



# Oregon

Theodore R. Kubongoski, Governor

Department of Land Conservation and Development

635 Capitol Street, Suite 150

Salem, OR 97301-2540

(503) 373-0050

Fax (503) 378-5518

www.lcd.state.or.us



## NOTICE OF ADOPTED AMENDMENT

12/28/2009

**TO:** Subscribers to Notice of Adopted Plan  
or Land Use Regulation Amendments

**FROM:** Plan Amendment Program Specialist

**SUBJECT:** City of Eugene Plan Amendment  
DLCD File Number 004-09

The Department of Land Conservation and Development (DLCD) received the attached notice of adoption. Due to the size of amended material submitted, a complete copy has not been attached. A Copy of the adopted plan amendment is available for review at the DLCD office in Salem and the local government office.

Appeal Procedures\*

**DLCD ACKNOWLEDGMENT or DEADLINE TO APPEAL:** Friday, January 08, 2010

This amendment was submitted to DLCD for review prior to adoption with less than the required 45-day notice. Pursuant to ORS 197.830(2)(b) only persons who participated in the local government proceedings leading to adoption of the amendment are eligible to appeal this decision to the Land Use Board of Appeals (LUBA).

If you wish to appeal, you must file a notice of intent to appeal with the Land Use Board of Appeals (LUBA) no later than 21 days from the date the decision was mailed to you by the local government. If you have questions, check with the local government to determine the appeal deadline. Copies of the notice of intent to appeal must be served upon the local government and others who received written notice of the final decision from the local government. The notice of intent to appeal must be served and filed in the form and manner prescribed by LUBA, (OAR Chapter 661, Division 10). Please call LUBA at 503-373-1265, if you have questions about appeal procedures.

**\*NOTE:** THE APPEAL DEADLINE IS BASED UPON THE DATE THE DECISION WAS MAILED BY LOCAL GOVERNMENT. A DECISION MAY HAVE BEEN MAILED TO YOU ON A DIFFERENT DATE THAT IT WAS MAILED TO DLCD. AS A RESULT, YOUR APPEAL DEADLINE MAY BE EARLIER THAN THE ABOVE DATE SPECIFIED.

**Cc:** Terri Harding, City of Eugene  
Gloria Gardiner, DLCD Urban Planning Specialist  
Ed Moore, DLCD Regional Representative

Bill Holmstrom, DLCD Regional Representative  
Amanda Punton, DLCD Regional Representative

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# Notice of Adoption

THIS FORM MUST BE MAILED TO DLCD  
WITHIN 5 WORKING DAYS AFTER THE FINAL DECISION  
 PER ORS 197.610, OAR CHAPTER 660 - DIVISION 18



Jurisdiction: **Eugene** Local file number: **CA 09-3, RA 09-06, Z 09-4**  
 Date of Adoption: **12/14/2009** Date Mailed: **12/18/2009**  
 Was a Notice of Proposed Amendment (Form 1) mailed to DLCD? **Select one** Date: **9/16/2009**  
 Comprehensive Plan Text Amendment  Comprehensive Plan Map Amendment  
 Land Use Regulation Amendment  Zoning Map Amendment  
 New Land Use Regulation  Other:

Summarize the adopted amendment. Do not use technical terms. Do not write "See Attached".

The City of Eugene Infill Compatibility Standards Task Team proposed a set of code amendments to improve the compatibility of new infill construction. The adopted standards will affect such things as maximum building height in certain areas, minimum parking spaces required for dwellings with 3 or more bedrooms in certain high density areas, minimum parking required for low-income, senior & disabled housing, number of dwellings per lot and other design standards in certain R-2 zones.

Does the Adoption differ from proposal? Please select one  
 Slight changes were made during the adoption process.

Plan Map Changed from: \_\_\_\_\_ to: \_\_\_\_\_  
 Zone Map Changed from: **R-2** to: **S-JW**  
 Location: **Various** Acres Involved: **0**  
 Specify Density: Previous: **S-JW: 10-28** New: **S-JW: 10-15**

Applicable statewide planning goals:

- |                                     |                                     |                          |                          |                                     |                                     |                                     |                          |                                     |                                     |                                     |                                     |                                     |                          |                          |                          |                          |                          |                          |
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Was an Exception Adopted?  YES  NO

Did DLCD receive a Notice of Proposed Amendment...

45-days prior to first evidentiary hearing?  Yes  No  
 If no, do the statewide planning goals apply?  Yes  No

If no, did Emergency Circumstances require immediate adoption?

Yes  No

DLCD file No. \_\_\_\_\_

Please list all affected State or Federal Agencies, Local Governments or Special Districts:

Local Contact: **Terri Harding**

Phone: (541) 682-5635 Extension: \_\_\_\_\_

Address: 99 West 10<sup>th</sup> Avenue

Fax Number: 541-682-5572

City: Eugene

Zip: 97401-

E-mail Address: [terri.l.harding@cl.eugene.or.us](mailto:terri.l.harding@cl.eugene.or.us)

## ADOPTION SUBMITTAL REQUIREMENTS

This form must be mailed to DLCD within 5 working days after the final decision  
per ORS 197.610, OAR Chapter 660 - Division 18.

1. Send this Form and TWO Complete Copies (documents and maps) of the Adopted Amendment to:

**ATTENTION: PLAN AMENDMENT SPECIALIST**  
**DEPARTMENT OF LAND CONSERVATION AND DEVELOPMENT**  
**635 CAPITOL STREET NE, SUITE 150**  
**SALEM, OREGON 97301-2540**

*1 copy  
was emailed.*

2. Electronic Submittals: At least one hard copy must be sent by mail or in person, but you may also submit an electronic copy, by either email or FTP. You may connect to this address to FTP proposals and adoptions: [webservice.lcd.state.or.us](http://webservice.lcd.state.or.us). To obtain our Username and password for FTP, call Mara Ulloa at 503-373-0050 extension 238, or by emailing [mara.ulloa@state.or.us](mailto:mara.ulloa@state.or.us).
3. Please Note: Adopted materials must be sent to DLCD not later than **FIVE (5) working days** following the date of the final decision on the amendment.
4. Submittal of this Notice of Adoption must include the text of the amendment plus adopted findings and supplementary information.
5. The deadline to appeal will not be extended if you submit this notice of adoption within five working days of the final decision. Appeals to LUBA may be filed within **TWENTY-ONE (21) days** of the date, the Notice of Adoption is sent to DLCD.
6. In addition to sending the Notice of Adoption to DLCD, you must notify persons who participated in the local hearing and requested notice of the final decision.
7. **Need More Copies?** You can now access these forms online at <http://www.lcd.state.or.us/>. Please print on **8-1/2x11 green paper only**. You may also call the DLCD Office at (503) 373-0050; or Fax your request to: (503) 378-5518; or Email your request to [mara.ulloa@state.or.us](mailto:mara.ulloa@state.or.us) - ATTENTION: PLAN AMENDMENT SPECIALIST.

**COUNCIL ORDINANCE NUMBER 20447**

**COUNCIL BILL NUMBER 5014**

**AN ORDINANCE CONCERNING PARKING REQUIREMENTS FOR MULTI-FAMILY HOUSING; AMENDING THE WEST UNIVERSITY REFINEMENT PLAN; AND AMENDING SECTIONS 9.0500, 9.6410 AND 9.6420 OF THE EUGENE CODE, 1971.**

**ADOPTED: December 14, 2009**

**SIGNED: December 16, 2009**

**PASSED: 7/1**

**REJECTED:**

**OPPOSED: Clark**

**ABSENT:**

**EFFECTIVE: January 16, 2010**

ORDINANCE NO. 20447

AN ORDINANCE CONCERNING PARKING REQUIREMENTS FOR MULTI-FAMILY HOUSING; AMENDING THE WEST UNIVERSITY REFINEMENT PLAN; AND AMENDING SECTIONS 9.0500, 9.6410 AND 9.6420 OF THE EUGENE CODE, 1971.

THE CITY OF EUGENE DOES ORDAIN AS FOLLOWS:

**Section 1.** Section 9.0500 of the Eugene Code, 1971, is amended by adding the following definitions in alphabetical order to provide:

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

- Bedroom.** Within a multiple-family dwelling, a bedroom is any room that either:
- (A) Is designated as a bedroom on a development plan submitted to the city;
  - (B) Is included in the number of bedrooms stated in an advertisement, rental or sales contract, marketing material, loan application, or any other written document in which the owner, or an authorized agent of the owner, makes a representation regarding the number of bedrooms available in the dwelling; or
  - (C) Meets all of the following:
    - 1. Is a room that is a "habitable space" as defined by the current Oregon Structural Specialty Code (OSSC) or Oregon Residential Specialty Code (ORSC);
    - 2. Meets the OSSC or OSRC bedroom requirements for natural light, ventilation, and emergency escape and rescue windows;
    - 3. Is a room that is accessed by a door on an interior wall and that does not provide access to another room except for a bathroom, toilet room, closet, hall, or storage or utility space.

**Subsidized Low-Income Disabled Housing.** Subsidized low-income housing exclusively for low-income individuals with physical or mental disabilities and/or low-income families with physical or mental disabilities. For the purposes of this definition, low-income means having income at or below 80 percent of the area median income as defined by the U.S. Department of Housing and Urban Development.

**Subsidized Low-Income Housing.** A controlled income and rent housing project of any dwelling type(s) exclusively for low-income individuals and/or families where all units are subsidized. For the purposes of this definition, low-income means having income at or below 80 percent of the area median income as defined by the U.S. Department of Housing and Urban Development.

**Subsidized Low-Income Senior Housing.** Subsidized low-income housing exclusively for low-income individuals of age 62 and older. For the purposes of this definition, low-income means having income at or below 80 percent of the area

median income as defined by the U.S. Department of Housing and Urban Development.

**Subsidized Low-Income Senior Housing Partial.** A controlled income and rent housing project consisting of any dwelling type(s) where at least 50% of the housing units are exclusively for low-income individuals of age 62 and older and these units are subsidized. For the purposes of this definition, low-income means having income at or below 80 percent of the area median income as defined by the U.S. Department of Housing and Urban Development.

**Subsidized Low-Income Specialized Housing.** A controlled income and rent housing project of any dwelling type(s) exclusively for extra low-income individuals and/or families where all units are subsidized. For the purposes of this definition, extra low-income means having income at or below 50 percent of the area median income as defined by the U.S. Department of Housing and Urban Development.

**Tandem Parking Space.** A permanently maintained space with proper access for two motor vehicles parked one in front of the other in tandem. The first motor vehicle does not have independent access, and the second motor vehicle must move to provide access to the first motor vehicle.

**Section 2.** Section 9.6410 of the Eugene Code, 1971, is amended by: amending subsection (1); amending the "Dwelling" section in the "Residential" portion of Table 9.6410; and adding subsection (5), to provide:

**9.6410 Motor Vehicle Parking Standards.**

- (1) Location of Required Off-Street Parking Spaces.** Required off-street parking shall be on the development site or within 1/4 mile or 1320 feet of the development site that the parking is required to serve.
- (a) All required parking shall be under the same ownership as the development site served, except through a city approved agreement that binds the parking area to the development site. The off-street parking space requirement for a multi-family dwelling may be satisfied through an agreement that provides parking located on another multi-family dwelling's development site only if the party requesting approval demonstrates that, after the agreement is executed, both development sites will meet the current code's minimum off-street parking space requirement. Each parking space provided through a city approved agreement must have a permanent sign of at least 1 square foot that indicates the name or address of the multi-family dwelling for which the parking is reserved.
  - (b) Parking areas may be located in required setbacks only as permitted in EC 9.6745 Setbacks - Intrusions Permitted.
  - (c) Tandem parking spaces may be utilized to meet off-street parking requirements for multi-family dwellings in the R-3 and R-4 zones within the boundaries of the City recognized West University Neighbors and South University Neighborhood Association. Those tandem spaces may

only be located in an underground parking area or at least 30 feet from a public street within a parking area that can be accessed only from an alley. **(For tandem parking on alleys, see Figure 9.6410(1)(c)).** Tandem parking spaces may not be utilized to meet off-street parking requirements for other types of development in any area.

<b>Table 9.6410 Required Off-Street Motor Vehicle Parking</b>	
<b>Uses</b>	<b>Minimum Number of Required Off-Street Parking Spaces</b>
<b>Residential</b>	
<b>Dwelling</b>	
One-Family Dwelling	1 per dwelling.
One-Family Dwelling - Flag Lot	2 per dwelling.
Secondary Dwelling (Either attached or detached from primary one-family dwelling on same lot)	1 per dwelling.
Rowhouse (One-Family on own lot attached or adjacent residence on separate lot with garage or carport access to the rear of the lot)	1 per dwelling.
Duplex (Two-Family attached on same lot)	1 per dwelling.
Triplex (Three-Family attached on same lot)	1 per dwelling.
Four-Plex (Four-Family attached on same lot)	1 per dwelling.
Multiple-Family (3 or more dwellings on same lot) not specifically addressed elsewhere in this Table.	1 per dwelling
Multiple-Family in the R-3 and R-4 zones within the boundaries of the City recognized West University Neighbors and South University Neighborhood Association	<p>1 space for each studio, 1 bedroom or 2 bedroom dwelling</p> <p>1.5 spaces for each 3 bedroom dwelling*</p> <p>* .5 spaces required for each additional bedroom beyond a 3 bedroom dwelling.</p> <p>Fractions of .5 or more are rounded up to the next whole number. Rounding shall occur after the total number of minimum spaces is calculated for the multi-family development.</p> <p>One tandem space shall be counted as two parking spaces. Tandem spaces shall not be allowed for studio or 1- or 2-bedroom dwellings.</p>
Multiple-Family Subsidized Low-Income Housing in any area (see (5) below)	.67 per dwelling or 3 spaces, whichever is greater
Multiple-Family Subsidized Low-Income Senior Housing in any area (see (5) below)	.33 per dwelling or 3 spaces, whichever is greater
Multiple-Family Subsidized Low-Income	.33 per dwelling or 3 spaces, whichever is greater

Disabled Housing in any area (see (5) below)	
Multiple-Family Subsidized Low-Income Senior Housing Partial in any area (see (5) below)	.67 per dwelling or 3 spaces, whichever is greater
Multiple-Family Subsidized Low-Income Specialized Housing in any area (see (5) below)	.33 per dwelling or 3 spaces, whichever is greater
Manufactured Home Park	1 per dwelling.
Controlled Income and Rent Housing (CIR) where density is above that usually permitted in the zoning, yet not to exceed 150%	1 per dwelling.

- (5) **Special Standards for Table 9.6410.** For Multiple-Family Subsidized Low-Income Housing, Subsidized Low-Income Senior Housing, Subsidized Low-Income Senior Housing Partial, and Subsidized Low-Income Specialized Housing, the following standards apply:
- (a) At the time of building permit submittal, the applicant must submit documentation demonstrating that the housing units will be used for the intended population for a minimum of ten years. Such documentation may include, but is not limited to, an application form submitted to receive subsidy from the city or state.
  - (b) Upon a change in occupancy from subsidized housing to another use, the minimum number of required off-street parking spaces is as required for the new use.

**Section 3.** Subsection (1) of Section 9.6420 of the Eugene Code, 1971, is amended to

provide:

**9.6420 Parking Area Standards.**

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



Table 9.6420(1) Motor Vehicle Parking Dimensions (Dimensions in Feet)					
Parking Angle in Degrees	Minimum Stall Width	Minimum Stall Depth	Minimum Clear Aisle Width	Stall Distance at Bayside	Minimum Clear Bay Width
Parallel	8.0	7.5	12.0	15.0	19.5
	8.0	8.0	12.0	22.0	20.0
30 degrees/single	8.0	14.0	12.0	15.0	26.0
	8.0	16.0	12.0	16.0	28.0
	8.5	16.4	12.0	17.0	28.4
	9.0	16.8	12.0	18.0	28.8
	9.5	17.3	12.0	19.0	29.3
	10.0	17.7	12.0	20.0	29.7
30 degrees/tandem	8.0	30.8	12.0	15.0	--
	8.0	32.0	12.0	16.0	--
	8.5	32.8	12.0	17.0	--
	9.0	33.6	12.0	18.0	--
	9.5	34.6	12.0	19.0	--
	10.0	35.4	12.0	20.0	--
45 degrees/single	8.0	16.0	12.0	10.6	28.0
	8.0	18.4	14.0	11.3	32.4
	8.5	18.7	13.5	12.0	32.2
	9.0	19.1	13.0	12.7	32.1
	9.5	19.4	13.0	13.4	32.4
	10.0	19.8	13.0	14.1	32.8
45 degrees/tandem	8.0	35.1	12.0	10.6	--
	8.0	36.8	14.0	11.3	--
	8.5	37.4	13.5	12.0	--
	9.0	38.2	13.0	12.7	--
	9.5	38.8	13.0	13.4	--
	10.0	39.6	13.0	14.1	--
60 degrees/single	8.0	16.7	15.0	8.6	31.7
	8.0	19.7	19.0	9.2	38.7
	8.5	20.0	18.5	9.8	38.5
	9.0	20.3	18.0	10.4	38.3
	9.5	20.5	18.0	11.0	38.5
	10.0	20.8	18.0	11.5	38.8
60 degrees/tandem	8.0	37.0	15.0	8.6	--
	8.0	39.4	19.0	9.2	--
	8.5	40.0	18.5	9.8	--
	9.0	40.6	18.0	10.4	--
	9.5	41.0	18.0	11.0	--
	10.0	41.6	18.0	11.5	--
90 degrees/single	8.0	15.0	22.0	8.0	37.0
	8.0	18.0	25.0	8.0	43.0
	8.5	18.0	25.0	8.5	43.0
	9.0	18.0	24.0	9.0	42.0
	9.5	18.0	24.0	9.5	42.0
	10.0	18.0	24.0	10.0	42.0
90 degrees/tandem	8.0	33.0	22.0	8.0	--
	8.0	36.0	25.0	8.0	--

8.5	36.0	25.0	8.5	--
9.0	36.0	24.0	9.0	--
9.5	36.0	24.0	9.5	--
10.0	36.0	24.0	10.0	--

Shaded figures are the minimum dimensions for compact parking spaces. Any minimum parking dimensions, such as stall width, may be exceeded. All spaces shall be clearly marked as compact parking spaces if any of the parking dimensions are less than that shown in the unshaded area. All tandem spaces must be marked as such.

\* For non-parallel parking spaces that are created to serve a multi-family dwelling and that are located directly off an alley with a right-of-way width of 14-feet or less, the minimum stall depth for compact parking space shall be increased to the minimum stall depth indicated for a non-compact space with a minimum stall width of 8-feet.

**Section 4.** Figure 9.6410(1)(c) as referenced in this Ordinance is attached hereto as Exhibit A and shall be numerically incorporated in Chapter 9 of the Eugene Code, 1971.

**Section 5.** Chapter V, Policy 3 of the West University Refinement Plan is amended as follows:

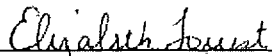
3. The City of Eugene will update its Land Use Code and that effort shall particularly take into account the need to:
  - reduce non-residential uses permitted in the R-3 and R-4 zones.
  - redefine usable open space.
  - enable infilling on newly created small lots.
  - enable alley access as the primary access to newly created lots.
  - reduce the minimum lot size.
  - increase the flexibility of development standards (for example to enable more efficient use of open space, shared open space, shared parking, and more extensive use of public rights-of-way).
  - review parking requirements for residential development in the plan area to respond to changing circumstances, such as development trends, parking and transportation supply and demand trends.
  - amend the commercial zoning in the City Code to provide a greater range of commercial zones.

**Section 6.** The legislative findings attached as Exhibit B hereto are adopted in support of this Ordinance.

**Section 7.** 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**

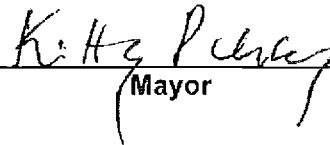
**14<sup>th</sup> day of December, 2009**



Acting City Recorder

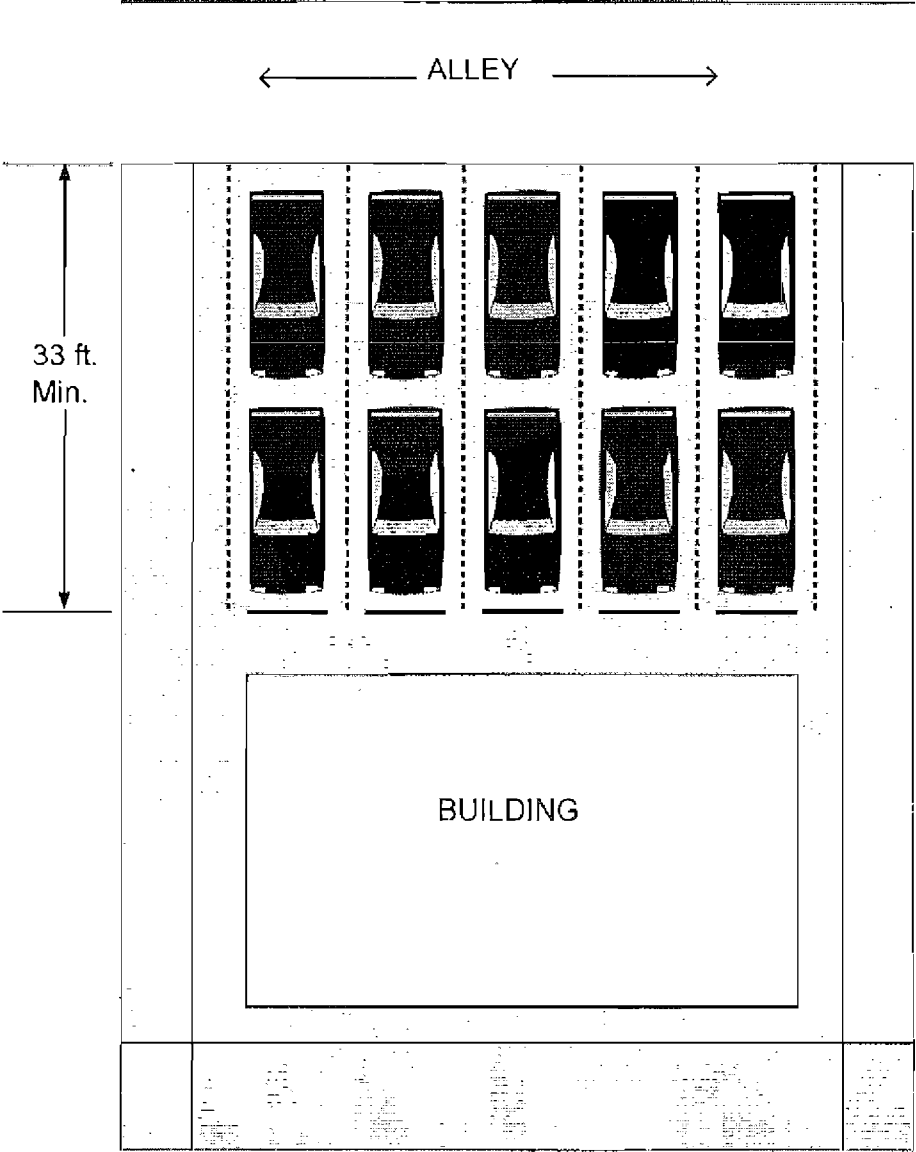
**Approved by the Mayor this**

**16th day of December, 2009**



Mayor

# Tandem Parking on Alleys Figure 9.6410 (1)(c)



## EXHIBIT B

### Draft Findings for CA 09-07, RA 09-03 ICS Parking Strategies

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

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

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

The City has acknowledged provisions for citizen involvement which ensure the opportunity for citizens to be involved in all phases of the planning process and set out requirements for such involvement. The process for adopting these amendments was consistent with the City's requirements and provided numerous additional opportunities for interested parties to participate in development of the amendments. Highlights are listed below.

- **Infill Compatibility Standards Project.** Project website ([www.eugene-or/infill](http://www.eugene-or/infill)), project kickoff meeting, email newsletter updates to interested party list of nearly 400 people, three public workshops, focus group meetings with Chamber of Commerce, Homebuilders Association, Historic Review Board, Housing Policy Board, Sustainability Commission Land Use and Transportation Subcommittee, and low-income residents, infill tour with Opportunity Siting and ICS Task Teams, radio program discussion (KLCC Sundays at Noon), City Club presentation.
- **Multi-Dwelling Infill Committee of the ICS Task Team.** Substantial work with South University Planning Group and West University Neighbors developing, refining, and illustrating concepts for the parking proposal and recommending a draft code proposal to the Task Team in early March 2009.
- **Infill Compatibility Standards Task Team.** Monthly meetings from November 2007-September 2009. Action taken to support the parking proposals at the March and September 2009 meetings.
- **Parking Strategies Implementation Team.** Implementation group consisting of a Planning Commissioner, Multi-Dwelling Committee members, Task Team members, university representatives, Architect, and staff members to refine the proposal and develop draft code language.
- **South University Neighbors.** Neighborhood newsletters sent to every address in SUNA, neighborhood survey and summary report, general membership meetings, executive board meeting discussions and deliberations, meetings with Homebuilders Association representatives and local design professionals.
- **West University Neighbors.** Liaison on Multi-Dwelling Infill committee, email updates and general membership meetings, executive board discussions and deliberations, participation in SUNPG meetings and discussions. Production of tables detailing existing development density

and amount of parking.

The Planning Commission held a public work session on the ICS parking recommendations on September 14<sup>th</sup> 2009. The Planning Commission public hearing on the code amendments was duly noticed to the City of Springfield, Lane County, all neighborhood organizations, as well as community groups and individuals who have requested notice. In addition, notice of the public hearing was also published in the Register Guard. The public hearings scheduled for the Planning Commission and City Council are October 20<sup>th</sup> and November 16<sup>th</sup>, respectively.

The process for adopting these amendments complies with Statewide Planning Goal 1 since it complies with, and surpasses the requirements of the State's citizen involvement provisions.

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

The Eugene Land Use Code specifies the procedure and criteria that are to be used in considering these amendments to the code. The record for these amendments includes substantial factual information supporting the proposed ordinance. The Goal 2 coordination requirement is met when the City engages in an exchange, or invites such an exchange, between the City and any affected governmental unit. To comply with the Goal 2 coordination requirement, the City engaged in an exchange about the subject of these amendments with all of the affected governmental units. Specifically, the City provided notice of the proposed action and opportunity to comment to Lane County, Springfield and the Department of Land Conservation and Development.

There are no Goal 2 Exceptions required for these amendments. Therefore, the amendments are consistent with Statewide Planning Goal 2.

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

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

Goal 4 - Forest Lands. *To conserve forest lands.*

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

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

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

*(a) The PAPA creates or amends a resource list or a portion of an acknowledged plan or land*

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

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

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

Goal 6 addresses waste and process discharges from development, and is aimed at protecting air, water and land from impacts from those discharges. These amendments do not affect the City's ability to provide for clean air, water or land resources. Under the proposed amendments affecting land near the University of Oregon, the affected areas can still be achieving the maximum densities allowed in the R-3 and R-4 zones and it is reasonable to conclude that the air quality impacts of commuting to the University will be unaffected. Under the proposed amendments affecting property city-wide, parking requirements will be decreased, potentially improving air quality. Therefore, the amendments are consistent with Statewide Planning Goal 6.

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

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

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

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

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

The Administrative Rule for Statewide Planning Goal 9 (OAR 660, Division 9) requires cities to evaluate the supply and demand of commercial land relative to community economic objectives. The Eugene Commercial Land Study (October 1992) was adopted by the City of Eugene as a refinement of the Metro Plan, and complies with the requirements of Goal 9 and its Administrative Rule. The amendments do not impact the supply of industrial or commercial lands, as they only apply to residentially zoned lands. Therefore, the amendments are consistent with Statewide Planning Goal 9.

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

Goal 10 requires that communities plan for and maintain an inventory of buildable residential land for needed housing units. Although the amendments address residential development standards, they do not impact the supply or availability of residential lands included in the documented supply of "buildable land" that is available for residential development as inventoried in the acknowledged 1999 Residential Lands Study.

The above findings demonstrate compliance with Goal 10. In addition, evidence in the record shows that development on the affected properties can achieve densities within the planned range after the proposed parking requirements are applied. The tables submitted by Steven Baker on October 20<sup>th</sup> show a sample of multi-family developments approved between 2000 and 2009 in the West University Neighborhood and South University Neighborhood. The developments range from two units to forty units, and densities of 14 to 112 units per net acre. There is a wide range of parking to unit/bedroom ratios, but in general, the developments approaching maximum allowable density within the applicable zoning district achieved that density while also providing on-site parking in numbers sufficient to comply with the parking requirements being proposed. From this evidence, it can be concluded that the proposed increase in parking for units with three or more bedrooms will not compromise the ability of properties within the affected areas to meet density requirements and development at such densities is likely to continue.

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

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

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

Statewide Planning Goal 12 is implemented through the Transportation Planning Rule (TPR), as



defined in Oregon Administrative Rule OAR 660-012-0000, et seq. The Eugene-Springfield Metropolitan Area Transportation Plan (TransPlan) provides the regional policy framework through which the TPR is implemented at the local level.

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

- (1) *Amendments to functional plans, acknowledged comprehensive plans, and land use regulations which significantly affect a transportation facility shall assure that allowed land uses are consistent with the identified function, capacity, and performance standards (e.g. level of service, volume to capacity ratio, etc.) of the facility....*
- (2) *A plan or land use regulation amendment significantly affects a transportation facility if it:*
  - (a) *Changes the functional classification of an existing or planned transportation facility;*
  - (b) *Changes standards implementing a functional classification system;*
  - (c) *Allows types or levels of land uses which would result in levels of travel or access which are inconsistent with the functional classification of a transportation facility;*  
*or*
  - (d) *Would reduce the performance standards of the facility below the minimum acceptable level identified in the TSP*

The proposed amendments do not change the functional classification of an existing or planned transportation facility, do not change the standards implementing a functional classification, do not allow types or levels of land uses which would result in levels of travel or access which are inconsistent with the functional classification of a transportation facility and will not reduce the performance standards of a facility below the minimal acceptable level identified in the TSP.

The package of parking amendments does not change any allowed land uses, instead the amendments result in adjustments to required parking minimums. Currently, developers constructing multi-bedroom apartments in the University area are required to provide only one off-street parking space per apartment, but the students who share those apartments tend to bring more than one car per apartment. The effect of requiring more off-street parking spaces will be to provide off-street parking to cars that would be travelling the streets of the South and West University Neighborhoods anyway. The additional parking spaces will not significantly add new cars and will simply reduce the congestion that is generated when the cars owned by apartment residents are driven around in search of one of the limited supply of on-street parking spaces.

The TPR provisions at OAR 660-012-045(5), among other things, require the city to adopt land use regulations to reduce reliance on the automobile. As provided below, the parking amendments are consistent with the applicable provisions of the TPR at OAR 660-012-004S. It provides:

- (5) *In MPO areas, local governments shall adopt land use and subdivision regulations to reduce reliance on the automobile which:*

- (c) *Implements a parking plan which:*
  - (A) *Achieves a 10% reduction in the number of parking spaces per capita in the MPO area over the planning period. This may be accomplished through a combination of restrictions on development of new parking spaces and requirements that existing parking spaces be redeveloped to other uses;*
  - (B) *Aids in achieving the measurable standards set in the TSP in response to OAR 660-012-0035(4);*
  - (C) *Includes land use and subdivision regulations setting minimum and maximum parking requirements in appropriate locations, such as downtowns, designated regional or community centers, and transit oriented-developments; and*
  - (D) *Is consistent with demand management programs, transit-oriented development requirements and planned transit service.*

To comply with the requirements of (5), the City of Eugene initiated the Transportation Rule Implementation Project (TRIP) and adopted an ordinance (Ordinance No. 19946) amending the city's land use code in 1993. The TRIP ordinance amended numerous provisions of the Eugene Code addressing vehicle and bicycle parking, transit facilities, and pedestrian and bicycle access. The most relevant amendment was one that reduced the city-wide minimum parking requirements for multi-family developments from 1.5 spaces per dwelling unit to 1 space per dwelling unit plus an additional 25% reduction. Documentation related to the 1993 TRIP ordinance makes it clear that this 1993 reduction in the minimum parking requirements was adopted to comply with OAR 660-012-0045(5)(c)(A). As explained below, the proposed package of parking amendments will not cause the Eugene Code to be inconsistent with OAR 660-012-0045(5)(c)(A).

The parking amendments are comprised of three main parts. These are: 1) an increase in parking requirements for apartments near the university, based on number of bedrooms; 2) an allowance for tandem parking in the same area affected by the parking increase; and 3) a city-wide *decrease* in parking requirements for subsidized housing. While the first component represents an increase in minimum parking requirements, its application is limited to 3 or more bedroom apartments in multi-family neighborhoods near the University of Oregon. Furthermore, this increase is off-set by the allowance of tandem parking spaces in the same geographic area, which provides more flexibility in how the required parking can be accommodated on-site, and by the city-wide decrease in parking for subsidized housing.

Over the last ten years (2000-2009), there has been an average of 71 subsidized housing units constructed per year, city-wide. During the same time period, the average number of multi-family dwelling units constructed in SUNA and WUN was 43 per year. Based on current minimum parking requirements of one per dwelling unit, this would result in 71 and 43 required parking spaces respectively (or 54 and 33 if the automatic reduction of 25% is taken into account). The proposed decrease in required parking for subsidized housing would result in a 50-75% reduction, depending on the type of development proposed, whereas the proposed increase in WUN & SUNA would result in a 40-80% increase in required parking, depending on bedroom mix, based on information in the record. Actual parking requirements will vary based

on the type of development proposed, but it is reasonable to assume that the net effect of the parking amendments would not be a significant increase in required parking and as such, adoption of the amendments does not affect compliance OAR 660-012-0045(5)(c)(A).

Although the above findings are adequate to demonstrate compliance with OAR 660-012-0045(5)(c)(A), further support that the parking amendments do not affect compliance with this section of the TPR can be found in TransPlan. A comprehensive update of TransPlan (the local and regional transportation system plan) was adopted in 2001 and was acknowledged as consistent with the TPR. TransPlan is very specific as to how the City complies with OAR 660-012-0045(5)(c)(A). Included in TransPlan is a policy and strategies related to parking management. The following excerpt and table is from “Chapter 3: Plan Implementation” under “Parking Management Plan,” to implement OAR 660-012-045(5)(c)(A):

*TPR Requirements for Parking Space Reduction*

*The TPR requires a parking plan that achieves a 10 percent reduction in the number of parking spaces per capita in the metropolitan area over the 20-year planning period. For the Eugene-Springfield region, the TPR reduction goal is .514. If the level of parking density (spaces per developed acre) remains constant and the land development and population forecasts are accurate, then the level of parking spaces per capita will be reduced by more than the 10 percent reduction required by the TPR.*

*Estimated Parking Supply 1995 to 2015*

<i>Zone/Plan Designation</i>	<i>1995</i>		<i>2015</i>		<i>2015 TPR Goal</i>	
	<i>Spaces</i>	<i>Capita</i>	<i>Spaces</i>	<i>Capita</i>	<i>Spaces</i>	<i>Capita</i>
<i>Commercial</i>	51,259	.229	57,865	.194	61,618	.207
<i>Industrial</i>	27,622	.124	30,200	.101	33,205	.111
<i>Institutional</i>	48,692	.218	49,067	.165	58,534	.196
<i>Total</i>	127,573	.571	137,132	.460	153,357	.514

As shown in the above table, when TransPlan was acknowledged as consistent with OAR 660-012-0045(5), residential parking requirements were not a consideration. The City (with its co-adopters) demonstrated -- and DLCDC acknowledged -- a plan that would result in a 10 percent reduction in parking spaces per OAR 660-012-0045(5)(c)(A) without regard to residential parking. The table showed that the level of parking spaces per capita would be reduced by more than the 10 percent reduction required by the TPR. As such, the currently proposed parking strategies, which affect residential parking (increasing required parking for multi-family residential developments with three or more bedrooms in a limited geographic area, and decreasing required parking for subsidized housing city-wide) does not impact the ability of the metropolitan area to meet the TPR requirement of reducing parking spaces per capita by 10 percent, and will not cause the Eugene Code to be inconsistent with OAR 660-012-0045(5).

Finally, it is worth clarifying that, although the South University neighborhood and a portion of the West University neighborhood are identified in TransPlan as being a part of a “Potential

Nodal Development Area,” no portion of these areas has received the Nodal Development Area designation in the Metro Plan and no portion has been rezoned to include the /ND Nodal Development overlay zone. It is not clear that any of the areas affected by these amendments will be designated and zoned as nodal areas. As such, TransPlan policies pertaining to nodal areas are not applicable.

Based on the above findings, the amendments are consistent with Statewide Planning Goal 12.

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

Statewide Planning Goal 13 calls for land uses to be managed and controlled “so as to maximize the conservation of all forms of energy, based upon sound economic principles.” Goal 13 is directed at the development of local energy policies and implementing provisions and does not state requirements with respect to other types of land use decisions. It is not clear that the goal has any bearing on the proposed ordinance. There is no implementing rule that clarifies the requirements of Goal 13. To the extent that Goal 13 could be applied to the proposed changes, they are consistent with Goal 13 because it is reasonable to expect that future development under the ordinance will make efficient use of energy. As more housing has been built near campus, rates of driving to get to campus have dramatically declined, according to university travel survey results. The students who do have a car near campus do not generally need to use it every day. The proposed amendments facilitate better management of parking for those vehicles, including utilizing tandem parking which is especially appropriate for vehicles that are not used every day.

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

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

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

The amendments do not contain any changes that affect the regulation of areas within the Willamette River Greenway. Therefore, Statewide Planning Goal 15 does not apply.

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

There are no coastal, ocean, estuarine, or beach and dune resources related to the properties affected by these amendments. Therefore, these goals are not relevant and the amendments will not affect compliance with Statewide Planning Goals 16 through 19.

- (2) *The amendment is consistent with applicable provisions of the Metro Plan and applicable adopted refinement plans.*

**Applicable Metro Plan Policies**

**Residential Density Policy A-9:**

*Establish density ranges in local zoning and development regulations that are consistent with the broad density categories of this plan.*

*Medium density. Over 10 through 20 dwelling units per gross acre (could translate to over 14.28 units per net acre through 28.56 units per net acre depending on each jurisdictions implementation measures and land use and development codes.)*

*High density. Over 20 dwelling units per gross acre (could translate to over 28.56 units per net acre depending on each jurisdictions implementation measures and land use and development codes.)*

The proposed amendments are consistent with Metro Plan density policies. The city's zoning provisions in the Eugene Code allow significantly higher densities in the R-3 and R-4 zones than are required by Metro Plan Policy A.9 and the proposed amendments do not change the zoning of any property. There is no evidence in the record that demonstrates that, in passing the proposed amendments, the city will be unable to comply with the 28.56 dwelling units per net acre that is set by Metro Plan Policy A.9. The tables submitted by Steven Baker on October 20<sup>th</sup> show a sample of multi-family developments approved between 2000 and 2009 in the West University Neighborhood and South University Neighborhood. The developments range from two units to forty units, and densities of 14 to 112 units per net acre.

There is a wide range of parking to unit/bedroom ratios, but in general, the developments approaching maximum allowable density within the applicable zoning district achieved that density while also providing on-site parking in numbers sufficient to comply with the parking requirements being proposed. From this evidence, it can be concluded that the proposed increase in parking for units with three or more bedrooms will not compromise the ability of properties within the affected areas to meet density requirements and development at such densities is likely to continue.

**Residential Density Policy A-13:**

*Increase overall residential density in the metropolitan area by creating more opportunities for effectively designed in-fill, redevelopment, and mixed use while considering impacts of increased residential density on historic, existing and future neighborhoods.*

The proposal will continue to provide opportunities for additional high-density development but will better ensure that site design in the infill areas will preserve the character of the existing neighborhoods, directly implementing this policy.

**Residential Density Policy A-14:**

***Review local zoning and development regulations periodically to remove barriers to higher density housing and to make provision for a full range of housing options.***

This policy recognizes that the city's ability to predict the ultimate impact of land use regulations on housing density and options at the time of land use regulations are adopted or amended is imperfect. It simply requires that the city assess and correct, on a periodic basis, any land use regulations that prove to be a barrier to housing density or providing a full range of housing options. While this policy probably would bar the city from adopting a land use regulation that on its face would be a barrier to achieving desired housing density or housing options, the evidence in the record does not support such a conclusion about this ordinance. The proposal specifically includes reductions in parking requirements for subsidized housing, removing a potential barrier to this form of higher density housing. As well, tandem parking facilitates efficient use of land zoned for multi-family development. Evidence in the record shows that the slight increases proposed for apartments with three or more bedrooms near the university will not present a barrier to the construction of high density housing, either (see above findings of compliance with Policy A9).

**Residential Design and Mixed Use Policy A-23:**

***Reduce impacts of higher-density residential and mixed-use development on surrounding uses by considering site, landscape, and architectural design standards or guidelines in local zoning and development regulations.***

The proposal supports this policy by establishing development standards that improve the management of off-street parking. These standards will lessen the impacts of high density infill on surrounding uses, as compared to development currently allowed by the existing one-size-fits-all parking standards. The new regulations utilize a new way to manage parking by tying requirements more closely to the type of multi-family use.

**Residential Design and Mixed Use Policy A-24:**

***Consider adopting or modifying local zoning and development regulations to provide a discretionary design review process or clear and objective design standards, in order to address issues of compatibility, aesthetics, open space, and other community concerns.***

The proposed parking strategies implement this policy because they are clear and objective standards that address issues of compatibility and other community concerns, including affordability and neighborhood character.

**Affordable, Special Need and Fair Housing Policy A-33:**

***Consider local zoning and development regulations' impact on the cost of housing.***

The proposed amendments directly support this policy by reducing parking requirements for affordable housing. In addition, the tandem parking provisions allow more site design flexibility, potentially reducing costs. With regard to the slight increases in required parking for

apartments with three or more bedrooms near the university, providing more on-site parking is likely to increase the costs associated with constructing those units. This potential impact has been weighed against the likely public benefits noted in public testimony regarding the need for the increases, and it is reasonable to conclude the potential cost impacts are warranted under the circumstances.

**Transportation Policy F.3:**

***Provide for transit-supportive land use patterns and development, including higher intensity, transit-oriented development along major transit corridors and near transit stations, medium and high density residential development within ¼ mile of transit stations, major transit corridors, employment centers, and downtown areas; and development and redevelopment in designated areas that are or could be well served by existing or planned transit.***

The proposed amendments support this policy. The affected areas are planned for high density development, and are served by transit on East 11<sup>th</sup>, East 13<sup>th</sup>, and East 19th Avenues, Hilyard, Patterson, and Alder Streets. Existing density in the affected areas already exceeds the high density threshold of 20 units per gross acre. The new standards provide greater certainty that new construction will better accommodate the demands of 3+ bedroom apartments, and better manage parking by allowing the tandem option and improved efficacy of off-site leasing, thereby reducing neighborhood opposition to infill and supporting redevelopment of centrally located, transit accessible neighborhoods. In addition, the reduction in required parking for subsidized housing supports affordability and access to alternative modes.

**Transportation Policy F.7:**

***Increase the use of motor vehicle parking management strategies in selected areas throughout the Eugene-Springfield metropolitan area.***

The proposed package of amendments does increase the use of parking demand management techniques. Changing the amount of parking required depending on the characteristics of the particular use is a parking management strategy. The tandem parking provisions make available a new option for accommodating vehicles where space is tight. The improvements to off-site leasing provide for better tracking and monitoring of the off-street parking supply in the affected areas. And, the proposed changes to parking stall dimensions improve safety and maneuverability for vehicles parked on alleys.

The Downtown Plan and the West University Refinement Plan are the applicable refinement plans for the amendments related to increasing parking requirements for multi-family developments in the university area. Findings addressing relevant provisions of applicable refinement plans are provided below.

**Public Facilities and Services Policy G.17.**

***Include measures in local land development regulations that minimize the amount of impervious surface in new development in a manner that reduces stormwater pollution, reduces the negative effects from increases in runoff, and is compatible with Metro Plan***

policies.

This policy does not prohibit any amendment of the code that might lead to individual development that includes more impervious surfaces. Rather, it requires the city to include measures in its land use regulations that will minimize impervious surfaces; it is not a blanket ban on land use regulation amendments that might, in particular cases, lead to more impervious surfaces. If parking is provided underneath multiple family development, there would be no increase in exposed impervious surface at all. There is sufficient evidence in the record to support the conclusion that the proposed amendments may not result in an overall increase in impervious surface.

#### **Downtown Plan**

A review of the Downtown Plan found no policies that apply to the proposed amendments.

#### **West University Refinement Plan**

*Land Use Policy 3: The City of Eugene will update its Land Use Code and that effort shall particularly take into account the need to:*

- reduce non-residential uses permitted in the R-3 and R-4 zones.*
- redefine usable open space.*
- enable infilling on newly created small lots.*
- enable alley access as the primary access to newly created lots.*
- reduce the minimum lot size.*
- increase the flexibility of development standards (for example to enable more efficient use of open space, shared open space, shared parking, and more extensive use of public rights-of-way).*
- review parking requirements for residential development with the purpose of reducing the required number of spaces per unit in the plan area.*
- amend the commercial zoning in the City Code to provide a greater range of commercial zones.*

Concurrent with the code amendments, the city proposes to amend the above policy to read as follows:

#### **Land Use Policy 3:**

- review parking requirements for residential development in the plan area to respond to changing circumstances, such as development trends, parking and transportation supply and demand trends.*

Compliance with the refinement plan approval criteria is outlined below at EC 9.8424.

#### **Transportation and Parking Policy 1:**

*The use of bicycles, mass transit, walking, carpooling, and other appropriate alternative modes of transportation, especially by employees in the plan area, shall be actively encouraged and provided for in order to reduce automobile dependence and alleviate traffic*



*and parking problems.*

The City, Lane Transit District, and the University of Oregon all actively support this policy through their transportation demand management and parking programs. The subject amendments will not change those programs, but rather work with them to address various pieces of the puzzle. The city regulates new development, provides bicycle and pedestrian paths, routes, programs and information, enforces parking rules in the right of way, and manages the Residential Parking Permit program. The university provides bus passes to all faculty, staff, and students, provides bicycle and pedestrian paths, routes, programs and information, and limits and charges high prices for on campus parking. Lane Transit District provides bus service, trip planning services, event shuttles, and other transportation programs.

**Transportation and Parking Policy 2:**

***The City will make the plan area a major target for developing and implementing the ride-sharing carpooling, and other programs designed to reduce automobile traffic.***

The City partners with Lane Transit District in offering these services. The University of Oregon and major employers like PeaceHealth are key participants in LTD programs and services designed to reduce automobile traffic. The subject amendments do not change the programs offered related to ride-sharing and carpooling, but rather work with them in providing a comprehensive transportation and parking strategy for the area.

**Transportation and Parking Policy 4:**

***The adverse effects of motor vehicle movement and parking shall be mitigated as much as possible.***

The subject package of amendments is intended primarily to reduce the impacts associated with parking and motor vehicle traffic. The provisions work together to make efficient use of land, lessen the impacts of high parking demand on nearby neighbors, and provide a finer grained approach to parking requirements for various types of multi-family housing.

**Transportation and Parking Policy 6:**

***Steps shall be taken to gain better usage of existing off-street parking facilities in the plan area.***

As explained above, the proposed package of amendments contributes to the efficient use of land by promoting tandem parking, improving off-site leasing mechanisms, and revising certain dimensional standards. These measures combine to effect better usage of off-street parking facilities in the affected areas.

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

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

***EC 9.8424 Refinement Plan Amendment Approval Criteria. The planning commission shall evaluate proposed refinement plan amendments based on the criteria set forth below, and forward a recommendation to the city council. The city council shall decide whether to act on the application. If the city council decides to act, it shall approve, approve with modifications or deny a proposed refinement plan amendment. Approval, or approval with modifications shall be based on compliance with the following criteria:***

- (1) The refinement plan amendment is consistent with all of the following:***
  - (a) Statewide planning goals.***
  - (b) Applicable provisions of the Metro Plan.***
  - (c) Remaining portions of the refinement plan.***

The only policy in the refinement plan directly affected is the policy proposed to be amended, as discussed above. The proposed amendments implement the revised plan policy; see above for discussion of the amendments' compliance with statewide planning goals, Metro Plan policies, and additional refinement plan policies that relate to parking and transportation

- (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.***

The proposed refinement plan amendments address (e) above. The change in circumstances that occurred since the plan was adopted 27 years ago is a trend toward more apartments proposing three, four, five, or more bedrooms (and as a general rule, three, four, five or more occupants). At the time the plan was written, the findings stated that the average number of people per household in the plan area was smaller than the city as a whole, and the housing unit size was smaller on the average (WUP, p. 46). Currently, Eugene's average household size is 2.25 (ECLA, 2009) and declining, reflecting national downward trends since the 1970s.

Data collected and submitted by Steven Baker, West University Neighbors, using city records and building manager phone calls as sources, show that multi-family projects near the university in 1995 and 1996 included a few 4-bedroom units, and no 5 or 6-bedroom units. Of the units surveyed for 2004, no units had more than three bedrooms. Starting in 2005, the trend toward increasing number of bedrooms began to emerge, peaking in 2007 when several apartment projects proposed five or six bedrooms per unit.

The population renting the apartments near the university tends to be largely made up of university student households, often multiple adult individuals. Across the city, household characteristics vary more widely and may include persons of different ages from children to seniors, in addition to multiple adults. University students do not generally need to use a car to get to campus, and university programs encourage use of other modes of transportation (providing LTD bus passes, bicycle paths and racks on campus, high prices and limited availability of parking spaces on campus). However, despite low rates of auto travel to campus, and expanded city efforts with the Residential Permit Parking program, on-street and illegal parking remains an issue in these neighborhoods.

Evidence in the record suggests that car ownership is as high as 70% of university students nationally, according to a Harris poll. Although similar numbers have not been confirmed for Eugene, testimony suggests that at least some students need a car to travel to jobs, out of town or home for holidays, etc, and that the number of cars seeking off-street parking is too far out of balance with the amount of parking currently available or associated with some of the new construction. Most new developments are in fact providing parking in numbers that comply with the proposed ratios, and several developers and designers have tested the proposal and opined that the ratios are reasonable and not excessive.

These circumstances warrant a new approach to regulating parking for those apartments with three or more bedrooms, slightly increasing the number of spaces required for those units.

COUNCIL ORDINANCE NUMBER 20448

COUNCIL BILL NUMBER 5016

AN ORDINANCE CONCERNING BUILDING HEIGHT IN THE  
UNIVERSITY AREA AND AMENDING SECTION 9.2751 OF  
THE EUGENE CODE, 1971.

ADOPTED: December 14, 2009

SIGNED: December 16, 2009

PASSED: 5/3

REJECTED:

OPPOSED: Clark, Poling, Solomon

ABSENT:

EFFECTIVE: January 16, 2010

ORDINANCE NO. 20448

AN ORDINANCE CONCERNING BUILDING HEIGHT IN THE UNIVERSITY  
AREA AND AMENDING SECTION 9.2751 OF THE EUGENE CODE, 1971.

THE CITY OF EUGENE DOES ORDAIN AS FOLLOWS:

Section 1. Subsection (3) of Section 9.2751 of the Eugene Code, 1971, is amended to  
provide

9.2751 Special Development Standards for Table 9.2750.

(3) Building Height.

- (a) Except as provided in (b) and (c) below, in the R-3 and R-4 zone, the maximum building height shall be limited to 30 feet for that portion of the building located within 50 feet from the abutting boundary of, or directly across an alley from, land zoned R-1.
- (b) For that area bound by Paterson Street to the west, Agate Street to the east, East 18<sup>th</sup> Avenue to the north and East 20<sup>th</sup> Avenue to the south:
1. In the R-3 zone between 19<sup>th</sup> and 20<sup>th</sup> Avenues, the maximum building height is 35 feet;
  2. In the R-4 zone west of Hillyard Street, the maximum building height is 65 feet;
  3. In the R-4 zone east of Hillyard Street, the maximum building height is:
    - a. 35 feet within the area south of 19<sup>th</sup> Avenue;
    - b. 50 feet within the half block abutting the north side of 19<sup>th</sup> Avenue;
    - c. 65 feet within the half block abutting the south side of 18<sup>th</sup> Avenue.
- (See Figure 9.2751(3)).
- (c) For that area bound by Hillyard Street to the west, Kincaid Street to the east, East 13<sup>th</sup> Alley to the north and East 18<sup>th</sup> Avenue to the south the maximum building height is 65 feet.
- (See Figure 9.2751(3)).
- (d) An additional 7 feet of building height is allowed for roof slopes of 6-12 or steeper in the R-1, R-2, R-3 and R-4 zones.

Section 2. Figure 9.2751(3), as referenced in this Ordinance, is attached hereto as

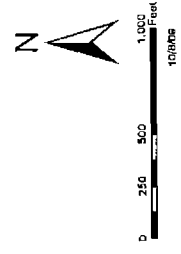
Exhibit A, to be numerically incorporated in Chapter 9 of the Eugene Code, 1971.

Section 3. The legislative findings attached as Exhibit B hereto are adopted in support of  
this Ordinance.

Ordinance - Page 1 of 2

EXHIBIT A

Figure 9.2751(3)  
Building Heights



// R-3 Zoning: 35' Maximum Building Height  
 // R-4 Zoning: 35' Maximum Building Height  
 // R-4 Zoning: 50' Maximum Building Height  
 // R-4 Zoning: 75' Maximum building height - except that on a development site of 10,000 square feet or more, a building may be up to 90 feet in height

**Section 4.** 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 repeated herein.

Passed by the City Council this  
 14<sup>th</sup> day of December, 2009

*Christine J. Bennett*  
 Acting City Recorder

Approved by the Mayor this  
 16th day of December, 2009

*Kathy Palocay*  
 Mayor

EXHIBIT B

Draft Findings for CA 09-06  
Building Height

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

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

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

The City has acknowledged provisions for citizen involvement which ensure the opportunity for citizens to be involved in all phases of the planning process and set out requirements for such involvement. The process for adopting these amendments was consistent with the City's requirements and provided numerous additional opportunities for interested parties to participate in development of the amendments. Highlights are listed below.

- **Infill Compatibility Standards Project.** Project website ([www.eugene-or.gov/infill](http://www.eugene-or.gov/infill)), project kickoff meeting, email newsletter updates to interested party list of nearly 400 people, three public workshops, focus group meetings with Chamber of Commerce, Homebuilders Association, Historic Review Board, Housing Policy Board, Sustainability Commission Land Use and Transportation Subcommittee, and low-income residents, infill tour with Opportunity Siting and ICS Task Teams, radio program discussion (KLCC Sundays at Noon), City Club presentation.
- **Multi-Dwelling Infill Committee of the ICS Task Team.** Substantial work with South University Planning Group and West University Neighbors developing concepts for the building height standards and recommending a draft code proposal to the Task Team in early March 2009.
- **Infill Compatibility Standards Task Team.** Monthly meetings from November 2007-September 2009. Action taken to support the building height proposal at the March 2009 meeting.
- **Building Height Implementation Team.** Implementation group consisting of a Planning Commissioner, Multi-Dwelling Committee members, Task Team member, Architect, building designer/Homebuilders Association representative, and staff members to refine the proposal and develop draft code language.
- **South University Neighbors.** Neighborhood newsletters sent to every address in SUNA, neighborhood survey and summary report, development of three papers related to building height issues: *Residential Density, Building Height Regulations* and *South University Planning Group: Building Height Standards*, general membership meetings, executive board meeting discussions and deliberations, meetings with Homebuilders Association representatives and local design professionals.
- **West University Neighbors.** Liaison on Multi-Dwelling Infill Committee, email updates and general membership meetings, executive board discussions and deliberations, participation in SUNPG meetings and discussions. Production of tables detailing existing development density

and building heights.

The Planning Commission held a public work sessions on the ICS building height recommendations on September 14<sup>th</sup>, 2009. The public hearings scheduled for the Planning Commission and City Council are October 20<sup>th</sup> and November 16<sup>th</sup>, respectively.

Based on this information, the process followed is consistent with Statewide Planning Goal 1.

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

The Eugene Land Use Code specifies the procedure and criteria that are to be used in considering these amendments to the code. The record for these amendments includes substantial factual information supporting the proposed ordinance. The Goal 2 coordination requirement is met when the City engages in an exchange, or invites such an exchange, between the City and any affected governmental unit. To comply with the Goal 2 coordination requirement, the City engaged in an exchange about the subject of these amendments with all of the affected governmental units. Specifically, the City provided notice of the proposed action and opportunity to comment to Lane County, Springfield and the Department of Land Conservation and Development.

There are no Goal 2 Exceptions required for these amendments. Therefore, the amendments are consistent with Statewide Planning Goal 2.

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

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

Goal 4 - Forest Lands. *To conserve forest lands.*

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

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

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

- (a) The PAPA creates or amends a resource list or a portion of an acknowledged plan or land use regulation adopted in order to protect a significant Goal 5 resource or to address specific requirements of Goal 5;
- (b) The PAPA allows new uses that could be conflicting uses with a particular significant Goal 5 resource site on an acknowledged resource list; or

(c) *The RAPA amends an acknowledged USB and factual information is submitted demonstrating that a resource site, or the impact areas of such a site, is included in the amended USB area.*

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

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

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

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

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

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

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

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

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

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its Administrative Rule. The amendments do not impact the supply of industrial or commercial lands. Therefore, the amendments are consistent with Statewide Planning Goal 9.

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

Goal 10 requires that communities plan for and maintain an inventory of buildable residential land for needed housing units. Although the amendments address residential development standards, they do not impact the supply or availability of residential lands included in the documented supply of "buildable land" that is available for residential development as inventoried in the acknowledged 1999 Residential Lands Study. Therefore, the amendments are consistent with Statewide Planning Goal 10.

In addition, evidence shows that development on the affected properties is likely to achieve densities within the planned range after the proposed building height reductions are applied. Information describing recent development project characteristics, including number of units, density, building height, and on-site parking spaces provided, show the tallest building recently approved to measure 54 feet (Steven Baker, October 20<sup>th</sup> testimony)

The evidence shows that densities approaching the maximum allowed within the R-4 zone are achievable within buildings of four stories or less, and densities approaching the maximum allowed within the R-3 zone are achievable within buildings of three stories or less (Al Couper testimony, October 9<sup>th</sup>, 2009). Based on a reasonable average maximum story height of 14 feet, as used by the Congress for the New Urbanism when recommending building form regulations, a four story building would have a reasonable maximum height of 56 feet, and a three story building, 42 feet. These numbers are accommodated by the proposed building height limits: the lowest maximum height proposed in R-4 is 50 feet, plus an additional 7 feet of height when a roof will have a slope of at least 6:12 and the lowest maximum height in R-3 is 35 feet, plus an additional 7 feet of height when a roof will have a slope of at least 6:12.

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

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

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

The Transportation Planning Rule (OAR 650-012-0060) contains the following requirement:

- (1) *Amendments to functional plans, acknowledged comprehensive plans, and land use regulations which significantly affect a transportation facility shall assure that allowed land uses are consistent with the identified function, capacity, and performance standards (e.g. level of service, volume to capacity ratio, etc.) of the facility....*

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- (2) A plan or land use regulation amendment significantly affects a transportation facility if it:
- (a) Changes the functional classification of an existing or planned transportation facility;
  - (b) Changes standards implementing a functional classification system;
  - (c) Allows types or levels of land uses which would result in levels of travel or access which are inconsistent with the functional classification of a transportation facility; or
  - (d) Would reduce the performance standards of the facility below the minimum acceptable level identified in the TSP

The proposed amendments are consistent with Goal 12. They do not affect the provision of safe, convenient and economic transportation systems and do not significantly affect any transportation facilities. The building height reductions will still allow the affected properties to accommodate planned densities, as shown by the tables in the record documenting existing uses, densities, and building heights (Steven Baker, October 20<sup>th</sup>, 2009). These amendments provide greater certainty for the compatibility of future infill, lessening neighborhood opposition and accommodating additional infill in an area well served by transportation infrastructure.

OR 660-012-0045, Implementation of the Transportation System Plan, contains the following requirement:

- (5) In MPC areas, local governments shall adopt land use and subdivision regulations to reduce reliance on the automobile which:
- (a) Allow transit-oriented developments (TODs) on lands along transit routes;

As explained below, the regulations that set maximum building heights in the City's R-3 and R-4 zones have played no part in the City's representations or DLCD's actions regarding acknowledgement for consistency with this OAR.

Prior to 2001, the Eugene Code set the maximum building height in R-3 at 40 feet, but did not set a zone-wide maximum building height in the R-4 zone. For both the R-3 and R-4 zones, however, the maximum height was limited to 25 feet for that portion of the building within 50 feet from the abutting boundary of, or directly across an alley from, any of land zoned AG, RA, or R-1 (the maximum height in the AG, RA and R-1 zones was 25 feet).

A comprehensive update to the City of Eugene's land use code was adopted in 2001. The 2001 update set new building height maximums in the R-3 and R-4 zones of 50 feet and 120 feet, respectively. For both the R-3 and R-4 zones, however, the maximum height was limited to 30 feet for that portion of the building located within 50 feet from the abutting boundary of, or directly across the alley from, land zoned R-1 Low Density Residential (the maximum height in R-1 was 30 feet).

In 2008, the city adopted a Minor Code Amendment (MICAP) provision addressing graduated building height in the South University Neighborhood. The provision established a transition in

building height from the R-4 zone to the nearby R-1 zone, transitioning from 120 down to 50 feet, and 35 feet in the R-3 zone. These provisions were appealed to LUBA, which remanded them back to the city for additional Goal 12 findings. The city readopted the MICAP Height provisions on October 12<sup>th</sup>, 2009 (Ordinance #20439). Their effective date is November 13<sup>th</sup>, 2009.

There is no evidence that suggests the height provisions discussed above were adopted or relied upon to demonstrate compliance with OAR 660-12-0045(5)(a). Written findings addressing compliance with Statewide Planning Goals and the Metro Plan were prepared for the 2001 land use code update (Ordinance No. 20224). Those findings discussed numerous code provisions that demonstrated consistency with Goal 12 - Transportation. The building height maximums were not included in those findings as a basis for consistency with Goal 12. Based on those findings, the 2001 code was acknowledged as complying with Goal 12 and the TSP, with no mention of the building height maximums. The City's consistency with OAR 660-12-0045(5) was not dependent on the building height maximums.

It was actually the City's establishment of a TD Transit Oriented Development overlay zone in 1993 under Ordinance No. 19946 that specifically addressed compliance with OAR 660-012-0045(5)(a). The area where the current proposal would apply is not within the TD Transit Oriented Development overlay zone and leaves DLCD's acknowledgement of that zone's consistency with OAR 660-012-0045(5)(a) undisturbed.

The current proposal to require more graduated maximum heights in parts of WJUN and SUNA is consistent with, and does not have any effect on, the City's current acknowledgement for consistency with Goal 12 and specifically OAR 660-012-0045(5)(a).

Goal 13 - Energy Conservation. To conserve energy.

Statewide Planning Goal 13 calls for land uses to be managed and controlled "so as to maximize the conservation of all forms of energy, based upon sound economic principles." Goal 13 is directed at the development of local energy policies and implementing provisions and does not state requirements with respect to other types of land use decisions. It is not clear that the goal has any bearing on the proposed ordinance. There is no implementing rule that clarifies the requirements of Goal 13. To the extent that Goal 13 could be applied to the proposed changes, they are consistent with Goal 13 because it is reasonable to expect that future development under the ordinance will make efficient use of energy.

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

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

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



*River as the Willamette River Greenway.*

The amendments to not contain any changes that affect the regulation of areas within the Willamette River Greenway. Therefore, Statewide Planning Goal 15 does not apply.

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

There are no coastal, ocean, estuarine, or beach and dune resources related to the properties affected by these amendments. Therefore, these goals are not relevant and the amendments will not affect compliance with Statewide Planning Goals 16 through 19.

- (2) *The amendment is consistent with applicable provisions of the Metro Plan and applicable adopted refinement plans.*

Applicable Metro Plan Policies

Residential Density Policy A-9:

*Establish density ranges in local zoning and development regulations that are consistent with the broad density categories of this plan.*

*High density. Over 20 dwelling units per gross acre (could translate to over 28-56 units per net acre depending on each jurisdiction's implementation measures and land use and development codes.)*

The proposed amendments are consistent with Metro Plan density policies. The amendments affect land designated high density on the Metro Plan diagram. The amendments do not change the zoning of any of the affected properties, and the allowable densities within each zone are achievable under the proposed regulations, based on information in the record.

In addition, evidence shows that development on the affected properties is likely to achieve densities within the planned range after the proposed building height reductions are applied. Information describing recent development project characteristics, including number of units, density, building height, and on-site parking spaces provided, show the tallest building recently approved to measure 54 feet (Steven Baker, October 20<sup>th</sup> testimony).

The evidence shows that densities approaching the maximum allowed within the R-4 zone are achievable within buildings of four stories or less, and densities approaching the maximum allowed within the R-3 zone are achievable within buildings of three stories or less (Al Couper testimony, October 9<sup>th</sup>, 2009). Based on a reasonable average maximum story height of 14 feet, as used by the Congress for the New Urbanism when recommending building form regulations, a four story building would have a reasonable maximum height of 56 feet, and a three story building, 42 feet. These numbers are accommodated by the proposed building height limits:

the lowest maximum height proposed in R-4 is 50 feet, plus an additional 7 feet of height when a roof will have a slope of at least 6:12 and the lowest maximum height in R-3 is 35 feet, plus an additional 7 feet of height when a roof will have a slope of at least 6:12.

Residential Density Policy A-13:

*Increase overall residential density in the metropolitan area by creating more opportunities for effectively designed in-fill, redevelopment, and mixed use while considering impacts of increased residential density on historic, existing and future neighborhoods.*

The proposal will continue to provide opportunities for additional high-density development but will better ensure design in the infill area will preserve the character of the existing neighborhoods, directly implementing this policy.

Residential Density Policy A-15:

*Develop a wider range of zoning options such as new zoning districts, to fully utilize existing Metro Plan density ranges.*

The proposed amendments will not create new zoning, but will provide a finer-grained approach that enables compatible high-density residential development in the affected areas. Tailoring the development standards to the needs of the area effectively increases the city's range of tools to utilize Metro Plan density ranges.

Residential Housing Types and Tenure Policy A-17:

*Provide opportunities for a full range of choice in housing type, density, size, cost, and location.*

The proposed amendments are likely to reduce opposition to new residential development and inspire further reinvestment in the affected and nearby neighborhoods by owners and residents. This will increase housing opportunities.

Residential Design and Mixed Use Policy A-23:

*Reduce impacts of higher-density residential and mixed-use development on surrounding uses by considering site, landscape, and architectural design standards or guidelines in local zoning and development regulations.*

The proposal supports this policy by establishing development standards that limit building height adjacent to the university and proximate to single-family areas in order to lessen the impacts of high-density infill on surrounding uses, as compared to development currently allowed by the R-3 and R-4 zones. The new regulations utilize a new way to control site design by tying allowable building height to site size for certain R-4 zoned areas.

Residential Design and Mixed Use Policy A-24:

*Consider adopting or modifying local zoning and development regulations to provide a discretionary design review process or clear and objective design standards, in order to*

*address issues of compatibility, aesthetics, open space, and other community concerns.*

The building height standards implement this policy because they are clear and objective standards that address issues of compatibility, aesthetics, open space, and other community concerns, including pedestrian scale and neighborhood character.

***Transportation Policy E.3:***

*Provide for transit-supportive land use patterns and development, including higher intensity, transit-oriented development along major transit corridors and near transit stations, medium and high density residential development within ¼ mile of transit stations, major transit corridors, employment centers, and downtown areas; and development and redevelopment in designated areas that are or could be well served by existing or planned transit.*

The proposed amendments support this policy. The affected areas are planned for high density development, and are served by transit on East 11<sup>th</sup>, East 13<sup>th</sup>, and East 19<sup>th</sup> Avenues, Hilvard, Patterson, and Alder Streets. Existing density in the affected areas already exceeds the high density threshold of 20 units per gross acre. The new standards provide greater certainty that new construction will blend in with existing development, thereby reducing neighborhood opposition to infill and supporting redevelopment of centrally located, transit accessible neighborhoods.

***Applicable West University Refinement Plan Policies***

No policies in the West University Refinement Plan speak directly to the height of high density residential buildings. However, the following proposal (with which consistency is not required by EC 9.806S) alludes to the desire to enhance the quality of the residential environment:

*Neighborhood Design Proposal #9: Institutional edges should be designed a soft edges or seams using design concepts such as the following: --the scale of development should be similar on both sides of the edge.*

The proposal to reduce maximum building heights along Kincaid Street where it abuts the university is consistent with this proposal. The university generally limits new construction to four stories in height.

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

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

COUNCIL ORDINANCE NUMBER 20449

COUNCIL BILL NUMBER 5013

AN ORDINANCE ESTABLISHING THE JEFFERSON-  
WESTSIDE SPECIAL AREA ZONE (S-JW); APPLYING THAT  
ZONE TO SPECIFIC PROPERTIES; AMENDING THE  
JEFFERSON-FAR WEST REFINEMENT PLAN; AMENDING  
THE WESTSIDE NEIGHBORHOOD PLAN; AMENDING  
SECTIONS 9.0500, 9.2161, 9.2170, 9.2171, 9.8030 AND 9.8865  
OF THE EUGENE CODE, 1971; AND ADDING SECTIONS  
9.3600, 9.3605, 9.3615, 9.3625, 9.3626, 9.3630, 9.3631 AND  
9.3640 TO THAT CODE

ADOPTED: December 14, 2009

SIGNED: December 16, 2009

PASSED: 8/0

REJECTED:

OPPOSED:

ABSENT:

EFFECTIVE: January 16, 2010

ORDINANCE NO. 20449

AN ORDINANCE ESTABLISHING THE JEFFERSON-WESTSIDE SPECIAL  
AREA ZONE (S-JW); APPLYING THAT ZONE TO SPECIFIC PROPERTIES;  
AMENDING THE JEFFERSON-FAR WEST REFINEMENT PLAN; AMENDING  
THE WESTSIDE NEIGHBORHOOD PLAN; AMENDING SECTIONS 9.0500,  
9.2161, 9.2170, 9.2171, 9.8030 AND 9.8865 OF THE EUGENE CODE, 1971;  
AND ADDING SECTIONS 9.3600, 9.3605, 9.3615, 9.3625, 9.3626, 9.3630,  
9.3631 AND 9.3640 TO THAT CODE.

THE CITY OF EUGENE DOES ORDAIN AS FOLLOWS:

Section 1. Section 9.0500 of the Eugene Code, 1971, is amended by adding the  
definitions of "Driveway," "Lot and Parcel," "Lot Line," "Residential Building," and "Street-Fronting  
Lot" and amending the definition for "Interior Lot Line" to provide as follows:

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

Driveway. For purposes of the S-JW Jefferson Westside Special Area Zone  
provisions at EC 9.3600 through 9.3640, a surface area that is intended, prepared,  
or used for vehicle access to and about a lot.

Interior Lot Line. Any lot or parcel line that is not a front lot line. (See Figure  
9.0500 Lot Lines, Lot Frontage, Lot Width, Lot Depth.) For purposes of the S-  
JW Jefferson Westside Special Area Zone provisions at EC 9.3600 through 9.3640,  
any portion of a lot line that does not abut a street or alley.

Lot and Parcel. For purposes of the S-JW Jefferson Westside Special Area Zone  
provisions at EC 9.3600 through 9.3640, "lot" and "parcel" are used interchangeably  
in all cases, and both terms mean a "Legal Lot," as defined in EC 9.0500.

Lot Line. For purposes of the S-JW Jefferson Westside Special Area Zone  
provisions at EC 9.3600 through 9.3640, unless more specifically defined in those  
standards, a lot line is single lot line segment, or continuous series of connected lot  
line segments. (See EC 9.3631(1)(c).)

Residential Building. For purposes of the S-JW Jefferson Westside Special Area  
Zone provisions at EC 9.3600 through 9.3640, a building that contains one or more  
dwellings.

Street-Fronting Lot. For purposes of the S-JW Jefferson Westside Special Area  
Zone provisions at EC 9.3600 through 9.3640, a lot or parcel that abuts a street for  
at least the minimum frontage length applicable to the lot as specified at EC 9.3630.

**Section 2.** Subsection (6) of Section 9.2161 of the Eugene Code, 1971, is amended to provide as follows:

**9.2161 Special Use Limitations for Table 9.2160.**  
**(6) Residential Use Limitation in C-1 and C-2.** Except for the Downtown Plan Area, residential dwellings are allowed in the C-1 and C-2 zones if the ground floor of the structure is used for commercial or non-residential purposes according to Table 9.2161 Commercial Uses Requirements in Mixed-Use Residential Developments. Within the Downtown Plan Area as shown on Map 9.2161(6) Downtown Plan Map, residential dwellings are allowed in C-1 and C-2 zones and are not required to use the ground floor of the structure for commercial or non-residential purposes. For lots zoned C-1 within the S-JW Jefferson Westside Special Area Zone boundaries as shown on Figure 9.3605, the maximum number of dwellings per lot is specified at EC 9.3625(8) and 9.3626(1).

**Section 3.** The "Minimum Front Yard Setback" entry, "Maximum Front Yard Setback" entry and "Minimum Interior Yard Setback" entry on Table 9.2170 of Section 9.2170 of the Eugene Code, 1971, are amended to provide:

**9.2170 Commercial Zone Development Standards - General.**

Table 9.2170 Commercial Zone Development Standards (See EC 9.2171 Special Development Standards for Table 9.2170.)					
	C-1	C-2	C-3	C-4	GO
Minimum Front Yard Setback (4) (17)	10 feet	0 feet	0 feet	10 feet	10 feet
Maximum Front Yard Setback (5) (17)	15 feet	15 feet	15 feet	None	15 feet
Minimum Interior Yard Setback (4) (6) (7) (16)	0 feet to 10 feet (6)	0 feet to 10 feet (6)	0 feet	0 feet to 10 feet (6)	0 feet to 10 feet (6)

**Section 4.** Section 9.2171 of the Eugene Code, 1971, is amended by renumbering subsection (16) to (17), and adding a new subsection (16) to provide:

**9.2171 Special Commercial Zone Development Standards for Table 9.2170.**  
**(16)** For lots zoned C-1 within the S-JW Jefferson Westside Special Area Zone boundaries as shown on Figure 9.3605, setbacks from all portions of interior lot lines (as that term is defined for purposes of the S-JW Special Area Zone) shall be at least 10 feet from the interior lot line. In addition, at a point that is 20 feet above grade, the setback shall slope at the rate of 10 inches vertically for every 12 inches horizontally (approximately 50 degrees from vertical) away from that lot line.  
**(17) Adjustments.** Except for the Downtown Plan Area as shown on Map 9.2161(6) Downtown Plan Map, adjustments to the minimum and maximum

front yard setbacks in this section may be made, based on criteria at EC 9.8030(2) Setback Standards Adjustment. Within the Downtown Plan Area, adjustments to the minimum and maximum front yard setbacks in this section may be made, based on the criteria at EC 9.8030(16).

**Section 5.** Sections 9.3600, 9.3605, 9.3615, 9.3625, 9.3626, 9.3630, 9.3631, and 9.3640 of the Eugene Code, 1971, are added to provide:

**S-JW Jefferson Westside Special Area Zone**

**9.3600 Purpose of S-JW Jefferson Westside Special Area Zone.** The overarching purpose of the S-JW zone is to prevent residential infill that would significantly diminish, and to encourage residential infill that would enhance the stability, quality, positive character, livability and natural resources of the encompassed residential areas. More specifically, the purposes of this zone include:

- (1) Contribute to maintaining and strengthening a high quality urban core environment with compatible commercial and residential development so that people of a variety of incomes and household compositions will desire to live close to the city center and will be able to afford to do so.
- (2) Protect and maintain these healthy, established, residential areas by ensuring compatible design for residential infill development in terms of lot patterns; uses; development intensity; building mass, scale, orientation and setbacks; open space; impacts of vehicle ownership and use; and other elements.
- (3) Reinforce and complement positive development patterns identified through a community process conducted by the City-chartered neighborhood association that encompasses the S-JW zone.
- (4) Accommodate future growth without eroding the areas' residential character and livability.
- (5) Promote stability of the neighborhood community by maintaining a balanced mix of single-dwelling, duplex, and multi-dwelling residential development that contributes positively to the predominant residential patterns that arose as the neighborhood was built out. Prevent destabilization that would result from major residential redevelopment.
- (6) Limit the density and intensity of permitted development to a level of development that does not fundamentally replace the essential character of the encompassed area (i.e., by redevelopment).
- (7) Support the encompassed areas as transition areas between higher intensity residential and commercial land uses adjacent to the S-JW areas (e.g., along W. 13th Avenue and Willamette Streets to the north and east of the Jefferson neighborhood portion of the S-JW area) and lower intensity residential areas adjacent to S-JW areas (e.g., the R-1 zoned areas to the east and south of the Jefferson portion of the S-JW area), in terms of density; building mass, scale, setbacks and facades; open space; and other elements.
- (8) Promote a safe, hospitable and attractive environment for pedestrians and bicyclists, including individuals of all ages and abilities, particularly by establishing development standards that do not allow automobile use to reach levels that create hazards or disincentives to pedestrian and bicycle use on local streets and alleys;

- (9) Promote public safety by fostering a strong visual and social connection among living areas of dwellings that are close to one another, and between the living areas of dwellings and the public realm;
- (10) Provide for a range of dwelling types, tenures, density, sizes and costs, including by encouraging the preservation of existing small lots and small, re-actively lower-cost, single-dwelling, detached homes, as well as by encouraging new, smaller and relatively lower-cost, detached, single-dwellings and duplexes;
- (11) Implement clear and objective standards that support the above purposes, while allowing for alternative discretionary standards to provide additional flexibility for compatible residential development.
- 9.3605 S-JW Jefferson Westside Special Area Zone Siting Requirements.** In addition to the approval criteria at EC 9.8865 Zone Change Approval Criteria, to receive the S-JW Jefferson Westside Special Area Zone, the site must be included within the boundaries of the Jefferson Westside Special Area Zone depicted on Figure 9.3605 S-JW Jefferson Westside Special Area Zone boundaries.
- 9.3615 S-JW Jefferson Westside Special Area Zone Land Use and Permit Requirements and Special Use Limitations.** The land use and permit requirements and special use limitations applicable in the S-JW Jefferson Westside Special Area Zone shall be those set out at EC 9.2740 and EC 9.2741 for uses in the R-2 zone, except the following uses listed on Table EC 9.2740 are prohibited in the S-JW Jefferson Westside Special Area Zone:
- (1) Correctional Facilities.
- (2) C-1 Neighborhood Commercial Zone permitted uses, unless such a use is specifically listed in another row on Table 9.2740 as an allowable use under the "R-2" column.
- 9.3625 S-JW Jefferson Westside Special Area Zone Development Standards.**
- (1) **Application of Standards and Adjustment.**
- (a) Application of Standards. In addition to the special use limitations in EC 9.3615 and the development standards in EC 9.3625 to 9.3640 and EC 9.5000 to 9.5850, the General Standards for All Development in EC 9.6000 through 9.6885 apply within this zone. In the event of a conflict between those general development standards and the development standards in EC 9.3625 to 9.3640, the provisions of EC 9.3625 to 9.3640 shall control.
- (b) **Adjustment.** The development standards in subsections EC 9.3625(6) regarding driveway width and EC 9.3625(3)(a)(2) b regarding primary vehicle access may be adjusted in accordance with EC 9.8030(26). For sites zoned S-JW Special Area Zone, these are the only standards that may be adjusted.
- (2) **Roof Form.**
- (a) All roof surfaces on residential buildings, other than as provided for porches and dormers in subsections (b) and (c) below, shall have a minimum slope of 6 inches vertically for every 12 inches horizontally, except:
1. A lesser roof pitch is permitted so long as the pitch is no less than the median roof pitch of all residential buildings located on those S-JW lots located within 300 feet of the subject lot. For purposes

- of determining the median roof pitch, each residential building's roof pitch shall be considered the roof pitch of the building's largest contiguous roof area.
2. For a residential building that contains the only dwelling on a lot, a lesser roof pitch is permitted for up to 1,000 square feet of roof surface, so long as the area(s) of lesser pitch are no more than 15 feet above grade at any point.
- (b) Residential building porches are not required to have a sloped roof if the porch is:
- Less than 100 square feet; or
  - Located on a street-fronting lot that is not an alley access only lot and is on the rear (i.e., side opposite a street) of the residential building closest to the street.
- (c) Residential building dormers are not required to have a sloped roof if the dormer is:
- Less than 10' wide, as measured at sidewalls or maximum roof opening, whichever is greater; or
  - Located on a street-fronting lot that is not an alley access only lot and is on the rear (i.e., side opposite a street) of the residential building closest to the street.
- (d) Roof surfaces on garages and other buildings that are not residential buildings in the following categories shall have a minimum slope of 6 inches vertically for every 12 inches horizontally:
- Buildings with over 200 square feet of floor area; and
  - Buildings with over 100 square feet of floor area that have any part of the building over 12 feet high, as measured from grade.
- (3) **Alley development standards.**
- (a) **Primary Vehicle Access.** For the purposes of this section, "primary vehicle access" means the primary means by which inhabitants take vehicular access to a dwelling or on-site parking space(s) provided for a dwelling. Primary vehicle access is determined as follows:
- On an alley access only lot, every dwelling's primary vehicle access is the alley.
  - On a lot that is not an alley access only lot and that, consistent with access standards in the EC, could take vehicular access from an alley, a dwelling's primary vehicle access is:
    - The street, when there is only one dwelling on the lot.
    - When there are multiple dwellings on the lot, for each on-site parking space that complies with the standards applicable in the S-JW special area zone and that can only be accessed and exited via a street (i.e., cannot use the alley for entry or exit), one dwelling is considered to take primary vehicle access from the street. The remainder of the dwellings shall be considered to take primary vehicle access from the alley.
- If there are one or more dwellings with the alley as primary vehicle access, the dwelling(s) closest to the alley shall be considered to have primary access from the alley. In cases where multiple dwellings are equidistant from the alley and not all of them take primary access from the alley, the property owner may designate which dwellings take primary

- access from the alley. The provisions in this subsection (3)(a)2.b. may be adjusted based on the criteria of EC 9.8030(26)(2).
3. On all lots not addressed in 1. or 2., above, all dwellings' primary vehicle access is the street.
- (b) No more than one dwelling on the same development site may take primary vehicle access from an alley unless the site also abuts a street that the alley intersects.
- (c) On any lot that contains one or more dwellings whose primary vehicle access is an alley, there must be at least an undivided 400 square-foot open space area (not including buildings, parking or driveways) abutting the alley. Except as provided in 4., below, the open space area:
1. shall abut the alley for at least 25% of the length of the lot line abutting the alley;
  2. shall be a minimum of 10 feet in depth for the entire extent that the open space area abuts the alley; and
  3. may include areas that are within setbacks.
4. The open space required in this subsection (c) may be placed behind parallel parking abutting the alley.
- (d) For a dwelling whose primary vehicle access is an alley:
1. The dwelling may not have more than three bedrooms.
  2. If the dwelling is in the residential building closest to the alley, then the dwelling shall include a main entrance that is visible from the alley (see Figure 9.3625(3)(d)2.) and meets one of the following conditions:
    - a. Faces the alley;
    - b. Faces the side of the lot and meets all the following conditions:
      - (1) The entrance opening is not more than 8 feet from the building facade facing the alley and nearest the alley;
      - (2) The entrance includes a covered porch of at least 30 square feet;
      - (3) The porch abuts both the facade containing the entrance and a facade facing the alley; or
    - c. Faces the side of the lot and meets all the following conditions:
      - (1) The entrance opening is no more than 8 feet from the building facade facing the alley and nearest the alley.
      - (2) The entrance provides direct resident access to a hard-in parking area on the same side of building.
      - (3) The entrance includes a covered porch of at least 20 square feet.
      - (4) The facade facing the alley includes windows that total at least 8 feet wide when measured at 5' above the floor of the first story and that have a minimum area of at least 20 square feet.
  3. One on-site parking space, accessible from the alley, per dwelling is required.

**(4) Main Entrances.**

- (a) Except as provided in (c), below, on a street-fronting lot that is not an alley access only lot, the residential building closest to the street shall include a main entrance that meets one of the following conditions:
1. Faces the street; or
  2. Faces the side of the lot and meets all the following conditions:
    - a. The main entrance opening is not more than 8 feet from the building facade facing the street and nearest the street;
    - b. The main entrance includes a covered porch of at least 30 square feet;
    - c. The porch abuts both the facade containing the main entrance and a facade facing the street.
- (b) Except as provided in (c), below, on corner lots with more than one residential building, all residential buildings shall include a main entrance that meets the requirements of subsection (a).
- (c) Notwithstanding (a) and (b), above, where three or more dwellings have ground-level entrances on two or more sides of a common courtyard that is open to a street for at least 20 feet, the dwellings' main entrances may face the courtyard. (See Figure 9.3625(4)(c))
- (5) **Garage Door Standards.**
- (a) Except for a garage accessed from an alley, only one garage door with maximum width of 9 feet and maximum height of 8 feet, is allowed within 30 feet of any portion of a lot line that abuts a street.
- (b) For a garage accessed from an alley, one garage door 18 feet wide and 8 feet high or 2 garage doors 9 feet wide and 8 feet high, are permitted.
- (6) **Driveway Standards.** In lieu of any conflicting standards in EC 7.410 **Driveways – Curb Cut**, the following standards shall apply:
- (a) **Street Access Driveway Curb Cuts and Width.** Driveways that are accessed from a street must meet all the following requirements:
1. Except as provided in (7), below, a lot shall have no more than one curb cut on each street that the lot abuts.
  2. The maximum curb cut width is limited to 14 feet where the driveway abuts the street, and the driveway must taper to no more than 12 feet within 3 feet of the street curb or edge.
  3. The maximum driveway width for a driveway that accesses a single-car garage is 12 feet.
  4. No portion of a driveway or parking area shall be wider than 12 feet within 30 feet of any portion of a lot line that abuts a street.
  5. For a driveway or parking area located within five feet of an existing driveway or parking area on an adjacent property under common ownership or within the same development site, the maximum total width of the two driveways and/or parking areas is 18 feet within 30 feet of any portion of a lot line that abuts a street. The full width of impermeable surfaces and surfaces with permeable paved surfaces (such as parking areas or walkways) that are within one foot of a driveway shall be included in calculating the driveway width except that one private walkway, no wider than 4 feet within 5 feet of the driveway, may terminate at the driveway. (See Figure 9.3625(6)(a)6.)
  7. Exception. For a duplex where both main entrances face the same street and the lot is not on the corner of two streets or the corner of a street and an alley, two curb cuts and driveways are allowed

- as long as both curb cuts and driveways meet all of the following conditions:
- There must be at least 30 feet between the two curb cuts; Each curb cut must be at least 5 feet from any curb cut on an adjacent lot.
  - The maximum curb cut width is limited to 11 feet where the driveway abuts the street, and the driveway must taper to no more than 9 feet within 3 feet of the street curb or edge; and
  - No portion of a driveway or parking area shall be wider than 9 feet within 30 feet of any portion of a lot line that abuts a street.

(See Figure 9.3625(6)(a)7.)

- Alley-Access Driveway Width. The maximum driveway and/or parking area width is 18 feet within 30 feet of any portion of a lot line that abuts the alley.
- Adjustment. The driveway width standards in this subsection (6) may be adjusted based on the criteria of EC 9.6030(26)(1).

**(7) Parking Standards.**

- Except as provided in (3)(d)3. above, each dwelling shall have one on-street or on-site vehicle parking space for every three bedrooms, rounded up to the next whole number (i.e. a four-bedroom dwelling must have at least two parking spaces). For purposes of this subsection, each uninterrupted twenty feet of lot line that abuts a street right-of-way where parking is legal within the entirety of that twenty feet shall count as one on-street parking space. The twenty feet may not include any portion of a curb cut.
- No portion of a vehicle parking area may be located in the area defined by the Street Setback minimum standard (i.e., from which structures, other than permitted intrusions, are excluded) or between the street and the residential building facade that faces, and is closest to, the street. (See Figure 9.3625(7)(b))

- The following Table 9.3625 sets forth the S-JW Special Area Zone development standards, subject to the special development standards in EC 9.3626.

Table 9.3625 S-JW Jefferson Westside Special Area Zone Development Standards (See EC 9.3626 Special Development Standards for Table 9.3625.)	
Density(1)	
Minimum Dwellings Per Lot	1 dwelling per lot for every 6,750 square feet (fractional values are rounded down to the nearest whole number)
Maximum Dwellings Per Lot(1)	
Alley Access Only Lot	1 dwelling per lot
Lots less than 2,250 square feet	No additional dwellings after (state of adoption)
Lots between 2,250 and 4,499 square feet	1 dwelling per lot
Lots between 4,500 and 8,999 square feet	2 dwellings per lot

Table 9.3625 S-JW Jefferson Westside Special Area Zone Development Standards (See EC 9.3626 Special Development Standards for Table 9.3625.)	
Lots 9,000 square feet and larger	1 dwelling per lot for every 4,500 square feet (fractional values are rounded down to the nearest whole number)
Maximum Building Height (2) (9)	
Minimum Building Setbacks (3) (4) (5) (9)	
Maximum Lot Coverage (6) (7)	50%
Maximum Vehicle Use Area (6)	20%
Common and Private Open Space (7)	
Fences (8)	
(Maximum Height Within Interior Yard Setbacks)	6 feet
(Maximum Height within Front Yard Setbacks)	42 inches

**9.3626**

**Special Development Standards for Table 9.3625.**

- Density. For purposes of determining the maximum allowable dwellings on a lot:
  - A dwelling with five or fewer bedrooms that is the only dwelling on a street-abutting lot that is at least 4,500 square feet shall be counted as one dwelling.
  - Two dwellings that together have a total of six or fewer bedrooms, and that are the only dwellings located on a street-fronting lot that is at least 4,500 square feet, and where at least one residential building on the lot has a front facade that faces a street and is within the street maximum setback, shall be counted as two dwellings.
  - For cases not covered by sections (a) and (b), above, the dwelling count shall be the sum of the dwelling counts calculated under the following subsections:
    - The total dwelling count for all dwellings with three or fewer bedrooms shall be the number of dwellings.
    - The total dwelling count for all dwellings with four or more bedrooms shall be the total number of bedrooms in these dwellings divided by three. Fractional dwelling counts resulting from this calculation shall be rounded up to the next whole number, e.g. a total of seven bedrooms counts as three dwellings.
- Dwelling counts shall be recalculated as part of the City's consideration of any new development proposing to increase the number of dwellings or bedrooms on a lot. The proposed change shall not be permitted unless the new dwelling count will comply with all applicable standards in this section.
- In addition to the Maximum Dwellings Per Lot allowed by Table 9.3625, one additional dwelling may be established on a lot that is between 9,000 square feet and 12,499 square feet, and up to two additional dwellings may be established on a lot that is 13,500 square feet or larger, so long as:
  - No residential building on the lot has more than two dwellings; and
  - No dwelling on the lot has more than three bedrooms; and
  - No dwelling added to the lot after December 14, 2009, or that is on a lot that has more than the number of dwellings allowed on the lot by Table 9.3625 has more than 600 square feet of living

- area or any point (other than chimney) higher than 18 feet.
- (f) Multi-lot developments. A multi-lot development site is treated as one area for calculating allowable dwellings. (i.e., allowable dwellings are not the sum of individual lots' allowable dwellings). A multi-lot development site cannot include an alley access only lot or a lot less than 4,500 square feet.
- (2) **Building Height.** (See Figure 9.3626(2)(3)(4)).
- (a) Residential buildings.
1. On a street-fronting lot that is not an alley access only lot, the maximum height of any part of a residential building within 60 feet of the lot line abutting the street is:
    - a. For any section of a roof that has at least a 6:12 pitch (i.e. a slope of 6 inches vertically for every 12 inches horizontally) for the entire roof section: 30 feet.
    - b. Otherwise: 18 feet.
    - c. For a lot that meets the definition of "Street-fronting lot" with respect to more than one street, the 60 foot distance shall be measured from the shortest lot line that meets the requirements under the definition of "Street-fronting lot."
  2. The maximum height of any part of a residential building not covered under subsection 1., above, is 18 feet.
  3. Chimneys on residential buildings may exceed the maximum height limits by no more than 5 feet.
- (See Figure 9.3626(2)(a)).
- (b) The maximum height of any part of a garage or building that is not a residential building is 15 feet.
- (c) The height of any part of a structure shall be measured as its vertical distance above grade.
- (3) **Alley and Street Setbacks.** (See Figure 9.3626(2)(3)(4)).
- (a) Alley minimum setback. Except as provided under subsection (a)1., below, all buildings shall be set back a minimum of the distance specified in subsections 1. and 2., below, from any portion of a lot line that abuts an alley and from any alley right-of-way easement, whichever would result in a greater setback distance.
1. Residential buildings: 5 feet. All intrusions allowed by EC 9.6745 ("Setbacks-Intrusions Permitted") and not explicitly prohibited by other provisions applicable in the S-JW Special Area Zone are allowed but no intrusion may penetrate more than two feet into the setback.
  2. Other structures: 2 feet. No intrusions are allowed.
- (b) Street setback.
1. Residential buildings.
    - a. Minimum setback shall be:
      - (1) 15 feet from any portion of a lot line that abuts a street and from any street right-of-way easement, whichever would result in a greater setback distance; or
      - (2) The average setback distance to the widest portion of the front facades of the two nearest residential buildings, one on each adjacent property on the side of the subject property, that face the same street, but not less than 10 feet; or

- (3) Where there are not two dwellings as described in (2), above, one half the sum of 15 feet plus the setback distance to the widest portion of the front facade of the nearest residential building on a different property that faces the same street, but not less than 10 feet.
  - (4) All intrusions allowed by EC 9.6745 ("Setbacks-Intrusions Permitted") and not explicitly prohibited by other provisions applicable in the S-JW Special Area Zone are allowed. No intrusion may penetrate closer than 10 feet from any portion of a lot line that abuts a street and from any street right-of-way easement.
- b. Maximum setback on a street-fronting lot that is not an alley access only lot:
- (1) At least one residential building on the lot must have at least 25 feet or 100 per cent, whichever is less, of its main facade width located within 30 feet of the portion(s) of a lot line that abuts the street or the easement that the main facade faces.
  - (2) The maximum front yard setback can be increased to one of the following measurements, but to no more than 35 feet:
    - (A) The average setback distance to the widest portion of the front facades of the two nearest residential buildings, one on each adjacent property on the side of the subject property, that face the same street; or
    - (B) Where there are not two such dwellings as described in (A), one half the sum of 30 feet plus the setback distance to the widest portion of the front facade of the nearest residential building on a different property that faces the same street.
  - (3) On a corner lot (i.e., a lot that has abuts two intersecting streets), the street minimum setback requirement may be reduced to 10 feet for no more than a 30-foot extent of one residential building on one of the streets, when that residential building meets the following conditions:
    - (A) The residential building has a main entrance that meets the requirements in EC 9.3625(4) with respect to a different street and complies with the 15 foot minimum street setback requirement with respect to that street; and
    - (B) No dwelling in the residential building has a main entrance within the extent of the façade to which the 10 foot setback applies.
2. Garages and buildings that are not residential buildings shall meet the following minimum setback requirements:
- a. 21 feet from any portion of a lot line that abuts a street; and from any street right-of-way; and
  - b. On all lots except alley access only lots: 6 feet behind the street-facing façade, other than the façade of an attached



- garage, that is furthest from the street of the residential building closest to the street that the garage or non-residential building faces.
- (c) Special setback provisions may also apply, see EC 9.6750 Special Setback Standards.
- (4) Interior Yard Setbacks. (See Figure 9.3626(2)(3)(4)). For purposes of this subsection, "generally parallel" shall mean within 30 degrees of parallel, and the term "generally perpendicular" shall mean within 30 degrees of perpendicular. Except as provided in subsections (c) through (f) of this subsection:
- (a) For a street-fronting lot that is not an alley access only lot, for any portion of an interior lot line that is located within 50 feet of a lot line abutting a street and generally perpendicular to the side of the lot along which the interior lot line lies: The setback shall be at least 5 feet from the interior lot line and a minimum of 10 feet from structures on other lots. In addition, at a point that is 12 feet above grade, the setback shall slope at the rate of 10 inches vertically for every 12 inches horizontally (approximately 50 degrees from vertical) away from the lot line. (See Figure 9.3626(4)(a)(b)).
- (b) Setbacks from all other portions of interior lot lines, not covered in subsection (a), shall be at least 5 feet from the interior lot line and a minimum of 10 feet from structures on other lots. In addition, at a point that is 8 feet above grade, the setback shall slope at the rate of 10 inches vertically for every 12 inches horizontally (approximately 50 degrees from vertical) away from the lot line. (See Figure 9.3626(4)(a)(b)).
- (c) All intrusions allowed by EC 9.6745 ("Setbacks-Intrusions Permitted") and not explicitly prohibited by other provisions applicable in the S-JW Special Area Zone are allowed, except that:
- The maximum extent of allowable intrusions into the sloped portion of a setback shall be measured horizontally from the sloped plane of the setback.
  - No wall or surface of a building that is an intrusion allowed under EC 9.6745(2) and that is over 20 square feet shall be closer than 10 feet to any residential building's wall or surface that is over 20 square feet on an adjacent property.
- (d) On a street-fronting lot that is not an alley access only lot, a residential building with a main roof that is gabled or hipped and has a ridge line generally parallel to a lot line abutting the street may have a single gable or hipped portion on each side of the building intrude into the sloped portion of the interior yard setback, as long as the entire intrusion is within 60 feet of the respective lot line abutting the street and the maximum width of the part of the building that penetrates the sloped setback is 35 feet.
- (e) A residential building may have a maximum of 4 corners, with a maximum of 2 corners per side of the roof, that intrude into the sloped portion of an interior yard setback, as long as each dormer that intrudes on the setback meets all the following requirements:
- Has at least 4 square feet of window(s) in the end (face) wall.
  - Has a minimum setback of 7 feet from interior lot lines and is a minimum of 10 feet from structures on other lots.

3. Maximum width.
- There is no maximum width for a dormer that has an end (face) wall that does not face a street and is setback at least 30 feet from the nearest lot line segment the end wall faces.
  - The maximum width for all other dormers that intrude into the setback is 10 feet measured between the sidewalks or maximum roof opening, whichever is greater.
  - The dormer's sidewalls (if any) are setback a minimum of 2 feet from the nearest generally parallel outer wall of the building to which the dormer is attached.
- (f) Exceptions.
- Structures may intrude into the sloped portion of any interior yard setback as long as the lot owner secures and records in the office of the Lane County Recorder a maintenance access easement adjacent to intrusive side of the structure. The easement shall provide a 5-foot wide access the entire length of the intrusion and 5 feet beyond both ends, and require a 10-foot separation between buildings on separate lots. The easement shall be on a form provided by the city, shall be approved by city staff, and be subject to review and payment of a fee set by the city manager.
  - Structures may intrude into an interior yard setback arising from an alley access only lot and the street, as long as the property owner secures and records a maintenance access easement as described in 1, above.
  - Easements. Except where buildings abut or share a common wall, the owner of a lot or parcel with an interior yard of less than 5 feet from the adjacent property line must secure and record in the office of the Lane County Recorder a maintenance access easement adjacent to that side of the building. The easement shall provide a 5-foot wide access the entire length of the building and 5 feet beyond both ends, and require a 10-foot separation between buildings on separate lots. The easement shall be on a form provided by the city, shall be approved by city staff, and be subject to a review and payment of a fee set by the city manager. There shall be no projection of building features into this easement.
- (5) Window Setback above First Floor. For purposes of this subsection, "generally parallel" shall mean within 30 degrees of parallel.
- Except as provided in (b), windows above the first floor shall be setback a minimum of 10 feet from interior lot lines.
  - Windows that are within 60 feet of a lot line abutting the street of a street-fronting lot that is not an alley access only lot, and that are in a gable or hipped end of a residential building with a main roof ridge line generally parallel to the respective lot line abutting the street, are excluded from the setback requirement in (a), above.
- (6) The maximum area covered by paved and unpaved vehicle use areas including but not limited to driveways, on-site parking and turnarounds, is 20 percent of the total development site area.
- (7) Common and Private Open Space. (See Figure 9.3626(7))

- (a) All developments of three or more dwellings (as calculated under EC 9.3626(1)) shall include common or private open space, or a combination thereof, that equals or exceeds the greater of the following two areas:
- 20% of the development site area.
  - 25% of total living area.
- (b) Any common open space intended to meet the requirements of this subsection (7) may include only those areas listed under EC 9.5500(9)(a)(1) and (2). No indoor area may be counted as common open space.
- The minimum area for any common open space shall be 250 square feet.
  - The boundaries of any area counted as common open space must be sufficient to encompass a square with 15 foot sides.
- (c) Any private open space intended to meet the requirements of this subsection (7) shall be consistent with EC 9.5500(9)(b).
- (d) An open space credit shall be allowed consistent with EC 9.5500(9)(c)(z) for qualifying setback areas. The EC 9.5500(9)(c)(1) credit for public parks is not allowed.
- (8) Fences.
- (a) Types. The type of fence (including walls or screens) used is subject to specific requirements stated in the landscape standards beginning at EC 9.6200 Purpose of Landscape Standards. The standards apply to walls, fences, and screens of all types including open, solid, wood, metal, wire, masonry or other material. Use of barbed wire and electric fencing is regulated in EC 6.010(c) Fences.
- (b) Location and Heights.
- Fences up to 42 inches in height are permitted within the required front yard setback. For corner lots or double frontage lots, a fence between 42 inches and 6 feet in height is permitted within one of the two front yard setbacks, so long as for corner lots, this fence cannot extend past a line created by an extension of the front wall of the dwelling. (See Figure 9.2751(13)(b)1.)
  - Fences up to 6 feet in height are permitted within the required interior yard setback.
  - The height of fences that are not located within the required setback areas is the same as the regular height limits of the zone. Fences must meet the standards in EC 9.6780 Vision Clearance Area.
- (9) Maximum building height and minimum building setbacks may be modified with an approved planned unit development permit. (For planned unit development procedures refer to EC 9.7300 General Overview of Type III Application Procedures and for approval criteria refer to EC 9.8320 Tentative Planned Unit Development Approval Criteria - General.

**9.3630**

**S-JW Jefferson Westside Special Area Zone Lot Standards.** The following Table 9.3630 sets forth S-JW Jefferson Westside Special Area Zone lot standards, subject to the special standards in EC 9.3631.

<p><b>Table 9.3630 S-JW Jefferson Westside Special Area Zone Lot Standards</b> (See EC 9.3631 Special Standards for Table 9.3630.)</p> <p><b>Lot Area Minimum (1)</b></p>
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<p><b>Table 9.3630 S-JW Jefferson Westside Special Area Zone Lot Standards</b> (See EC 9.3631 Special Standards for Table 9.3630.)</p>	
<p>Lots, except Small Lots, Alley Access Only Lots</p>	<p>4,900 square feet</p>
<p>Small Lots (2)</p>	<p>2,250 square feet or per Cluster Subdivision or PUD</p>
<p>Alley Access Only Lots (4)</p>	<p>2,250 square feet</p>
<p>Frontage Minimum (1)</p>	
<p>Inferior Lot</p>	<p>45 feet</p>
<p>Corner Lot</p>	<p>45 feet</p>
<p>Lot Area Maximum (3)</p>	<p>13,500 square feet</p>

**9.3631**

**Special Standards for Table 9.3630.**

- (1) (a) Lot frontage requirements may be met by a lot that abuts a street or an alley continuously for the required length indicated in Table 9.3630.
- (b) A lot must be of sufficient size and/or have sufficient on-street parking to meet applicable vehicle parking requirements under EC 9.3625(3)(b)4 or EC 9.3625(7) for one dwelling, or all existing dwellings on the lot at the time the lot is created, whichever is greater.
- (c) Rectilinear shape. A lot line segment is a portion of the boundary line of a lot that is bounded on each end by an angle and that contains no angles within the line segment. (The point at which a straight line intersects a curved line is considered an angle.)
- All lot line segments must be straight lines and intersect at right angles (90 degrees).
  - Exceptions
    - Lot line segments may intersect at an angle between 85 and 95 degrees to the extent that will produce a lot with at least four sides and a lot boundary with fewer angles than could be accomplished using only right angles.
    - An angle between 45 and 135 degrees is allowed where a new lot line intersects a lot line segment that existed prior to December 14, 2009, and the existing lot line segment did not intersect both its adjoining lot line segments at right angles.
- (d) A lot's boundaries must be sufficient to fully encompass a rectangle of the following size:
- Alley access only lots: 45 x 35'
  - Other lots: 45 x 45'
- (See Figure 9.3631(1)(d)(e)).
- (e) Minimum interior lot dimension. (See Figure 9.3631(1)(d)(e)). The minimum distance between any two non-intersecting lot line segments is 35 feet when measured by a straight line that does not begin or end at an intersection of any two lot line segments and that lies entirely within the lot's boundaries.
- (f) The Property Line Adjustment provisions at EC 9.8400 through 9.8420 are available within the S-JW zone only for adjustment of a portion of a lot line that existed in its current location as of December 14, 2009. Such lot lines may be adjusted by up to 5 feet, measured perpendicularly from the lot line's current location, and consistent with all other applicable lot standards. A Property Line Adjustment allowed

under this section may be up to 10 feet if the adjustment is necessary to accommodate an encroachment that existed as of December 14, 2009. A lot must have the capacity for vehicular access from an alley or street consistent with access standards in the EC. The creation of a new flag lot is prohibited in the S-JW Jefferson Westside Special Area Zone.

- (2) Other than an alley access only lot, a lot with an area of less than 4500 square feet:
- (a) May be created only if:
    1. The original lot from which the small lot is created abutted a street for at least a continuous 45 feet and was at least 6,750 square feet prior to the creation of the small lot; and
    2. Shall not have an existing dwelling that has more than three bedrooms.
    3. Only one "small lot" may be created from any portion of a lot that exists as of December 14, 2009.
  - (b) No new dwelling with more than three bedrooms is allowed on a small lot.

(3) Exceptions to the maximum lot size shall be granted if any of the following is met:

- (a) Existing physical circumstances such as topographically constrained lands, conservation easements, existing buildings, or utility easements prevent the ability to further divide the lot.
  - (b) The lot exceeding the maximum lot size is intended to reserve a large lot for future land division with feasibility demonstrated by a conceptual buildout plan.
  - (c) The subdivision achieves a minimum density of 9 units per net acre.
  - (d) The exception will enable protection of natural resources.
- (4) An alley access only lot may be created only if:
- (a) The original lot from which the alley access only lot is created abuts a street for at least a continuous 45 feet and is at least 6,750 square feet prior to the creation of the alley access only lot;
  - (b) Only one alley access only lot may be created from any portion of a lot that exists as of December 14, 2009; and
  - (c) A new alley access only lot must include the entire portion of the original lot's lot line that abuts the alley.

**9.3640**

**Non-conforming development.**

- (1) Existing development that does not meet the lot coverage or open space requirements at EC Table 9.3625, 9.3626(6) or (7) must be brought into conformance with the lot coverage and open space standards in those code sections only when any additional dwelling is created or the number of bedrooms in any dwelling is increased to four or more. However, no development may increase the extent of non-conformance.
- (2) Existing development that does not meet the driveway or parking requirements at EC 9.3625(3), (6) or (7) must be brought into conformance with those driveway and parking standards only when:
  - (a) An additional dwelling is created on the lot;
  - (b) The number of bedrooms in any dwelling on the lot is increased to four or more; or

- (c) The proposed development would otherwise result in an increase in the extent of the existing driveway's or parking area's non-conformance.
- (3) A non-conforming driveway or parking area may be paved or re-paved to the extent of the driveway or parking area that existed as of December 14, 2009, without having to be brought into conformance.

(4) Legally established buildings and uses conforming to the residential net density requirements in the R-2 zone on December 7, 1994 are exempt from EC 9.1210 to 9.1230 Legal Nonconforming Situations, pertaining to nonconforming uses. This exemption is limited to development sites in the S-JW Jefferson Westside Special Area Zone on which residential buildings and uses existed, or in which a development permit or land use application was pending, on December 7, 1994. If such a building which is nonconforming as to minimum density is destroyed by fire or other causes beyond the control of the owner, the development site may be redeveloped with the previous number of dwelling unit(s) if completely rebuilt within 5 years. If not completely rebuilt within 5 years, the development site is subject to the density standards for the S-JW Jefferson Westside Special Area Zone.

**Section 6.** Subsection (26) of Section 9.8030 of the Eugene Code, 1971, is added to

provide:

**9.8030**

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

(26) S-JW Jefferson Westside Special Area Zone. The following standards applicable within the S-JW Jefferson Westside Special Area Zone may be adjusted upon a finding that the adjustment is consistent with the following criteria.

- (1) **Driveway width.** An additional two feet of width is allowed for any portion of a driveway that takes access from a street based on the following criteria:
  - (a) The additional driveway width is necessary to avoid an unsafe condition, to comply with the requirements of EC 9.6420 (Parking Area Standards) or to provide reasonable maneuvering room around an obstacle that cannot be practicably relocated to a different location that would not create a driveway obstacle; and
  - (b) The additional area allowed under this adjustment is the minimum necessary to accomplish the objective under (1)(a), above.
- (2) **Means of primary vehicle access.** A dwelling considered to have its primary vehicle access from the alley, according to EC 9.3625(3)(a)2 b, may be considered to have its primary vehicle access from the street if the applicant demonstrates that physical conditions or code standards preclude the establishment of vehicle parking on any part of the lot that could be accessed from the alley.

Section 7. Subsection (4) of Section 9.8865 of the Eugene Code, 1971, is amended by adding a new subsection (k) and relettering the subsequent subsections to provide:

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

- (4) The proposed zone change is consistent with the applicable siting requirements set out for the specific zone in:
- (a) EC 9.2150 Commercial Zone Siting Requirements;
  - (b) EC 9.2430 Industrial Zone Siting Requirements;
  - (c) EC 9.2510 Natural Resource Zone Siting Requirements;
  - (d) EC 9.2610 Park, Recreation, and Open Space Siting Requirements;
  - (e) EC 9.2681 Public Land Zone Siting Requirements;
  - (f) EC 9.2735 Residential Zone Siting Requirements;
  - (g) EC 9.3055 S-C Chambers Special Area Zone Siting Requirements;
  - (h) EC 9.3105 S-CN Chase Node Special Area Zone Siting Requirements;
  - (i) EC 9.3205 S-DW Downtown Westside Special Area Zone Siting Requirements;
  - (j) Requirements;
  - (k) EC 9.3305 S-EE Elmira Road Special Area Zone Siting Requirements;
  - (l) EC 9.3605 S-JW Jefferson Westside Special Area Zone Siting Requirements;
  - (m) EC 9.3705 S-RP Riverfront Park Special Area Zone Siting Requirements;
  - (n) EC 9.3805 S-RN Royal Node Special Area Zone Siting Requirements;
  - (o) EC 9.3905 S-W Whiteaker Special Area Zone Siting Requirements;
  - (p) EC 9.4205 EC East Campus Overlay Zone Siting Requirements;
  - (q) EC 9.4715 WVP Waterside Protection Overlay Zone Siting Requirements;
  - (r) EC 9.4775 WVQ Water Quality Overlay Zone Siting Requirements (only for the purposes of adding the overlay zone. See EC 9.4786.);
  - (s) EC 9.4815 WVR Water Resources Conservation Overlay Zone Siting Requirements (only for the purposes of adding the overlay zone. See EC 9.4960.);
  - (t) EC 9.4815 WVB Wetland Buffer Overlay Zone Siting Requirements;
  - (u) An uncodified ordinance establishing a site specific S-H Historic Special Area Zone, a copy of which is maintained at the city's planning and development department.

Section 8. The Jefferson-Far West Refinement Plan is amended by adding the following policy under Area 16, East Medium-Density Residential Area:

Land Use Policies, Jefferson Area 16, East Medium Density Residential Area

This area shall be recognized as appropriate for application of the Special Area Zone-Jefferson-Westside (S-JW) as defined through the City's land use code. Within the S-JW boundaries set by the City Council, the S-JW zone shall be the only permissible zone. The S-JW zone is consistent with and implements the Medium Density Residential Metro & Refinement Plan designation within its boundaries.

Section 9. The Westside Neighborhood Plan is amended by adding the following Policy 5 to the Central Residential Area section of the Plan's Land Use Element:

**Policy 5.** The portion of the Central Residential Area that is east of Polk Street shall be recognized as appropriate for application of the Jefferson Westside Special Area Zone (S-JW) as defined through the City's land use code. Within the S-JW boundaries set by the City Council, the S-JW zone shall be the only permissible zone. The S-JW zone is consistent with and implements the Medium Density Residential Metro Plan and Refinement Plan designation.

Section 10. Figures 9.3605, 9.3625(3)(d)2., 9.3625(4)(c), 9.3625(6)(a)6., 9.3625(6)(a)7., 9.3625(7)(b), 9.3626(2)(a), 9.3626(2)(3)(4), 9.3625(4)(a)(b), 9.3626(7), 9.3631(1)(d)(e) as referenced in this Ordinance, are attached hereto as Exhibit A and shall be numerically incorporated in Chapter 9 of the Eugene Code, 1971.

Section 11. The Eugene Zoning Map is amended to remove the existing base zones from the properties identified on Exhibit C attached hereto and to replace those base zones with the S-JW Jefferson Westside Special Area Zone. Any overlay zones remain in place.

Section 12. The legislative findings attached as Exhibit B hereto are adopted in support of this Ordinance.

Section 13. 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

Approved by the Mayor this

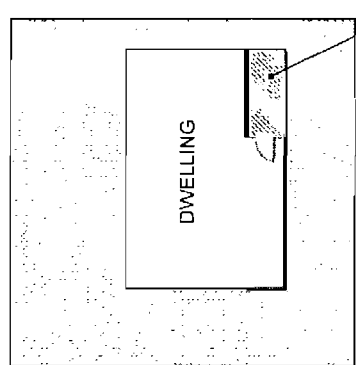
14<sup>th</sup> day of December, 2009

16<sup>th</sup> day of December, 2009

*Elizabeth Townsend*  
Acting City Recorder

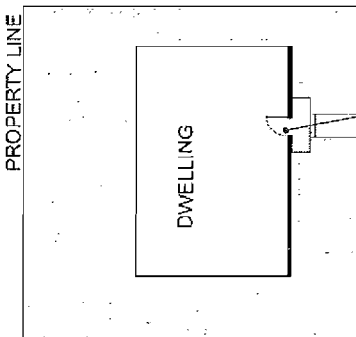
*Kathy Perry*  
Mayor

Alley Development Standards / Main Entrance Visibility 9.3625 (3)(d)2.



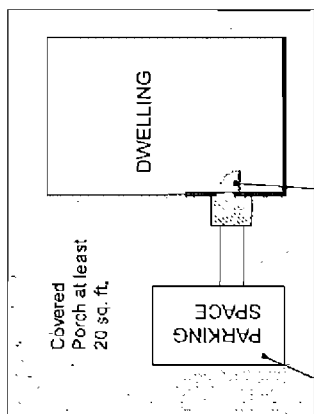
(a)

Entrance faces the alley.



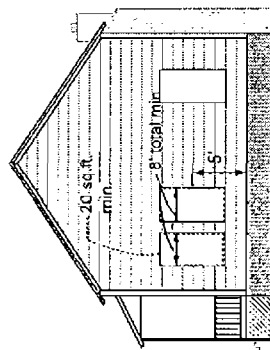
(b)

Entrance faces the side of the lot and opens onto a covered porch with a minimum of 30 square feet between a wall facing the alley and the alley.



(c)

Entrance no more than 8' from facade facing alley  
Dwelling entrance provides direct access to parking space



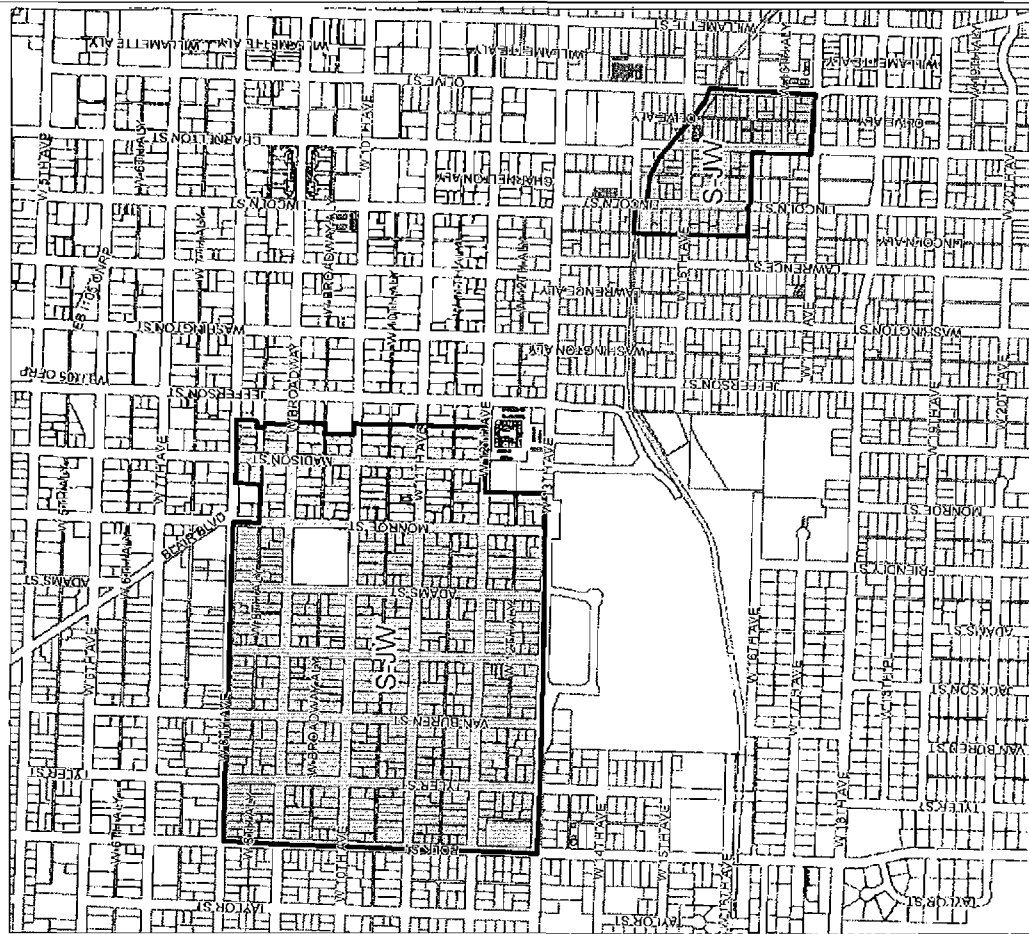
The facade facing the alley must include windows that total at least 8' in width, measured 5' above the floor of the first story, and that have a minimum area of at least 20 sq. ft.

ELEVATION VIEW

PLAN VIEW



Figure 9.3605  
S-JW Jefferson Westside Special Area Zone Boundaries



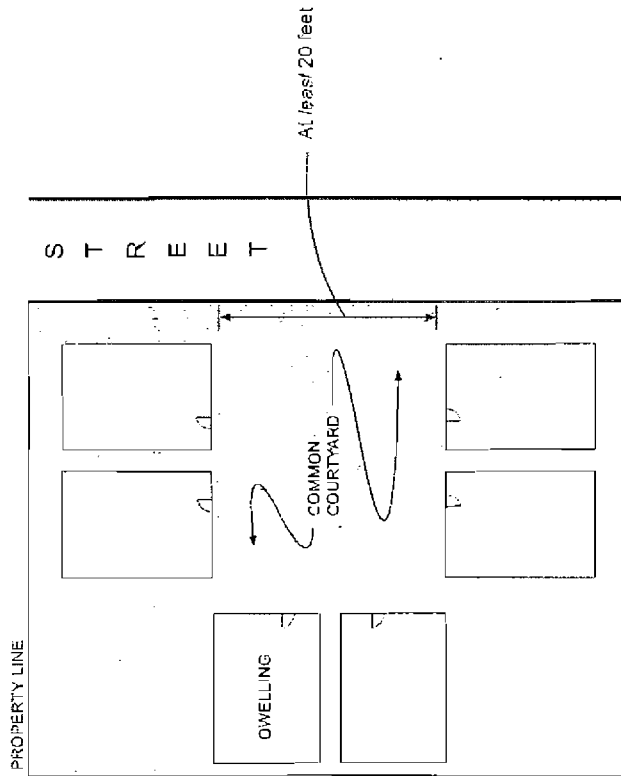
- Zone Boundaries
- Taxlots
- Water Body



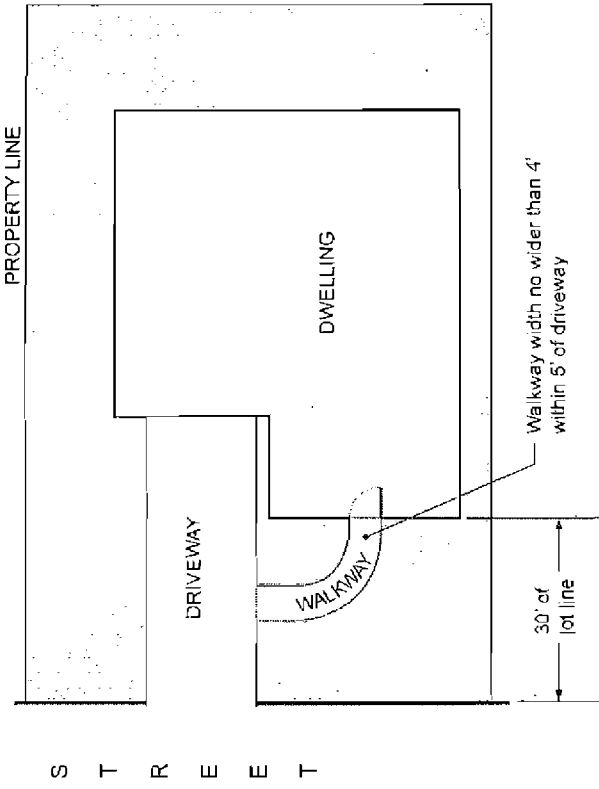
This map is for informational purposes only. It is not intended to be used for any legal or financial purposes.

### Main Entrances 9.3625 (4)(c)

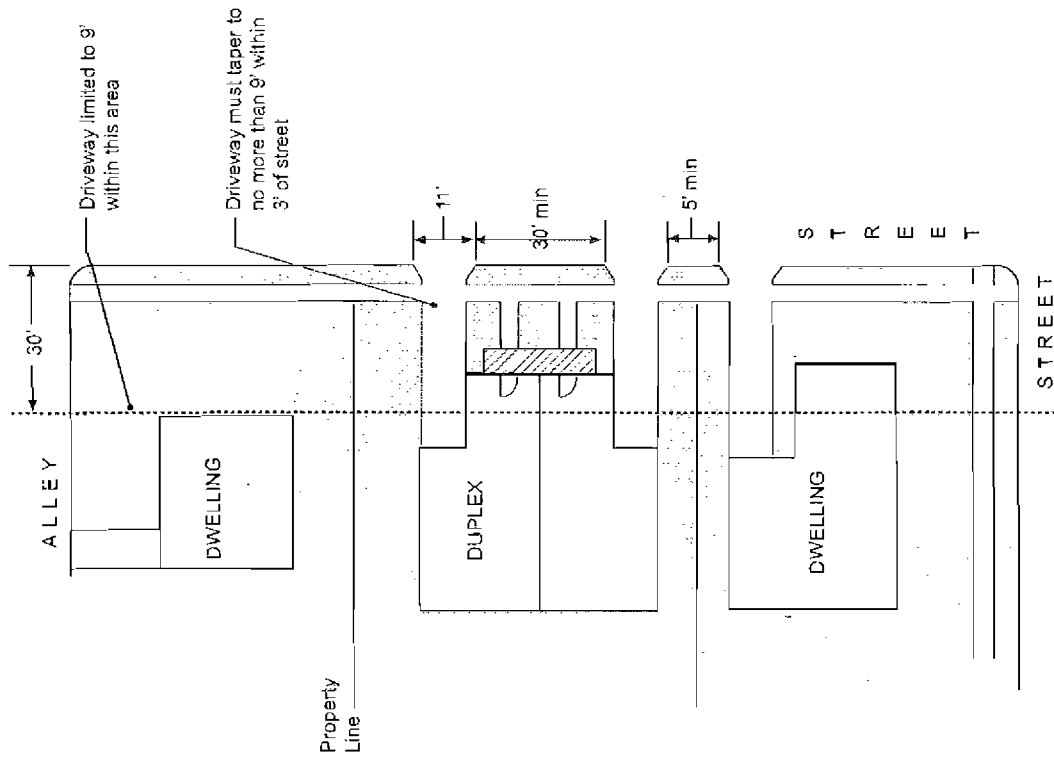
Where three or more dwellings have ground-level entrances on two or more sides of a common courtyard **that is open to a street for at least 20 feet**, the dwellings' main entrances may face the courtyard.



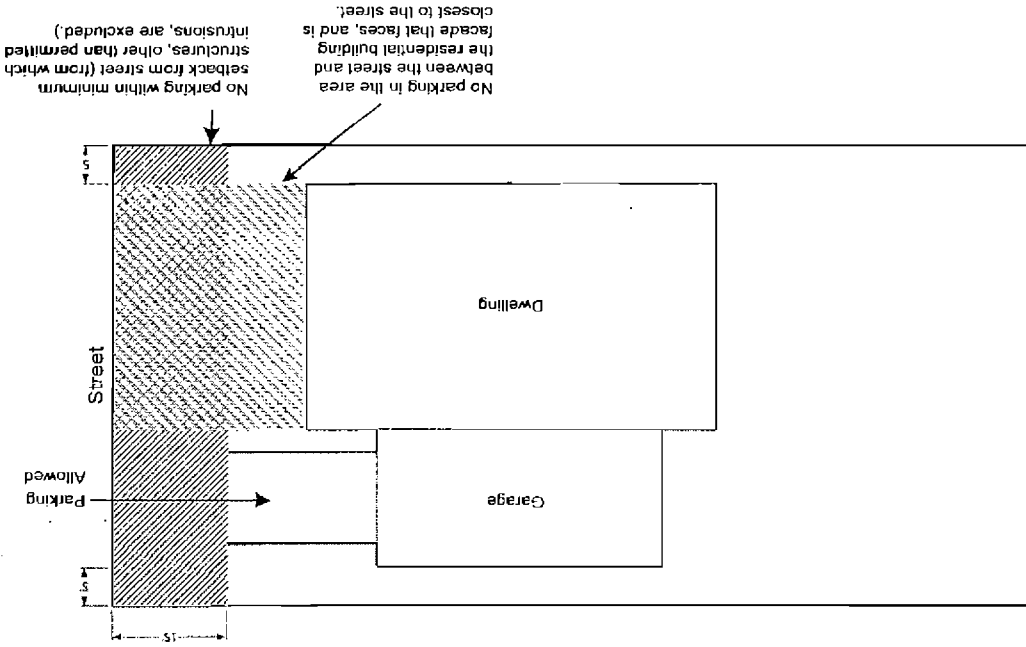
### Driveway Standards 9.3625 (6)(a)6.



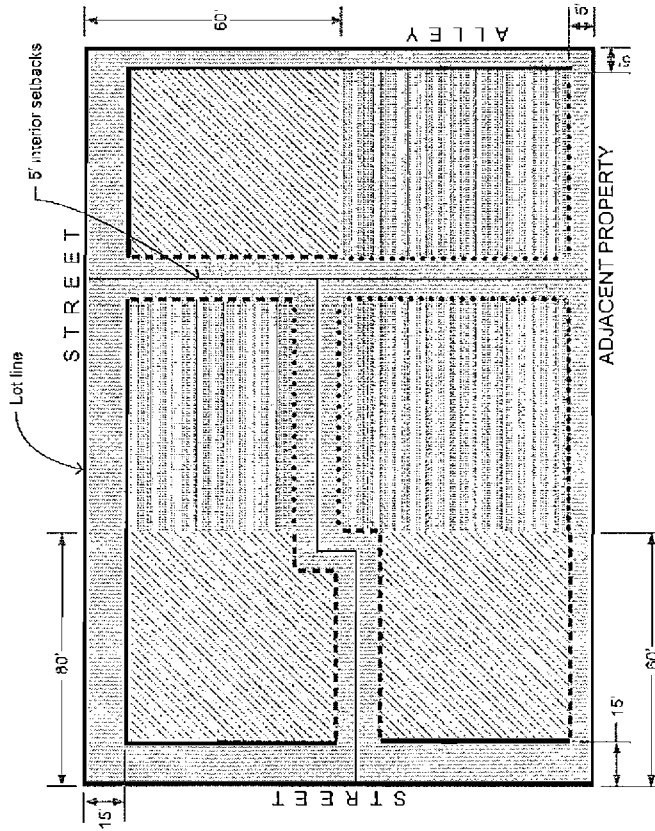
Driveway Curb-Cut Exception 9.3625(6)(a)7.



Vehicular (No) Parking Areas 9.3625 (7)(b)

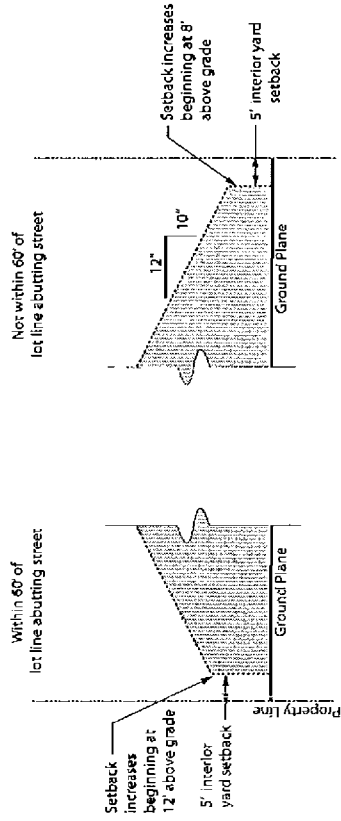


Setbacks & Building Heights 9.3626 (2)(3)(4)



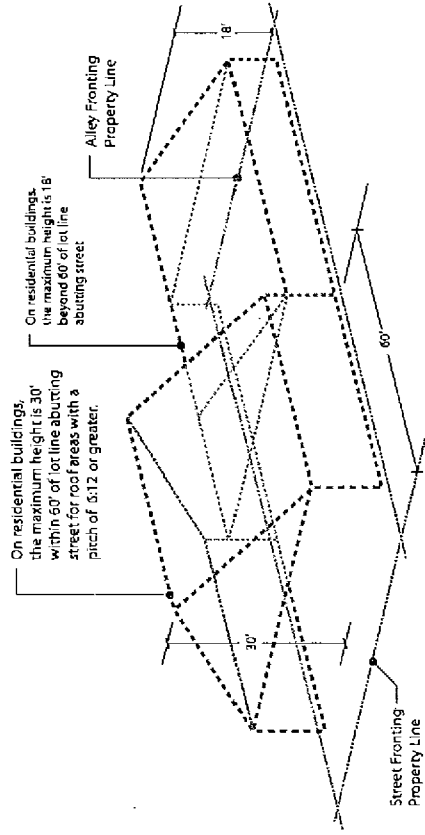
- Vertical setback (setback is specified distance for entire elevation)
- - - Setback is specified distance to 12 feet above grade, then increases 12" for every additional 10" in height.
- ..... Setback is specified distance to 6 feet above grade, then increases 12" for every additional 10" in height.
- Setback area at grade
- ▨ 30 feet maximum building height
- ▩ 16 feet maximum building height

Setbacks Interior Yard 9.3626(4)(a)(b)



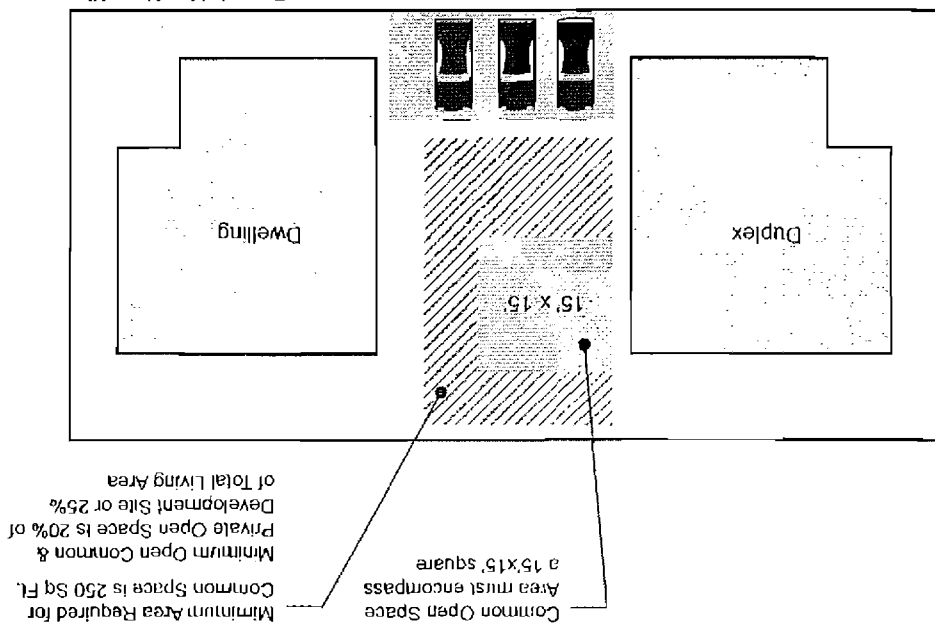
..... Required setback

Building Height - Residential 9.3626 (2)(a)





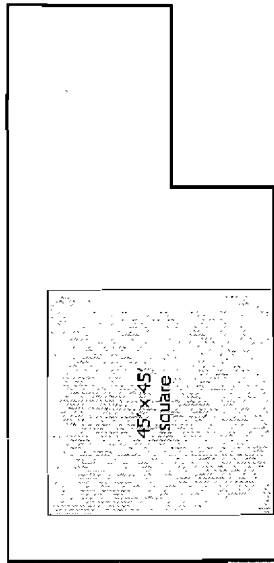
# Common Open Space 9.3626 (7)



- Diagram Pertains to Developments of Three or More Dwellings

# Lot Configuration 9.3631 (1)(d)(e)

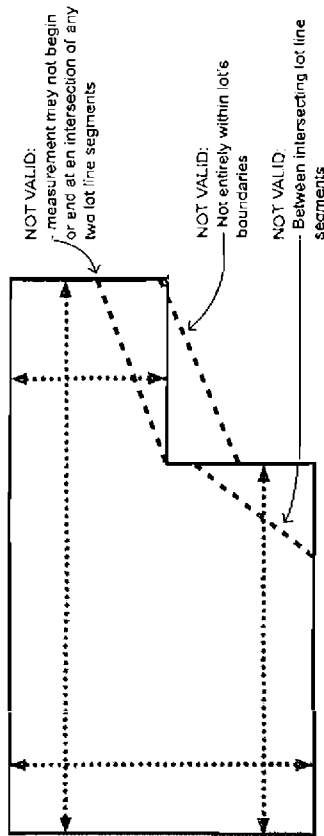
The boundaries of a lot that is not an alley-access-only lot must be sufficient to fully encompass a 45-foot square.



Boundaries of 45' x 45' square may be coincident with lot lines.

## Minimum Interior Lot Dimension

The minimum distance between any two non-intersecting lot line segments is 35 feet when measured by a straight line that does not begin or end at an intersection of any two lot line segments and that lies entirely within the lot's boundaries.



- ..... The [dotted] lines represent measurements that must be at least 35'.
- The [dashed] lines represent measurements that do not have to be at least 35' because they don't satisfy one of the required conditions (as noted).

EXHIBIT B

Draft Findings for CA 09-03, RA 09-02, Z 09-04  
Special Area Zone – Jefferson-Westside

Establishment of the Special Area Zone

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

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

The Metro Plan identifies both areas proposed for S-1W zoning as appropriate for medium density residential development. They are located adjacent to, but not within, areas planned for nodal development. The applicable refinement plans, Westside Neighborhood Plan and Jefferson-Far West refinement plan, designate these areas for medium density residential uses, as well.

The distinctive character of the buildings in the affected areas is well documented in the report "Neighborhood Character" authored by Jefferson Westside Neighbors. In addition, the areas are proximate to and very similar in character to the areas rezoned S-C (Chamber's Special Area) in 2005, based on the report "Chambers Reconsidered: Promoting Compatible Development in a Mature Neighborhood." In essence, the character of the affected areas is that of a pre-war, traditional gridded neighborhood, with detached single family houses and duplexes. Many of the structures are small bungalow style houses, sited on narrow, long lots with rear alley frontage. The structures and pattern of structures merit preservation that is not possible using existing zoning tools.

Information in the record documents the purpose of the proposed zone. Through detailed gathering of neighborhood opinion, the Jefferson Westside Neighbors produced a list of purpose statements that explain what the Special Area Zone is intended to achieve. Those statements are made part of the record and are incorporated herein by this reference.

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

The report "Neighborhood Character" by Jefferson Westside Neighbors documents and analyzes the character of the buildings and development pattern in the affected areas. The current zoning that implements the medium density residential designation is R-2, Medium-Density Residential. The R-2 zone does not do a good job of facilitating compatible infill development, in the particular areas affected by this proposal where the neighborhood is already mostly built out in a low-to-medium density, single family and duplex development pattern. The R-2 zone works well where it is applied to Greenfield sites such as those on Goodpasture Island Road in north Eugene. The need for this Special Area zone is to develop a zoning tool that recognizes the circumstances of accommodating medium density infill in this distinctive area in a way that preserves the character of the neighborhood.

The S-1W zone will facilitate implementation of medium density development, at the low end of the range specified in the Metro Plan, while preserving the distinctive buildings and development pattern of benefit to the neighborhood and city as a whole.

- 3) *Except for areas zone S-H Historic Special Area Zone, the area to be classified S Special Area includes at least ¼ acre in area.*

The areas proposed for S-1W zoning total approximately 50 acres, in compliance with this criterion.

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

Compliance with the zone change criteria is outlined below.

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

- (1) *The proposed zone 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.*

As demonstrated below, the proposed change is consistent with the Metro Plan.

Applicable Metro Plan Policies

Residential Density Policy A-9:

*Establish density ranges in local zoning and development regulations that are consistent with the broad density categories of this plan.*

certainty about how new development will be designed. This certainty is likely to reduce opposition to new residential development and inspire further reinvestment in the neighborhood by owners and residents.

**Residential Housing Types and Tenure Policy A-20:**

***Encourage home ownership of all housing types, particularly for low-income households.***

This proposed zone facilitates low-income home ownership opportunities by allowing alley access lots and other small lots to be created and by promoting the construction of small homes. Smaller homes are typically more affordable than larger homes.

**Residential Design and Mixed Use Policy A-23:**

***Reduce impacts of higher-density residential and mixed-use development on surrounding uses by considering site, landscape, and architectural design standards or guidelines in local zoning and development regulations.***

The S-JW zone supports this policy by establishing development standards including limits on density, building heights, setbacks, window placement, parking, and alley development for additional construction. These standards will lessen the impacts of infill on surrounding uses, as compared to development currently allowed by the R-2 zone. The new regulations consider site, landscape, and architectural design elements as promoted by the above policy.

**Residential Design and Mixed Use Policy A-24:**

***Consider adopting or modifying local zoning and development regulations to provide a discretionary design review process or clear and objective design standards, in order to address issues of compatibility, aesthetics, open space, and other community concerns.***

The S-JW zone standards implement this policy by including clear and objective design criteria that address issues of compatibility, aesthetics, open space, and other community concerns, including pedestrian orientation and neighborhood character.

**Transportation Policy F.3:**

***Provide for transit-supportive land use patterns and development, including higher intensity, transit-oriented development along major transit corridors and near transit stations, medium and high density residential development within ¼ mile of transit stations, major transit corridors, employment centers, and downtown areas; and development and redevelopment in designated areas that are or could be well served by existing or planned transit.***

The proposed amendments support this policy. The affected areas are planned for medium density development, and are served by transit on West 8<sup>th</sup>, West 11<sup>th</sup>, West 13<sup>th</sup> and West 18<sup>th</sup> Avenues, Wilmette, Olive, Jefferson, and Chambers Streets. The new zone provides greater certainty that new construction will blend in with existing development, thereby reducing neighborhood opposition to infill and supporting redevelopment of centrally located, transit accessible neighborhoods.

(2) *The proposed change is consistent with applicable adopted refinement plans. In the*

***Medium density. Over 10 through 20 dwelling units per gross acre (could translate to over 14.28 units per net acre through 28.56 units per net acre depending on each jurisdiction's implementation measures and land use and development codes.)***

The proposed zone is consistent with the Metro Plan density range for Medium density Residential development. The zone will provide for a maximum density level of approximately 15 units per net acre (see detailed density analysis under Goal 10 findings, below, and in testimony submitted by Paul Conte, October 12<sup>th</sup>, 2009). This policy choice develops a new zone to implement a portion of the medium density refinement plan and Metro Plan designations, consistent with other policy direction established for the areas in each refinement plan, and through the Infill Compatibility Standards process.

**Residential Density Policy A-10:**

***Promote higher residential density inside the urban growth boundary that utilizes existing infrastructure, improves the efficiency of public facilities and services, and conserves rural resource lands outside the urban growth boundary.***

The proposed amendments are consistent with this policy. Infill and redevelopment projects allowed within this zone will utilize existing infrastructure, improve efficiency of public services and facilities, and conserve rural resource lands. The new zone promotes higher density by accommodating approximately 40% more units than currently exist.

**Residential Density Policy A-13:**

***Increase overall residential density in the metropolitan area by creating more opportunities for effectively designed infill, redevelopment, and mixed use while considering impacts of increased residential density on historic, existing and future neighborhoods.***

The proposal will provide opportunities for additional development while preserving the character of the existing neighborhoods, directly implementing this policy. The proposed standards facilitate effectively designed infill and redevelopment in a compatible way.

**Residential Density Policy A-15:**

***Develop a wider range of zoning options such as new zoning districts, to fully utilize existing Metro Plan density ranges.***

The proposed S-JW zone will provide a zoning tool specifically designed to implement the medium density Metro Plan designation for the affected areas. The city's range of zoning options will be broader upon its adoption.

**Residential Housing Types and Tenure Policy A-17:**

***Provide opportunities for a full range of choice in housing type, density, size, cost, and location.***

The proposed zone change will expand opportunities for a range of housing choices by providing

event of inconsistencies between these plans and the Metra Plan, the Metra Plan controls.

The proposed changes are consistent with and implement the applicable refinement plans, as discussed below.

Westside Neighborhood Plan Policies

Central Residential Area Policy 1.

*The City shall continue to recognize this area as appropriate for medium density residential development and shall discourage non-residential uses. This policy applies to all portions of the Central Residential Area, even those properties abutting major arterials such as Chambers Street and West 11<sup>th</sup> Avenue.*

The proposed zone responds, conforms to and implements the medium density plan designation. New residential design standards establish further certainty about the future character of the area.

Central Residential Area Policy 2.

*The City shall encourage actions that will preserve existing residential structures, including rehabilitation, block planning, infilling, and shared housing.*

The proposed zone will encourage preservation of existing residential structures, and addition of similar scale structures within the affected area, rather than lot consolidation and wholesale redevelopment. Infill development in this area will conform to new clear and objective design standards, including standards addressing dwellings per lot, roof form, setbacks, open space, and parking, providing greater certainty for both developers and neighbors about the future of the neighborhood.

Jefferson-Far West Refinement Plan Policies

Area 16. East Medium-Density Area Policies

*This area shall be recognized as appropriate for medium-density residential development.*

The proposed zone responds, conforms to and implements the medium density plan designation. New residential design standards establish further certainty about the future character of the area.

Area 16. East Medium-Density Area Policies

*Efforts shall be made to preserve the existing residential structures by encouraging rehabilitation, infilling, or relocation of structures within the neighborhood.*

The proposed zone will encourage preservation of existing residential structures, and addition of similar scale structures within the affected area, rather than lot consolidation and wholesale redevelopment. Infill development in this area will conform to new clear and objective design standards, including standards addressing dwellings per lot, roof form, setbacks, open space, and parking, providing greater certainty for both developers and neighbors about the future of the

neighborhood.

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

The uses and density proposed within the S-JW zone are currently allowed, and will continue to be served by all key urban facilities and services.

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

(#) EC 9.3615 S-JW/Jefferson Westside Special Area Zone Siting Requirements (proposed).

EC 9.8865(4) does not currently include reference to siting requirements for the S-JW Special Area Zone, because that zone is being created as part of this action. See below for discussion of code amendment criteria to add reference to the S-JW zone to the code. The application of the S-JW zone to the proposed properties is consistent with the siting requirements proposed to be adopted for the special area zone.

Code Amendment

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

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

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

The City has acknowledged provisions for citizen involvement which ensure the opportunity for citizens to be involved in all phases of the planning process and set out requirements for such involvement. The process for adopting these amendments was consistent with the city's requirements and provided numerous additional opportunities for interested parties to participate in development of the amendments. Highlights are listed below.

- **Infill Compatibility Standards Project.** Project website ([www.eugene-or.gov/infill](http://www.eugene-or.gov/infill)), project kickoff meeting, email newsletter updates to interested party list of nearly 400 people, three public workshops, focus group meetings with Chamber of Commerce, Homebuilders Association, Historic Review Board, Housing Policy Board, Sustainability Commission Land Use and Transportation Subcommittee, and low-income residents, infill tour with Opportunity Siting and ICS Task Teams, radio program discussion (KLCC Sundays at Noon), City Club presentation.
- **Multi-Dwelling Infill Committee of the ICS Task Team.** Substantial work with Jefferson

- **Westside** Neighbors developing concepts for the special area zone and recommending a draft code proposal to the Task Team in early March 2009.
- **Infill Compatibility Standards Task Team.** Monthly meetings from November 2007-September 2009. Action taken to support the S-W zone at the March 2009 meeting.
- **Heritage Area Working Group.** Implementation group consisting of a Planning Commissioner, Multi-Dwelling Committee member, Task Team member and staff members to refine the proposal and develop draft code language.
- **Jefferson Westside Neighbors.** Two "Plan Jam" workshops specifically on the special area zone, two extensive neighborhood newsletters sent to every address in the IWN, on-line surveys, development of neighborhood character and infill impacts documents, general membership meetings, executive board meeting discussions and deliberations, email newsletter updates to nearly 300 addresses, extensive website updates at [www.jwneugene.org/infillstds](http://www.jwneugene.org/infillstds), maps, photo examples of infill, participation in Opportunity Siting workshops to find good sites for higher density development, work sessions with ICS Task Team, Multi-Dwelling Committee, and Planning Commission.

The Planning Commission held a work session on the ICS recommendations pertaining to the Special Area Zone on September 14<sup>th</sup>, 2009. The public hearings scheduled for the Planning Commission and City Council are October 20<sup>th</sup> and November 16<sup>th</sup>, respectively.

Based on this information, the process followed is consistent with Statewide Planning Goal 1.

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

The Eugene Land Use Code specifies the procedure and criteria that are to be used in considering these amendments to the code. The record for these amendments includes substantial factual information about the nature of existing development in the affected areas. The Goal 2 coordination requirement is met when the City engages in an exchange, or invites such an exchange, between the City and any affected governmental unit. To comply with the Goal 2 coordination requirement, the City engaged in an exchange about the subject of these amendments with all of the affected governmental units. Specifically, the City provided notice of the proposed action and opportunity to comment to Lane County, Springfield and the Department of Land Conservation and Development.

There are no Goal 2 Exceptions required for these amendments. Therefore, the amendments are consistent with Statewide Planning Goal 2.

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

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

**Goal 4 - Forest Lands.** *To conserve forest lands.*

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

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

- OR 660-023-0250(3) provides:** *Local governments are not required to apply Goal 5 in consideration of a PAPA unless the PAPA affects a Goal 5 resource. For purposes of this section, a PAPA would affect a Goal 5 resource only if:*
- (a) *The PAPA creates or amends a resource list or a portion of an acknowledged plan or land use regulation adopted in order to protect a significant Goal 5 resource or to address specific requirements of Goal 5;*
  - (b) *The PAPA allows new uses that could be conflicting uses with a particular significant Goal 5 resource site on an acknowledged resource list; or*
  - (c) *The PAPA amends an acknowledged UGB and factual information is submitted demonstrating that a resource site, or the impact areas of such a site, is included in the amended UGB area.*

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

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

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

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

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

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

including destination resorts.

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

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

The Administrative Rule for Statewide Planning Goal 9 (OAR 660, Division 9) requires cities to evaluate the supply and demand of commercial land relative to community economic objectives. The Eugene Commercial Land Study (October 1992) was adopted by the City of Eugene as a refinement of the Metro Plan, and complies with the requirements of Goal 9 and its Administrative Rule. The amendments do not impact the supply of industrial or commercial lands. Therefore, the amendments are consistent with Statewide Planning Goal 9.

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

Goal 10 requires that communities plan for and maintain an inventory of buildable residential land for needed housing units. The request to rezone the subject area from R-2 to S-JW does not impact the supply or availability of residential lands. As an initial matter, the uses allowed in the R-2 zone are the same as the uses allowed in the S-JW zone. Further, the subject property is not included in the documented supply of "buildable land" that is available for residential development as inventoried in the acknowledged 1999 Residential Lands Study.

To the extent that the 1999 Residential Lands Study relied on infill and redevelopment, substantial evidence in the record demonstrates that the proposal would not be inconsistent with that Study's expectations. In addition, it is reasonable to assume that development will occur within the planned medium density range following adoption of the amendments, based on the information outlined below.

#### Basic land use data

There are approximately 80 acres of residential land in the area encompassed by the proposed S-JW zone. All lots are designated Medium Density Residential on the Metro Plan and applicable refinement plan diagrams. Two of the lots are zoned C-1 (Neighborhood Commercial) and their zoning will not change. The other lots are zoned R-2 and are proposed to be rezoned to S-JW.

Information in the record shows there is currently an overall density of approximately 10 dwelling units per net acre in the S-JW area (Paul Conte, October 12<sup>th</sup>, 2009). Most of the affected lots contain a single dwelling; some contain duplexes and a small percentage contains multi-family development. The proposed S-JW standards provide for an overall potential density of approximately 15 dwelling units per net acre, according to analysis submitted into the record by Paul Conte and verified by city staff (October 12<sup>th</sup>, 2009). This figure implements

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the medium density residential plan designation as described in Metro Plan Policy A9 (see findings above).

Staff prepared a density comparison map to graphically show the increase in dwellings allowed on each lot under the proposed standards. This map illustrates where additional development would be allowed, based on lot size; the total allowable increase in units is approximately 40% over what exists today.

Based on the findings above, the amendments are consistent with Statewide Planning Goal 10.

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

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

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

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

- (1) Amendments to functional plans, acknowledged comprehensive plans, and land use regulations which significantly affect a transportation facility shall assure that allowed land uses are consistent with the identified function, capacity, and performance standards (e.g. level of service, volume to capacity ratio, etc.) of the facility....
- (2) A plan or land use regulation amendment significantly affects a transportation facility if it:
  - (a) Changes the functional classification of an existing or planned transportation facility;
  - (b) Changes standards implementing a functional classification system;
  - (c) Allows types or levels of land uses which would result in levels of travel or access which are inconsistent with the functional classification of a transportation facility; or
  - (d) Would reduce the performance standards of the facility below the minimum acceptable level identified in the TSP

The proposed amendments are consistent with Goal 12. They do not affect the provision of safe, convenient and economic transportation systems and do not significantly affect any transportation facilities. The S-JW zone will accommodate additional infill in an area well served by transportation infrastructure, facilitating the city's growth management strategies that encourage walkable, compact neighborhoods.

Goal 13 - Energy Conservation. To conserve energy.

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Statewide Planning Goal 13 calls for land uses to be managed and controlled "so as to maximize the conservation of all forms of energy, based upon sound economic principles." Goal 13 is directed at the development of local energy policies and implementing provisions and does not state requirements with respect to other types of land use decisions. It is not clear that the goal has any bearing on the proposed ordinance. There is no implementing rule that clarifies the requirements of Goal 13. To the extent that Goal 13 could be applied to the proposed changes, they are consistent with Goal 13 because it is reasonable to expect that future development under the ordinance will make efficient use of energy.

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

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

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

The amendments do not contain any changes that affect the regulation of areas within the Willamette River Greenway. Therefore, Statewide Planning Goal 15 does not apply.

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

There are no coastal, ocean, estuarine, or beach and dune resources related to the properties affected by these amendments. Therefore, these goals are not relevant and the amendments will not affect compliance with Statewide Planning Goals 16 through 19.

(2) The amendment is consistent with applicable provisions of the Metro Plan and applicable adopted refinement plans.

See discussion of Metro Plan and applicable refinement plans, above. See also discussion of proposed refinement plan amendments, below.

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

See above for discussion of compliance with EC 9.3020.

EC 9.3424 Refinement Plan Amendment Approval Criteria. The planning commission shall evaluate proposed refinement plan amendments based on the criteria set forth below, and forward a recommendation to the city council. The city council shall decide whether to act on the application. If the city council decides to act, it shall approve, approve with modifications or deny a proposed refinement plan amendment.

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Approval, or approval with modifications shall be based on compliance with the following criteria:

- (1) The refinement plan amendment is consistent with all of the following:
  - (a) Statewide planning goals.
  - (b) Applicable provisions of the Metro Plan.
  - (c) Remaining portions of the refinement plan.

The applicable refinement plans are proposed to be amended to include new policies referencing the proposed zone and its application. The proposed policy language is:

Jefferson-Far West Refinement Plan: Land Use Policies, Jefferson Area 16, East Medium Density Residential Area

*This area shall be recognized as appropriate for application of the Special Area Zone-Jefferson-Westside (S-JW) as defined through the City's land use code. Within the S-JW boundaries set by the City Council, the S-JW zone shall be the only permissible zone. The S-JW zone is consistent with and implements the Medium Density Residential Metro & Refinement Plan designation within its boundaries.*

Westside Neighborhood Plan: Land Use Element, Central Residential Area

*Policy 5. The portion of the Central Residential Area that is east of Polk Street shall be recognized as appropriate for application of the Jefferson Westside Special Area Zone (S-JW) as defined through the City's land use code. Within the S-JW boundaries set by the City Council, the S-JW zone shall be the only permissible zone. The S-JW zone is consistent with and implements the Medium Density Residential Metro Plan and Refinement Plan designation.*

See above for discussion of the amendments' compliance with statewide planning goals, Metro Plan policies, and refinement plan policies. Most notably, the amendments comply with the applicable Metro and Refinement Plan density ranges, in compliance with Metro Plan Policy A9.

- (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.

The proposed refinement plan amendments address (e) above. The change in circumstances occurred as the city's new R-2 zone (adopted in 2001) began to result in infill development that

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EXHIBIT C

Affected Tax Lots - S-JW Special Area Zone			
MAP & LOT #	Current ZONING OVERLAY	Proposed ZONING	OWNER NAME
1704364103500	R-2	S-JW	RYAN SUSAN K
1704364104000	R-2	S-JW	HAMBLEN MICHAEL K
1704364104500	R-2	S-JW	BECK GROVE LLC
1704364105000	R-2	S-JW	TRUE NORTH INVESTMENTS LLC
1704364105500	R-2	S-JW	TRUE NORTH INVESTMENTS LLC
1704364106000	R-2	S-JW	MICHAELS CHRISTOPHER & DEBRA
1704364106500	R-2	S-JW	WILLIAMS ALICE P TE
1704364107000	R-2	S-JW	LAUB JAMES D & SANDRA H
1704364107500	R-2	S-JW	RICHARDS GAIL A
1704364108000	R-2	S-JW	WAGNER JOHN L & JANE L
1704364108500	R-2	S-JW	ZAGORIN JANE L
1704364109000	R-2	S-JW	BILLINGS LOUANN
1704364109500	R-2	S-JW	BILLINGS LOUANN
1708313203500	R-2	S-JW	JOHNS MICHAEL ALLMOND
1708313204000	R-2	S-JW	WILLIAMSON DOUGLAS & BETTY
1708313204500	R-2	S-JW	HUGH D STUMP TRUST
1708313205000	R-2	S-JW	GETTBY DAVID L
1708313205500	R-2	S-JW	HERTCH TOM JR
1708313206000	R-2	S-JW	LOFTON SUSAN
1708313206500	R-2	S-JW	CONY ORLANDO
1708313207000	R-2	S-JW	BODIN PAUL LOUIS
1708313207500	R-2	S-JW	GIBBONS JANE C
1708313208000	R-2	S-JW	MEYER KENNETH A
1708313208500	R-2	S-JW	WALKER GEORGE E
1708313209000	R-2	S-JW	KARLIK JOHN N
1708313209500	R-2	S-JW	PERRY ROBERT B
1708313210000	R-2	S-JW	G & TS LLC
1708313210500	R-2	S-JW	SELF RANDALL HOWARD
1708313211000	R-2	S-JW	G & TS LLC
1708313211500	R-2	S-JW	SCHLER MATT D & PAMELA A
1708313212000	R-2	S-JW	HAPPY TOM B & JANE B
1708313212500	R-2	S-JW/MR	FREDERICK LINDA C
1708313213000	R-2	S-JW	WARREN MICHAEL JAY
1708313213500	R-2	S-JW	KEHRER MARGARET ANN & OTTE PAUL PHILLIP
1708313214000	R-2 (split zone)	S-JW/MR	CITY OF EUGENE
1708313214500	R-2	S-JW	KREITZ ANNETTE L
1708313215000	R-2	S-JW	WALKER GEORGE E
1708313215500	R-2 (split zone)	S-JW/MR	BURROWS PETER L & SONIA S
1708313216000	R-2	S-JW	WILLET BRADFORD L & TONY W
1708313216500	R-2	S-JW/MR	ROMYVET BRENDAN D
1708313217000	R-2	S-JW	MACKAY WILLIS R
1708313217500	R-2	S-JW	LANE COUNTY OWNED LANDS DEPT
1708313218000	R-2	S-JW	APPLEBY KEITH E
1708313218500	R-2	S-JW	LEVALLEN JACKIE L
1708313219000	R-2	S-JW	USHER TIMOTHY S & LAURAM
1708313219500	R-2	S-JW	RICE LESLIE M & MARILYN S
1708313220000	R-2	S-JW	GOLLY LIVING TRUST
1708313220500	R-2	S-JW	SHERIDAN JOHN & PAMELA
1708313221000	R-2	S-JW	AULD THOMAS D
1708313221500	R-2	S-JW	ANDERSON CATHERINE LEE
1708313222000	R-2	S-JW	GOLDEN DANA KATHRYN
1708313222500	R-2	S-JW	REYNOLD PATRICIA
1708313223000	R-2	S-JW	GRIEBSKOVER P & LAURA SWANSON
1708313223500	R-2	S-JW	BROADBENT BERRY A
1708313224000	R-2	S-JW	BARSTAD-ROOTH CAROLYN J

caused impacts on these neighborhoods that were unanticipated and unacceptable to many residents. Through the Infill Compatibility Standards process, these areas were determined to be priorities for developing standards to accommodate planned densities in ways that are compatible with existing neighborhood character.



1709314514902	R-2	S-W	ZVOCH KEITH
1709314511201	R-2	S-W	WILSON EMMA RACHEL
1709314509500	R-2	S-W	PESTER ROBYN M
1709314513600	R-2	S-W	WATSON DONALD L
1709314907700	R-2	S-W	WALTON BETSY DIANA
1709314897600	R-2	S-W	FAST VIRGINIA
1709314890900	R-2	S-W	HAPPY TOM B & JAVIE B
1709314810800	R-2	S-W	BROWN PATRICK E
1709314915500	R-2	S-W	RUBIE JEFFERY A
1709314810600	R-2	S-W	PEASON DALE
1709314208000	R-2	S-W	MODRE NICK A
1709313209200	R-2	S-W	GERSTMANN JOELS
1709313205900	R-2	S-W	MORGAN PATRICK G
1709313206000	R-2	S-W	TICKNDR MICHAEL C
1709313206100	R-2	S-W	HAFNER NANCY J
1709313205400	R-2	S-W	CHRISTIAN COLLETT M
1709313104600	R-2	S-W	MILLER GEORGE H JR & M K
1709313201100	R-2	S-W	BEIT ROBERT
1709313201200	R-2	S-W	R-ODADS SHIRLEY M TE
1709313203300	R-2	S-W	CROWLEY RYANN N
1709313202900	R-2	S-W	SNYDER THOMAS A & JANE B
1709313104400	R-2	S-W	RAINWATER ROBERT
1709313202500	R-2	S-W	TURNER PROPERTIES PTRNSHP
1709313202800	R-2	S-W	MCCANN AMY E
1709313204200	R-2	S-W	ROEHL NICHOLAS & SUZANNE
1709313205800	R-2	S-W	AARON JANA L
1709313208700	R-2	S-W	CALCIANO FRANK E
1709313205800	R-2	S-W	SV TRIO OREGON-11 LLC
1709313204000	R-2	S-W	WADSWORTH LARK L & STEPHEN F RICH
1709312311400	R-2	S-W	GIVENS JAMES WILLIAM
1709312312202	R-2	S-W	HENDRICKSON SARAH S
1709312904300	R-2	S-W	BURDICK MICHAEL J
1709313205502	R-2	S-W	PITCAIRN FIRST FAMILY LLC
1709313101300	R-2	S-W	INMAN STEVE S
1709313200100	R-2	S-W	AMOS ALAN H & FRANCES P
1709313200900	R-2	S-W	RUPPER ROBERT OLIVER
1709313200900	R-2	S-W	TOWNSEND HUGH JENNINGS
1709313200600	R-2	S-W	GEORGE F LOSCALZO REVOCABLE LIVING TR
1709313200600	R-2	S-W	SHERWOOD MARTHA
1709313200700	R-2	S-W	MILLET CHRISTINE
1709313201800	R-2	S-W	ALBRECHT KURT RICHARD & ALISON VIRGINIA
1709313202200	R-2	S-W	MAGNUS PETER D TE & HOWARD-MAGNUS ANNE M TE
1709313203500	R-2	S-W	ABBOTT DAVID TYLER
1709313204100	R-2	S-W	SMITH STEPHEN N
17093132010500	R-2	S-W	MALOS JEFFREY C & VALERIE D
1709313200700	R-2	S-W	ARCHIE & DUGUID REV TRUST
1709313206800	R-2	S-W	MAXWELL SANDRA E
1709312912100	R-2	S-W	BAKER GEORGE F
1709313202203	R-2	S-W	KENZIE KARI B
1709312407600	R-2	S-W	EUGENE BIBLE COLLEGE TE
1709313201600	R-2	S-W	MORRIS CAROLINE S
1709313201000	R-2	S-W	SHERLOCK WILLIAM H & JENNIFER J
1709313209200	R-2	S-W	HARRINGTON MARY H & PHILIP
1709313205100	R-2	S-W	WALSH RAYMOND J
17093132012500	R-2	S-W	TRACE ELIZABETH F
1709313200700	R-2	S-W	PACE ELIZABETH E
17093132015100	R-2	S-W	RYAN JOHN
1709313209700	R-2	S-W	BAHR DAVID A

S-W Affected Tax Lots - 2

1709312313600	R-2	S-W	PETERSON SEAN
1709312407800	R-2	S-W	O'CONNOR TIMOTHY & SONIA E JENSEN
1709312308900	R-2	S-W	STROUT MEAGAN
1709312309200	R-2	S-W	CRONKRIGHT TONYA A
1709312309900	R-2	S-W	DOORNAHL ANNE L G
1709312310800	R-2	S-W	GOLSTEIN MICHAEL B
1709312312400	R-2	S-W	STEFANSEN SCOTT BRIAN & M C
1709312312800	R-2	S-W	ADAMS JACK A
1709312312900	R-2	S-W	WICHLBERG RICHARD M & MARLENE VARADAY
1709312309100	R-2	S-W	JOYCE KATHARINE
1709312405800	R-2	S-W	KUNE JOHN W
1709312308000	R-2	S-W	WILLIAMS ANNE M
1709312307500	R-2	S-W	JAMES GREGORY A & ELIZABETH M
1709312309200	R-2	S-W	HEIKEN DOUG & MARIYAN
1709312308100	R-2	S-W	HANSON DONALD C
1709312409300	R-2	S-W	LOCKHARD FRED L & SHERRY L K
1709312409500	R-2	S-W	FOSS EMMETT
1709312307600	R-2	S-W	MONTGOMERY REBECCA S & THOMAS M
1709312307400	R-2	S-W	UVINGSTON JOHN E & BRYNA
1709312307100	R-2	S-W	BARR KENNETH H & JEANNE S
1709312309500	R-2	S-W	WILLIAMS GEORGE F & SUZANNE
1709312309400	R-2	S-W	PAUL CYNTHIA & DON
1709312410002	R-2	S-W	R SMESH POSS TRUST
1709312409800	R-2	S-W	LANG DAVID LEE
1709312409900	R-2	S-W	WILSON GERALD A
1709312410001	R-2	S-W	ENGLANDER JOSHUA S
1709312305501	R-2	S-W	JOHNSON ANN L
1709312304900	R-2	S-W	SV TRIO OREGON-11 LLC
1709312409800	R-2	S-W	STONE JOHN F & KIMBERLY A
1709312409200	R-2	S-W	PHILLIPS RANDALL B
1709313302100	R-2	S-W	BURNS KEVIN E
1709312409201	R-2	S-W	ANDERSON LAUREL E
1709312411200	R-2	S-W	ANDERSON DUSTIN A
1709312300200	R-2	S-W	CHURCH OF THE NAZARENE
1709312303800	R-2	S-W	KHASTEDA GHANGUIR
1709312303700	R-2	S-W	SARAH K THOMAS LIVING TRUST
1709312410800	R-2	S-W	GARCIA CARMEN
1709313010900	R-2	S-W	STEPER FRANK JOSEPH
1709312411100	R-2	S-W	ELLINGSON PETER D
1709312302000	R-2	S-W	LEQUANG CRYSTAL
1709312302000	R-2	S-W	EUGENE FIRST EVANGELICAL
1709312303600	R-2	S-W	BLUDICI KIRK J
1709312303600	R-2	S-W	BIJLER JOHN D
1709312304500	R-2	S-W	SCHULTZ PAUL
1709312305600	R-2	S-W	CALDWELL STUART D
1709312304900	R-2	S-W	WILLIAMSON DOUGLAS A & B
1709312304400	R-2	S-W	SCHULTZ PAUL & KRISTIN KING
1709312302700	R-2	S-W	CHAMBLISS THOM
1709314314200	R-2	S-W	JOHN NANGLE & DANIELE MCKAY LIVING TRUST
1709314313900	R-2	S-W	MARY GAIL EVANS REVOCABLE TRUST
1709314313200	R-2	S-W	WASIL GREGORY
1709314312100	R-2	S-W	FIEDLER RITA WASIL
1709314311900	R-2	S-W	KOTH DOUGLAS F
1709314311600	R-2	S-W	ADAIR JOHN JR & DEBBIE S
1709314309600	R-2	S-W	MOHLAN CASSANDRA L TE
1709314309600	R-2	S-W	SMITH STEPHEN G & KATHY A
1709314309700	R-2	S-W	BAILEY DENNIS C & GWENDOLYN M
1709314311000	R-2	S-W	BERGUND SARA GAIL

S-W Affected Tax Lots - 3

1703314310500	R-2	S-W	SWEEDEN GLORIA G
1703314306702	R-2	S-W	GARCIA JESSE V
1703314307800	R-2	S-W	SHAPIRO JUDITH G & RALPH
1703314308900	R-2	S-W	BRAV MICHAEL P
1703314301500	R-2	S-W	MAHIN NEAL L
1703314302400	R-2	S-W	DAVIS WILLIAM RALPH & LUCILLE MARY
1703314301600	R-2	S-W	NEWMAN ZELMA MITE
1703314303300	R-2	S-W	DAVIS WILLIAM RALPH & LUCILLE MARY
1703314328000	R-2, WR	S-W/WR	WODLLET STEVE L
1703314320700	R-2	S-W	HABITAT FOR HUMANITY
1703314320800	R-2	S-W	COLLINS KENNETH L
1703314320500	R-2	S-W	REYNAUD PATRICIA G
1703314320600	R-2	S-W	POWERS DAVID W & CONNOR MICHELLE S
1703314320900	R-2	S-W	FNU PROPERTIES LLC
1703314320950	R-2	S-W	ROBINSON JOHN H JR & JEAN E
1703314320850	R-2	S-W	LESIK ROGER D
1703314320750	R-2	S-W	NORBERG RONALD E
1703314320700	R-2	S-W	HERSHBERG JAMES B
1703314321100	R-2	S-W	DAHL BRUCE A & RUTH T
1703314320700	R-2	S-W	HARTLEY DENNIS K
1703314314500	R-2	S-W	RUBLE JEFFERY A
1703314310000	R-2	S-W	ATKINS PATRICIA A
1703314320900	R-2	S-W	STRICKS TRUST
1703314320700	R-2	S-W	WOOLSTON ELIZABETH A
17033143207800	R-2	S-W	HARTY FAMILY TRUST
17033143207900	R-2	S-W	BLACKWELL MICHELLE A
17033143205100	R-2	S-W	HOF KEN P & LINDA G
17033143200200	R-2	S-W	BRODSHEAR SEAN L
1703314320300	R-2	S-W	DELAURIER APRIL F
17033143208600	R-2	S-W	GUARDIAN PROPERTIES LLC
17033143209600	R-2	S-W	SPARKS SULLY W
1703314313100	R-2	S-W	SWARINGEN ALDORA
17033143205000	R-2	S-W	MOORE BRYAN J
17033143209400	R-2	S-W	RAZA SHANAZ
17033143212000	R-2	S-W	COWLES MICHAEL C
17033143205400	R-2	S-W	GANDIK TRICIA A
17033143206600	R-2	S-W	LAMON DEBORAH ELLEN
17033143204001	R-2	S-W	KEMP CHARLES S
17033143204200	R-2	S-W	SKILLERN INVESTMENTS LIMITED PARTNERSHIP
17033143202100	R-2	S-W	PANKALLA MARK W
17033143205800	R-2	S-W	HASCHMEYER ANDREW OTIS
17033143205900	R-2	S-W	LEAVITT JAMES B
17033143204000	R-2	S-W	BRADLEY RAYMOND J
17033143207400	R-2	S-W	SERVANT KING PROPERTIES LLC
17033143104500	R-2	S-W	CALCIANO FRANK E
17033143104700	R-2	S-W	THORIN PROPERTIES LTD PARTSHIP
17033143201500	R-2	S-W	O'NEILL JAMES C
17033143201400	R-2	S-W	JUDY MARIE BENDER LIVING TRUST
17033143213200	R-2	S-W	CHESTER AARON & MITRA
17033143208400	R-2	S-W	MILLER KEVIN J
17033143201400	R-2	S-W	RUBIN HARRIET L
17033143208900	R-2	S-W	MORBERG CLARK THOMAS
17033143211900	R-2	S-W	HENDRICKSON SARAH S
17033143208000	R-2	S-W	HODGES M CECL TE
17033143207900	R-2	S-W	HODGES M CECL
17033143208200	R-2	S-W	CLAUD EN TERPRISES LLC
17033143208600	R-2	S-W	MACKENZIE BETTY L
17033143209600	R-2	S-W	PERRYMAN PAMELA J

S-W Affected Tax Lots - 4

1703314310200	R-2	S-W	WIGNEY RICHARD E & PATRICIA A
1703314304700	R-2	S-W	POTTER JOSEPH & CYNTHIA J
1703314311800	R-2	S-W	HANAMONS REBECCA L
17033143212900	R-2	S-W	STEVENS THOMAS HALL
17033143207000	R-2	S-W	MICIGURE LANNIE O & C J
17033143204501	R-2	S-W	NYGARD ELAINA L
17033143206800	R-2	S-W	DONAHUE FAMILY TRUST
17033143205301	R-2	S-W	O'CONNOR KATHLEEN LOUISE
17033143204900	R-2	S-W	BILLINGTON IRVING L
17033143204200	R-2	S-W	MCCORMACK KEVIN C
17033143207200	R-2	S-W	BRENNER JEFFREY W & SUSAN J
17033143206800	R-2	S-W	GORDON ALEXANDER H
17033143205600	R-2	S-W	MOORE CAROLINE J
17033143204800	R-2	S-W	WALL MARTIN F
17033143204800	R-2	S-W	TILDESLEY ELIZABETH A
17033143204600	R-2	S-W	FREMOW SEAN F & LIVIA
17033143204000	R-2	S-W	BIORNSTAD TIMOTHY & ELIZABETH
17033143200300	R-2	S-W	WHISPERING FIR LLC
17033143200600	R-2	S-W	GIBBONS JANE C
17033143201500	R-2	S-W	EUGENE FIRST EVANGELICAL
17033143202200	R-2	S-W	GRIFFIN TOMMY LEE & CHERYL P
17033143202800	R-2	S-W	THORNTON RENE J
17033143203000	R-2	S-W	CARLSON GINGER L
17033143203900	R-2	S-W	ANDERSON LAUREL E
17033143203900	R-2	S-W	MAYERLYE B S 7%
17033143200100	R-2	S-W	CHURCH OF THE NAZARENE
17033143211300	R-2	S-W	TRUST DATED 05/14/1989
17033143207300	R-2	S-W	CHEJURONT TERESA H & DAVID A
170331432068700	R-2	S-W	KEENE LIVING TRUST
17033143214100	R-2	S-W	TRYK MARCELLUS A
17033143214000	R-2	S-W	KRAMER ELIZABETH N
17033143212000	R-2	S-W	TAYLOR SCOTT ALAN
17033143214300	R-2	S-W	VANGEMSE RUFUS II
17033143214400	R-2	S-W	HAGLUND LINDA G & DEBRA M
17033143214500	R-2	S-W	NICHOLS NANCY DEAN
1703314311800	R-2	S-W	CONTE MARIO D
1703314311500	R-2	S-W/WR	CITY OF EUGENE
17033143151500	R-2	WR	FLANDERS JOYANNE TE
17033143109500	R-2	S-W	JAMES TIM
17033143202300	R-2	S-W	GROSS GARY D & ABBIE R
17033143201700	R-2	S-W	SHAPIRO JACK TE
17033143201800	R-2	S-W	VALENTINE JOSEPH R & SHIRLEY C
17033143211500	R-2	S-W	GALLOWAY DIMAH
17033143212400	R-2	S-W	COATES LYNNIE
17033143191000	R-2, (split zone)	S-W/WR	CITY OF EUGENE
17033143208800	R-2	S-W	HIRSCH BONNIE C
17033143208300	R-2	S-W	HAN TEPHUSH KEVIN & EDMA
17033143208400	R-2	S-W	DIANTHA JANE HOLLING TRUST
17033143205600	R-2	S-W	LOCKMAN REID JAM & M F
17033143205400	R-2	S-W	SMITH STEPHEN G & KATHY A
17033143209100	R-2	S-W	DRESCHER MARLENE R
17033143207700	R-2	S-W	ESTHER M TERWILLIGER REVOCABLE TRUST
17033143207600	R-2	S-W	MONTGOMERY FAMILY TRUST
17033143205400	R-2	S-W	MORGAN PATRICK G
17033143206200	R-2	S-W	SNYDER CHARLES R & WHALEY SUZANNE B
17033143201701	R-2	S-W	MCKIBBY SHEILA L
17033143203900	R-2	S-W	SHADE PATRICIA M

S-W Affected Tax Lots - 5

1703313202600	R-2	S-W	THOMAS GINA C
1703313204600	R-2	S-W	MILLER JENNIFER B
1703313205700	R-2	S-W	WIRTH BETH NICOLE WILSON & COURTLAND A
1703313207200	R-2	S-W	PERRIZO MARY A
1703313208400	R-2	S-W	COLE HOWARD P & PATRICIA J
1703313208800	R-2	S-W	WILDE PETER
1703313209800	R-2	S-W	YATES LIVING TRUST
1703313209900	R-2	S-W	WARD KRISTI H & JOHN R
1703313209950	R-2	S-W	MCCOY MARY C
1703313209960	R-2	S-W	THOMAS KIMVA S
1703313210700	R-2	S-W	KIRCHMER KATHRYN L
1703313211100	R-2	S-W	KOLESZAR ILONA E
17033132107800	R-2	S-W	WOLCUM WILLIAM
1703313202000	R-2	S-W	PANKALIA MARK W & ELIZABETH H YLAND
1703313202300	R-2	S-W	ADAMS RICHARD C
1703313211200	R-2	S-W	KOLESZAR ILONA E
1703313204500	R-2	S-W	KLINGFORTH THOMAS J & PAMELA A
1703313203300	R-2	S-W	RHOADS SHIRLEY M TE
1703313203000	R-2	S-W	E F CAL INVESTMENTS
1703313202900	R-2	S-W	THURMAN MADMI
1703313212500	R-2	S-W	KERLEE LYNN D & MARY E ETAL
1703313209500	R-2	S-W	BLACKWELL KEITH R
1703313211600	R-2	S-W	MERDOZZA MARCIA A & MICHAEL T
1703313213000	R-2	S-W	VERDOUW NANCY A
1703313208300	R-2	S-W	PEASE MICHAEL R & SUSAN M 5 0%
1703313208500	R-2	S-W	JEEBA PROPERTIES LLC
1703313208500	R-2	S-W	PERRIZO MARY A
1703313209400	R-2	S-W	JOB ENTERPRISES LLC
1703313207700	R-2	S-W	PAINE JOHN G & SHERRY L
1703313207300	R-2	S-W	ODELL MARILYN SUERZEL
1703313204100	R-2	S-W	CYNTHIA D TURLEY TRUST
1703313202400	R-2	S-W	MATTIACE JAMES J
17033132110100	R-2	S-W	MOJIL LLC
1703313200400	R-2	S-W	CHURCH OF THE NAZARENE
1703313201000	R-2	S-W	COHEN SUSAN F
1703313201800	R-2	S-W	CASAS MARY
1703313202500	R-2	S-W	BRONSON PATRICK G
1703313203400	R-2	S-W	SUSAN ADELLE 1998 REVOCABLE TRUST
1703313201300	R-2	S-W	EUGENE FIRST EVANGELICAL
17033132083500	R-2	S-W	UHLER REBECCA
1703313205701	R-2	S-W	GRICE DENNIS E LYNN E
1703313206500	R-2	S-W	SKINNERS MARY BARBARA TE
1703313206500	R-2	S-W	LE TOURNFAU J LLC
1703313206501	R-2	S-W	BICHERGER-OLSON FAMILY TRUST
1703313205200	R-2	S-W	CATAPARAN TRADING LLC
1703313205200	R-2	S-W	JACKSON SCOTT A P-2
1703313209100	R-2	S-W	JENSEN SANDRA L
1703313202700	R-2	S-W	DICHARA DONALD B
1703313201400	R-2	S-W	ADAIR JOHN W JR & DERRIE S
1703313201300	R-2	S-W	ADAIR JOHN W JR & DERRIE S
1704364201100	R-2	S-W	LAUB JAMES D & SANDRA L HARDER
1704364201200	R-2	S-W	LAUB JAMES D & SANDRA H
1704364201200	R-2	S-W	MURRAY NORMAN E JR & M E
1704364212700	R-2 (split 20%)	S-W	CITY OF EUGENE
1704364212700	R-2	S-W	BELLER AMY
1704364214200	R-2	S-W	KELLEY BRUCE & LYNNIE M ECHNER
1704364214100	R-2	S-W	FORELSON BENJAMIN
1704364214100	R-2	S-W	MITCHELL DOUGLAS S
1704364214100	R-2	S-W	MAYER KENNETH A

1704364212000	R-2	S-W	WHITMAN VINCENT A
1704364212600	R-2	S-W	ROBERTS MARK L
1704364212300	R-2	S-W	PASTERNAK NIELS
1704364211200	R-2	S-W	SHERMAN BETHANY M
1704364211300	R-2	S-W	OR DEPT OF VETERANS AFFAIRS
1704364211300	R-2	S-W	CARROLL PHILLIP G
1704364211300	R-2	S-W	DEMBROW MARK G & MARI E
1704364202200	R-2	S-W	CHEBAS ANGELA
1704364202500	R-2	S-W	PILE BEVERLY L
1704364202900	R-2	S-W	GROSS JORDON X
1704364201700	R-2	S-W	TOBY FINKELSTEIN REVOCABLE TRUST
1704364201800	R-2	S-W	M DIANNE CURRINGHAM TRUST
1704364202800	R-2	S-W	DEMIRZA DEBRAH
1704364202700	R-2	S-W	WARD JONATHAN M & SALLY A
1704364203000	R-2	S-W	STEIN LISA
1704364202900	R-2	S-W	BLACKBURN O KAYLENE
1704364203100	R-2	S-W	CLISON WILLIAM D & JANA L
1704364203200	R-2	S-W	WELCH MICHAEL
1704364202800	R-2	S-W	PETERSON ALAN D
1704364202600	R-2	S-W	SOUTH JOANNE C
1704364202500	R-2	S-W	INMAN STEVEN S
1704364201800	R-2	S-W	MAC NANCY J
1704364201900	R-2	S-W	LATHAM CRAIG
1704364204800	R-2	S-W	POTTEFF JAMES LEE
1704364204401	R-2	S-W	XONASH TIMOTHY & JANEL
1704364204400	R-2	S-W	SIGLOH ROCKEY & RITTA DREIER
1704364204200	R-2	S-W	DREIER RITTA A
1704364204100	R-2	S-W	SCHWALD HENRY G & MARCIA A
1704364203702	R-2	S-W	HARDINGER CHARLES C & MARY E
1704364204001	R-2	S-W	DINWOODIE CHRISTA
1704364203701	R-2	S-W	YOKUM MARGARET R
1704364203800	R-2	S-W	JEFFREY B GIBSON REV LVG TR
1704364203900	R-2	S-W	EASTWOOD JEROME E
1704364203600	R-2	S-W	BRETT MARCIA ANNE
1704364204700	R-2	S-W	CANTOR ELLEN
1704364204800	R-2	S-W	HOWARD PAUL V
1704364204800	R-2	S-W	SHENKIN MORGAN L
1704364205100	R-2	S-W	WINSOOTT MARY CAROLYN
1704364205200	R-2	S-W	HALLEY-DERIEUX SYLVIA A
1704364205400	R-2	S-W	ASHCRAFT RESIDENTIAL TRUST
1704364205500	R-2	S-W	BENNETT WILLIAM B
1704364205500	R-2	S-W	SUPRIANO SUSAN J
1704364205500	R-2	S-W	LEVINE BERNARD ROBERT
1704364205700	R-2	S-W	VANECK-YOUNG VICKI
1704364205800	R-2	S-W	STELLAVATO SANDRA S
1704364206000	R-2	S-W	SALTZ JULIA L
1704364205900	R-2	S-W	COXE SAL M
1704364206100	R-2	S-W	BROTHERS ROBERT PAUL & CARMIE M
1704364206200	R-2	S-W	CROCKETT RANDOLPH TOD & BETSY BODINE
1704364206300	R-2	S-W	TAYLOR MICHAEL D & BROOKE E
1704364206400	R-2	S-W	KALFEMAN ROSALIND
1704364206600	R-2	S-W	BLACKMER TRILLIUM
1704364206700	R-2	S-W	MARY E BRIGGS REVOCABLE LIVING TRUST
1704364207000	R-2	S-W	WARREN JERRY W
1704364206700	R-2	S-W	LOUGHRY KELLY M
1704364206800	R-2	S-W	BRIGGS MARY E
1704364207100	R-2	S-W	MITCHELL DOUGLAS S
1704364207300	R-2	S-W	MAYER KENNETH A

1704361407300	R-2	S-W	NELSON VICTORIA M	
1704361407400	R-2	S-W	FATH BAPTIST CHURCH	
1704361411100	R-2	S-W	FATH BAPTIST CHURCH	
1704361407700	R-2	S-W	THOMPSON CARY D	
1704361407800	R-2	S-W	BANK ROANNE L	
1704361407900	R-2	S-W	COMRACH-NONMA JEANNIE T	
1704361410300	R-2	S-W	GRIFFITH DAVID L & CAROLE H	
1704361410500	R-2	S-W	ERICKSON 1991 FAMILY TRUST	
1704361410600	R-2	S-W	WAGGONER TERENCE C	
1704361410700	R-2	S-W	SKILLERN INVESTMENTS	
1704361410800	R-2	S-W	BARBER JOSEPH W & TAMMI L	
1704361410900	R-2	S-W	LARSON LAUREN LEE	
1704361412000	R-2	S-W	EDDY ROBYN M & MATT HEW P	
1704361409600	R-2	S-W	NUNN SARAH A	
1704361409800	R-2	S-W	THURMOND JAMES C & BARBARA	
1704361409900	R-2	S-W	ANNE E BONINE LIVING TRUST	
1704361410000	R-2	S-W	CHRISTOPHER HECHT LIVING TRUST	
1704361410100	R-2	S-W	SCHER JUDITH L	
1704361413200	R-2	S-W	MORRISON JEFFREY	
1704361413200	R-2	S-W	TURNER PROPERTIES PTTSSHP	
1704361413300	R-2	S-W	BELLER AMY	
1704361413300	R-2	S-W	GORDON CHRISTINE CHALMERS	
1704361412900	R-2	S-W	MENDELL MARK J	
1704361412700	R-2	S-W	FLETCHER FAMILY REVOC TRUST	
1704361402800	R-2	S-W	BLACK DENISE L & SAMUEL G	
1704361413500	R-2	S-W	SKILLERN INVESTMENTS	
1704361413500	R-2	S-W	MCHENRY LAURENS C	
1704361413600	R-2	S-W	OVERTON BENJAMINA	
1704361413700	R-2	S-W	NIDVEY JURETTA L	
1704361413900	R-2	S-W	PECKIN LYNN	
1704361408200	R-2	S-W	KELLY ALAN J	
1704361408300	R-2	S-W	HARRIMAN ALAN R	
1704361409500	R-2	S-W	CAMPBELL C DAVID TE	
1704361409400	R-2	S-W	THOMPSON CARY D	
1704361409500	R-2	S-W	BARWOOD TOBIAS K & JENNIFER D	
1704361409500	R-2	S-W	SCHLEHER ROBERT & DOLORES	
1704361409700	R-2	S-W	BREY HEATHER G & RYAN J	
1704361409500	R-2	S-W	HOSKING JOHN W	
1704361409500	R-2	S-W	WELCH BRADLEY S & MARJORIE R	
1704361409500	R-2	S-W	KAURIAN JEREMY S	
1704361408100	R-2	S-W	MARIS ROBERT	
1704361408700	R-2	S-W	RAINES PATRICIA	
1704361408500	R-2	S-W	SJUNGREN EVANGELINA & GRENZSUND JOSHUA	
1704361408500	R-2	S-W	ZINKNER MARK W & STACEY M	
1704361408400	R-2	S-W	SHENDIN YASMINE T	
1704361408500	R-2	S-W	ZINKNER MARK W & STACEY M	
1704361408200	R-2	S-W	M DIANNE CUNNINGHAM TRUST	
1704361408200	R-2	S-W	TRUST AGREEMENT DATED DECEMBER 3 2004	
1704361413600	R-2	S-W	NIDVEY JURETTA L	
1704361409500	R-2	S-W	CONSTABLE RONALD J	
1704361404600	R-2	S-W	LACTEMAN LAWRENCE P	
1704361400500	R-2	S-W	PIST RIPE PROPERTIES LLC	
1704361400600	R-2	S-W	PAPERHEIM JILL	
1704361410400	R-2	S-W	TURNER PROPERTIES PTTSSHP	
1704361410900	R-2	S-W	SKILLERN INVESTMENTS	
1704361403000	R-2	S-W	WODDS VANESSA	
1704361403000	R-2	S-W	WELAND JACK L	
1704361403400	R-2	S-W	KNAUS ELLEN LLOYD	

S-W Affected Tax Lots - 8

1704361411200	R-2	S-W	TROY RANDALL & MARIA CARTMILL	
1704361411000	R-2	S-W	LYNCH JAMES D & ROBERTA W	
1704361411100	R-2	S-W	KIRKMAN KAREN R	
1704361411300	R-2	S-W	GARDEN HOLDINGS LLC	
1704361411400	R-2	S-W	GOTZMAN ROY A & DARLENE L	
1704361412300	R-2	S-W	CALMINS JAMES K	
1704361412300	R-2	S-W	PARKS GARY C	
1704361401500	R-2	S-W	LAWRENCE DEBRA K	
1704361401400	R-2	S-W	CLUSTER GEORGE W & VIRGINIA S	
1704361401400	R-2	S-W	IVES COLYN H	
1704361401300	R-2	S-W	RUTHERFORD SUSAN L	
1704361400800	R-2	S-W	RIDGELY RAY LEROY & VERNA J	
1704361400700	R-2	S-W	CARROLL JONATHAN	
1704361401200	R-2	S-W	BRUNNER FAMILY REVOCABLE TRUST	
1704361400300	R-2	S-W	CHARLES & LINDA SPRAY TRUST	
1704361401100	R-2	S-W	WOOD TERRI	
1704361403700	R-2	S-W	KAREN BETH OLCK TRUST	
1704361403500	R-2	S-W	WESLEY FRED S & EUPHEMIA A	
1704361403400	R-2	S-W	ROEHL NICHOLAS F	
1704361403400	R-2	S-W	WESSEN ROBERT W	
1704361403400	R-2	S-W	ELMENDORF JASON MATTHEW	
1704361403200	R-2	S-W	FERRIS SARA	
1704361404100	R-2	S-W	ALEXANDER DONALD B	
1704361404000	R-2	S-W	MCDONALD MICHAEL S & ANGELA	
1704361403600	R-2	S-W	DURRETT DIANE L	
1704361404400	R-2	S-W	YONG WEI Y	
1704361405200	R-2	S-W	BRINK LISA K	
1704361405200	R-2	S-W	HASS RUSSELL	
1704361405000	R-2	S-W	HUFF DANIELE	
1704361405100	R-2	S-W	SOLUJA JEFF A	
1704361409900	R-2	S-W	GOLDBER DANA KATHRYN	
1704361409800	R-2	S-W	SWAGGART VERA J	
1704361409900	R-2	S-W	TRACY ELIZABETH F	
1704361404000	R-2	S-W	FRICKMAN IRENE M	
1704361404800	R-2	S-W	HOPPE LIVING TRUST	
1704361404900	R-2	S-W	12TH & WASHINGTON LLC	
1704361402800	R-2	S-W	LARSON LAURENE L	
1704361409100	R-2	S-W	MEYER FAMILY TRUST	
1704361409100	R-2	S-W	CONLIN THOMAS ENZELEY & CHARLOTTE B	
1704361409200	R-2	S-W	PICKERING RICHARD C	
1704361409000	R-2	S-W	ITZKOWITZ SANDRA L	
1704361409300	R-2	S-W	HASS KENDRA SUE	
1704361402700	R-2	S-W	SHRADER VESTALEE B & JOSHUA W	
1704361402600	R-2	S-W	HAASE ROBERT W	
1704361402500	R-2	S-W	BOYRN ELIZABETH A	
1704361402400	R-2	S-W	REBECCA S POLBROOK REVOCABLE TRUST	
1704361402200	R-2	S-W	WAGNER RAY B & EDNA M	
1704361401800	R-2	S-W	PAZ DIANNA	
1704361401900	R-2	S-W	ENGLES ANITA EDWARDS	
1704361402100	R-2	S-W	RIMDIF GREGORY SCOTT	
1704361402200	R-2	S-W	STAIRS DAVID C	
1704361402300	R-2	S-W	KOSTECKHA CALERI J & CODIE A	
1704361402200	R-2	S-W	FERRY DELIA S	
1704361408600	R-2	S-W	WESLEY FRED S & EUPHEMIA A	
1704361408700	R-2	S-W	GRAHAM DANIEL RICHARD & KATHLEEN MORRISON-GRAHAM	
1704361408800	R-2	S-W	CADARET ALISON T & DAVID P	
1704361408900	R-2	S-W	SHERMAN WILLIAM B	
1704361409000	R-2	S-W	ASHWILL BEVERLY JOAN	

S-W Affected Tax Lots - 9

1704364109100	R-2	S-W	BERG DON A
1704364109200	R-2	S-W	NESBIT THOMAS
1704364109300	R-2	S-W	BEAUCHAMP MARK S & MARY ANN
1704364109401	R-2	S-W	LOOMIS CAMERON R
1704364109402	R-2	S-W	HARMENING CHRISTOPHER D
1704364109500	R-2	S-W	HUTCHINSON LLOYD R & V A
1704364109600	R-2	S-W	CAULLEY LESLYE & JAMES M
1704364109700	R-2	S-W	POUSER INVESTMENTS 3 LLC
1704364109800	R-2	S-W	MCKERROW MICHAEL J & JULIE A
1704364109900	R-2	S-W	MILLAWAY ORION L & MAY
1704364110000	R-2	S-W	MULSHAW NANCY E
1704364108223	R-2	S-W	MOLONEY KATE D
1704364108200	R-2	S-W	BROWN JOANN VOISS
1704364107900	R-2	S-W	WRIGHT DAVID E
1704364108000	R-2	S-W	NUSSBAUM DEAN L & BONITA K
1704364107800	R-2	S-W	ALBRICH LISA REVE
1704364108300	R-2	S-W	ERIEGER R E
1704364107700	R-2	S-W	WHITMAN ROBERT
1704364107100	R-2	S-W	HEIDENREICH BRUCE A & LINDA A
1704364106900	R-2	S-W	ADAMS JOHN R & MASAE KIUCHI
1704364106800	R-2	S-W	MOSELEY BEN
1704364108400	R-2	S-W	HALES FRANK E
1704364108500	R-2	S-W	BARNETT SUSAN M
1704364107600	R-2	S-W	FANJUL MICHAEL H
1704364107300	R-2	S-W	NEWMAN DAVID R & CHRISTINA G
1704364107300	R-2	S-W	KITCHIN ROBESON
1704364105400	R-2	S-W	CARLIER DAVID GASTON
1704364105500	R-2	S-W	MARSHALL PATRICIA A
1704364105700	R-2	S-W	GREENE KARIM
1704364106200	R-2	S-W	WILLIAM A & JOYCE A TEMPLE LIVING TRUST
1704364106300	R-2	S-W	ASSN OF SEVEN DAY ADVENTIST
1704364105800	R-2	S-W	GANSEN CHRISTINE H
1704364106000	R-2	S-W	COREY NANCY L MORRIS
1704364106300	R-2	S-W	WESTERN OR CONF ASSOC
1704364106400	R-2	S-W	STARK DARBY G
1704364106500	R-2	S-W	BARLEY ALEECE PAY
1704364106700	R-2	S-W	RUTH KOENIG REVOCABLE LIVING TRUST
1704364105600	R-2	S-W	ASSN OF SEVEN DAY ADVENTIST
1704364105600	R-2	S-W	BOWIE ROBERT WARD
1704364100700	R-2	S-W	IANTORNO JOSEPH & MICHELLE
1704364100701	R-2	S-W	TRUE NORTH INVESTMENTS LLC
1704364100600	R-2	S-W	SMITH JUNE M
1704364106600	R-2	S-W	THURESSON CHASS NEIL & ROSETTA F
1704364107500	R-2	S-W	MCWHORTER DIANE
1703314380000	R-2	S-W	BROLL WILLIAM F & ET
1703314307200	R-2	S-W	THE 4 AT LINCOLN LLC
1703314307300	R-2	S-W	IVERSON SHELLEY
1703314307100	R-2	S-W	GLIDEWELL GAYLENE
1703313205500	R-2	S-W	MACDONALD JOAN SIBYL
1703312310500	R-2	S-W	GRAN ERIC R
1703312311000	R-2	S-W	SPINNER CHARLES S
1703312311000	R-2	S-W	LANE COUNTY
1703312309101	R-2	S-W	THOMAS KIMYA S
1703314380001	R-2	S-W	CORBIN DANA G
1703314380002	R-2	S-W	LONDARIL KRIS
1703312409900	R-2 (split zone)	S-W	SHEPARD APARTMENTS INC

\* only R-2 zoned portion of split-zoned lots will be rezoned.



**Planning & Development**  
Community Development Division

City of Eugene  
99 West 10th Avenue  
Eugene, Oregon 97401

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PLAN AMENDMENT SPECIALIST  
DEPT. OF LAND CONSERVATION &  
DEVELOPMENT  
635 CAPITOL ST. NE SUITE 150  
SALEM, OR 97301-2540

FIRST CLASS



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