



Minor Code Amendment Project

Background: The minor code amendment project is intended to primarily address minor code amendments raised by community members. The table below provides a summary of the proposed amendments suggested by community members, which have been selected by the Planning Commission and City Council to move forward to the formal amendment process.

The summary table includes a descriptive title of each amendment topic, the purpose or intended effect of the amendment, and proposed code language, which includes conceptual code language or approaches selected by the Planning Commission. An ordinance is currently being prepared which will include more refined code language for further consideration. Double underline text is proposed for addition and ~~strike through~~ text is proposed for deletion.

The summary of amendments is arranged topically, as follows:

Development Standards

1. Allowances for Dogs/Definition of Kennel
2. Fence Heights for Corner/Double Frontage Lots in Residential Zones
3. Residential Density Calculations
4. Building Height Measurement in Residential Zones
5. Building Height Transitions within South University Neighborhood Association
6. Multi-Family Development Open Space Credit for Nearby Parks
7. Required Parking for Multi-Family Developments in West University and South University Neighborhood Associations
8. Stormwater Destination: Prioritize On-Site Infiltration and Restrict Fill and Disturbance of Drainage Ways

Lot Configuration

9. Flag Lots Definition and Development Standards
10. Lot Width/Lot Frontage Standards in Residential Zones
11. Add Definition of Alley Access Only Lot/Parcel and Clarify Prohibition
12. Exclude Area within Private Streets from Residential Lot Areas
13. Duplex and Triplex Lots on Subdivision Plats

Process

14. Provide for Early Neighbor and Neighborhood Input into Development Process
15. Final Subdivision and Partition Plats to follow Type I Process
16. Eliminate Site Review Requirements when Planned Unit Development Approval Required

Policy Direction

17. Add Definition of Residential Character
18. Growth Management Policies

Next Steps: A public hearing before the Planning Commission is scheduled for May 21, 2008. The Planning Commission will deliberate and vote on a recommendation to the City Council on June 9, 2008, followed by a City Council public hearing in July and action in August.

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Summary of Proposed Minor Code Amendments

1. Allowances for Dogs in Residential & Commercial Zones/Definition of Kennel	
Purpose:	The Eugene Code currently considers the keeping of three or more dogs to constitute a kennel. Kennels are not allowed in residential or commercial zones, essentially limiting pet owners in these zones to no more than two adult dogs. This amendment would allow the keeping of up to three dogs on residential and commercial properties.
Proposed Code Language:	<p>a) Amend the definition at EC 9.0500 and EC 4.330 of “Kennel” and “Noncommercial dog kennel” to keeping four or more dogs on the premises, thereby allowing up to three dogs on residential and commercial properties.</p> <p style="padding-left: 40px;"><i>Kennel. An establishment or premises on which 3<u>4</u> or more dogs over 6 months of age are kept or maintained, whether by owners of the dogs or by persons providing facilities and care, and whether or not for compensation.</i></p> <p style="padding-left: 40px;"><i>Noncommercial dog kennel. An establishment or premises where three<u>four</u> or more dogs, over six months of age, are kept or maintained. No more than two of the dogs shall be used for breeding. The term does not include any animal hospital.</i></p> <p>b) Amend the definition to clarify what the term “premises” refers to. Provide an exception for secondary dwelling units, limiting maximum dogs to three per the lot containing a main dwelling and the secondary dwelling unit to limit impacts on adjacent neighbors.</p>
2. Fence Heights for Corner/Double Frontage Lots in Residential Zones	
Purpose:	The Eugene Code treats all private property abutting a street as a front yard setback. In residential zones, for corner lots and other lots with more than one street frontage, fence heights are limited 42-inch (3 ½ feet) in height within the 10 foot front yards setback along both street facing frontages. This amendment would allow fences up to 6-feet tall within one of the two front yard setbacks.
Proposed Code Language:	Amend code to include an exception for fence heights in EC 9.2751 to allow fences up to 6-feet tall within one of the two front yard setbacks of a residential corner lot or double-frontage lot. For corner lots, the fence up to 6-feet tall on the one side cannot exceed a line created by an extension of the back wall of the dwelling.
3. Residential Density Calculations	
Purpose:	For calculating maximum net density in the residential zones, the Eugene Code provides an allowance to round up to the next whole number. For instance, for a 5,000 square foot lot in the R-2 Medium Density Residential zone, the maximum net density calculates to 3.2 dwelling units (based on the maximum net density of 28 dwelling units per acre allowed per code). Under the current provisions, the maximum density is rounded up to allow for 4 units (which equates to a density of 34.8 dwelling units per acre).

	<p>This amendment would retain the round up provision for lots or development sites 13,500 square feet or greater in area. For lots or development sites less than 13,500 square feet in area, maximum density would be rounded up to the next whole number for fractions of .75 or above and round down for fractions below .75.</p>
<p>Proposed Code Language:</p>	<p>a) Amend the standards for calculating residential density at EC 9.2751(1) as follows:</p> <p><i>(c) For purposes of calculating net density, the acreage of land considered part of the residential use shall exclude public property, including streets, parks, and other public facilities. In calculating the minimum net density required for a specific lot or development site, the planning director shall round down to the previous whole number. <u>In calculating the maximum net density allowed for a specific lot or development site less than 13,500 square feet in area, the planning director shall round up to the next whole number for fractions of .75 or above and round down for fractions below .75.</u> In calculating the maximum net density allowed for a specific lot or development site <u>13,500 square feet or greater in area</u>, the planning director shall round up to the next whole number. At the request of the developer, the acreage also may exclude natural or historic resources. For purposes of this section, natural resources include those designated for protection in an adopted plan and the area within natural resources protection or conservation setbacks that have been applied to the development site. For purposes of this section, historic resources include historic property and resources identified in an official local inventory as “primary” or “secondary.” It may also include additional natural or historic resources upon approval of the planning director.</i></p>
<p>4. Building Height Measurement in Residential Zones</p>	
<p>Purpose:</p>	<p>The height of buildings in residential zones is currently measured at the mid-point of the eaves, so as to not to discourage or penalize those building designs with steeper pitched roofs, which are often associated with traditional styles (e.g., tudor). However, by using the average height of the eaves, the actual height of the building can be taller than otherwise allowed by the Code.</p> <p>This amendment would require that building height be measured from the highest point of the roof for buildings in residential zones. Maximum building height standards would remain the same (30 feet in R-1, 35 feet for R-1.5 and R-2, 50 feet in R-3 and 120 feet in R-4). Because of the differences in measurements between the average height and the highest point, this amendment allows for an increase in height for steeper pitched roofs, thereby not significantly reducing allowable building heights in the residential zones.</p>
<p>Proposed Code Language:</p>	<p>(a) Amend the definition of “building height” at EC 9.0500 as follows:</p> <p><i>Building Height.</i> <i>The vertical distance above a reference datum measured to the highest point of the coping of a flat roof, to the deck line of a mansard roof, or to the average height of the gables of a pitched or hipped roof. <u>For the purposes of residential zones, building height shall be the vertical distance above a reference datum measured to the highest point of the roof.</u> The maximum height of a stepped or terraced building is the maximum height of all segments of that building. The reference datum shall be whichever of the following two measurements results in the greater building height:</i></p> <p><i>(A) The reference datum is the lowest grade when the highest ground surface within a five-foot horizontal distance of the exterior wall of the building is not more than 10 feet above the lowest grade.</i></p> <p><i>(B) The reference datum is 10 feet higher than the lowest grade when the highest ground surface described in item (A) above is 10 feet or more above the lowest grade.</i></p>

	<p>(b) Amend EC 9.2751, Special Development Standards for Table 9.2750:</p> <p><i>(3) <u>An additional 5 feet of roof height is allowed for roof slopes of 6:12 or steeper in the R-1, R-2 and R-3 zones.</u> 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 the alley from, land zoned R-1.</i></p>
<p>5. Building Height Transitions within South University Neighborhood Association</p>	
<p>Purpose:</p>	<p>This amendment was proposed by City Council as a means to address concerns of excessive building heights in R-3 Limited High Density and R-4 High Density Residential zones that are proximal to R-1 Low Density Residential zones, and to reflect a height transition into the R-1 Low Density Residential zoned areas. Current maximum allowable building heights are 30 feet in R-1, 50 feet in R-3 and 120 feet in R-4.</p> <p>As drafted, this amendment would only apply to the R-3 and R-4 zoned land just south of the University of Oregon, and would result in a building height transition into the R-1 zone in this area by restricting building heights in the R-4 zone to 50 feet for any portion of a building located within 175 feet of land zoned R-3, and to 75 feet for any portion of a building within 176 feet and 225 feet of land zoned R-3.</p>
<p>Proposed Code Language:</p>	<p>Amend EC 9.2751(3) by adding the following:</p> <p><i>For that area bound by Hilyard Street to the west, Agate Street to the east, E. 18th Avenue to the north and E. 20th Avenue to the south: In the R-3 zone, the maximum building height shall be limited to 35 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. In the R-4 zone, the maximum building height shall be limited to 35 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. It shall be limited to 50 feet for that portion of the building located within 175 feet from land zoned R-3, and shall be limited to 75 feet for that portion of the building located within 176 feet and 225 feet of land zoned R-3.</i></p>
<p>6. Multi-Family Development Open Space Credit for Nearby Parks</p>	
<p>Purpose:</p>	<p>The multi-family development standards prescribe minimum open space requirements for developments and include a credit for developments that are located within one-quarter mile of a public park. Currently this distance is measured from the development site directly to the park in a straight line. This amendment would clarify that this distance is measured along the route of the shortest established public accessway.</p>
<p>Proposed Code Language:</p>	<p>Amend the Multi-Family Development standards at EC 9.5500(9)(c) to clarify how the distance is measured using terminology that is defined in the Code:</p> <p><i>EC 9.5500(9)(c) Open Space Credit</i></p> <p><i>1. An open space credit not to exceed 25 percent of the total open space requirement, may be applied toward compliance with that requirement, for developments that are located within one-quarter mile of a public park <u>as measured along the route of the shortest established public accessway.</u></i></p> <p>A “public accessway” is defined in EC 9.0500 as “A publicly owned or controlled interconnecting paved way that provides pedestrian and/or bicycle passage.”</p>

7. Required Parking for Multi-Family Developments in West University and South University Neighborhood Associations

Purpose: This amendment was proposed by City Council as a means to address concerns of excessive demand for on-street parking by multi-family development in R-3 and R-4 zones with a substantial number of dwelling units that have three or more bedrooms. A similar amendment was suggested by community members.

This amendment would increase the required parking ratio for multi-family developments in the R-3 Limited High Density Residential and R-4 High Density Residential zones that are south and west of the University of Oregon, and within the boundaries of the West University Neighborhood Association and the South University Neighborhood Association. The new standard would require one parking space for the first bedroom and an additional .5 parking spaces per each additional bedroom. Currently, one space is required for each dwelling unit or apartment, regardless of the number of bedrooms.

Proposed Code Language: Amend Table 9.6410 to increase parking for all multi-family developments in the R-3 Limited High Density Residential and R-4 High Density Residential zones within the boundaries of the City recognized West University Neighborhood Association and the South University Neighborhood Association. Fractions of .50 are rounded up to the next whole number.

Minimum Parking Required

Multifamily	1 space per studio or 1-bedroom unit 1.5 spaces/unit per 2-bedroom unit 2 spaces/unit per 3-bedroom unit*
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*.5 spaces required for each additional bedroom beyond 3 bedrooms.

8. Stormwater Destination: Prioritize On-Site Infiltration and Restrict Fill and Disturbance of Drainage Ways

Purpose: The stormwater provisions of the Eugene Code do not require or encourage selection of a particular stormwater destination, instead allow a developer to choose any existing destination that has the capacity. This amendment would indicate a preference for on-site filtration for development in the River Road-Santa Clara Basin. This amendment would also add code language to restrict fill of drainage ways under the same conditions as listed in the Stormwater Management Manual.

Proposed Code Language:

a) Amend EC 9.6791 Stormwater Destination standards to insert the following language in subsection (3):

EC 9.6791 Stormwater Destination
3. Standards Stormwater drainage facilities shall be designed and constructed according to adopted plans and policies and in accordance with standards in EC Chapters 6 and 7, and the stormwater destination provisions and the facility design requirements set forth in the Stormwater Management Manual. On-site infiltration shall be the preferred stormwater destination for development in the River Road-Santa Clara Basin.

b) Add a provision to the land use code to restrict fill of drainage ways under the same conditions as listed in the Section 1.7.2 of the Stormwater Management Manual. Add code provisions to restrict disturbance or fill of drainage ways regardless of whether

the fill is done as part of a development.

9. Flag Lots Definition and Development Standards

Purpose: This amendment would provide a new definition of a flag lot and require that the existing R-1 Low Density Residential flag lot development standards apply to new flag lots in R-2, R-3 and R-4 zones. Currently the code is unclear on flag lot standards for the R-2, R-3 and R-4 zones.

Proposed Code Language:

a) Replace definition at EC 9.0500 as follows:
***Flag Lot:** A lot with less frontage on a public street than is generally required by this land use code and where that frontage serves primarily as a vehicular access corridor. The “flag pole” of a flag lot is the access corridor to the “flag portion” of the lot. The “flag portion” of the flag lot is located behind a lot that has the generally required street frontage.*

A lot located behind another lot except for a narrow portion extending to the public street which is suitable for vehicular, bicycle and pedestrian access. The “flag pole” of a flag lot is the access corridor to the buildable “flag portion” of the lot.

b) Amend EC 9.2775 Residential Flag Lot Standards for R-1 by requiring that these development standards apply in all residential zones (except R-1.5 Rowhouse):
EC 9.2775 Residential Flag Lot Standards for R-1, R-2, R-3 and R-4

10. Lot Width and Lot Frontage Standards

Purpose: This amendment would revert the lot width and lot frontage minimums for lots in the R-2 Medium Density Residential, R-3 Limited High Density Residential and R-4 High Density Residential zones to those in effect prior to the land use code update of 2001 (35 feet). Lesser widths would be allowed, down to 20 feet, subject to an approved site review plan, planned unit development, or cluster subdivision.

Proposed Code Language: a) Amend Minimum Lot Width and Lot Frontage standards in Table 9.2760 and add a new subsection to EC 9.2761 as follows:

Width Minimum (1)	R-2	R-3	R-4
Interior Lot (7)	20-35 feet (9)	20-35 feet (9)	20-35 feet (9)
Corner Lot	20-35 feet (9)	20-35 feet (9)	20-35 feet (9)
Curved Lot	20-35 feet (9)	20-35 feet (9)	20-35 feet (9)
Cul-de-sac Bulb Lot	20 feet	20 feet	20 feet
Residential Flag Lot (4)	—	--	
Rowhouse Lot	15 feet	15 feet	15 feet

Frontage Minimum (1)	R-2	R-3	R-4
Interior Lot	20-35 feet (9)	20-35 feet (9)	20-35 feet (9)
Corner Lot	20-35 feet (9)	20-35 feet (9)	20-35 feet (9)
Curved Lot	20-35 feet (9)	20-35 feet (9)	20-35 feet (9)
Cul-de-sac Bulb Lot	20 feet	20 feet	20 feet

Residential Flag Lot (4)			
1 Lot	15 feet	15 feet	15 feet
2 to 4 Lots	25 feet	25 feet	25 feet
Rowhouse Lot	15 feet	15 feet	15 feet

EC 9.2761 Special Standards for Table 9.2760

(9) Minimum lot width and frontage can be reduced to 20 feet subject to an approved site review plan, planned unit development, or cluster subdivision. Unless otherwise approved through a planned unit development or cluster subdivision, at no point, for the entire extent of the lot, shall the side lot lines be less than 20 feet apart.

b) Amend code references from *frontage* to *lot frontage* where the term is used with the meaning defined in EC 9.0500 such as in EC Table 9.2760.

11. Add Definition of Alley Access Only Lot/Parcel and Clarify Prohibition

Purpose: This amendment adds a definition for “alley access only lot/parcel” to define a lot without street access, clarifies that the creation of alley access only lots/parcels is generally prohibited in residential zones, and modifies the multi-family standards to allow direct street access if an abutting alley is below minimum width standards for two-way access. The intent of this amendment is to address the City Council’s previous direction to eliminate alley access lots/parcels.

Proposed Code Language:

a) Retain current definition of “Alley Access Lot/Parcel” and add definition of “Alley Access Only Lot/Parcel” at Eugene Code (EC) 9.0500:

Alley Access Only Lot/Parcel. A lot/parcel whose only legal and practicable vehicle access to the portion of the lot on which dwelling(s) or other main building(s) will be located is from the alley.

b) Amend EC 9.2761 Special Standards for Table 9.2760 by adding the following standard to prohibit the outright creation of alley access only lots/parcels in residential zones:

(9) Alley access only lots/parcels can be created only through an approved cluster subdivision in the R-1 zone or an approved Planned Unit Development in any zone.

c) Amend the multiple-family standards at EC 9.5500(11)(c) to allow development sites to take direct access to a street, if the abutting alley is less than the minimum width required (20 feet) to serve as primary access.

Alley Access. Development sites with alley access, either at the rear yard or along the side yard, shall use the alley to provide access to the development site if the alley right-of-way width is sufficient to provide primary access for two-way travel, consistent with Table 9.6870. In these instances, no direct access to the street, other than by the alley, shall be permitted. (See Figure 9.5500(11)(b) Multiple-Family Driveways.)

12. Exclude Area within Private Streets from Residential Lot Areas

Purpose: This amendment would clarify that the portion of a lot that includes private and

	public streets is not calculated in the square footage of a lot in residential partitions or subdivisions, and clarify that when calculating density, the area within public and private streets is excluded.
Proposed Code Language:	Amend language in Table EC 9.2760 to clarify that residential lot area does not include the areas within public and private streets and amend EC 9.2751(1)(c) to clarify that when calculating density, the area within a private street is excluded. <i>EC 9.2751 Special Development Standards for Table 9.2750.</i> <i>(c) For purposes of calculating net density, the acreage of land considered part of the residential use shall exclude public property, including <u>and private streets</u>, <u>public parks</u>, and other public facilities.</i>
13. Duplex and Triplex Lots on R-1 Subdivision Plats	
Purpose:	The Eugene Code requires designated duplex and triplex lots to be shown on R-1 Low Density Residential plats and requires that such lots be developed accordingly. This amendment clarifies that duplex and triplex lots can only be created in subdivision plats, not partitions, and clarifies that the designation entitles an owner to develop as duplex or triplex rather than mandates it. (i.e. a single family residence is possible).
Proposed Code Language:	a) Amend language in Table 9.2760 consistent with duplex provisions in EC 9.2741(4) regarding subdivision plats and clarify that designation entitles owner to develop as duplex rather than mandates it. <i>EC Table 9.2760: Duplex Lots (In R-1, <u>a duplex lots</u> shall be indicated on the final <u>subdivision plat</u> and shall be developed as developable as a duplex. <u>Such lots may not be created by a partition</u>. <u>Alternatively, a duplex lot</u> or <u>may be located on a corner lots that contains</u> at least 8,000 square feet.)</i> <i>EC 9.2741(4) Duplex. When located in R-1, a duplex shall conform to 1 of the following standards:</i> <i>(a) The duplex was legally established on August 1, 2001.</i> <i>(b) The duplex is on a corner lot abutting public streets as provided in EC 9.2760 Residential Zone Lot Standards <u>which is at least 8,000 square feet in size</u>.</i> <i>(c) The duplex is on a lot that was identified as a duplex lot in a subdivision.</i> b) Amend language in Table EC 9.2760 to clarify that triplex lots shall be indicated on final subdivision plats, and clarify that designation entitles owner to develop as triplex rather than mandates it. <i>EC Table 9.2760: Triplex Lots (In R-1, lots shall be indicated on the final <u>subdivision plat</u> <u>as developable</u> and shall be developed as a triplex. <u>Such lots may not be created by a partition</u>.)</i>
14. Provide for Early Neighbor and Neighborhood Input into Development Process	
Purpose:	This amendment would provide affected neighborhood associations and neighbors an opportunity for early input on significant development proposals, allowing neighbors to raise concerns and issues early in the design process, as opposed to after an application has been submitted.

	<p>This amendment would require a developer to a host meeting for surrounding property owners and residents and neighborhood association, prior to the submittal of a significant development proposal (tentative subdivisions and cluster subdivisions over 10 lots or those which include public street improvements, conditional use permits, tentative planned unit developments, refinement plan amendments and metro plan amendments). The purpose of this meeting is to provide a means for the applicant and neighbors to meet to review a development proposal and to share information and concerns regarding the project.</p> <p>This amendment is in alignment with the City Council’s Neighborhood Empowerment Initiative. Specifically, Action Item #11 of the Neighborhood Initiative Action Plan is to “shift involvement of neighborhood associations to be earlier in the land use process.”</p>
<p>Proposed Code Language:</p>	<p>Amend the code to add the following:</p> <p><u>Neighborhood/ Developer Meetings</u></p> <p><u>(1) This section applies to the following types of Land Use applications:</u></p> <ul style="list-style-type: none"> <u>a. Type II: Only tentative subdivisions and cluster subdivisions over 10 lots or those which include public street improvements;</u> <u>b. Type III: Only Conditional Use Permits and tentative PUDs;</u> <u>c. All Type IV applications</u> <u>d. Metro Plan Amendments</u> <p><u>(2) Prior to the submittal of an application listed in EC 9.XXXX, the developer shall host a meeting for the surrounding property owners. The purpose of this meeting is to provide a means for the applicant and surrounding property owners and residents to meet to review a development proposal and identify issues regarding the proposal. The meeting is intended to allow the developer and neighbors to share information regarding the project.</u></p> <p><u>The applicant may consider whether to incorporate solutions to these issues prior to application submittal.</u></p> <p><u>(3) The Neighborhood/ Developer Meeting shall be held on a weekday evening, starting no earlier than 5:00 pm and starting no later than 7:00p.m. or weekend no earlier than 10:00 a.m. and no later than 6:00 p.m., at a location within the City of Eugene that is in or as close as practicable to the boundaries of the neighborhood association in which the development is proposed.</u></p> <p><u>(4) If the subject property is located within the boundaries of a recognized neighborhood association, the applicant must contact the neighborhood association for the area in which the development is proposed, by registered or certified mail, proposing three possible dates and times for the meeting. The neighborhood association should reply to the applicant within 14 days and specify on which of the proposed three suggested dates the meeting should be held. If the neighborhood association does not reply to the applicant’s letter within 14 days, the applicant may schedule their neighborhood meeting on any one of the three proposed dates without further delay.</u></p> <p><u>(5) The applicant shall mail notice of the meeting:</u></p> <ul style="list-style-type: none"> <u>(a) at least 14 days and no more than 28 days prior to the meeting;</u> <u>(b) to owners and occupants of properties within 300 feet of the subject property for Type II and IV applications and to owners and occupants within 500 feet of the property for Type III application;</u> <u>(c) to any City-recognized Neighborhood Associations under Section XXX whose</u>

	<p><u>boundaries are within 300 feet of the subject property, and to the Planning Director and City Engineer of Eugene; and</u></p> <p><u>(d) that states the date, time and location of the meeting and briefly discusses the nature and location of the proposal.</u></p> <p><u>(6) Failure of a property owner or occupant to receive notice shall not invalidate the Neighborhood/ Developer Meeting proceedings.</u></p> <p><u>(7) The applicant shall post notice of the meeting by posting a waterproof sign on the subject property at least 14 days before the meeting. This sign shall be supplied by the applicant.</u></p> <p><u>(8) The applicant shall prepare meeting notes identifying the major points that were discussed and expressed, and submit a copy of a sign in sheet identifying the persons attending.</u></p> <p><u>(9) The applicant is required to hold one meeting prior to submitting an application for a specific site, but may hold additional meetings if desired.</u></p> <p><u>(10) If an applicant fails to hold a neighborhood meeting, the application shall be deemed incomplete.</u></p> <p><u>(11) The application shall include the following materials related to the Neighborhood/ Developer meeting:</u></p> <ul style="list-style-type: none"> <u>(a) the mailing list for the notice;</u> <u>(b) a copy of the notice;</u> <u>(c) an affidavit of the mailing and posting;</u> <u>(d) the original sign-in sheet of participants;</u> <u>(e) the meeting notes described in Section XXX.</u> <p><u>(12) Applications shall be submitted to the City within 180 days of the Neighborhood/ Developer meeting. If an application is not submitted in this time frame, the Developer shall be required to hold a new Neighborhood/ Developer meeting.</u></p>
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15. Final Subdivision and Partition Plats to follow Type I Process

<p>Purpose:</p>	<p>Currently, final subdivision and partition plats are processed according to the Type II application procedures in response to previous case law. This amendment would require final subdivision and partition plats to follow the Type I Application Procedures, consistent with changes made to state law in 2004.</p>
<p>Proposed Code Language:</p>	<p>Amend EC Table 9.7055 Applications and Review Authority, EC Table 9.7105 Type I Application Requirements and Criteria Reference, EC Table 9.7205 Type II Application Requirements and Criteria, EC Table 9.7230 Expiration of Type II Application Approvals, and EC 9.8555 Applicability of Subdivision, Final Plat Applications to reflect that final subdivision and partition plats are to follow the Type I Application Procedures.</p>

16. Eliminate Site Review Requirements when Planned Unit Development approval required

<p>Purpose:</p>	<p>Eugene Code requires site review approval for certain uses or for projects on sites with the /SR Site Review overlay zone. When a planned unit development is also required by the code, or proposed by an applicant, an applicant is required to submit both site review and planned unit development applications. Given that a planned unit development involves more than a site review, this amendment would eliminate</p>
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	the redundant requirement for an approved site review for projects that have an approved planned unit development.
Proposed Code Language:	<p>a) Amend all code sections pertaining to land use and permit requirements, such as EC 9.2160, to eliminate requirement for an approved site review plan for projects that have an approved final planned unit development. Code text would read: <i>“(SR) Permitted, subject to an approved site review plan or an approved final planned unit development.”</i></p> <p>b) Amend site review applicability provisions at EC 9.8430 to reflect the elimination of site review approval in cases where the development is being reviewed through the planned unit development process.</p> <p>c) Amend tentative planned unit development approval criteria at EC 9.8320 to require compliance with “any additional specific factors applied at the time /SR designation was applied” for those properties with /SR overlay zoning.</p>
17. Add Definition of Residential Character	
Purpose:	This amendment to add a definition of “residential character” was proposed by City Council as a means to mitigate impacts from incompatible infill. This definition would only be invoked during a land use application process where the applicable approval criteria require consistency with adopted plan policies and where these policies contain the term “residential character” and during review of a mobile home sales office.
Proposed Code Language:	Add the following definition at EC 9.0500: <u><i>Residential Character. A combination of qualities and features that gives identity to a particular area where the predominant use is housing and that distinguishes the area from other areas.</i></u>
18. Growth Management Policies	
Purpose:	The City Council directed that the Growth Management Policies be incorporated into the purpose section of Chapter 9 to serve as policy direction. Per the adopting resolution of these policies (Resolution No. 4554), these policies shall not be used in determining whether the City shall approve or deny individual land use applications.
Proposed Code Language:	<p>Add the Growth Management Policies to the purpose section of the Eugene Code (EC 9.0200).</p> <p><u><i>Policy 1 Support the existing Eugene Urban Growth Boundary by taking actions to increase density and use existing vacant land and under-used land within the boundary more efficiently.</i></u></p> <p><u><i>Policy 2 Encourage in-fill, mixed-use, redevelopment, and higher density development.</i></u></p> <p><u><i>Policy 3 Encourage a mix of businesses and residential uses downtown using incentives and zoning.</i></u></p> <p><u><i>Policy 4 Improve the appearance of buildings and landscapes.</i></u></p> <p><u><i>Policy 5 Work cooperatively with Metro area partners (Springfield and Lane County) and</i></u></p>

	<u>other nearby cities to avoid urban sprawl and preserve the rural character in areas outside the urban growth boundaries.</u>
<u>Policy 6</u>	<u>Increase density of new housing development while maintaining the character and livability of individual neighborhoods.</u>
<u>Policy 7</u>	<u>Provide for a greater variety of housing types.</u>
<u>Policy 8</u>	<u>Promote construction of affordable housing.</u>
<u>Policy 9</u>	<u>Mitigate the impacts of new and/or higher density housing, in-fill, and redevelopment on neighborhoods through design standards, open space and housing maintenance programs, and continuing historic preservation and neighborhood planning programs.</u>
<u>Policy 10</u>	<u>Encourage the creation of transportation-efficient land use patterns and implementation of nodal development concepts.</u>
<u>Policy 11</u>	<u>Increase the use of alternative modes of transportation by improving the capacity, design, safety, and convenience of the transit, bicycle, and pedestrian transportation systems.</u>
<u>Policy 12</u>	<u>Encourage alternatives to the use of single-occupant vehicles through demand management techniques.</u>
<u>Policy 13</u>	<u>Focus future street improvements on relieving pressure on the City's most congested roadways and intersections to maintain an acceptable level of mobility for all modes of transportation.</u>
<u>Policy 14</u>	<u>Development shall be required to pay the full cost of extending infrastructure and services, except that the City will examine ways to subsidize the costs of providing infrastructure or offer other incentives that support higher-density, in-fill, mixed-use, and redevelopment.</u>
<u>Policy 15</u>	<u>Target publicly-financed infrastructure extensions to support development for higher densities, in-fill, mixed uses, and nodal development.</u>
<u>Policy 16</u>	<u>Focus efforts to diversify the local economy and provide family-wage jobs principally by supporting local, and environmentally-sensitive businesses. Direct available financial and regulatory incentives to support these efforts.</u>
<u>Policy 17</u>	<u>Protect and improve air and water quality and protect natural areas of good habitat value through a variety of means such as better enforcement of existing regulations, new or revised regulations, or other practices.</u>
<u>Policy 18</u>	<u>Increase the amount and variety of parks and open spaces.</u>
<u>Policy 19</u>	<u>Expand City efforts to achieve community-based policing.</u>