

CODE EVALUATION MEMO

CITY OF EUGENE | RIVER ROAD CORRIDOR IMPLEMENTATION PLAN

April 24, 2019

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(1) Introduction/Purpose

This memorandum provides a summary, preliminary evaluation and analysis of the existing codes and regulations in the City of Eugene and the River Road Corridor Implementation Plan Study Area (Study Area). The purpose of the evaluation and analysis is for the City and the SERA consultant team to better understand the elements of the existing code and which parts may be brought forward into the River Road code. Excerpts taken directly from the Eugene Code are noted in italic text.

This memorandum is the first of several documents being prepared in order to inform the preparation of a new Code for the Study Area. In addition to this document, and after the development of land use and urban design concepts for the Study Area, a Code Audit Memo, Code Framework, and Administrative Draft Code will be produced prior to the adoption of the code amendment.

The preliminary Study Area includes a ½ mile area on both sides of the River Road corridor between Irving Road on the north and Railroad Boulevard to the south.

(2) Eugene Land Use Code

The Study Area includes areas within Eugene’s city limits and unincorporated areas of Lane County, which are subject to different land use codes. This Code Evaluation is focused on the City’s Land Use Code (Chapter 9 of the Eugene Code), as much of the contemplated development will require annexation into Eugene’s city limits.

The Land Use Code starts with the Purpose of the code and the policies that outline its ability to protect and promote the health, safety, and general welfare of the public and to preserve and enhance the economic, social, and environmental qualities of the community.

The Code establishes Base Zones as well as several Special Area and Overlay Zones. The base zones state Intent and regulate Land Uses, Building Height, Setbacks, Landscaping, Fences, and Site/Lot Design. Special Area and Overlay Zones are intended to provide additional design criteria for special areas within the City. In addition to the Base Zones, Special Areas and Overlay Zones, the Eugene Code includes the following sections that will be relevant for this planning effort:

- Section 9.5000 *Special Development Standards for Certain Uses*. This section includes 9.5500 *Multiple-Family Standards* which will be key to regulating potential increased density around the new River Road transit stops.
- Section 9.6000 *General Standards for All Development*. This section includes standards for Bicycle Parking, Landscape Standards, Motor Vehicle Parking and Loading Standards, Public Improvement Standards, Sign Standards, Site Development Standards, and Standards for Streets, Alleys, and Other Public Ways.

(3) Land Use Zones and Applicability to Study Area

The following is a summary of the Base Zones, Special Area Zones and Overlay Zones that are found in the Study Area.

A. Base Zones

The Study Area includes the following Base Zones:

Zone	Area	Parcel Count	Median Parcel Size
Agriculture (AG)	47 acres	161 parcels (mostly single-family homes)	10,370 sf
General Office (GO)	17 acres	41 parcels (~27 built as single-family homes)	3,622 sf
Community Commercial (C-2)	133 acres	152 parcels	19,842 sf
Neighborhood Commercial (C-1)	12 acres	36 parcels	13,234 sf
Low-Density Residential (R-1)	935 acres	3474 parcels	9,571 sf
Medium-Density Residential (R-2)	119 acres	282 parcels	7,139 sf
Light-Medium Industrial (I-2)	20 acres	30 parcels	13,475 sf
Public Land (PL)	177 acres	44 parcels	86,265 sf

B. Special Area Zones

- Historic (S-H)

C. Overlay Zones

- Urbanized Land /UL
- Site Review /SR
- Nodal Development /ND
- Planned Unit Development /PD
- Water Resources Conservation /WR
- Water Quality /WQ

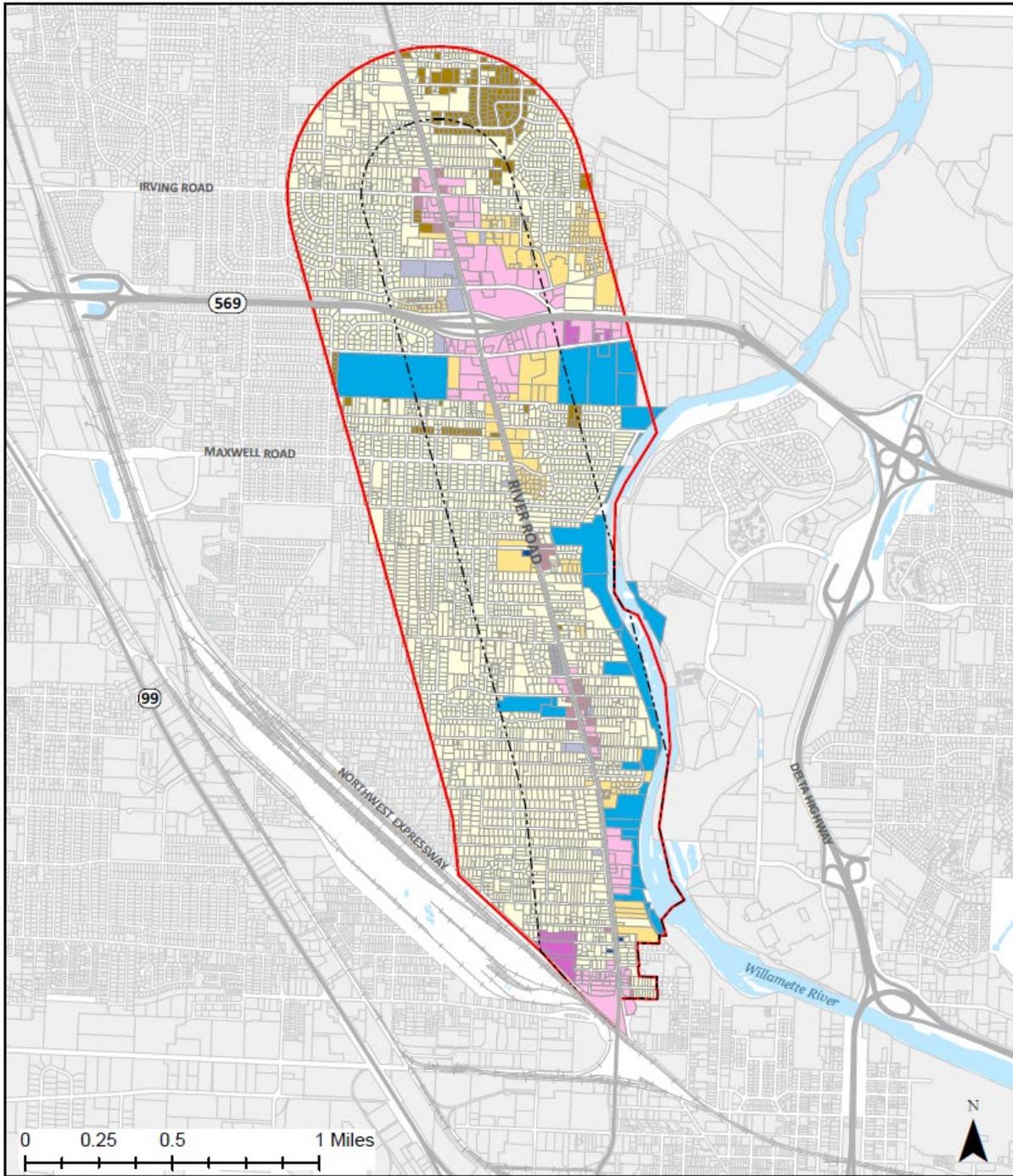
D. Other Eugene Code Districts and Zones

While this memorandum primarily considers the zoning districts that are currently located within the Study Area, the following zoning designations may also be relevant to the River Road planning process. The consultant team will consider these (and other) zoning designations in the Code Audit Memo, which will evaluate the proposed plan for conformance with existing codes and regulations.

- Limited High-Density Residential (R-3)
- High-Density Residential (R-4)
- Transit Oriented Development Overlay Zone /TD

Three Special Area Zones that will be considered in the next phase include Downtown Riverfront Special Area Zone, Walnut Station Special Area Zone, and South Willamette Special Area Zone (Draft).

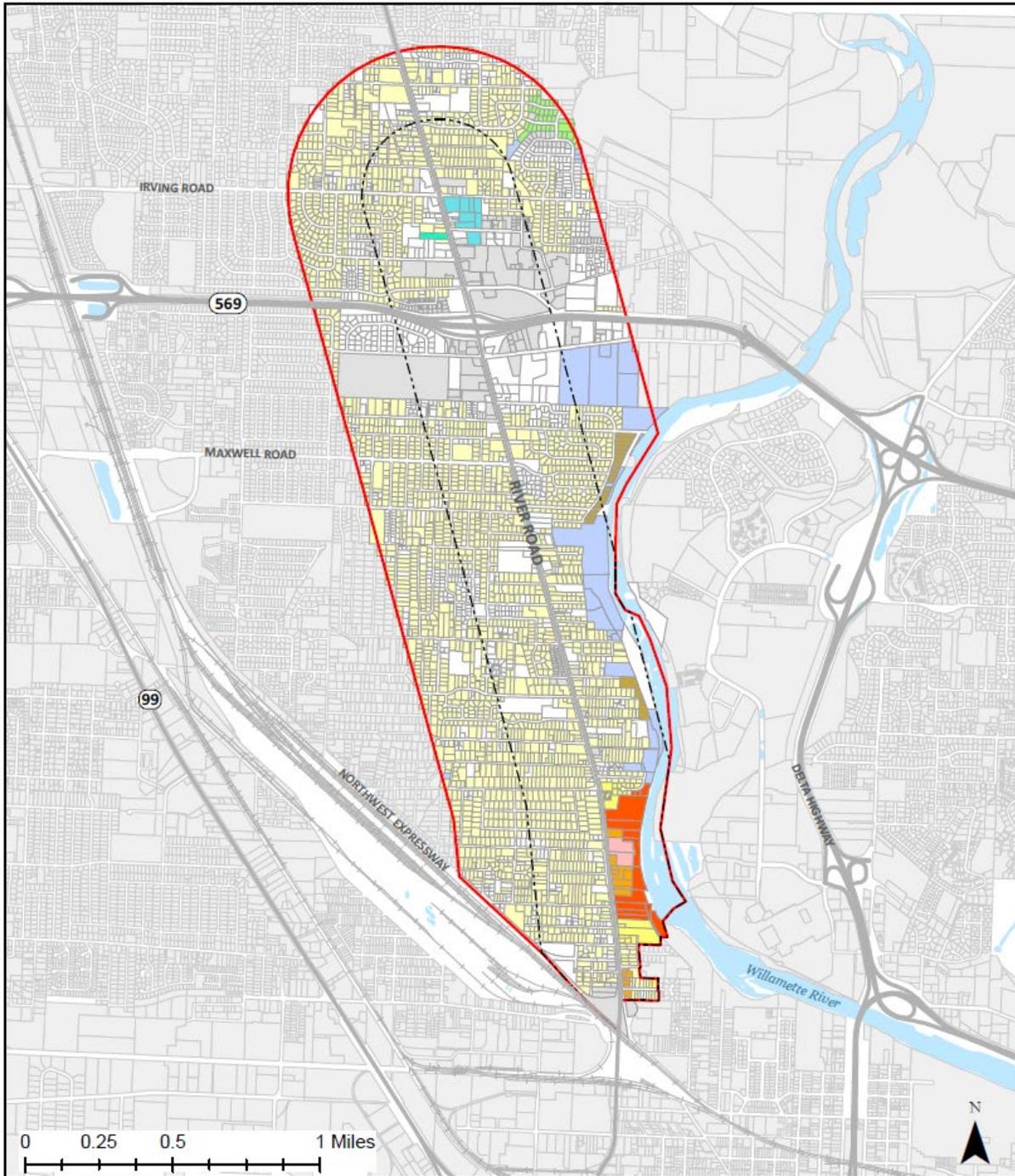
Figure 3a: River Road Study Area – Base Zone Map



Base Zones

- | | | |
|--|---|--|
|  Low-Density Residential (R-1) |  Light-Medium Industrial (I-2) |  Historic (S-H) |
|  Medium-Density Residential (R-2) |  General Office (GO) |  1/2 Mile Corridor Buffer |
|  Neighborhood Commercial (C-1) |  Agricultural (AG) |  1/4 Mile Corridor Buffer |
|  Community Commercial (C-2) |  Public Land (PL) | |

Figure 3b: River Road Study Area – Overlay Zones Map



Overlay Zones

- | | | |
|---|--|---|
|  Planned Development (PD,SR) |  Wetlands (WR & WQ) |  Nodal Development (WR,ND,SR) |
|  Site Review (SR) |  Residential Density Suffix (10/ac) |  1/2 Mile Corridor Buffer |
|  Site Review (WR,SR) |  Nodal Development (ND) |  1/4 Mile Corridor Buffer |
|  Urbanized Land (UL) |  Nodal Development (ND,SR) | |
|  Urbanized Land (WR,UL) |  Nodal Development (WR,ND) | |

(4) Summary of Key Design Considerations

The following section outlines the key development and design standards that will impact the implementation of the River Road Corridor Plan. The analysis is a first step to understand the code and potential inconsistencies currently in the code or that may occur when implementing the plan. The summary reviews height restrictions, FAR and density requirements, open space standards, off-street parking, barriers to “middle” housing, inconsistencies in the code, and other notable elements that may impact implementation of the plan.

A. Heights

In the Eugene Code, building height is generally defined as the highest point of the coping of a flat roof or to the average height of the gables of a pitched or hipped roof. For residential projects, height is measured to the highest point of any roof. Height exceptions for roof structures and architectural features are allowed, including fire and parapet walls.

Heights are regulated by Base Zone with further restrictions in certain zones in relation to adjacent residential districts. Height maximums for the various existing zones in the Study Area vary greatly from 30 feet maximum in AG and R-1 zones to 120 feet maximum in the C-2 Community Commercial Zone.

Neighborhood Commercial (C-1) – The intent of the C-1 zone is to provide neighborhood commercial that enhance rather than intrude on the character of the neighborhood. The zone has a 35-foot height limit. If vertical mixed-use is desired in C-1 zones, height should be increased to allow for more feasible building types. 35-foot height would limit buildings to two stories, making mixed-use inefficient and costly in the Study Area.

Community Commercial (C-2) – A 120-foot height limit is excessive for likely projects along the corridor. Even in a mixed-use or large-scale office buildings, projects are not likely to exceed mid-rise construction, which tops out at 85-95 feet in height.

B. Floor Area Ratio (FAR) Requirements

FAR is not regulated in Commercial Zones, except when C-2 zoned properties are within the /ND Nodal Development overlay zone. Subgrade parking areas are counted towards allowed Floor Area.

Transit-Oriented Development (TOD) overlay zones (which are only located in the downtown area) have a minimum 2.0 FAR requirement in the downtown core and a minimum 0.65 FAR requirement elsewhere.

C. Residential Density

Density is measured as a “net density” for purposes of minimum and maximum residential densities: “net density” is the number of dwelling units per acre of land in actual residential use and reserved for the exclusive use of the residents in the development, such as common open space or recreation facilities.

New housing in R-1 and R-2 zone are limited to 14 du/a for the R-1 zone and between 13 and 28 du/a in the R-2 zone. These density ranges are consistent with the 30- and 35-foot height limits respectively in these zones.

D. Residential Uses in Commercial Zones

Residential uses are permitted in Commercial zones. In GO zones it is permitted outright. In C-1 and C-2 zones, the amount of ground floor area and frontage dedicated to residential uses are limited. Mixed-use residential standards require that commercial uses make up 80% of ground floor area in C-1 and 20% of ground floor area in C-2 Zones. The 80% requirement for C-1 properties may restrict mixed-use projects by requiring more retail than there is market demand for in the Study Area. In addition, this requirement limits at-grade covered parking.

There is no density limit on the amount of housing that may be provided in a Commercial Zone. All multiple family housing must follow the *9.5500 Multiple-Family Standards*.

E. Transitions to Residential Zones

Each zone requires transitions to lower density residential zones. The regulations generally affect the first 50 feet of the parcel adjoining the residential use. A summary of regulations is located below.

- GO – 50 foot maximum - Shall not exceed 35-foot maximum height within 50 feet of AG, R-1, R-2 zone.
- C-2 – 120 foot maximum - No portion of a building located within 50 feet of a residential zone shall exceed the maximum building height permitted in the abutting residential zone.
- C-3 – 150 foot maximum - No portion of a building located within 50 feet of a residential zone shall exceed the maximum building height permitted in the abutting residential zone.
- R-3 – 50 foot maximum – 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.
- R-4 – 120 foot maximum – 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.

F. Open Space Standards for Multi-Family Developments

For residential and mixed-use buildings, Table 9.5500(9) sets the open space requirements for each Zone. Open Space may be provided as Common or Private Open Space. Up to 30% of the Common Open Space may be provided indoors. A reduction of up to 25% of the required Open Space may be achieved through the Open Space Credit if the development is located within a quarter mile of a public park as measured by walking distance.

Projects are also eligible for exemption from the Open Space Requirements if they meet a minimum net density set forth in the Open Space Requirements [*23 du/a for (C-1), 45 du/a for (C2), 45 du/a for (GO) and All other Zones. Residential and (C-3) are not eligible for exemption*]. These requirements incentivize dense mixed-use development in these zones but may lead to poor livability.

G. Parking Requirements

The required parking ratios for off-street parking in the Eugene Code are based on the use of the property. All properties are allowed by-right a 25 percent reduction of the minimum parking requirement. While there are no maximum limits on parking for residential uses, non-residential uses are not allowed to exceed 125 percent of the stated minimum number of spaces in Table 9.6410 Required Off-Street Motor Vehicle Parking. Development projects in a /ND Nodal Development Overlay Zone are allowed up to a 50% reduction from the minimum off-street parking requirements.

An additional 25% reduction in parking is possible through shared off-street parking or up to a 50% reduction is possible through a traffic study and approved Transportation Demand Management (TDM) strategy.

For Neighborhood Commercial (C-1), no parking is required if eight or fewer parking spaces are required. If nine or more spaces are required, a reduction of four spaces is possible if urban amenities are provided. This provision is very beneficial in developing small-scale commercial uses in mixed-use developments that contribute to the walkability of the area.

H. Code Issues and Inconsistencies

Agricultural (AG) Zone

- Outdated, includes partial parcels, current uses on site do not always follow AG standards.

General Office (GO) Zone

- Majority of parcels in Study Area in this zone are developed with residential uses (residential use is permitted in GO).
- Development of single-family homes between W. Hillcrest Drive and Horn Lane turn their back to River Road disrupting the pedestrian experience.

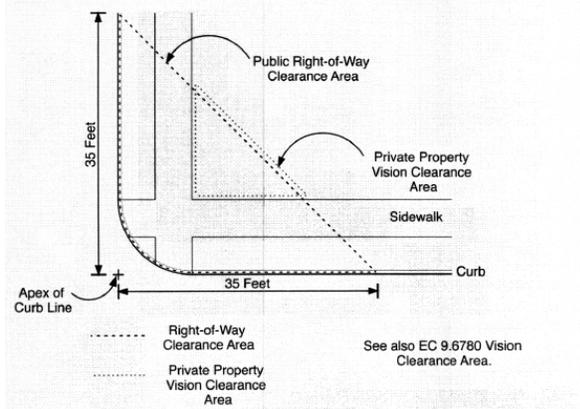
Walkable Street Character

Pedestrian-oriented streets are often defined by buildings fronting the street and creating an urban character by “holding the corner” to create distinction and a strong building presence at intersections. This principle is exemplified in the Eugene Code through the shopping street and multi-tenant commercial facilities standards. However, Code Section 9.6780 Vision provides for triangle vision clearance areas that require a 35-foot vision clearance triangle.

Development sites shall have triangular vision clearance areas on all street corners to provide for unobstructed vision consistent with American Association of State Highway and Transportation Officials (AASHTO) standards. (See Figure 9.0500 Vision Clearance Area)

This regulation may inhibit buildings from “holding the corner” and force additional setbacks at corners that may be counter to creating a positive pedestrian environment. The regulation may also conflict with the Shopping Street Standards, Figure 9.2175(3)(c) and Large Multi-Tenant Commercial Facilities, Figure 9.2175(5), Building Orientation in /TD Areas, Figure 9.4530(2), and other areas of the code that require buildings to be built with minimum building setback.

Excerpt from Figure 9.0500 Vision Clearance Area



Barriers to Middle Housing in R-1

Accessory dwellings, attached homes and small multi-unit buildings are important elements of creating “middle housing.” This section evaluates the Land Use Code for barriers to developing these building types in the R-1 zone.

Duplex – This housing type is permitted on corner lots that are at least 8,000 square feet in lot size or in new subdivisions where they are identified at the time of subdivision.

Triplex/Fourplex – These building types are restricted to new subdivisions where they are identified at the time of the subdivision map, or any multi-family housing type (three or more units on one lot can be approved through a planned unit development on any R-1 zoned property. These restrictions limit the conversion of R-1 parcels to denser building types that can provide affordable by design “middle” housing types.

Accessory dwellings are allowed in R-1 and shall not exceed 2 bedrooms and 800 square feet in area. Special regulations govern the standards for these dwellings.

I. Key Development Standards Table

The following table outlines the key development standards by base zone (colors reference the Eugene Code Zoning Maps):

Zone ID	Zoning Districts	DUA Min (NET)	DUA Max (NET)	FAR Min	FAR Max	Max Height FT
AG	Agricultural			none	none	30
GO	General Office			none	none	50
C-3	Major Commercial			none	none	150
C-2	Community Commercial			none	none	120
C-1	Neighborhood Commercial			none	none	35
R-1	Low-Density Residential	-	14	none	none	30
R-2	Medium-Density Residential	13	28	none	none	35
R-3	Limited High-Density Residential	20	56	none	none	50
R-4	High-Density Residential	20	112	none	none	120
I-2	Light-Medium Industrial			none	none	None
PL	Public Land					
/ND	Nodal Development	Increases Min. Densities		1.0 in Commercial Zones		

(5) 9.2000 Base Zones

This section summarizes key aspects of the base zones located within the Study Area and the higher density residential zones that may or may not apply in the future. The purpose of each zone and the summary statistics for the Study Area are provided.

A. Agricultural (AG)

The Agricultural Zone designation within the Study Area seems to be remnant zoning with inconsistent uses on many parcels that do not follow the standards for the zone. There are very few, if any, parcels that are still used for agricultural uses. Many Agricultural Zones do not follow parcel lines (example: frontage of R-1 parcels on Hamilton Avenue). The plan will likely decide to rezone Agricultural Zone properties to best fit existing and proposed land-use and development, consistent with the stated purpose of the Zone, and the plan designation in the comprehensive plan. The Metro Plan designates these properties for Low Density Residential and these may be rezoned as part of the plan.

9.2000 **Purpose of AG Agricultural Zone.** *The purpose of the AG agricultural zone is to allow agricultural uses within the urban growth boundary until land is converted to urban development. Agricultural uses are considered interim uses until public facilities and services can be provided in an economical manner and urban development of the site would result in compact urban growth and sequential development.*

Standards

Minimum Lot Size: 20 acres, a single One-Family Dwelling is allowed per lot.

Summary Statistics

Agricultural (AG)

Parcel Count:	161
Total Area:	47.4 acres

B. Commercial Zones (C-1)(C-2)(GO)

Three Commercial Zones occur in the River Road project area, Neighborhood Commercial (C-1), Community Commercial (C-2) and General Office (GO).

9.2100 **Purpose of C-1 Neighborhood Commercial Zone.** *The C-1 Neighborhood Commercial zone is designed to implement the comprehensive plan by providing commercial areas to serve the day-to-day needs of the surrounding neighborhood. Neighborhood commercial areas should enhance rather than intrude on the character of a neighborhood by providing landscaped buffering and ensuring sufficient street frontage to provide safe and efficient access. These areas are usually 5 acres or less in size. Some uses not necessarily oriented to daily consumer needs, but similar in size and external impacts to convenience commercial and personal service uses, are also included in the C-1 zone.*

9.2110 **Purpose of C-2 Community Commercial Zone.** *The C-2 Community Commercial zone is designed to implement the comprehensive plan by providing areas for community commercial uses. These areas usually include at least 5 acres and not more than 40 acres, and are intended to include a wide range of purchaser goods and entertainment, office, and service needs for a support population smaller*

than that of the metropolitan area but larger than that of a neighborhood. Housing is also permitted in this zone, which may occur independently on individual lots or parcels, or be located in clusters that share parking facilities and other common areas.

9.2140 **Purpose of GO General Office Zone.** *The GO General Office zone is designed to implement the comprehensive plan by providing areas that allow a compatible mix of office and residential development. The zone is intended to provide for small- to medium-sized office buildings, often in transitional locations between residential and commercial uses. Developments shall be compatible with nearby residential uses in terms of scale, bulk, building and parking coverage, traffic generation, and other external factors. This zone also encourages a compatible mix of dwellings and offices on the same or adjacent properties. Retail uses are also permitted.*

Standards

The amount of buildable area in Commercial Zones are regulated by height and building setbacks. There is NO maximum Floor Area established.

The Neighborhood (C-1) zone permits very limited uses. Consistent with the purpose of the C-1 zone, these limitations focus on daily uses. Drive-through facilities are not allowed in C-1 zones. The Neighborhood (C-1) has a 35 feet maximum building height. The 35 feet height limit restricts mixed-use and 2-story developments to small scale “shop houses” and 2-story office buildings.

The Community (C-2) zone has a broad list of permitted commercial uses. The Community (C-2) zone has a 120 feet maximum building height. This height is much greater than is likely to occur in the River Road area. Maximum heights above 90 feet are intended to allow for high-rise construction, usually 9-11 story mixed-use/residential buildings or 7-9 story commercial office buildings.

The General Office (GO) zone within the Study Area includes a majority of parcels that have been developed for residential uses, predominately single-family homes located along or just off of River Road.

All Commercial Zones permit residential uses and multiple-family uses subject to the Special Development Standards. Mixed-use Residential standards require that commercial uses make up 80% of ground floor area in Neighborhood Commercial (C-1) and 20% of ground floor area in Community Commercial (C-2) Zones. The 80% requirement for (C-1) properties may restrict mixed-use projects in the Study Area by requiring more retail than the market can handle and not allow for surface parking podiums. In addition to the ground floor are requirements, there is a minimum amount of commercial building street frontage required for mixed-use projects, 80% in C-1 districts and 60% in C-2 zones.

Summary Statistics

Neighborhood Commercial (C-1)

Parcel: Count 36
Total Area: 12.4 acres

Community Commercial (C-2)

Parcel Count: 152
Total Area: 132.8 acres

General Office (GO)

Parcel Count: 41 (~27 parcels built as single-family homes and 1 parcel as multi-family)

Total Area: 17.4 acres

C. Residential Zones (R-1)(R-2)

There are two Residential Zones represented in the Study Area: Low-Density Residential (R-1) and Medium-Density Residential (R-2). There are two additional Residential Zones that may be relevant to the project that are currently not found in the Study Area - Limited High-Density Residential Zone (R-3) and the High-Density Residential Zone (R-4). The purpose and relevant standards for all these zones have been included below.

In addition to the typical standards in 9.2700 Residential Zones, projects with 3 or more units on the same lot are required to follow the 9.5500 Multiple-Family Standards. These standards include topics like Building Orientation, Building Mass and Façade, Building Articulation, Site Landscaping, Open Space, and Site Access.

9.2700 **Purpose of R-1 Low-Density Residential Zone.** *The purpose of the R-1 Low-Density Residential zone is to implement the comprehensive plan by providing areas for low-density residential use. The R-1 zone is designed for one-family dwellings with some allowance for other types of dwellings and is also intended to provide a limited range of non-residential uses that can enhance the quality of low-density residential areas.*

9.2710 **Purpose of R-2 Medium-Density Residential Zone.** *The purpose of the R-2 Medium-Density Residential zone is to implement the comprehensive plan by providing areas for medium-density residential use and encourage a variety of dwelling types. The R-2 zone is also intended to provide a limited range of non-residential uses to help provide services for residents and enhance the quality of the medium-density residential area.*

9.2720 **Purpose of R-3 Limited High-Density Residential Zone.** *The purpose of the R-3 Limited High-Density Residential zone is to implement the comprehensive plan by providing areas for limited high-density residential use that encourage attached one-family dwelling units and multiple-family dwelling units. The R-3 zone is also intended to provide a limited range of non-residential uses to help provide services for residents and enhance the quality of the limited high-density residential area.*

9.2730 **Purpose of R-4 High-Density Residential Zone.** *The R-4 High-Density Residential zone is designed to implement the comprehensive plan by providing areas for high-density residential use and is intended to provide an opportunity for a dense living environment. The R-4 zone must ensure that public facilities and services will be provided in a timely manner to adequately serve the projected demand. The R-4 zone is also intended to provide a limited range of non-residential uses to help provide services for residents and enhance the quality of the high-density residential area.*

Standards

Each zone has a density range that is calculated as a Net Density per Acre.

- R-1 0-14 du/a
- R-2 13-28 du/a
- R-3 20-56 du/a (not located in project area)
- R-4 20-112 du/a (not located in project area)

Duplex/Triplex/Fourplex types are restricted to new subdivisions or any multi-family housing type (three or more units on one lot can be approved through a planned unit development on any R-1 zoned property).

Neighborhood Commercial (C-1) uses are permitted outright in R-2, R-3, and R-4 zones if minimum residential density thresholds are met.

R-1 and R-2 zones have a maximum lot coverage of 50% and up to 75% for Rowhouse lots.

Minimum Total Open Space for R-2, R-3, and R-4 – 20% of development site.

For multi-family developments, Table 9.5500(9) sets the open space requirements for each Zone. Open Space may be provided as Common or Private Open Space. Up to 30% of the Common Open Space may be provided indoors. A reduction of up to 25% of the required Open Space may be achieved through the Open Space Credit if the development is located within ¼ mile of a public park as measured by walking distance.

Projects are also eligible for exemption from the Open Space Requirements if they meet a minimum net density set forth in the Open Space Requirements [23 du/a for (C-1), 45 du/a for (C2), 45 du/a for (GO) and All other Zones. Residential and (C-3) are not eligible for exemption]. These requirements incentivize dense mixed-use development in these zones but may lead to poor livability.

Subdivisions in R-1 and R-2 Districts are further regulated by the 9.2780 Solar Standards that are “utilized to create lot divisions, layouts and building configurations to help preserve the availability of solar energy to one- and two-family dwellings.”

Summary Statistics

Low-Density Residential (R-1)

Parcel Count: 3474

Total Area: 935.2 acres

Medium-Density Residential (R-2)

Parcel Count: 283

Total Area: 118.9 acres

D. Public Land (P-L)

The Public Land Zone parcels in the Study Area include two school properties west of River Road and Rosetta Park. East of River Road, the zone includes series of parcels along the Willamette River including the wastewater plan on River Avenue and several parks including Razor Park, Maynard Park, and Maurie Jacobs Park.

9.2680 **Purpose of Public Land Zone.** *The public land zone is intended for public and semi-public uses that are designed to implement the comprehensive plan by providing areas for government services and education. Government services include the full spectrum of activities conducted by public agencies, including parks and open space. As used in EC 9.2680 through 9.2687, “public agency” includes public/private partnerships that conduct the activities authorized in those sections.*

Summary Statistics

Public Land (P-L)

Parcel Count: 44

Total Area: 176.9 acres

E. Light-Medium Industrial (I-2)

The parcels located in the Light-Medium Industrial Zone are scattered along the Route 569 Randy Pape Beltline and clustered at the southern edge of River Road and its intersection with the Northwest Expressway and railroad corridor.

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

Summary Statistics

Light-Medium Industrial (I-2)

Parcel Count: 30

Total Area: 20.7 acres

(6) 9.3000 Special Area Zones

Special Area Zones are used in the Eugene Code to “*procedures and criteria for recognition of areas of the city that possess distinctive buildings or natural features that have significance for the community and require special consideration or implementation of conservation and development measures that can not be achieved through application of the standard base zones.*” These Special Area Zones may act as specific plan areas with complete zoning controls or may act as an identifier for as a special procedural element like the Historic Zone.

A. Historic Zone (S-H)

Properties located in the Historic Zone (S-H) in the Study Area are site specific. The ordinances establishing these site-specific zones explain the applicable development standards.

9.3450 **S-H Historic Zones.** *S-H Historic Zones may be established by the city council in the manner prescribed in EC 9.3000 through 9.3030. Except for ordinances establishing site-specific historic zones, copies of which are maintained at the city’s planning and development department, all existing S-H Historic Zones are set forth in this land use code.*

Summary Stats

Historic (S-H)

Parcel Count: 3
Total Area: 0.83 acres

(7) 9.4000 Overlay Zones

Overlay Zones are similar to Special Area Zones as they outline special regulations for certain parcels or areas and may act as a specific plan area. The purpose states “*Overlay zones are intended to provide special regulations and standards that supplement the base zone and special area zone regulations and standards.*” The following section examines each overlay zone that is in the Study Area or that may be relevant to the River Road Plan and states the purpose of each overlay zone and notes relevant special regulations.

A. /UL Urbanized Land

The Urbanized Land Overlay Zone is applied to all unincorporated parcels within the City of Eugene urban growth boundary. The purpose of this overlay zone is to “*ensure that development activities in unincorporated areas will not inhibit future development at planned urban levels or the provision of services in an orderly, efficient, and timely manner.*”

The overlay zone states, “*Land shall not be divided, and no lot lines may be adjusted in the /UL overlay zone if such division or modification would result in an increase in the number of developable lots or if the development potential of the existing lots increases.*”

- Annexation is required for any zone change, planned unit development, or approval of any new dwelling units, commercial or employment and industrial development.

B. /ND Nodal Development Zone

The /ND Nodal Development overlay zone is intended to direct and encourage development that is supportive of nodal development and to protect identified nodal development areas from incompatible development prior to adoption of nodal development plans and implementing land use regulations.

- Residential zones, increases minimum density in R-1 from 0 to 8 du/a, R-2 to 15 du/a, (R-3) to 25 du/a, and (R-4) to 30 du/a.
- Commercial zones, creates a 1.0 FAR minimum.
- Increases the list of Prohibited Uses.
- Allows by right of development a 50% decrease in minimum parking requirements.

C. /SR Site Review Overlay Zone

The Site Review Overlay Zone adds additional review for projects with this designation, through a land use approval process that includes public notice, a decision by the Planning Director and opportunity for appeal

The /SR Site Review overlay zone is intended to achieve both of the following:

- (1) *Maintain or improve the character, integrity, and harmonious development of an area.*
- (2) *Provide a safe, stable, efficient, and attractive on-site environment.*

D. /PD Planned Unit Development Overlay Zone

The Planned Unit Development Overlay Zone adds additional review for projects with this designation, through a land use approval process that includes public notice, a public hearing and opportunity for appeal.

The /PD Planned Unit Development overlay zone is intended to achieve all of the following:

- (1) *Provide flexibility in architectural design, placement and clustering of buildings, use of open space and outdoor living areas, and provision of facilities for the circulation of automobiles, pedestrians, bicycles, and mass transit, parking, storage, and other considerations related to site design.*
- (2) *Promote an attractive, safe, efficient, and stable environment that incorporates a compatible variety and mix of uses and dwelling types.*
- (3) *Provide for economy of shared services and facilities.*
- (4) *Encourage the construction of a variety of housing types at price ranges necessary to meet the needs of all income groups in the city.*
- (5) *Enhance the opportunity to achieve higher densities.*
- (6) *Preserve natural resource areas.*

E. /TD Transit Oriented Development (none currently located in Study Area)

The /TD Transit Oriented Development Overlay Zone is intended to promote the creation and retention of mixed land uses in areas with high potential for enhanced transit and pedestrian activity. Pedestrian circulation and transit access are especially important and have increased emphasis in areas with the /TD overlay zone. The development standards are designed to encourage compact urban growth, opportunities for increased choice of transportation mode, reduced reliance on the automobile, and a safe and pleasant pedestrian environment, by insuring an attractive streetscape, a functional mix of complementary uses, and provision of amenities that support the use of transit, bicycles, and pedestrian facilities.

- The /TD Zone does not change Permitted Uses.
- Only the downtown area is zoned with the /TD overlay. Includes a minimum 2.0 FAR in core of downtown and 0.65 FAR for any building on lot within the /TD area outside that core area.

F. Water Resources Conservation /WR and Water Quality /WQ Overlays /WR/WQ

These Overlay Zones provide protections for wetlands and riparian areas, and increase requirements for water quality.

(8) 9.5500 Multiple-Family Standards

The Multiple-Family Standards apply to all new multiple-family buildings in all zones except Commercial Zones where “the entire ground floor, with the exception of areas for lobbies, stairs, elevators and bicycle storage for residents, is in non-residential use.”

Standards

The Multiple-Family Standards outline regulations for Street Frontage, Building Orientation and Entrances, Building Mass and Façade, Building Articulation Landscaping, Open Space, Block Structure, and Site Access and Circulation.

Open Space Standards

For residential and mixed-use buildings, Table 9.5500(9) sets the open space requirements for each Zone. Open Space may be provided as Common or Private Open Space. Up to 30% of the Common Open Space may be provided indoors. A reduction of up to 25% of the required Open Space may be achieved through the Open Space Credit if the development is located within ¼ mile of a public park as measured by walking distance.

Projects are also eligible for exemption from the Open Space Requirements if they meet a minimum net density set forth in the Open Space Requirements [23 du/a for (C-1), 45 du/a for (C2), 45 du/a for (GO) and All other Zones. Residential and (C-3) are not eligible for exemption].

Table 9.5500(9) Open Space Requirements									
<i>Minimum Area Combined Common and Private Open Space</i>									
<i>The greater area determined by the following percentages for the zone must be provided on the development site.</i>									
<i>Zone</i>	<i>R-1</i>	<i>R-2</i>	<i>R-3</i>	<i>R-4</i>	<i>C-1</i>	<i>C-2</i>	<i>C-3</i>	<i>GO</i>	<i>All Other Zones</i>
<i>Percent of the Development Site</i>	20%	20%	20%	20%	20%	20%	N/A	20%	20%
<i>Percent of Livable Floor Area</i>	25%	25%	15%	15%	25%	15%	N/A	15%	15%
<i>Minimum Density for Exemption from Open Space Requirements by Zone</i>									
<i>Zone</i>	<i>R-1</i>	<i>R-2</i>	<i>R-3</i>	<i>R-4</i>	<i>C-1</i>	<i>C-2</i>	<i>C-3</i>	<i>GO</i>	<i>All Other Zones</i>
<i>Dwelling Units Per Net Acre</i>	N/A	N/A	N/A	N/A	23	45	N/A	45	45

(g) 9.6000 General Standards for All Development

Additional development standards are provided in this section of the code. This memorandum will highlight any special or significant standards that may draw concern in policy with the River Road project.

- 9.6100 Bicycle Parking Standards
- 9.6200 Landscape Standards
- 9.6400 Motor Vehicle Parking and Loading Standards
- 9.6500 Public Improvement Standards
- 9.6600 Sign Standards
- 9.6700 Site Development Standards
- 9.6800 Standards for Streets, Alleys, and Other Public Ways

A. Motor Vehicle Parking and Loading Standards

The required parking ratios for off-street parking in the Eugene Code allows for flexibility in meeting requirements. The listed “minimum” standards are neither minimums or maximums but a center point for what the required minimum and maximum are. By right of development, a project may be up to 25% higher or lower than the stated minimum number of spaces in Table 9.6410 Required Off-Street Motor Vehicle Parking and up to 50% reduction is allowed with a parking study and approved TDM strategy.

Development projects in a /ND Nodal Development Overlay Zone are allowed up to a 50% reduction from the minimum off-street parking requirements. An additional 25% reduction in parking is possible through shared off-street parking.

- For Neighborhood Commercial (C-1), no parking is required if 8 or fewer parking spaces are required. If 9 or more are required, a reduction of 4 spaces is possible for urban amenities. This provision is very beneficial in development small-scale commercial uses in mixed-use developments that contribute to the walkability of the area.

Commercial Parking Ratios

Most commercial/retail uses in the Study Area have a minimum off-street parking ratio of 3 spaces per 1,000 square feet of space. A few uses like furniture sales, hardware and dry-cleaner have a 1.5 space per 1,000 square feet ratio.

Food and Beverage uses including restaurants have a much higher minimum parking requirement that includes 15 spaces per 1,000 square feet of seating floor area.

- These retail parking ratios with the by right 25% reduction are not out of line for the Study Area. However, the Plan may consider an option for an additional reduction similar to the /ND Nodal Development Overlay Zone.
- The Food and Beverage parking ratios may be prohibitive to small mixed-use developments along the corridor.

Residential Parking Ratios

Residential uses require 1 space per dwelling unit and 1 long-term bike space per dwelling unit. Affordable units and affordable senior units have a reduced parking ratio.

Tandem parking spaces are not allowed outside of designated (R-3) and (R-4) zones near the University.

Code Excerpts

9.6410 **Motor Vehicle Parking Standards.**

(2) Maximum Number of Off-Street Parking Spaces.

- (a) *Except for required parking spaces for persons with disabilities, spaces provided in park and ride lots operated by a public transit agency, and spaces within structured parking with 2 or more levels, the maximum number of parking spaces for non-residential uses may not exceed 125 percent of the minimum spaces required by EC 9.6410(3) Minimum Number of Required Off-Street Parking Spaces, unless an adjustment is granted according to EC 9.8030(10) Motor Vehicle Parking and Loading Standards Adjustment. This standard does not apply to existing parking areas that are not expanded.*
- (b) *Regardless of the limitations contained in EC 9.6410 (2)(a) above, at least 2 parking spaces may be constructed on a development site.*

(3) Minimum Number of Required Off-Street Parking Spaces. *Except as provided in this section, or in an adjustment pursuant to EC 9.8030(10) Motor Vehicle Parking and Loading Standards Adjustment, the minimum number of required off-street parking spaces shall be calculated as provided in Table 9.6410 Required Off-Street Motor Vehicle Parking.*

- (a) *A parking reduction of up to 50% of the minimum requirement in the /ND overlay zone and up to 25 percent of the minimum requirement in all other zones is allowed as a right of development. In addition to these reductions, a parking reduction of 25% of the minimum required off-street parking is allowed for shared off-street parking. (See EC 9.6430)*
- (b) *For any use located in the C-1 zone:*
1. *No parking spaces are necessary if 8 or fewer parking spaces are otherwise required.*
 2. *If 9 or more parking spaces are otherwise required, the required parking can be reduced by 4 spaces if the business contributes towards providing urban amenities such as benches, low level lights, a bus shelter, or other open space improvements in the area.*

Table 9.6410 Required Off-Street Motor Vehicle Parking	
Uses	Minimum Number of Required Off-Street Parking Spaces
Office Uses	
All Uses in this category	1 per each 330 square feet of floor area
Retail Uses	
Barber, Beauty, Nail, Tanning Shop	1 per 330 square feet of floor area.
Day Care Facility (Not associated with a residence)	.9 per employee.
Bank, Savings and Loan Office, Credit Union	1 per each 330 square feet of floor area.
Hospital, Clinic 10,000 square feet or less of floor area	1 per each 200 square feet of floor area or 1.35 per bed.
Convenience Store	1 per each 330 square feet of floor area.
Furniture and Home Furnishing Store	1 per each 660 square feet of floor area.
Hardware/Home Improvement Store	1 per each 660 square feet of floor area.
Liquor Store	1 per each 330 square feet of floor area.
Shopping center with at least one supermarket or variety store and 50,000 square feet of gross floor area	1 per each 330 square feet of floor area.
Specialty Store (An example includes a gift store)	1 per each 330 square feet of floor area.
Restaurant	1 per each 66 square feet of seating floor area plus 1 for each 440 square feet of non-seating floor area.
Residential	
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 / Triplex/Four-Plex(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 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

B. Site Development Standards

The Site Development Standards outline certain standards that are required for development of all sites within the city regardless of the zoning. Noted below are Site Development Standards that may impact the River Road Plan.

- 9.6703 Driveways and Internal Circulation
- 9.6705-9.6709 Flood Issues
- 9.6710- Geological and Geotechnical Analysis
- 9.6715 Height Limitation Areas

- 9.6720 Height Exceptions
- 9.6725 Outdoor Lighting

- 9.6730 Pedestrian Circulation On-Site
- 9.6740 Recycling and Garbage Screening
- 9.6745 Setback-Intrusions
- 9.6750 Special Setbacks – expands influence of the right-of-way to ensure adequate width of public street improvements including sidewalks.
- 9.6770 Transit Improvements
- 9.6775 Underground Utilities – requires all new on-site utilities shall be placed underground
- 9.6780 Vision Clearance Area – Provides for triangular vision clearance areas on all street corners.

- 9.6790-9.6797 Stormwater Controls

(10) Definitions

The following definitions are provided for reference to understanding Open Space, Density and Height.

Building Height Definition. *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. 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. 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:*

- (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.*
- (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.*

(See Figure 9.0500 Building Height Calculation.)

- 9.6720** ***Height Exceptions for Roof Structures and Architectural Features.*** *Except as provided in EC 9.6715, certain roof structures, architectural features and other devices may be erected above the height limits established in this land use code. Some roof structures, architectural features, and other devices may be erected no more than 18 feet above the highest point of the roof of the main building, whether such structure is attached to it or freestanding. Roof structures, architectural features, and other devices that may exceed the highest point of the main building by 18 feet as established above include:*
- (1)** *Roof structures for the housing of elevators, stairways, tanks, ventilating fans, and similar equipment required to operate and maintain the building;*
 - (2)** *Architectural features, including fire or parapet walls, skylights, towers, flagpoles, chimneys, smokestacks, steeples and similar structures; and*
 - (3)** *Other devices, including television antennas and similar structures, but excluding amateur radio antennas, telecommunication facilities, and radio towers and transmitters. Amateur radio antennas, telecommunication facilities, and radio towers and transmitters may exceed the maximum building height within a zone, provided there is compliance with all other applicable requirements of this land use code.*

Density Definition

- (b) For purposes of this section, "net density" is the number of dwelling units per acre of land in actual residential use and reserved for the exclusive use of the residents in the development, such as common open space or recreation facilities.
- (c) For purposes of calculating net density:
 - 1. The acreage of land considered part of the residential use shall exclude public and private streets and alleys, public parks, and other public facilities.
 - 2. 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.
 - 3. In calculating the maximum net density allowed for a specific lot or development site the planning director shall round up to the next whole number only for:
 - a. A lot or development site that is 13,500 square feet or more in area;
 - b. A lot or development site that is not abutting the boundary of, or directly across an alley from land zoned R-1; and
 - c. Fractions of .75 or above.In all other circumstances, the planning director shall round down to the previous whole number.
 - 4. At the request of the developer, the acreage described in 1., above, 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.

Open Space Definition. Unless otherwise specified in this land use code, the portion of a development site not devoted to buildings, parking, or driveways.

Outdoor Living Area Definition. An area designed to provide an outdoor or semi-outdoor environment for the occupants of a dwelling. It includes natural ground area, paved and rooftop areas, balconies, porches, patios, terraces, verandas, and similar areas developed for active or passive recreational activities. Portions of exterior balconies required for building exits are not included in "outdoor living area."

Common Open Space Definition. An area for the use or enjoyment of all residents of a development site, excluding parking areas, streets, and other areas designed for motor vehicle circulation or storage. Common open space may include areas that provide for the preservation or enhancement of natural resource habitats.

Private Open Space Definition. A semi-enclosed area that is intended for use by the occupants of one dwelling unit. Private open space may include porches, patios, balconies, terraces, roof-top gardens, verandas, and decks.