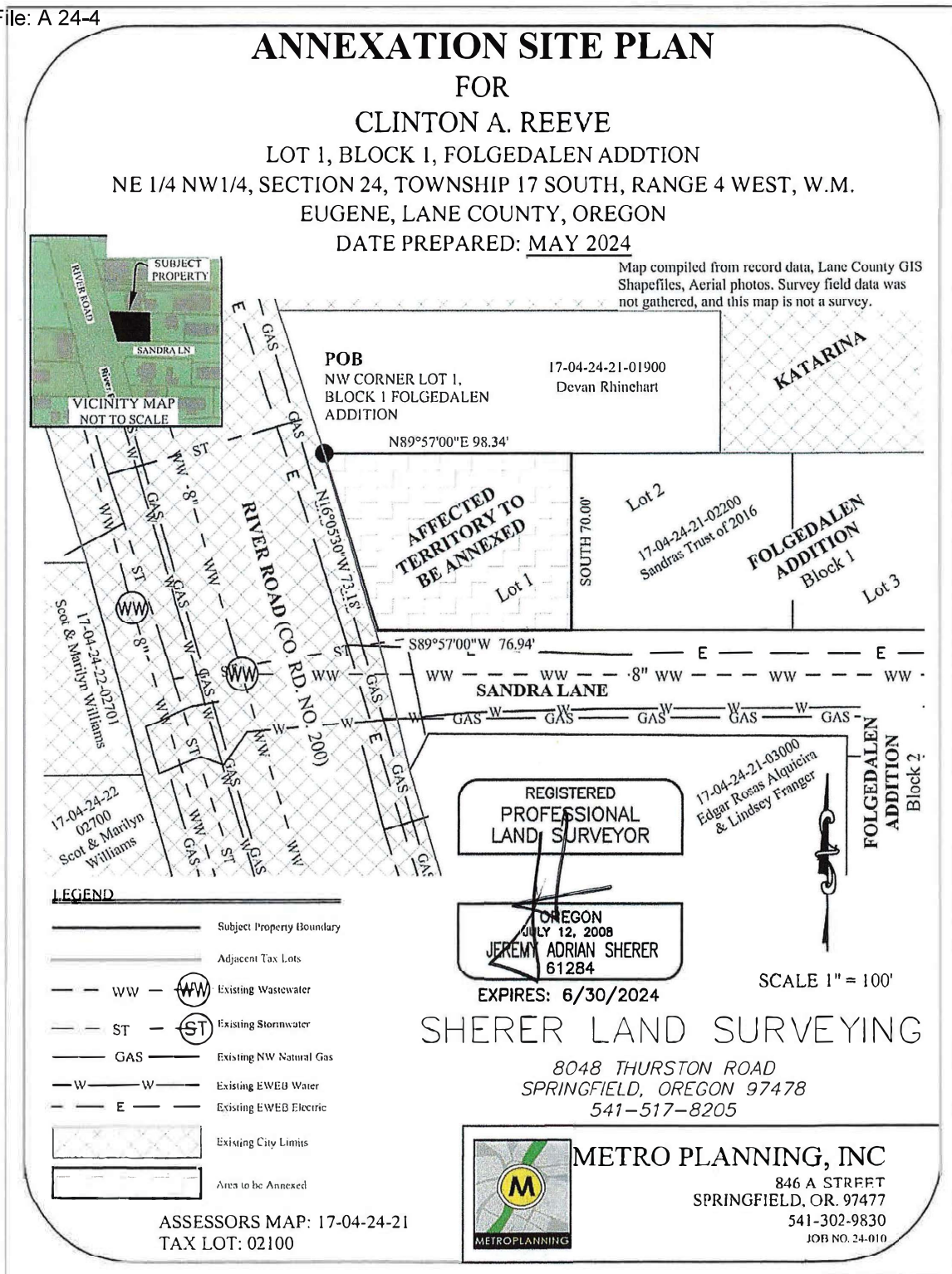


Exhibit F  
File: A 24-4

**LEGAL DESCRIPTION**

Lot 1, Block 1, FOLGEDALEN ADDITION, as platted and recorded in Book 23, Page 15, Lane County  
Oregon Plat Records, in Lane County, Oregon.

Exhibit G  
File: A 24-5

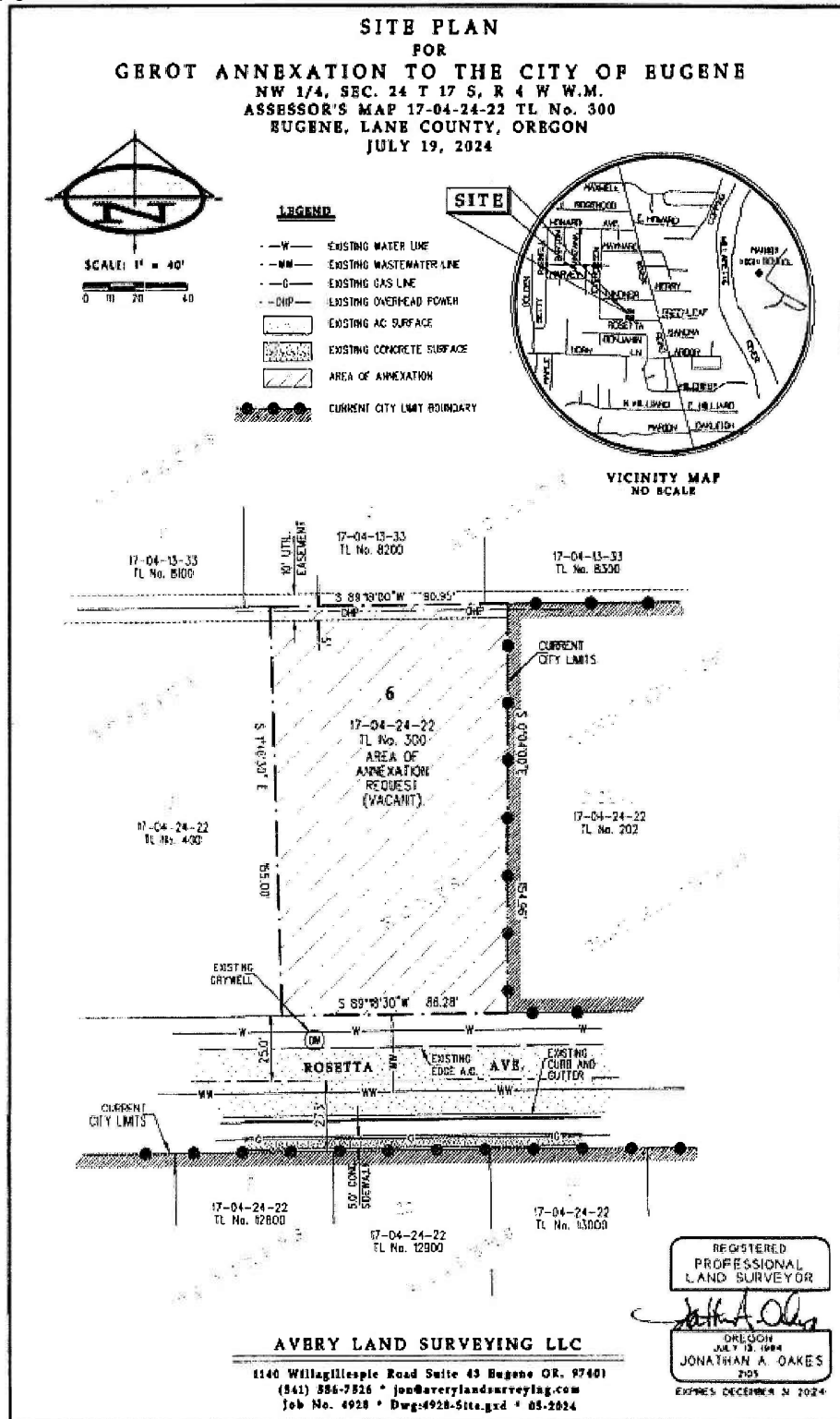


Exhibit G  
File: A 24-5

**Legal Description for the Annexation  
of  
Assessor's Map No. 17-04-24-22 TL No. 300  
to  
the City of Eugene  
NW 1/4 Sec. 24 T 17 S, R 4 W W.M.  
April 25, 2024**

**Lot 6 of ROSETTA HOMES** as platted and recorded in Book 24, Page 25, Lane County  
Oregon Plat Records, all in Lane County Oregon.

Exhibit H  
File: A 24-9

ASSESSOR'S MAP(S) TAX MAP 17-04-14-41, T.L. 201

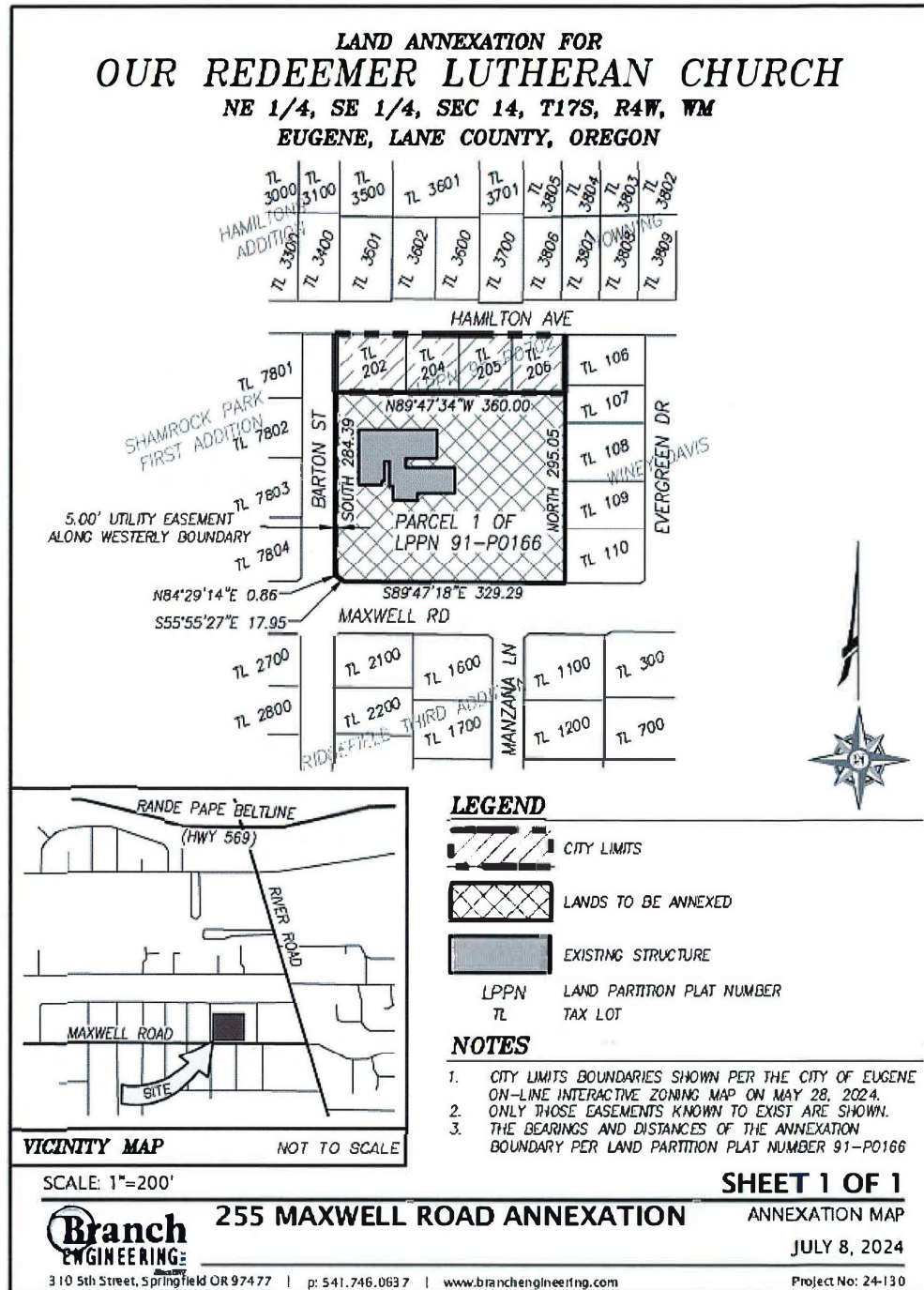


Exhibit H  
Case File: A 24-9

May 28, 2024

**LEGAL DESCRIPTION**  
**ANNEXATION APPLICATION**  
**TM 17-04-14-41, TL 201**  
Branch Engineering Inc. Project No. 24-130

Parcel 1 of Land Partition Plat Number 91-P0166 as platted and recorded in the Lane County Oregon Partition Plat Records.

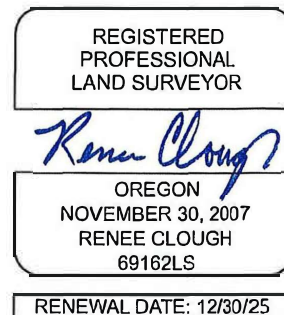


Exhibit I  
File: A 24-10

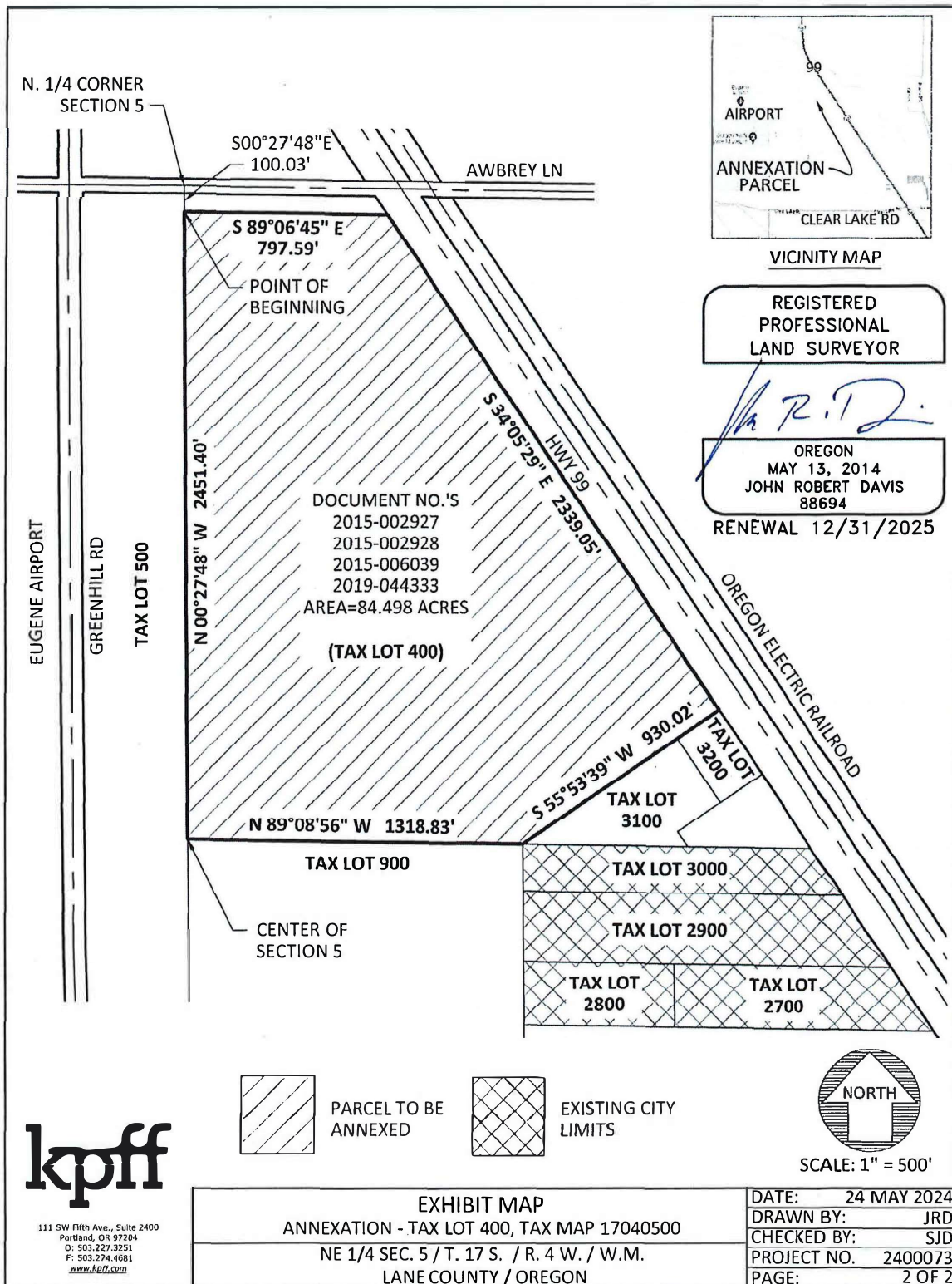


Exhibit I  
File: A 24-10

ANNEXATION  
JOB NO. 2400073  
24 MAY 2024

**LEGAL DESCRIPTION**

ALL OF THAT TRACT OF LAND DESCRIBED IN DEED DOCUMENT NUMBERS 2015-002927, 2015-002928, 2015-006039, AND 2019-044333, LOCATED IN THE NORTHEAST QUARTER OF SECTION 5, TOWNSHIP 17 SOUTH, RANGE 4 WEST, WILLAMETTE MERIDIAN, LANE COUNTY, OREGON, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

**BEGINNING** AT A POINT ON THE WESTERLY LINE OF THE NORTHEAST QUARTER OF SAID SECTION 5, SAID POINT BEARS SOUTH 00°27'48" EAST 100.03 FEET FROM SAID NORTH ONE-QUARTER CORNER OF SECTION 5;

THENCE SOUTH 89°06'45" EAST 797.59 FEET ALONG A LINE THAT IS PARALLEL WITH AND 100.00 FEET SOUTHERLY OF THE NORTH LINE OF SAID NORTHEAST QUARTER OF SECTION 5 TO THE WESTERLY RIGHT-OF-WAY LINE OF HIGHWAY 99;

THENCE ALONG SAID WESTERLY RIGHT-OF-WAY LINE OF HIGHWAY 99 SOUTH 34°05'29" EAST 2339.05 FEET;

THENCE LEAVING SAID WESTERLY RIGHT-OF-WAY LINE SOUTH 55°53'39" WEST 930.02 FEET TO THE SOUTHERLY LINE OF SAID NORTHEAST QUARTER OF SECTION 5;

THENCE ALONG SAID SOUTHERLY LINE OF SAID NORTHEAST QUARTER OF SECTION 5 NORTH 89°08'56" WEST 1318.83 FEET TO THE CENTER OF SAID SECTION 5;

THENCE ALONG THE WESTERLY LINE OF SAID NORTHEAST QUARTER OF SECTION 5 NORTH 00°27'48" WEST 2451.40 FEET TO THE **POINT OF BEGINNING**.

CONTAINING 3,680,750 SQUARE FEET OR 84.498 ACRES, MORE OR LESS.

THE BASIS OF BEARINGS IS THE OREGON COORDINATE REFERENCE SYSTEM, EUGENE ZONE.

THE TRACT OF LAND IS SHOWN ON THE ATTACHED EXHIBIT MAP AND BY THIS REFERENCE MADE A PART THEREOF.

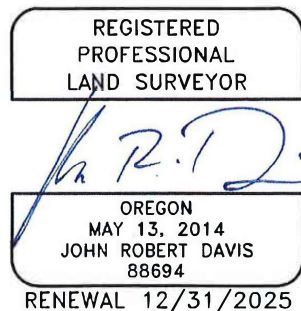


Exhibit J  
File: A 24-12

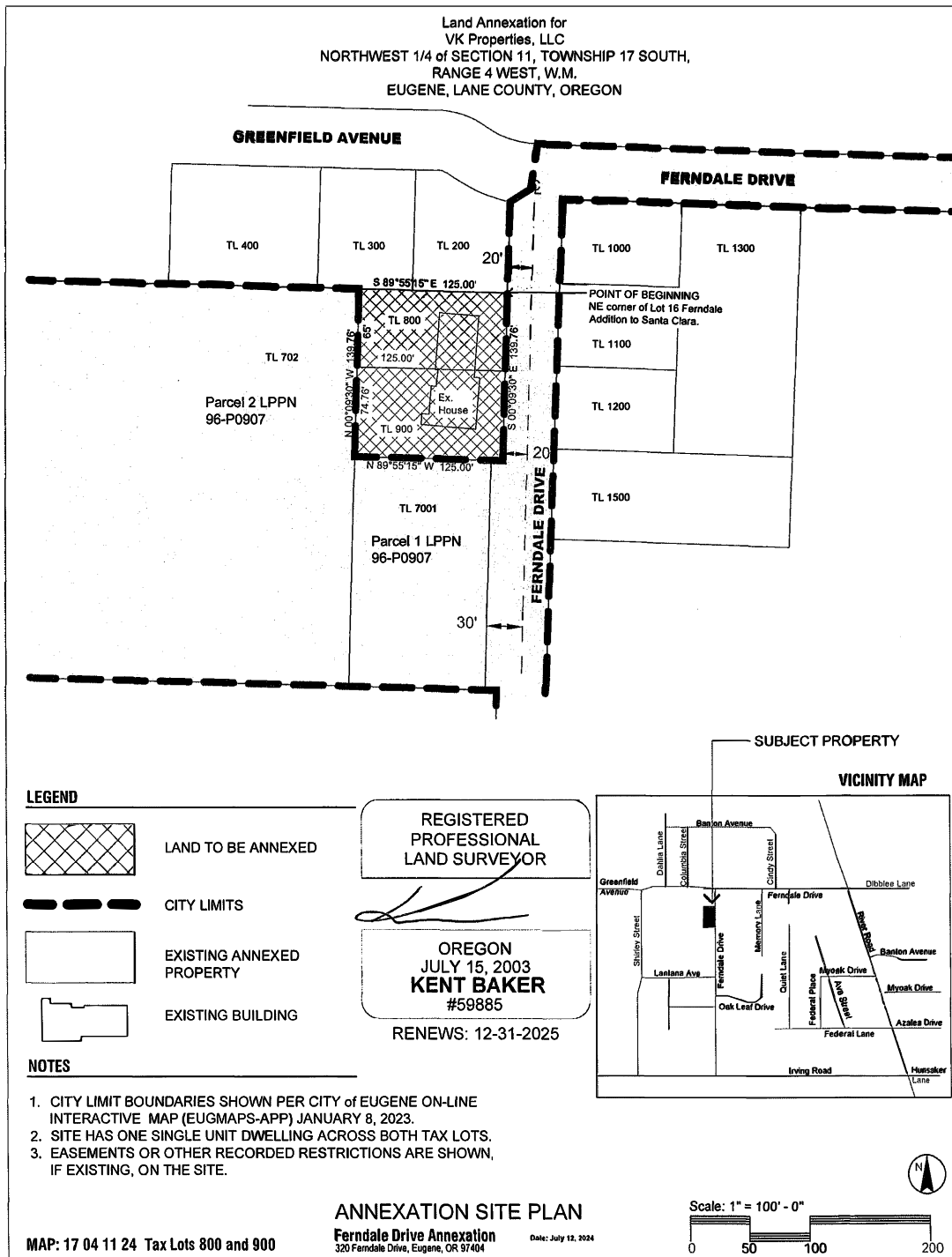


Exhibit J  
File: A 24-12

**Legal Description of Affected Territory to be Annexed**

**(Tax Lots #800 & 900, combined)**

A unit of land being situated in the northwest 1/4 of Section 11, Township 17 South, Range 4 West of the Willamette Meridian, said unit of land also being situated in the northeast portion of Lot 16, FERNDAL ADDITION TO SANTA CLARA, as recorded in Book 4, Page 6, Lane County Plat Records, in Lane County, Oregon and more particularly described as follows:

Beginning at the northeast corner of Lot 16, FERNDAL ADDITION TO SANTA CLARA, said northeast corner also lies on the easterly margin of Ferndale Drive;

Thence along the easterly boundary of said Lot 16 and the easterly margin of Ferndale Drive, South 00°09'30" East a distance of 139.76 feet;

Thence leaving the easterly boundary of said Lot 16 and the easterly margin of Ferndale Drive, North 89°55'15" West along the easterly projection of the northerly boundary line of Parcel 1 of Land Partition Plat No. 96-P0907, Lane County Plat Records, in Lane County, Oregon and the northerly boundary line of said Parcel 1 a distance of 125.00 feet to the northwest corner of said Parcel 1, said northwest corner lies on the easterly boundary line of Parcel 2 of Land Partition Plat No. 96-P0907;

Thence along the easterly boundary line of said Parcel 2, North 00°09'30" West a distance of 139.76 feet to the northeast corner of said Parcel 2, said northeast corner lies on the northerly boundary line of aforementioned Lot 16;

Thence along the northerly boundary line of said Lot 16, South 89°55'15" East a distance of 125.00 feet to the point of beginning, all in Lane County, Oregon and containing 17,470 square feet (0.40 acres) of land, more or less.

# EUGENE CITY COUNCIL AGENDA ITEM SUMMARY



Public Hearing: An Ordinance Amending the Eugene-Springfield Metropolitan Area General Plan Diagram and the Willakenzie Area Plan Diagram to Redesignate the Property Identified as Assessor's Map 17-03-16-41, Tax Lot 01100 from Campus Industrial to Light Medium Industrial and Rezone the Property from E-1 Campus Employment to E-2 Mixed Use Employment.

Meeting Date: January 21, 2025  
Department: Planning and Development  
[www.eugene-or.gov](http://www.eugene-or.gov)

Agenda Item Number: 2  
Staff Contact: Shawn Burgett  
Contact Telephone Number: 541-682-5485

## ISSUE STATEMENT

City Council will hold a public hearing on a privately initiated Metro Plan Amendment and Refinement Plan Amendment to change the plan designation from Campus Industrial to Light Medium Industrial, with a concurrent Zone Change from E-1 Campus Employment to E-2 Mixed Use Employment, on one lot referred to as the Sheppard Motors property (City files: MA 24-1, RA 24-1, & Z 24-4).

## BACKGROUND

The undeveloped subject property is approximately 5 acres and is located on the west side of Old Coburg Road, south of North Game Farm Road and north of Chad Drive. A map showing the location of the subject property is provided in Attachment A. Detailed maps showing the proposed plan amendments and zone change are included as Exhibits A-C to the proposed ordinance (Attachment B).

The applicant, Sheppard Motors, applied for a privately initiated, site-specific Metro Plan Amendment, Refinement Plan Amendment, and concurrent Zone Change for the subject property with the goal of developing an automobile sales and service center with accessory electrical vehicle charging stations, as well as to provide for other uses permitted in the E-2 zone. The requested amendments are necessary to allow the applicant's intended development.

The subject property is currently zoned E-1 Campus Employment, which does not permit Motor Vehicle Sales/Rental/Service; whereas, in the requested zone, E-2 Mixed Use Employment, the use is permitted outright. However, because the current Campus Industrial land use designation does not support a zone change to E-2, site-specific amendments to the land use diagrams of both the Metro Plan and Willakenzie Area Plan are also required. The proposed change to a Light Medium Industrial plan designation is necessary to facilitate the requested zone change and ultimately develop the property with the applicant's intended use.

As noted above, the applicant has stated that it intends to develop the property as automobile sales and service center. However, nothing in the plan designation change or zone change requires that the property be developed with that specific use. The application before the Council is for a change to the Metro Plan and refinement plan designations and a zone change. If this application is approved, the subject property could be developed with any use permitted in the E-2 zone, as identified in [EC Table 9.2450](#). A matrix comparing the allowed uses in the E-1 and E-2 zones is provided as Attachment C.

More information about the proposal, including any testimony received to date, is available at: <https://pdd.eugene-or.gov/LandUse/ApplicationDetails?file=MA-24-0001>

### **Procedural Summary**

These Metro Plan Amendment, Refinement Plan Amendment and Zone Change applications follow the Metro Plan Amendment Procedures of the Eugene Code starting at Eugene Code Section (EC) [9.7700](#). These applications are subject to the approval criteria at EC Sections [9.7735](#), [9.8424](#), and [9.8865](#). Findings demonstrating compliance with the approval criteria for this Metro Plan Amendment, Refinement Plan Amendment, and Zone Change are attached as Exhibit D to the draft ordinance (Attachment B).

Due to the site-specific nature of this application, this is a quasi-judicial land use decision, procedures for which begin at EC [9.7065](#). Public notice for these applications has therefore been provided in accordance with Eugene Code, and the initial public hearing was conducted by the Eugene Planning Commission on [December 17, 2024](#). Prior to the Planning Commission's public hearing, two pieces of written testimony were received, both in support of the proposal. One person testified at the Planning Commission's public hearing and spoke in favor of the proposal. Following the public hearing, the Planning Commission deliberated and unanimously voted to recommend approval of the requested Metro Plan Amendment, Refinement Plan Amendment and Zone Change. The City Council's public hearing on this request will be followed by deliberations and potential action, which are tentatively scheduled for the February 10, 2025 City Council meeting.

A complete set of record materials for this Metro Plan Amendment, Refinement Plan Amendment and Zone Change are available for review at Planning and Development Department at 99 West 10th Avenue. The City Council has also been provided with a copy of the application file and record. As a courtesy, some of the materials are also available for review online at the link provided above.

### **RELATED CITY POLICIES**

As noted above, findings demonstrating compliance with the approval criteria, including any applicable policies, for this Metro Plan Amendment, Refinement Plan Amendment, and Zone Change are provided as Exhibit D to the draft ordinance (Attachment B).

### **PREVIOUS COUNCIL DIRECTION**

None.

**COUNCIL OPTIONS**

This item is scheduled for a public hearing only. Options will be provided at the time of City Council action, which is scheduled for February 10, 2025.

**CITY MANAGER'S RECOMMENDATION**

None.

**SUGGESTED MOTION**

None.

**ATTACHMENTS**

- A. Map of Subject Property and Zoning
- B. Proposed Ordinance and Exhibits
  - Exhibit A: Metro Plan Amendment Map
  - Exhibit B: Refinement Plan Amendment Map
  - Exhibit C: Zone Change Map
  - Exhibit D: Findings
- C. Comparison of Allowed Uses

**FOR MORE INFORMATION**

Staff Contact: Shawn Burgett, Associate Planner  
Telephone: 541-682-5485  
Staff E-Mail: [SBurgett@eugene-or.gov](mailto:SBurgett@eugene-or.gov)



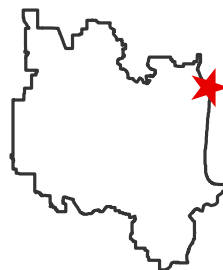
# Sheppard Motors Plan Amendments & Zone Change

City Files: MA 24-1, RA 24-1, & Z 24-4

Attachment A  
Zoning Map



- Subject Property
- C-1 Neighborhood Commercial
- E-1 Campus Employment
- E-2 Mixed Use Employment
- R-1 Low-Density Residential
- R-2 Medium-Density Residential



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

Created on 12/27/2024  
by City of Eugene Planning Division

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**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE AMENDING THE EUGENE-SPRINGFIELD METROPOLITAN AREA GENERAL PLAN DIAGRAM AND THE WILLAKENZIE AREA PLAN DIAGRAM TO REDESIGNATE THE PROPERTY IDENTIFIED AS ASSESSOR'S MAP 17-03-16-41, TAX LOT 01100 FROM CAMPUS INDUSTRIAL TO LIGHT MEDIUM INDUSTRIAL AND REZONING THE PROPERTY FROM E-1 CAMPUS EMPLOYMENT TO E-2 MIXED USE EMPLOYMENT.**

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

**A.** On August 29, 2024, Sheppard Motors, LLC, submitted an application for a Type I amendment to the Eugene-Springfield Metropolitan Area General Plan (Metro Plan) plan diagram, requesting a change from the property's current Campus Industrial designation to a Light Medium Industrial designation. Approval of the Metro Plan amendment results in the automatic concurrent amendment of the Willakenzie Area Plan land use diagram and the Willakenzie Area Plan Coburg-Crescent Subarea Diagram, giving the subject property a Light Medium Industrial designation under the Willakenzie Area Plan as well as the Metro Plan. The zone change requested by the applicant would rezone the subject property from E-1 Campus Employment to E-2 Mixed Use Employment.

**B.** On December 17, 2024, the Eugene Planning Commission held a public hearing on the application. The Eugene Planning Commission recommended that the Eugene City Council adopt the proposed amendments to the Metro Plan plan diagram as shown in Exhibit A, and the Willakenzie Area Plan land use diagram as shown in Exhibit B, and rezone the subject property as shown in Exhibit C.

**NOW, THEREFORE,**

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

**Section 1.** The Eugene-Springfield Metropolitan Area General Plan land use diagram is amended to redesignate the property identified as Assessor's Map 17-03-16-41, Tax Lot 01100, from Campus Industrial to Light-Medium Industrial, as depicted on Exhibit A attached hereto and incorporated herein by reference.

**Section 2.** Consistent with the provisions of section 9.7730(5) of the Eugene Code, 1971:

- (a) The Willakenzie Land Use Diagram and Willakenzie Land Use Diagram (Northeast Portion) located between pages 19 and 20 of the Willakenzie Area Plan are amended to redesignate the property identified as Assessor's Map 17-03-16-41, Tax Lot 01100, from Campus Industrial to Light Medium Industrial, as depicted on Exhibit B attached hereto and incorporated herein by this reference.
- (b) The Coburg-Crescent Subarea Diagram located at page 62 of the Willakenzie Area Plan is amended to redesignate the property identified as Assessor's Map 17-03-16-41, Tax Lot 01100, from Campus Industrial to Light Medium Industrial, as

depicted on Exhibit B attached hereto and incorporated herein by this reference.

**Section 3.** The property identified as Assessor's Map 17-03-16-41, Tax Lot 01100, is rezoned from E-1 Campus Employment to E-2 Mixed Use Employment, as depicted on Exhibit C attached hereto and incorporated herein by this reference

**Section 4.** The findings set forth in the attached Exhibit D are adopted in support of this Ordinance.

**Section 5.** If any section, subsection, sentence, clause, phrase, or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, that portion shall be deemed a separate, distinct, and independent provision and that holding shall not affect the validity of the remaining portions of this Ordinance. Further, if this Ordinance is remanded back to the City Council for further action by the Oregon Land Use Board of Appeals, those sections, subsections, sentences, clauses, phrases or portions that do not require action on remand shall be deemed separate, distinct, and independent provisions and such remand shall not affect their validity or effect.

**Passed by the City Council this**

\_\_\_\_\_ day of \_\_\_\_\_, 2025

\_\_\_\_\_  
**City Recorder**

**Approved by the Mayor this**

\_\_\_\_\_ day of \_\_\_\_\_, 2025.

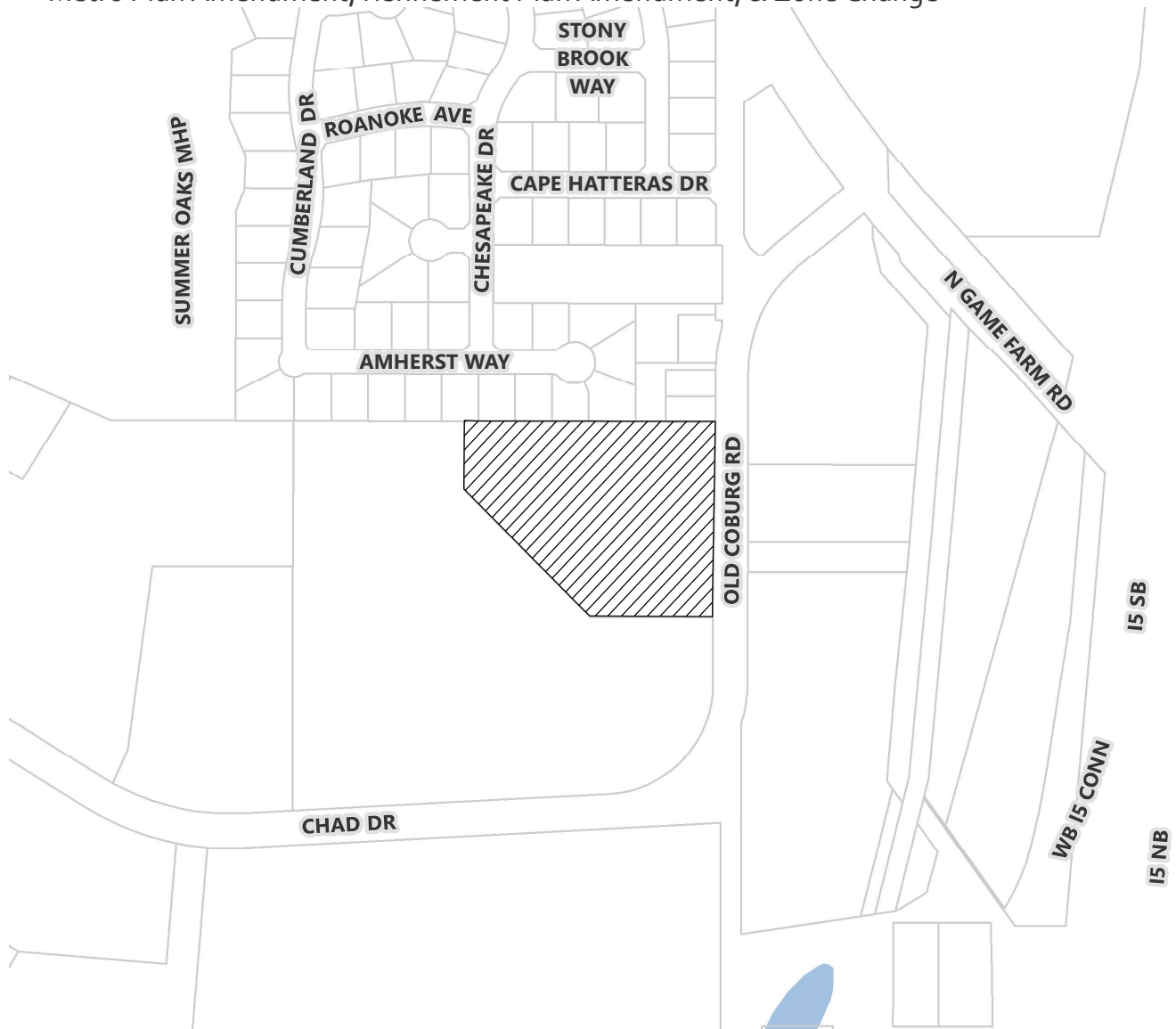
\_\_\_\_\_  
**Mayor**

## Proposed Metro Plan Designation

Sheppard Motors - City Files: MA 24-1, RA 24-1, & Z 24-4

Metro Plan Amendment, Refinement Plan Amendment, & Zone Change

Exhibit A



Property to be redesignated from Campus Industrial to Light Medium Industrial on the Eugene-Springfield Metropolitan Area General Plan (Metro Plan) Plan Diagram.

 Subject Property

 Taxlots

Assessor's Map 17-03-16-41, Tax Lot 01100

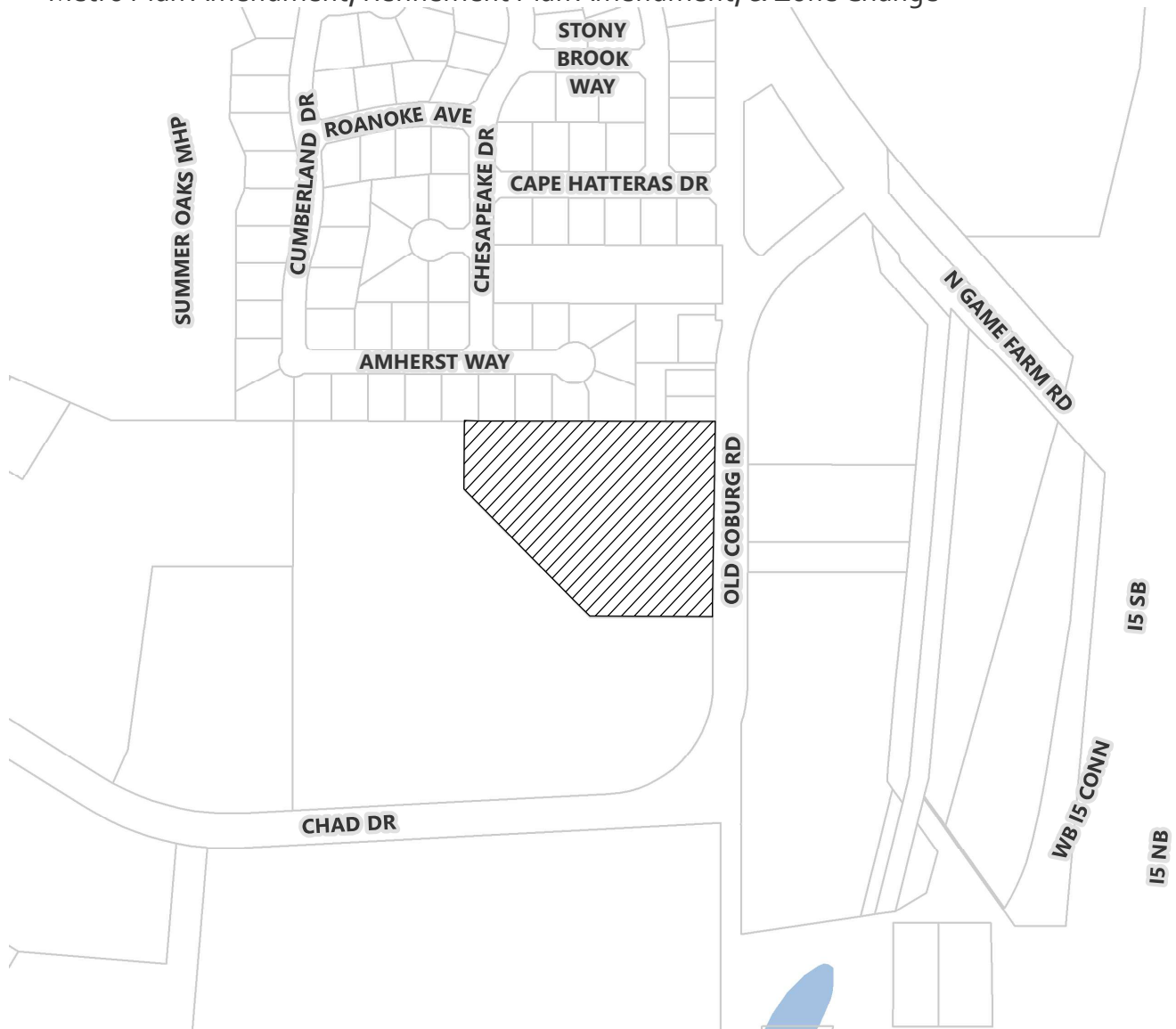


## Proposed Refinement Plan Designation

Sheppard Motors - City Files: MA 24-1, RA 24-1, & Z 24-4

Metro Plan Amendment, Refinement Plan Amendment, & Zone Change

Exhibit B



-  Subject Property
-  Taxlots

Property to be redesignated from Special Light Industrial to Light Medium Industrial on the Willakenzie Area Plan (Refinement Plan) land use designation.

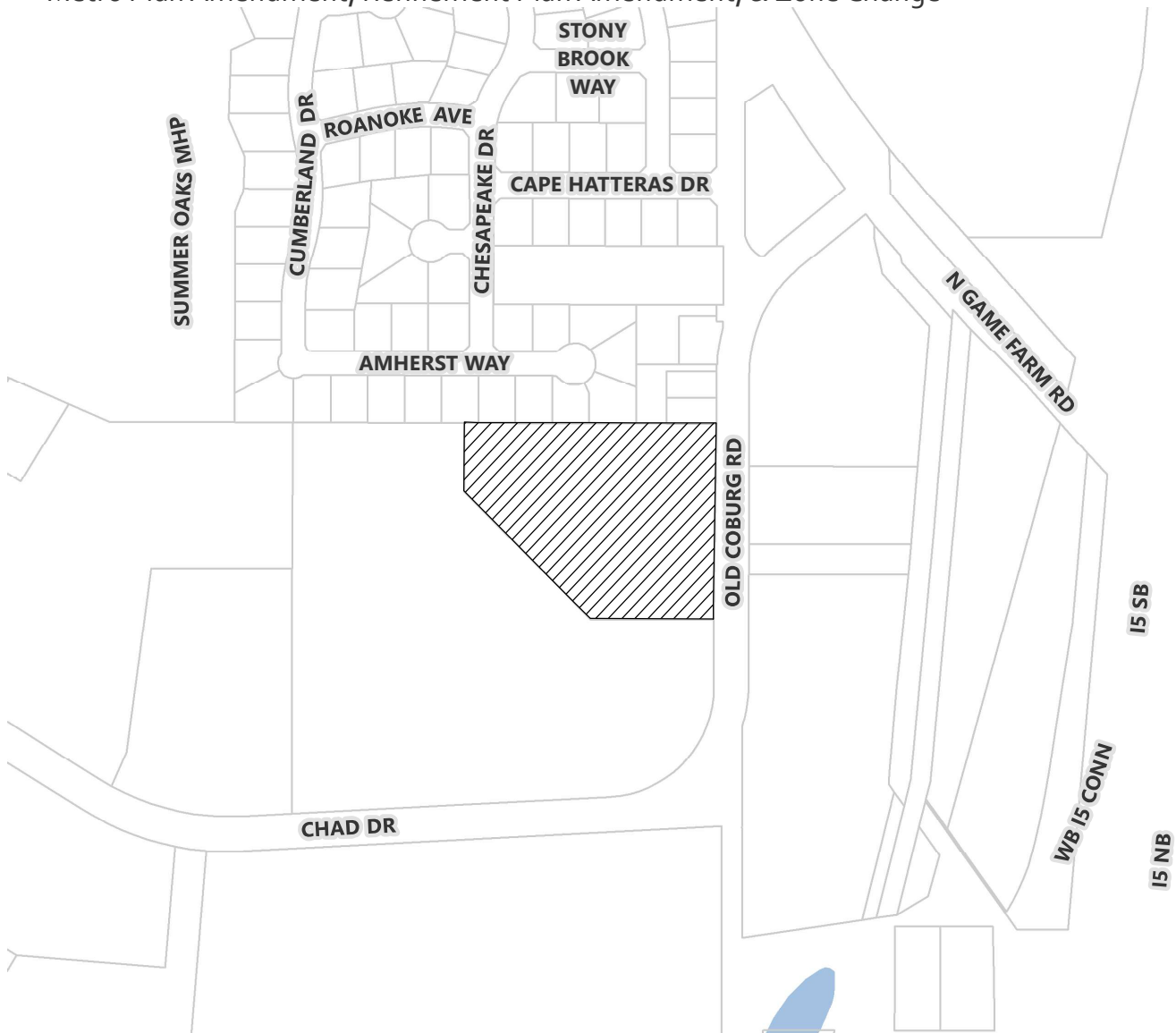
Assessor's Map 17-03-16-41, Tax Lot 01100



## Proposed Zone Change

Sheppard Motors - City Files: MA 24-1, RA 24-1, & Z 24-4  
Metro Plan Amendment, Refinement Plan Amendment, & Zone Change

Exhibit C



-  Subject Property
  -  Taxlots
- Property to be rezoned from E-1 Campus Employment to E-2 Mixed Use Employment Zone

Assessor's Map 17-03-16-41, Tax Lot 01100



**FINDINGS IN SUPPORT OF AN ORDINANCE AMENDING THE EUGENE-SPRINGFIELD METROPOLITAN AREA GENERAL PLAN DIAGRAM AND THE WILLAKENZIE AREA PLAN DIAGRAM TO REDESIGNATE THE PROPERTY IDENTIFIED AS ASSESSOR'S MAP 17-03-16-41, TAX LOT 01100 FROM CAMPUS INDUSTRIAL TO LIGHT MEDIUM INDUSTRIAL AND REZONING THE PROPERTY FROM E-1 CAMPUS EMPLOYMENT TO E-2 MIXED USE EMPLOYMENT.**

**APPLICATION OVERVIEW**

**Name (File Numbers):** Sheppard Motors (MA 24-1 / RA 24-1 / Z 24-4)

**Map No. / Tax Lot:** 17-03-16-41 / 01100

The applicant is seeking an amendment to the Eugene-Springfield Metropolitan Area General Plan (Metro Plan) land use diagram, a refinement plan amendment to the Willakenzie Area Plan land use diagrams for consistency with the Metro Plan, and a concurrent zone change. The requested changes are outlined in Table 1, below.

| <b>Sheppard Motors Metro Plan Amendment, Refinement Plan Amendment, and Zone Change</b> |                       |                          |              |
|-----------------------------------------------------------------------------------------|-----------------------|--------------------------|--------------|
| <b>Application</b>                                                                      | <b>Current</b>        | <b>Proposed</b>          | <b>Acres</b> |
| Metro Plan Amendment                                                                    | Campus Industrial     | Light Medium Industrial  | 4.94         |
| Refinement Plan Amendment                                                               | Campus Industrial     | Light-Medium Industrial  |              |
| Zone Change                                                                             | E-1 Campus Employment | E-2 Mixed Use Employment |              |

*Table 1: Current/Proposed Plan Designations and Zoning*

The subject property consists of a vacant tax lot located on the west side of Old Coburg Road, west of intersection with North Game Farm Road and north of Chad Drive (Assessor's Map / Tax Lot: 17-03-16-41 / 01100). The subject property is located within the boundary of the Willakenzie Area Plan, which is an adopted refinement plan of the Metro Plan.

**FINDINGS**

Based on substantial evidence in the record, the Eugene City Council finds as follows:

This request for a Metro Plan Amendment (Type I) is subject to the land use application procedures in the Eugene Code (EC) 9.7700-9.7735. The proposed Metro Plan Amendment also triggers the need for an amendment to the Willakenzie Area Plan (WAP), which is the adopted refinement plan for this area. The applicant has also requested a zone change. Per EC 9.8005, the requested

refinement plan amendment and zone change are being processed concurrently. The following findings address the details of the proposal in the context of compliance with the applicable approval criteria at EC 9.7735, EC 9.8424, and EC 9.8865. Those criteria are provided below (in **bolded text**), including findings addressing compliance with each.

### **METRO PLAN AMENDMENT**

The applicant's requested Metro Plan Amendment proposes to change the land use designation of the subject property from Campus Industrial to Light Medium Industrial. The amendment is a Type I Metro Plan Diagram amendment as it only involves property located wholly within the City of Eugene. The following findings address the applicable approval criteria for the Metro Plan Amendment:

#### **EC 9.7735 (1): The proposed amendment is consistent with the relevant Statewide Planning Goals.**

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

The City's provisions for citizen involvement ensure the opportunity for citizens to be involved in all phases of the planning process and set out requirements for such involvement. The proposal does not include any changes to the City's citizen involvement program.

The City's land use code implements Statewide Planning Goal 1 through its noticing requirements, which include:

- A neighborhood/applicant meeting (5/21/2024)
- Notice to the Oregon Department of Land Conservation and Development (11/12/2024)
- Referrals and notice sent to Lane County and the City of Springfield (11/8/2024)
- Public notice for the Planning Commission public hearing to consider the applications, which includes: mailing notice to interested parties and adjacent property owners (11/15/2024); posting of the notice on-site (11/15/2024); and, publishing the notice in a local newspaper (11/24/2024).

All noticing was conducted in accordance with Eugene Code requirements. Consideration of the amendments began with a Planning Commission public hearing on December 17, 2024.

Following action by the Planning Commission, the Eugene City Council held a public hearing to consider the plan amendment and zone change, which was duly noticed. Any written testimony received by the City discussing this application was made available to the Planning Commission and City Council for their consideration.

Based on these findings, the proposed Metro Plan Amendment is consistent with Statewide Planning Goal 1.

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

Consistent with Statewide Planning Goal 2, the requested Metro Plan Amendment is being processed according to Eugene's land use code, which specifies the procedure and criteria for consideration of the request. The requested Metro Plan amendment qualifies as a Type I amendment as defined in EC 9.7705 because the only requested change is to the Metro Plan's Diagram, for lands located wholly within the City of Eugene. Consistent with EC 9.7715(1), the request for an amendment was initiated by a representative for the property owners. Per EC 9.7705(1), this Type I amendment requires approval by City of Eugene only. The subject property is entirely within Eugene City limits and there is no regional impact associated with this request to amend the Metro Plan land use designation for the subject property.

As the application follows the procedural requirements established by Eugene's land use code, the amendment is consistent with Statewide Planning Goal 2.

The Statewide Planning 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 its citizens. To comply with the Goal 2 coordination requirement, the City provided notice of the proposal and opportunity to comment to Lane County, Lane Council of Governments, City of Springfield, the Oregon Department of Transportation and the Oregon Department of Land Conservation and Development.

There are no exceptions to Statewide Planning Goal 2 required for this amendment. Therefore, the amendments are consistent with Statewide Planning Goal 2.

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

The amendment is for property located within the Eugene city limits and does not affect any land designated for agricultural use. Based on this finding, Statewide Planning Goal 3 does not apply.

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

The amendment is for property located within the Eugene city limits and does not affect any land designated for forest use. Based on this finding, Statewide Planning Goal 4 does not apply.

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

There are no Statewide Planning Goal 5 resources located on the subject property. This amendment does not create or amend the City's list of Goal 5 resources, does not amend a code provision adopted in order to protect a significant Goal 5 resource or to address specific requirements of Goal 5, nor does it allow new uses that could be conflicting with a significant Goal 5 resource site. Therefore, the amendment is consistent with Statewide Planning Goal 5.

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

The proposed change to the Metro Plan Diagram does not impact the existing regulations that implement the City's protections for the quality of air, water, and land resources. Any future development will be subject to City regulations and other state and federal requirements, ensuring that future developments will be consistent with this Goal. Based on these findings, the Metro Plan amendment is consistent with Statewide Planning Goal 6.

**Goal 7: Areas Subject to Natural Hazards - To protect people and property from natural hazards.**

Statewide Planning Goal 7 requires that local government planning programs include provisions to protect people and property from the following natural hazards: floods, landslides, earthquakes and related hazards, tsunamis, coastal erosion and wildfires. Goal 7 prohibits development in natural hazard areas without appropriate safeguards. The subject property is not located within known areas of natural disasters or hazards. The subject property is outside the flood zone and is not subject to hazards normally associated with wildfires or tsunamis. Other hazards can be mitigated at the time of development based on applicable land use code provisions, building codes and building techniques. The amendment to the Metro Plan Diagram does not affect the City's restrictions on development in areas subject to natural disasters and hazards. Based on these findings, the amendment is consistent with Statewide Planning Goal 7.

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

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

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

Statewide Planning Goal 9 requires cities to evaluate the supply and demand of commercial and industrial land relative to community economic objectives. This amendment to the Metro Plan Diagram is only related to lands designated as industrial. The Oregon Administrative Rule for Statewide Planning Goal 9 (OAR 660 Division 9) requires that the City provide for at least an adequate supply of sites of suitable sizes, types, location, and service levels for a variety of industrial and commercial uses consistent with plan policies. The Employment Lands Supply Study 2012-2032 (ELSS) is included as Appendix B in the City's comprehensive plan, Envision

Eugene, and complies with the requirements of Goal 9 and the corresponding Administrative Rule. The amendment to the Metro Plan Diagram does not add or subtract any industrial land from the adopted inventories.

The proposed change to the Metro Plan designation for the subject property does not have an impact on the City's availability of employment or industrial lands because all industrial land use land designations (Campus, Light Medium, and Heavy) are grouped together for the purposes of the City's ELSS. Therefore, properties within the broad category of industrial can be re-designated to another type of industrial without changing the amount of industrial land in the City's inventory. In this case, a re-designation from Campus Industrial to Light Medium Industrial results in no net change to the City's overall supply of industrially designated land.

OAR 660-009-010(4) includes specific requirements for changes in plan designation that involve land in excess of two acres within an existing urban growth boundary from an industrial use designation to a non-industrial use designation, or another employment use designation to any other use designation. While the subject property is in excess of two acres, the proposed change is from one industrial designation (Campus) to another industrial designation (Light Medium). Therefore, this administrative rule requirement does not apply.

Given these facts, the requested Metro Plan Amendment will not adversely impact the City's ability to provide opportunities for a variety of economic activities. In the application materials, the applicant addresses the economic benefits of the proposed change. The applicant asserts that the proposed change will "provide the following economic benefits: 1. Substantial increase in tax revenue. The current Campus Industrial plan designation and zoning has not attracted development. 2. Increase in the diversity of uses allowed including some of Eugene's 'target industries. 3. Future development of the site will create jobs and result in direct and indirect benefits to the local economy."

Based on these findings, the amendment is consistent with Statewide Planning Goal 9.

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

The subject property does not include any lands designated for residential use in the City's adopted Residential Land Supply Study; therefore, the proposal does not include any changes that would impact the availability of residential lands for housing, nor does it impact the City's ability to provide for housing needs in the future. Based on these findings, the amendment is consistent with Statewide Planning Goal 10.

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

The Metro Plan Diagram amendment does not affect the City's provision of public facilities and services. Based on this finding, the amendment is consistent with Statewide Planning Goal 11. The City has an acknowledged Public Facilities and Services Plan, which is the Eugene-

Springfield Metropolitan Area Public Facilities and Services Plan: a refinement plan of the Eugene-Springfield Metropolitan Area General Plan. As a note, all necessary public services exist or are readily available in close proximity to the subject site.

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

Statewide Planning Goal 12 requires a determination of whether the proposed Metro Plan Amendment will significantly impact an existing or planned transportation facility. OAR 660-012-0060, the Transportation Planning Rule (TPR), implements Goal 12 for proposed amendments to the Metro Plan Diagram, such as this application.

The applicant requests a Metro Plan and Refinement Plan Amendment from Campus Industrial to Light Medium Industrial, as well as a zone change from E-1 Campus Employment to E-2 Mixed Use Employment.

The applicant's consultant, Christopher M. Clemow, Transportation Engineer, Clemow Associates LLC, prepared a scoped transportation analysis that references projected trip generation from a reasonable worst-case development scenario. The consultant compared allowed uses and buildout scenarios consistent with the existing E-1 zone and the allowed uses of the E-2 Zone. The applicant has provided an analysis consistent within the parameters of the agreed scope of work and using industry best practices.

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

*OAR 660-012-0060(1) If an amendment to a functional plan, an acknowledged comprehensive plan, or a land use regulation (including a zoning map) would significantly affect an existing or planned transportation facility, then the local government must put in place measures as provided in section (2) of this rule, unless the amendment is allowed under section (3), (9) or (10) of this rule. A plan or land use regulation amendment significantly affects a transportation facility if it would:*

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

The applicant has provided a transportation technical memo consistent with the requirements for TPR Analysis as coordinated between the City of Eugene and the applicant. The analysis is written to uphold industry best standards. The applicant's traffic study identified a slight increase in the average daily traffic (14 PM peak hour trip generation increase). The increase in average daily trips is not expected to require a change in the functional classification of any

street within the study area. The applicant has not proposed any changes to the functional classification of any roadway within the study area.

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

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

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

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

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

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

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

The City Council finds that this proposal has no significant effect on existing or planned transportation facilities as defined within OAR 660-012-0060(1). As such, the remaining subsections of OAR 660-012-0060(2) through (11) are either not applicable or satisfied by this proposal. Therefore, the proposed zone change satisfies the Transportation Planning Rule.

Based on these findings, the proposal is consistent with Statewide Planning Goal 12.

**Goal 13: Energy Conservation - To conserve energy.**

The proposed change to the Metro Plan's Diagram will not amend or otherwise involve any land use regulations that implement this Goal. Therefore, the amendment is consistent with Statewide Planning Goal 13.

**Goal 14: Urbanization - To provide for an orderly and efficient transition from rural to urban land use, to accommodate urban population and urban employment inside urban growth boundaries, to ensure efficient use of land, and to provide for livable communities.**

The Metro Plan Diagram amendment does not affect the City's provisions regarding the transition of land from rural to urban uses. Based on this finding, the amendment is consistent with Statewide Planning Goal 14.

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

The Metro Plan Diagram amendment does not contain any changes that affect the Willamette River Greenway regulations, nor is the subject property located within the adopted Willamette Greenway boundary. Based on this finding, Statewide Planning Goal 15 does not apply.

**Goals 16 – 19: Estuarine Resources; Coastal Shorelands; Beaches and Dunes; and Ocean Resources**

There are no estuarine, beach and dune, coastal, or ocean resources related to subject property. Based on this finding, Statewide Planning Goals 16 through 19 do not apply.

**Conclusion**

Based on the findings above, the Metro Plan Amendment complies with the Statewide Planning Goals and the approval criterion at EC 9.7735(1) is met.

**EC 9.7735(2): The proposed amendment does not make the Metro Plan internally inconsistent.**

No policies within the Metro Plan appear to serve as mandatory approval criteria for this application, nor do any Metro Plan policies appear to be directly relevant to this site-specific Metro Plan Diagram amendment. Therefore, the proposed amendment does not present any

conflict with other Metro Plan policies nor does it make the Metro Plan internally inconsistent. Based on these findings, this criterion is met.

**EC 9.7735(3): When the city-specific local comprehensive plan also applies, the proposed amendment is consistent with the city-specific local comprehensive plan.**

The city-specific local comprehensive plan for the City of Eugene is the Envision Eugene Comprehensive Plan. The following policy from the Envision Eugene (EE) Comprehensive Plan provides relevant support for the amendment to the Metro Plan Diagram:

*EE Policy 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.*

This policy specifically recognizes the challenges presented by existing zoning restrictions in the area of the subject property. The applicant contends that the existing E-1 zoning has not responded well to market conditions and has not provided opportunities to meet market demand. The subject property has been designated Campus Industrial and zoned E-1 Campus Employment and has remained vacant. While the policy specifically related to flexible zoning, the proposed Metro Plan Diagram change is necessary to facilitate the zone change.

The Transportation chapter of the Envision Eugene Comprehensive Plan states that the Eugene 2035 Transportation System Plan (TSP) serves as the transportation element for the comprehensive plan. As noted in the findings related to Statewide Planning Goal 12, the Metro Plan Diagram amendment is consistent with the City's TSP, and therefore consistent with the transportation chapter of Envision Eugene. No transportation policies appear to be directly relevant to this site-specific Metro Plan Amendment, nor do they serve as mandatory approval criteria for the amendment.

Based on these findings, the proposed Metro Plan Amendment is consistent with Envision Eugene, the City's local comprehensive plan.

**REFINEMENT PLAN AMENDMENT**

The proposed Metro Plan Amendment also triggers the need for an amendment to the land use designation of the subject property in the Willakenzie Area Plan, which is the adopted refinement plan for this area. The Willakenzie Area Plan designates the property as Special Light Industrial. The following findings address the applicable approval criteria for the related refinement plan amendment:

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

**(a) Statewide planning goals.**

Findings

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Sheppard Motors (MA 24-01/RA 24-01/ Z 24-04)

The findings addressing consistency with the Statewide Planning Goals included above under Metro Plan Amendment approval criterion EC 9.7735(1), are incorporated herein by reference. Based on those findings, the amendment to the land use designation for the Willakenzie Area Plan is consistent with the Statewide Planning Goals.

**(b) Applicable provisions of the comprehensive plan.**

The findings above under Metro Plan Amendment approval criteria EC 9.7735(2) and EC 9.7735(3) are incorporated herein by reference and the amendment to the land use designation for the Willakenzie Area Study is consistent with the provisions of the Metro Plan and Envision Eugene.

**(c) Remaining portions of the refinement plan.**

Only the land use designation for the subject site in the Willakenzie Area Plan (WAP) will be amended. No other amendments to the WAP are proposed or required. No policies listed in the WAP appear to serve as mandatory approval criteria for this amendment, nor do any refinement plan policies require further analysis beyond that provided above for the Metro Plan Amendment.

**EC 9.8424(2): The refinement plan amendment addresses one or more of the following:**

- (a) An error in the publication of the refinement plan.**
- (b) New inventory material which relates to a statewide planning goal.**
- (c) New or amended community policies.**
- (d) New or amended provisions in a federal law or regulation, state statute, state regulation, statewide planning goal, or state agency land use plan.**
- (e) A change of circumstances in a substantial manner that was not anticipated at the time the refinement plan was adopted.**

An amendment to the plan designation on the Metro Plan Diagram constitutes a “new or amended community policy.” Per the findings pertaining to the Metro Plan Diagram amendment at EC 9.7735, incorporated herein by reference, the designation change is consistent with all Statewide Planning Goals and the existing Metro Plan policies. Therefore, the refinement plan land use diagram must be amended to remain consistent with the amended Metro Plan Diagram. Based on these findings, this criterion is met.

**ZONE CHANGE**

The applicant’s request includes a concurrent change in the base zone of the subject property from E-1 Campus Employment to E-2 Mixed Use Employment, to bring the zoning into conformance with the proposed Light Medium Industrial plan designation. The following findings address the applicable approval criteria for the zone change request:

**EC 9.8865(1): The proposed change is consistent with applicable provisions of the Metro Plan. The written text of the Metro Plan shall take precedence over the Metro Plan Diagram where apparent conflicts or inconsistencies exist.**

According to EC 9.2405, the requested E-2 zone implements the Metro Plan's Light Medium Industrial land use designation. Therefore, the zone change is consistent with a change to the Metro Plan Diagram to designate the subject property as Light Medium Industrial. There are no Metro Plan policies that serve as mandatory approval criteria for this zone change or require further analysis beyond that provided above for the requested Metro Plan Amendment.

Based on these findings, and with approval of the Metro Plan Diagram Amendment, this criterion is met.

**EC 9.8865(2): The proposed zone change is consistent with applicable adopted refinement plans. In the event of inconsistencies between these plans and the Metro Plan, the Metro Plan controls.**

The subject property is within the boundaries of the Willakenzie Area Plan (WAP), which is the adopted refinement plan for the area of this request. The subject property is in the Crescent-Coburg Subarea in the North Region, as identified in the WAP.

The WAP identifies the subject property as being designated for Campus Industrial. However, according to the Metro Plan Amendment procedures at EC 9.7730(5)(b), where, as here, the Metro Plan diagram is amended and that Metro Plan amendment does not require a refinement plan text amendment, the refinement plan's land use diagram is automatically amended to remain consistent with the Metro Plan. There are no text amendments to the WAP proposed or otherwise required in this instance. Therefore, the WAP's land use diagram is automatically amended to remain consistent with Metro Plan diagram. Amendment of the WAP land use diagram to designate the subject property as Light Medium Industrial is consistent with E-2 Mixed Use Employment zoning. No policies listed in the WAP appear to serve as mandatory approval criteria for this zone change or to require further analysis beyond that provided above for the requested Metro Plan Amendment and Refinement Plan Amendment.

Based on these findings, and with approval of the amendment to the land use designation of subject site for the WAP, this criterion is met.

**EC 9.8865(3): The uses and density that will be allowed by the proposed zoning in the location of the proposed change can be served through the orderly extension of key urban facilities and services.**

Key urban facilities and services are defined in the Metro Plan as: wastewater service, stormwater service, transportation, water service, fire and emergency medical services, police protection, City-wide parks and recreation programs, electric service, land use controls,

communication facilities, and public schools on a district-wide basis (see Metro Plan, page V-3). The following summary addresses the availability of these key urban services and facilities as required under this criterion.

Wastewater: Public wastewater service is currently available for the subject property from a wastewater line located in Old Coburg Road. Wastewater standards will be reviewed at the time of future development for any extension of service to the subject property.

Stormwater: Existing stormwater conveyance lines are located in Old Coburg Road. Stormwater standards will be reviewed at the time of future development for any extension of service to the subject property.

Streets: The subject property has frontage on Old Coburg Road, which is classified as a major collector street, per Figure 60 of the Eugene 2035 Transportation System Plan (TSP). Compliance with applicable street standards will be addressed at the time of future development.

Solid Waste: Collection service is provided by private entities. Regional disposal sites and the Short Mountain Landfill are operated by Lane County.

Water and Electric: Water and electrical services, operated by Eugene Water and Electric Board (EWEB) are available for extension to the property. Any future development will require coordination with EWEB staff to ensure that water and electric services comply with City standards and EWEB requirements.

Public Safety: Police protection for the subject property is consistent with service provision throughout the City. Fire protection will be provided by Eugene Springfield Fire. Emergency medical services are currently provided on a regional basis by the cities of Eugene and Springfield.

Transportation: The subject property is accessible to pedestrians, bicycles, and vehicles via the surrounding street network. Transit stops are located north of the subject property on Old Coburg Road and south of property on Chad Drive. Sidewalks are present along all street frontages of the subject property.

Parks and Recreation: Parks and recreation programs are provided on a City-wide basis. The inclusion of the subject property in the City is sufficient evidence to demonstrate the minimum level of this key urban service is met.

Planning and Development Services: Planning and building permit services are provided for all properties located within the urban growth boundary by the City of Eugene. The Eugene Code, Chapter 9, provides the required land use controls for future development of the subject property.

Communication: A variety of telecommunication providers offer communications services throughout the Eugene/Springfield area; therefore, these services are available, and this key urban service requirement is met.

Public Schools: The subject property is within Eugene School District 4J. As access to schools is evaluated on a district wide basis, the property's location within the school district is sufficient evidence to demonstrate the minimum level of this key urban service is met.

Based on these findings, this criterion is satisfied.

**EC 9.8865(4): The proposed zone change is consistent with the applicable siting requirements set out for the specific zone in:**

**(b) EC 9.2430 Employment and Industrial Zone Siting Requirements.**

The specific siting standards for the E-2 Mixed Use Employment zone are listed under EC 9.2430(2) and provided for ease of reference below.

**EC 9.2430(2): E-2 Mixed Use Employment. This zone is limited to areas designated Light Medium Industrial in the comprehensive 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.**

E-2 zoning is limited to areas designated Light Medium Industrial and the subject property is designated Light Medium Industrial by the Metro Plan Diagram amendment approved as part of this application package. The property does not have frontage on an arterial street, therefore, the property must be contiguous to the parcels zoned E-2 or C-2 Community Commercial. E-2 zoned parcels are located to east and southeast of the subject property, but are separated by the right-of-way. As stated by the applicant's representative in narrative, the property is contiguous to E-2 zoned parcels because EC 9.0500 defines "a continuous development site includes multiple parcels under single ownership and can be bisected by a street or alley." They go on to identify that, "the applicant is the property owner of properties on the east [and west] side of Old Coburg Road that are zoned E-2, thus creating a contiguous development site that is bisected by a street." Based on this analysis, the properties can be determined to be "contiguous" and therefore meeting the requirement of subparagraph (b). Based on these findings, with approval of the proposed Metro Plan Diagram amendment, the siting requirements of EC 9.2430 are satisfied, and this criterion is met.

**EC 9.8865(5): In cases where the NR zone is applied based on EC 9.2510(1)(b), the property owner shall enter into a contractual arrangement with the city to ensure the area is maintained as a natural resource area for a minimum of 50 years.**

This criterion does not apply because the proposed zone change does not include the NR zone.

### **OAR 660-012-0060 - Transportation Planning Rule**

While not an approval criterion included in Eugene Code, zone change applications are required to demonstrate compliance with the State's Transportation Planning Rule under OAR 660-012-0060. Consistent with the findings under the Statewide Planning Goal 12 regarding the Metro Plan Amendment, which are incorporated herein by reference, the proposed zone change is consistent with the Transportation Planning Rule.

### **CONCLUSION**

Based on the available information and evidence, and the preceding findings of compliance with the applicable approval criteria, the proposed Metro Plan Amendment, Refinement Plan Amendment, and Zone Change comply with the applicable approval criteria.

The following excerpt from Eugene Code is intended to highlight the difference in permitted uses between the E-1 Campus Employment Zone and the E-2 Mixed Use Employment Zone. This has been created by staff for ease of reference in regards to a change from E-1 to E-2 zoning.

|                                                                                                                      |  |
|----------------------------------------------------------------------------------------------------------------------|--|
| Change from <b>not permitted in E-1</b> to <b>permitted in E-2</b> =                                                 |  |
| Change from <b>not permitted in E-1</b> to <b>permitted in E-2</b> , but special use limitations apply (EC 9.2451) = |  |
| Change from <b>permitted in E-1</b> to <b>not permitted in E-2</b> =                                                 |  |
| <b>Permitted in both</b> , but change is special use limitation (EC 9.2451) =                                        |  |
| <b>Not Permitted</b> in either E-1 or E-2 =                                                                          |  |
| No change =                                                                                                          |  |

**\*IMPORTANT NOTE:** Due to the number of uses listed in the table, this first Table has excluded those uses identified as “Not Permitted in either E-1 or E-2” and “No Change”. The full list is included starting on Page 6 below, or at [EC 9.2450](#) for reference.

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.

| Annotated Table 9.2450 Employment and Industrial Zone Land Use and Permit Requirements                                                                                                                           |      |      |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------|------|
|                                                                                                                                                                                                                  | E-1  | E-2  |
| Bar and Tavern                                                                                                                                                                                                   | P(4) | P(2) |
| Delicatessen                                                                                                                                                                                                     | P(4) | P(2) |
| Restaurant                                                                                                                                                                                                       | P(4) | 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(4) | P(2) |
| Education, Cultural, Religious, Social and Fraternal                                                                                                                                                             |      |      |
| Artist Gallery/Studio                                                                                                                                                                                            |      | P    |
| Ballet, Dance, Martial Arts, and Gymnastic School/Academy/Studio                                                                                                                                                 | C(6) | P    |
| 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    |
| 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) |
| Theater, Live Entertainment                                                                                                                                                                                      | C(6) | P(2) |
| Theater, Motion Picture                                                                                                                                                                                          |      | P(2) |
| Financial Services                                                                                                                                                                                               |      |      |
| Bank, Savings and Loan Office, Credit Union                                                                                                                                                                      | P(4) | P(2) |
| Lodging                                                                                                                                                                                                          |      |      |
| Homeless Shelter Not in Existence as of January 1, 1984                                                                                                                                                          |      | C    |
| Hotel, Motel, and similar business providing overnight accommodations                                                                                                                                            |      | P    |
| Manufacturing (Includes processing, assembling, packaging, and repairing)                                                                                                                                        |      |      |
| Cleaning and Dyeing Plant                                                                                                                                                                                        |      | P    |
| Concrete, Gypsum, and Plaster Products                                                                                                                                                                           |      | P    |
| Contractor's Storage Yard                                                                                                                                                                                        |      | P    |
| Furniture and Fixtures                                                                                                                                                                                           |      | P    |
| Glass Products                                                                                                                                                                                                   |      | P    |
| Handcraft Industries, small scale manufacturing                                                                                                                                                                  |      | P    |
| Leather Products                                                                                                                                                                                                 |      | P    |
| Lumber and Wood Products                                                                                                                                                                                         |      | P    |
| Machinery                                                                                                                                                                                                        |      | P    |

|                                                                                                                                                            |      |      |
|------------------------------------------------------------------------------------------------------------------------------------------------------------|------|------|
| Metal Products Fabrication, machine/welding shops(no blast furnaces)                                                                                       |      | P    |
| Motor Vehicles and Transportation Equipment                                                                                                                |      | P    |
| Paints and Allied Products                                                                                                                                 |      | P    |
| Paper and Allied Products                                                                                                                                  |      | P    |
| Recycling – composting, facilities requiring DEQ permit                                                                                                    |      | P    |
| Recycling – reverse vending machine                                                                                                                        |      | P    |
| Recycling – small collection facility (See EC 9.5650)                                                                                                      |      | S    |
| Rubber and Plastic Products                                                                                                                                |      | P    |
| Signs and Advertising Displays                                                                                                                             |      | P    |
| Stone, Cut Stone, and Clay Products                                                                                                                        |      | P    |
| Textiles                                                                                                                                                   |      | P    |
| Medical, Health, and Correctional Services                                                                                                                 |      |      |
| Blood Bank                                                                                                                                                 |      | P    |
| Motor Vehicle Related Uses                                                                                                                                 |      |      |
| Car Wash                                                                                                                                                   |      | P(2) |
| Motor Vehicle Sales/Rental/Service, excluding recreational vehicles and heavy trucks                                                                       |      | P    |
| Motorcycle Sales/Rental/Service                                                                                                                            |      | P    |
| Parking Area not directly related to a primary use on the same development site                                                                            | P    |      |
| Parts Store                                                                                                                                                |      | P(2) |
| Recreational Vehicle and Heavy Truck, Sales/Rental/Service                                                                                                 |      | P(2) |
| Repair, includes paint and body shop                                                                                                                       |      | P(2) |
| 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) |
| Tires, Sales/Service                                                                                                                                       |      | P(2) |
| Personal Services                                                                                                                                          |      |      |
| Barber, Beauty, Nail, Tanning Shop                                                                                                                         | P(4) | P(2) |
| Day Care Facility (Not associated with a residence)                                                                                                        | P(4) | P(2) |
| Dry Cleaner                                                                                                                                                | P(4) | P(2) |
| Film, drop-off/pick-up                                                                                                                                     | P(4) | P(2) |
| Locksmith Shop                                                                                                                                             | P(4) | P(2) |
| Laundromat                                                                                                                                                 | P(4) | P(2) |
| Mailing and Package Service                                                                                                                                | P(4) | P(2) |
| Shoe Repair Shop                                                                                                                                           | P(4) | P(2) |
| Tailor Shop                                                                                                                                                | P(4) | P(2) |
| Trade (Retail and Wholesale)                                                                                                                               |      |      |

|                                                                                                                                                                                                                                                                                               |         |         |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------|---------|
| Agricultural Machinery Rental/Sales/Service                                                                                                                                                                                                                                                   |         | P(2)    |
| Appliance Sales/Service                                                                                                                                                                                                                                                                       |         | P(2)    |
| Bicycle Rental/Sales/Service                                                                                                                                                                                                                                                                  | P(4)    | P(2)    |
| Boat and Watercraft Sales/Service                                                                                                                                                                                                                                                             |         | P(2)    |
| Book Store                                                                                                                                                                                                                                                                                    | P(4)    | P(2)    |
| Computer Store                                                                                                                                                                                                                                                                                | P(4)    | P(2)    |
| Convenience Store                                                                                                                                                                                                                                                                             | P(4)    | P(2)    |
| 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)    |
| Equipment, Heavy, Rental/Sales/Service – includes truck and tractor sales                                                                                                                                                                                                                     |         | P(2)    |
| Fabric Store                                                                                                                                                                                                                                                                                  |         | P(2)    |
| Floor Covering Store                                                                                                                                                                                                                                                                          |         | P(2)    |
| Furniture and Home Furnishings Stores                                                                                                                                                                                                                                                         |         | P(2)    |
| 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)    |
| Office Equipment and Supplies                                                                                                                                                                                                                                                                 | P(4)    | P(2)    |
| Plumbing Supplies                                                                                                                                                                                                                                                                             |         | P(2)    |
| Retail trade when secondary, directly related, and limited to products manufactured, repaired, or assembled on the development site                                                                                                                                                           | P(3)    | P(3)    |
| Storage Facility, Household/Consumer Goods                                                                                                                                                                                                                                                    |         | P(2)    |
| Specialty Store (an example includes a gift store)                                                                                                                                                                                                                                            | P(4)(7) | P(2)(7) |
| Toy and Hobby Store                                                                                                                                                                                                                                                                           |         | P(2)    |
| Video Store                                                                                                                                                                                                                                                                                   |         | P(2)    |
| Utilities and Communication                                                                                                                                                                                                                                                                   |         |         |
| <u>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.</u>                                                                  | SR      | P       |
| <u>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.</u> | SR      | P       |
| Other Commercial Services                                                                                                                                                                                                                                                                     |         |         |

|                                                             |      |      |
|-------------------------------------------------------------|------|------|
| Building Maintenance Services                               | P(4) | P(2) |
| Catering Services                                           | P(4) | P(2) |
| Collection Center, Collection of Used Goods (See EC 9.5150) |      | S    |
| Mortuary                                                    |      | P(2) |
| Photographers' Studio                                       |      | P(2) |
| Picture Framing and Glazing                                 |      | P(2) |
| Printing, Blueprinting and Duplicating                      | P(4) | P(2) |
| Publishing Service                                          | P    | P(2) |
| Train Station                                               |      | P    |
| Upholstery Shop                                             |      | P(2) |
| Veterinarian Service                                        |      | P(2) |

The following excerpt from Eugene Code is intended to highlight the difference in permitted uses between the E-1 Campus Employment Zone and the E-2 Mixed Use Employment Zone.

|                                                                                                                      |  |
|----------------------------------------------------------------------------------------------------------------------|--|
| Change from <b>not permitted in E-1</b> to <b>permitted in E-2</b> =                                                 |  |
| Change from <b>not permitted in E-1</b> to <b>permitted in E-2</b> , but special use limitations apply (EC 9.2451) = |  |
| Change from <b>permitted in E-1</b> to <b>not permitted in E-2</b> =                                                 |  |
| <b>Permitted in both</b> , but change is special use limitation (EC 9.2451) =                                        |  |
| <b>Not Permitted</b> in either E-1 or E-2 =                                                                          |  |
| No change =                                                                                                          |  |

**\*IMPORTANT NOTE:** This contains all uses listed in Table 9.2450.

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.

#### Annotated Table 9.2450 Employment and Industrial Zone Land Use and Permit Requirements

| Accessory Uses                                                                                                                                                                                                   |      |      |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------|------|
| Accessory Uses. <u>Examples</u> include administration offices, and storage and distribution incidental to the primary use of the site.                                                                          | P    | P    |
| Agricultural, Resource Production and Extraction                                                                                                                                                                 |      |      |
| Horticultural Uses. <u>Examples</u> include field crops, orchards, berries, and nursery or flower stock.                                                                                                         | P    | P    |
| Mineral Resource Mining, Recovery, Stockpiling, Processing (excluding smelter or ore reduction)                                                                                                                  |      |      |
| Eating and Drinking Establishments                                                                                                                                                                               |      |      |
| Bar and Tavern                                                                                                                                                                                                   | P(4) | P(2) |
| Delicatessen                                                                                                                                                                                                     | P(4) | P(2) |
| Restaurant                                                                                                                                                                                                       | P(4) | 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(4) | P(2) |
| Education, Cultural, Religious, Social and Fraternal                                                                                                                                                             |      |      |
| Artist Gallery/Studio                                                                                                                                                                                            |      | P    |
| Ballet, Dance, Martial Arts, and Gymnastic School/Academy/Studio                                                                                                                                                 | C(6) | P    |
| 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    |
| Library                                                                                                                                                                                                          | P    | P    |
| Museum                                                                                                                                                                                                           | P    | P    |
| School, Business or Specialized Educational Training (excludes driver instruction)                                                                                                                               | P    | P    |
| School, Driving (including use of motor vehicles)                                                                                                                                                                |      |      |
| 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                                                                                                                                                              |      |      |
| Theater, Live Entertainment                                                                                                                                                                                      | C(6) | P(2) |
| Theater, Motion Picture                                                                                                                                                                                          |      | P(2) |
| Financial Services                                                                                                                                                                                               |      |      |
| Automated Teller Machine (ATM)                                                                                                                                                                                   | P    | P    |
| Bank, Savings and Loan Office, Credit Union                                                                                                                                                                      | P(4) | P(2) |
| 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 |
| <b>Information Technology Services</b>                                                                                                                 |   |   |
| Computer Networking (includes services and technical support center)                                                                                   | P | P |
| E-commerce (includes call centers, online sales & shipping, and business-to-business services)                                                         | P | P |
| Internet and Web Site (includes services and technical support center)                                                                                 | P | P |
| Software Development (includes services and technical support center)                                                                                  | P | P |
| <b>Lodging</b>                                                                                                                                         |   |   |
| Homeless Shelter in Existence as of January 1, 1984 (See EC 9.5300)                                                                                    |   |   |
| Homeless Shelter Not in Existence as of January 1, 1984                                                                                                |   | C |
| Hotel, Motel, and similar business providing overnight accommodations                                                                                  |   | P |
| <b>Manufacturing (Includes processing, assembling, packaging, and repairing)</b>                                                                       |   |   |
| Apparel, Clothing, and other finished products made from fabrics, wool, yarn and similar materials                                                     | P | P |
| Asphalt Mixing and Batching/Concrete Mixing and Batching                                                                                               |   |   |
| Chemical, Drug, Cosmetics, and Related Products                                                                                                        | P | P |
| Cleaning and Dyeing Plant                                                                                                                              |   | P |
| Concrete, Gypsum, and Plaster Products                                                                                                                 |   | P |
| Contractor's Storage Yard                                                                                                                              |   | P |
| Electronic and Communication Components, Systems, Equipment, and Supplies, includes computers and semi-conductors                                      | P | P |
| Explosives, includes manufacturing                                                                                                                     |   |   |
| Food and Beverage Products                                                                                                                             | P | P |
| Furniture and Fixtures                                                                                                                                 |   | P |
| Glass Products                                                                                                                                         |   | P |
| Handcraft Industries, small scale manufacturing                                                                                                        |   | P |
| Leather Products                                                                                                                                       |   | P |
| Lumber and Wood Products                                                                                                                               |   | P |
| Machinery                                                                                                                                              |   | P |
| Measuring, analyzing, and controlling instruments and time pieces                                                                                      | P | P |
| Metal Products Fabrication, machine/welding shops(no blast furnaces)                                                                                   |   | P |
| Motion Picture Production, Distribution, and Allied Services                                                                                           | P | P |
| Motor Vehicles and Transportation Equipment                                                                                                            |   | P |
| Paints and Allied Products                                                                                                                             |   | P |
| Paper and Allied Products                                                                                                                              |   | P |
| Photographic and Copying Equipment                                                                                                                     | P | P |
| Precision Testing, Medical, Optical, Surgical, and Dental Goods                                                                                        | P | P |

|                                                                                                                                                                                                                                                                               |      |      |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------|------|
| Recycling – composting, facilities requiring DEQ permit                                                                                                                                                                                                                       |      | P    |
| Recycling – deconstruction, reuse, resale                                                                                                                                                                                                                                     | P    | P    |
| Recycling – large collection facility                                                                                                                                                                                                                                         |      |      |
| Recycling – reverse vending machine                                                                                                                                                                                                                                           |      | P    |
| Recycling – scrap and dismantling yard (includes vehicle wrecking and salvage)                                                                                                                                                                                                |      |      |
| <u>Recycling – small collection facility (See EC 9.5650)</u>                                                                                                                                                                                                                  |      | S    |
| Rubber and Plastic Products                                                                                                                                                                                                                                                   |      | P    |
| Signs and Advertising Displays                                                                                                                                                                                                                                                |      | P    |
| Slaughterhouse and Rendering Plant (indoor only)                                                                                                                                                                                                                              |      |      |
| Stone, Cut Stone, and Clay Products                                                                                                                                                                                                                                           |      | P    |
| Textiles                                                                                                                                                                                                                                                                      |      | P    |
| <b>Medical, Health, and Correctional Services</b>                                                                                                                                                                                                                             |      |      |
| Blood Bank                                                                                                                                                                                                                                                                    |      | P    |
| Correctional Facility, excluding Residential Treatment Center                                                                                                                                                                                                                 | C    | C    |
| Clinic or other Medical Health Treatment Facility (including mental health)                                                                                                                                                                                                   | P    | P    |
| Drug Treatment Clinic – Non-Residential                                                                                                                                                                                                                                       | 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    |
| <b>Motor Vehicle Related Uses</b>                                                                                                                                                                                                                                             |      |      |
| Car Wash                                                                                                                                                                                                                                                                      |      | P(2) |
| Motor Vehicle Sales/Rental/Service, excluding recreational vehicles and heavy trucks                                                                                                                                                                                          |      | P    |
| Motorcycle Sales/Rental/Service                                                                                                                                                                                                                                               |      | P    |
| Parking Area not directly related to a primary use on the same development site                                                                                                                                                                                               | P    |      |
| Parts Store                                                                                                                                                                                                                                                                   |      | P(2) |
| Recreational Vehicle and Heavy Truck, Sales/Rental/Service                                                                                                                                                                                                                    |      | P(2) |
| Repair, includes paint and body shop                                                                                                                                                                                                                                          |      | P(2) |
| 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) |
| Structured Parking, up to two levels not directly related to a primary use on the same development site                                                                                                                                                                       | P    | P    |

|                                                                                                             |      |      |
|-------------------------------------------------------------------------------------------------------------|------|------|
| Structured Parking, three or more levels not directly related to a primary use on the same development site | P    | P    |
| Tires, Sales/Service                                                                                        |      | P(2) |
| Transit, Neighborhood Improvement.                                                                          | P    | P    |
| Transit Park and Ride, Major or Minor.                                                                      | P    | P    |
| Transit Station, Major or Minor.                                                                            | P    | P    |
| Trucking Terminal                                                                                           |      |      |
| Office Uses                                                                                                 |      |      |
| Administrative, General, and Professional Offices                                                           | P    | P    |
| Scientific and Educational Research Center.                                                                 | P    | P    |
| Personal Services                                                                                           |      |      |
| Barber, Beauty, Nail, Tanning Shop                                                                          | P(4) | P(2) |
| Day Care Facility (Not associated with a residence)                                                         | P(4) | P(2) |
| Dry Cleaner                                                                                                 | P(4) | P(2) |
| Film, drop-off/pick-up                                                                                      | P(4) | P(2) |
| Locksmith Shop                                                                                              | P(4) | P(2) |
| Laundromat                                                                                                  | P(4) | P(2) |
| Mailing and Package Service                                                                                 | P(4) | P(2) |
| Shoe Repair Shop                                                                                            | P(4) | P(2) |
| Tailor Shop                                                                                                 | P(4) | P(2) |
| Residential                                                                                                 |      |      |
| Dwellings                                                                                                   |      |      |
| One-Family Dwelling                                                                                         | P(1) | P(1) |
| Trade (Retail and Wholesale)                                                                                |      |      |
| Agricultural Machinery Rental/Sales/Service                                                                 |      | P(2) |
| Appliance Sales/Service                                                                                     |      | P(2) |
| Bicycle Rental/Sales/Service                                                                                | P(4) | P(2) |
| Boat and Watercraft Sales/Service                                                                           |      | P(2) |
| Book Store                                                                                                  | P(4) | P(2) |
| Building Materials and Supplies                                                                             |      |      |
| Computer Store                                                                                              | P(4) | P(2) |
| Convenience Store                                                                                           | P(4) | P(2) |
| 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) |
| Equipment, Heavy, Rental/Sales/Service – includes truck and tractor sales                                   |      | P(2) |
| Fabric Store                                                                                                |      | P(2) |

|                                                                                                                                                                                                                                                                                               |         |         |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------|---------|
| Floor Covering Store                                                                                                                                                                                                                                                                          |         | P(2)    |
| Furniture and Home Furnishings Stores                                                                                                                                                                                                                                                         |         | P(2)    |
| Garden Supply/Nursery, includes feed and seed store                                                                                                                                                                                                                                           |         |         |
| 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)    |
| Office Equipment and Supplies                                                                                                                                                                                                                                                                 | P(4)    | P(2)    |
| Plumbing Supplies                                                                                                                                                                                                                                                                             |         | P(2)    |
| Retail trade when secondary, directly related, and limited to products manufactured, repaired, or assembled on the development site                                                                                                                                                           | P(3)    | P(3)    |
| Storage Facility, Household/Consumer Goods                                                                                                                                                                                                                                                    |         | P(2)    |
| 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       |
| <b>Utilities and Communication</b>                                                                                                                                                                                                                                                            |         |         |
| Amateur Radio Antenna Structure (See EC 9.5050)                                                                                                                                                                                                                                               |         |         |
| Broadcasting Studio, Commercial and Public Education                                                                                                                                                                                                                                          | P       | P       |
| <u>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.</u>                                                                | P       | P       |
| <u>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.</u>                                                                  | SR      | P       |
| <u>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.</u> | SR      | P       |
| <u>Telecommunication Tower or Facility (See EC 9.5750).</u>                                                                                                                                                                                                                                   | S       | S       |
| Water Reservoir, elevated above ground level                                                                                                                                                                                                                                                  | SR      | SR      |
| <b>Other Commercial Services</b>                                                                                                                                                                                                                                                              |         |         |
| Building Maintenance Services                                                                                                                                                                                                                                                                 | P(4)    | P(2)    |
| Catering Services                                                                                                                                                                                                                                                                             | P(4)    | P(2)    |
| Crematoria                                                                                                                                                                                                                                                                                    |         |         |

|                                                             |      |      |
|-------------------------------------------------------------|------|------|
| Collection Center, Collection of Used Goods (See EC 9.5150) |      | S    |
| Garbage Dump, Sanitary Land Fill                            |      |      |
| Heliport and Helistop                                       |      |      |
| Kennel                                                      |      |      |
| Mortuary                                                    |      | P(2) |
| Photographers' Studio                                       |      | P(2) |
| Picture Framing and Glazing                                 |      | P(2) |
| Printing, Blueprinting and Duplicating                      | P(4) | P(2) |
| Publishing Service                                          | P    | P(2) |
| Temporary Activity (See EC 9.5800).                         | S    | S    |
| Train Station                                               |      | P    |
| Upholstery Shop                                             |      | P(2) |
| Veterinarian Service                                        |      | P(2) |

# EUGENE CITY COUNCIL AGENDA ITEM SUMMARY



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Public Hearing: An Ordinance Amending Section Eugene Code 6.552; and Providing for an Immediate Effective Date.

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Meeting Date: January 21, 2025

Department: Public Works

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

Agenda Item Number: 3

Staff Contact: Tanya Haeri-McCarroll

Contact Telephone Number: 541-682-8613

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## ISSUE STATEMENT

Council adopted the Ordinance amending EC on May 22, 2023. Ordinance no. 20688 took effect on June 24, 2024. This proposed amendment is needed to correct an error that occurred with the Eugene Ordinance no. 20688 and conform the ordinance with OR-DEQ requirements and the ordinances of agency partners.

## BACKGROUND

In November 2022, the Oregon Department of Environmental Quality (OR-DEQ) issued a revised National Pollutant Discharge Elimination System (NPDES) Waste Discharge Permit to the Metropolitan Wastewater Management Commission (MWMC). The last revision to this permit occurred in 2002. The permit required amendments to sections of the Eugene Code (EC) related to use of the municipal wastewater sewer system and treatment plant by industrial and commercial users. Staff provided Council with information about the Industrial Pretreatment Program, and EC amendments at their work session on April 26, 2023. A public hearing was held on May 15, 2023 to provide an opportunity for the community to provide input on the proposed amendments. No one testified at the public hearing.

Council adopted the Ordinance amending EC on May 22, 2023. Ordinance no. 20688 took effect on June 24, 2024. This proposed amendment is needed to correct an error that occurred with the Eugene Ordinance no. 20688 and conform the ordinance with OR-DEQ requirements and the ordinances of agency partners.

Established as part of the Clean Water Act, the National Pretreatment Program is a cooperative effort of federal, state, and local regulatory agencies established to protect public health, wastewater infrastructure, and water quality. The local pretreatment program was first established in 1984 and has been very effective in protecting the health of the community and the environment, and specifically the Willamette River. The program regulates wastewater discharged by industries and other non-domestic sources into the municipal wastewater sewer systems. Oregon Revised Statutes stipulates that municipal wastewater treatment plants must implement an Industrial Pretreatment Program that meets the requirements outlined in the Federal Code of Regulations (CFR) 403 and Schedule E of the NPDES permit. The Industrial Pretreatment Program sets restrictions on what industrial and commercial facilities can discharge to the municipal wastewater sewer system and treatment plant.

This proposed amendment to EC 6.552 (1)(b)(2)(a) is necessary to align EC with MWMC's Model Sewer Use Ordinance, the City of Springfield Code, and OR-DEQ requirements.

## **RELATED CITY POLICIES**

City of Eugene [Strategic Plan 2023-2026](#) – Urgent Community Needs

The Industrial Pretreatment Program keeps the community safe by protecting public health and the environment, increases the vibrancy, economic vitality, and livability of the community, and supports local businesses.

## **PREVIOUS COUNCIL DIRECTION**

[April 26, 2023 Work Session](#)

A presentation was given to the Council with information about the ordinance updates.

[May 15, 2023 Public Hearing](#)

A public hearing was held with no comments from the public.

[May 22, 2023 Meeting](#)

Approved the Ordinance Amending Sections 6.501 – 6.596 of the Eugene Code, 1971, Updating the Industrial Pretreatment Program.

Councilor Keating, seconded by Councilor Zelenka, moved to approve An Ordinance Concerning The Industrial Pretreatment Program; Repealing Sections 6.501, 6.506, 6.511, 6.516, 6.521, 6.526, 6.531, 6.536, 6.541, 6.546, 6.551, 6.556, 6.561, 6.566, 6.571, 6.576, 6.581, 6.586, 6.591 And 6.596 Of The Eugene Code, 1971; Adding Sections 6.550, 6.552, 6.554, 6.556, 6.560, 6.562, 6.564, 6.566, 6.568, 6.570, 6.572, 6.574, 6.576, 6.578, 6.580, 6.582 And 6.584 To That Code; And Providing For An Immediate Effective Date  
*Passed 8:0*

Ordinance No. 20688 was signed on May 25, 2023 and took effect on June 24, 2024.

## **COUNCIL OPTIONS**

This is a public hearing only and no action is required at this time.

## **CITY MANAGER'S RECOMMENDATION**

None.

## **SUGGESTED MOTION**

None.

**ATTACHMENT**

- A. An Ordinance Concerning The Industrial Pretreatment Program Amending EC 6.552; And Providing For An Immediate Effective Date.

**FOR MORE INFORMATION**

Staff Contact: Tanya Haeri-McCarroll  
Telephone: 541-682-8613  
Staff E-Mail: [Thaerimccarroll@eugene-or.gov](mailto:Thaerimccarroll@eugene-or.gov)

ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE CONCERNING THE INDUSTRIAL PRETREATMENT PROGRAM AND AMENDING SECTION 6.552 OF THE EUGENE CODE, 1971.**

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

**Section 1.** Section 6.552 of the Eugene Code, 1971, is amended by amending subsection (1)(b)2.a. to provide as follows:

**6.552 Industrial Pretreatment Program – Regulations.**

(1) *Prohibited Discharge Standards.*

\*\*\*

(b) Specific Prohibitions.

\*\*\*

2. Users that use continuous monitoring techniques for pH shall meet the requirements specified in EC 6.552(1)(b)(1)(b); except that temporary excursion above the upper and lower pH values are allowed as long as:

a. The total time during which values for pH are outside the prohibition or limitation value does not exceed seven (7) hours and 26 minutes in any calendar month;

\*\*\*

**Section 2.** The City Recorder, at the request of, or with the consent 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.

**Passed by the City Council this**

**\_\_\_ day of \_\_\_\_\_, 2025**

\_\_\_\_\_  
**City Recorder**

**Approved by the Mayor this**

**\_\_\_ day of \_\_\_\_\_, 2025**

\_\_\_\_\_  
**Mayor**