

Table 9.7230 Expiration of Type II Application Approvals			
Application	12 months	18 months	36 months
Adjustment Review		X	
Conditional Use Permit, Modification		X	
Historic Property, Alteration		X	
Partition:			
- Tentative Plan		X	
- Final Plat (same as Tentative Plan expiration)			
Planned Unit Development, Final			X
Planned Unit Development, Modification			X
Site Review		X	
Site Review, Modification		X	
Subdivision:			
- Tentative Plan			X
- Final Plat (same as Tentative Plan expiration)			
Traffic Impact Analysis Review		X	
Variance		X	

- (9) Approvals for adjustment review or traffic impact analysis review not considered as part of another land use application shall be effective for 18 months after the effective date of approval. Within that time, the applicant shall submit an application for a development permit or the approval shall expire. Adjustment review or traffic impact analysis review approvals that are considered as part of another land use application shall be effective for the same time period as the primary land use application.

Section 30. Subsection (4) of Section 9.7315 of the Eugene Code, 1971, is amended to provide:

**9.7315 Public Hearing Notice.**

- (4) If the application under review is for a conditional use permit, planned unit development tentative plan, Willamette River Greenway permit, or zone change, the notice shall be posted in at least 3 locations within 500 feet of the perimeter of the subject property. Additionally, at least 1 freestanding sign at least 6 square feet in area shall be installed on the subject property, facing the improved street abutting the property, if any. For properties that abut more than one improved street, such a sign shall be installed facing each improved street.

Section 31. Subsection (1) of Section 9.7340 of the Eugene Code, 1971, is amended to provide:

**9.7340      Expiration.**

- (1) Approval of a Type III application shall not expire except as provided in subsections (2) through (4). If an approval of a Type III application has expired according to any of the conditions stated in subsections (2) through (4), the original application approval is revoked.

**Section 32.** Subsection (5) of Section 9.7415 of the Eugene Code, 1971, is amended to provide:

**9.7415      Public Hearing Notice.**

- (5) The notice shall be posted in at least 3 locations within 300 feet of the perimeter of the subject property. Additionally, at least 1 freestanding sign at least 6 square feet in area shall be installed on the subject property, facing the improved street abutting the property, if any. For properties that abut more than one improved street, such a sign shall be installed facing each improved street.

**Section 33.** Section 9.7445 of the Eugene Code, 1971, is amended to provide:

- 9.7445      City Council Public Hearing Conduct and Procedures.** The city council shall conduct a public hearing according to the quasi-judicial procedures in State law and as set forth in EC 9.7065 through 9.7095, Quasi-Judicial Hearings. New evidence shall be accepted.

**Section 34.** Subsection (2) of Section 9.7605 of the Eugene Code, 1971, is amended to provide:

**9.7605      Filing of Appeal of Planning Director's Decision.**

- (2) The appeal shall be submitted on a form approved by the city manager and accompanied by a fee established pursuant to EC Chapter 2. The record from the planning director's proceeding shall be forwarded to the appeal review authority. New evidence pertaining to appeal issues shall be accepted.

**Section 35.** Subsection (2) of Section 9.7655 of the Eugene Code, 1971, is amended to provide:

**9.7655      Filing of Appeal of Hearings Official or Historic Review Board Initial Decision.**

- (2) The appeal shall be submitted on a form approved by the city manager and be accompanied by a fee established pursuant to EC Chapter 2. The record from the proceeding of the hearings official or historic review board shall be forwarded to the appeal review authority. No new evidence pertaining to appeal issues shall be accepted.

Section 36. Subsection (3) of Section 9.8210 of the Eugene Code, 1971, is renumbered (4), and a new Subsection (3) is added thereto, to provide:

**9.8210** Partition, Tentative Plan Application Requirements. In addition to the provisions in EC 9.7010 Application Filing, the following specific requirements apply to partition tentative plan applications:

- (3) The lot proposed to be divided in the partition application is a legal lot.  
(4) If the proposal includes needed housing, as defined by State statutes, the written statement submitted with the partition application shall clearly state whether the applicant is electing to use the general approval criteria in EC 9.8215 Partition, Tentative Plan Approval Criteria- General instead of the approval criteria found in EC 9.8220 Partition, Tentative Plan Approval Criteria- Needed Housing.

Section 37. Subsections (1)(a) and (2)(a) of Section 9.8430 of the Eugene Code, 1971, are amended to provide:

**9.8430** Applicability. Site review provisions shall be applied when any of the following conditions exist:

- (1) Property is zoned with the SR overlay zone and the proposal would result in either of the following:  
(a) New development of vacant sites (excluding partitions and any development that consists only of new or expanded parking areas).  
(2) The proposed use on the property is identified as a use which requires site review under other provisions of this land use code and the proposal would result in either of the following:  
(a) New development of vacant sites (excluding development that consists only of new or expanded parking areas).

No development permit shall be issued by the city prior to approval of the site review application.

Section 38. Subsection (1) of Section 9.8410 of the Eugene Code, 1971, is amended to provide:

**9.8410 Property Line Adjustment Application Requirements.** In addition to the provisions in EC 9.7010 Application Filing, the following specific requirements shall apply to property line adjustment applications:

- (1) Except for parallel property line adjustments when the adjusted property line is a distance of even width along the common boundary, all applications shall be prepared by an Oregon-licensed Land Surveyor.
- (2) Applications shall be signed by at least one of the owners of each parcel involved, and shall include a preliminary title report for each parcel.

**Section 39.** Subsection (4) of Section 9.8510 of the Eugene Code, 1971, is renumbered

(5), and a new Subsection (4) is added thereto, to provide:

**9.8510 Subdivision, Tentative Plan Application Requirements.** In addition to the provisions in EC 9.7010 Application Filing, the following specific requirements shall apply to tentative subdivision plan applications:

- (4) The lot proposed to be divided in the subdivision application is a legal lot.
- (5) If the proposal includes needed housing, as defined by State statutes, the written statement submitted with the subdivision application shall clearly state whether the applicant is electing to use the general approval criteria in EC 9.8515 Subdivision, Tentative Plan Approval Criteria- General instead of the approval criteria found in EC 9.8520 Subdivision, Tentative Plan Approval Criteria- Needed Housing.

**Section 40.** Subsection (1) of Section 9.8855 of the Eugene Code, 1971, is amended to provide:

**9.8855 Applicability.** Changes in zoning, including the application of or change of an overlay zone or special area zone shall be processed as a Type III application as provided in EC 9.7300 through EC 9.7340 Type III Application Procedures, with the following exceptions:

- (1) The proposed zone change would apply the /ND Nodal Development Overlay Zone, in which case the zone change shall be processed as described in EC 9.4260.

**Section 41.** Subsection (3)(f) of Section 9.9630 of the Eugene Code, 1971, is amended to provide:

**9.9630 South Hills Study Policies.**

**(3) Development Standards - Specific Recommendations:**

- (3) That all proposed road locations be reviewed to insure minimum grade disturbance and minimum cut-and-fill activity, particularly in those areas most visible due to slope, topographic or other conditions.

Section 42. Figure 9.0500 Vision Clearance Area is amended by replacing the word "Property" in the right hand text box with the word "Curb," as reflected on the amended Figure attached to this Ordinance.

Section 43. The road designations for "Airport Road," "Awbrey Lane," and "Beacon Drive" on Map 9.7805 - Industrial Corridor are corrected as reflected on the amended Map 9.7805 attached to this Ordinance.

Section 44. Map 9.6715(4) - Gillespie Butte Height Limitation Area, is hereby deleted.

Section 45. The Legislative Findings set forth in the attached Exhibit A serve as support for this Ordinance, but are not adopted.

Section 46. The City Recorder, at the request of, or with the concurrence 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.

Section 47. If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held invalid or unconstitutional by a court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions hereof.

Section 48. Notwithstanding the effective date of ordinances as provided in the Eugene Charter of 1976, this Ordinance shall become effective 30 days from the date of its passage by the

City Council and approval by the Mayor, or upon the date of its acknowledgment as provided by  
ORS 197.625, whichever is later.

Passed by the City Council this

25<sup>th</sup> day of November, 2002.

  
City Recorder

Approved by the Mayor this

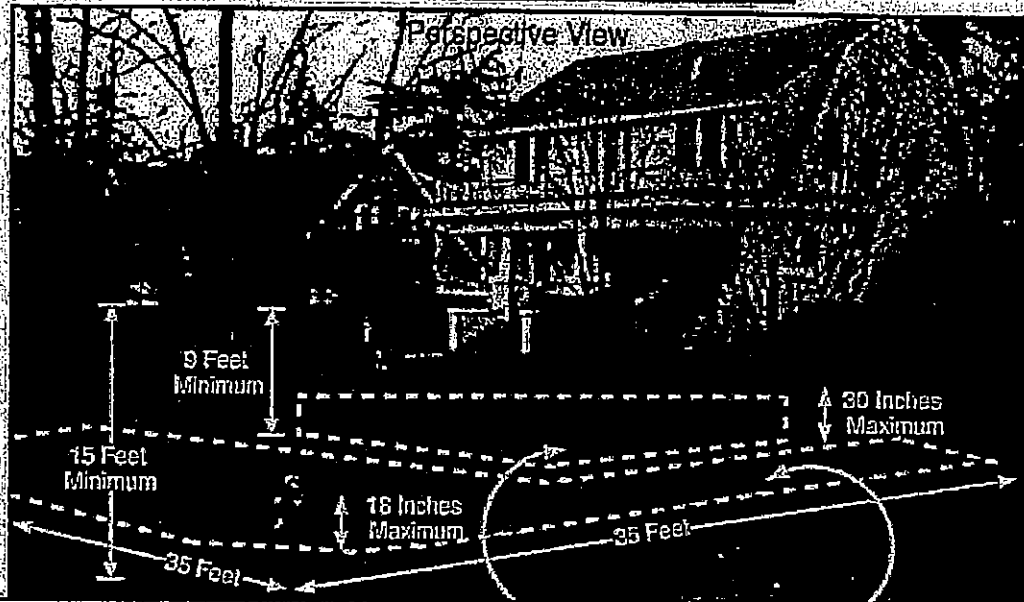
25<sup>th</sup> day of November, 2002.

  
Mayor



Figure  
9.0500

# Vision Clearance Area

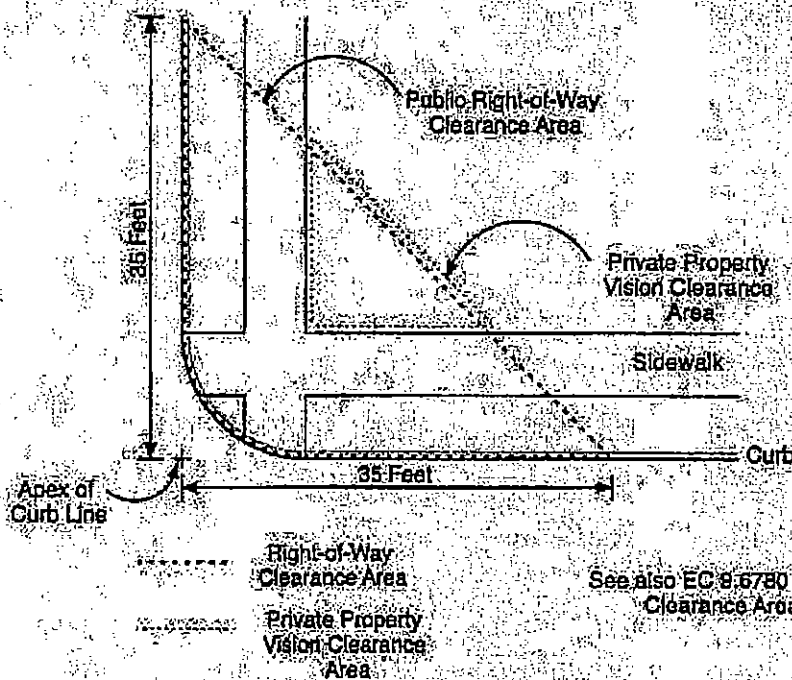


Tree Limb Clearance:  
• 9 Feet Minimum Above Sidewalk  
• 15 Feet Minimum Above Street

On Private Property, the Clearance Area Extends Through a Triangle at a Maximum Height of 30 Inches

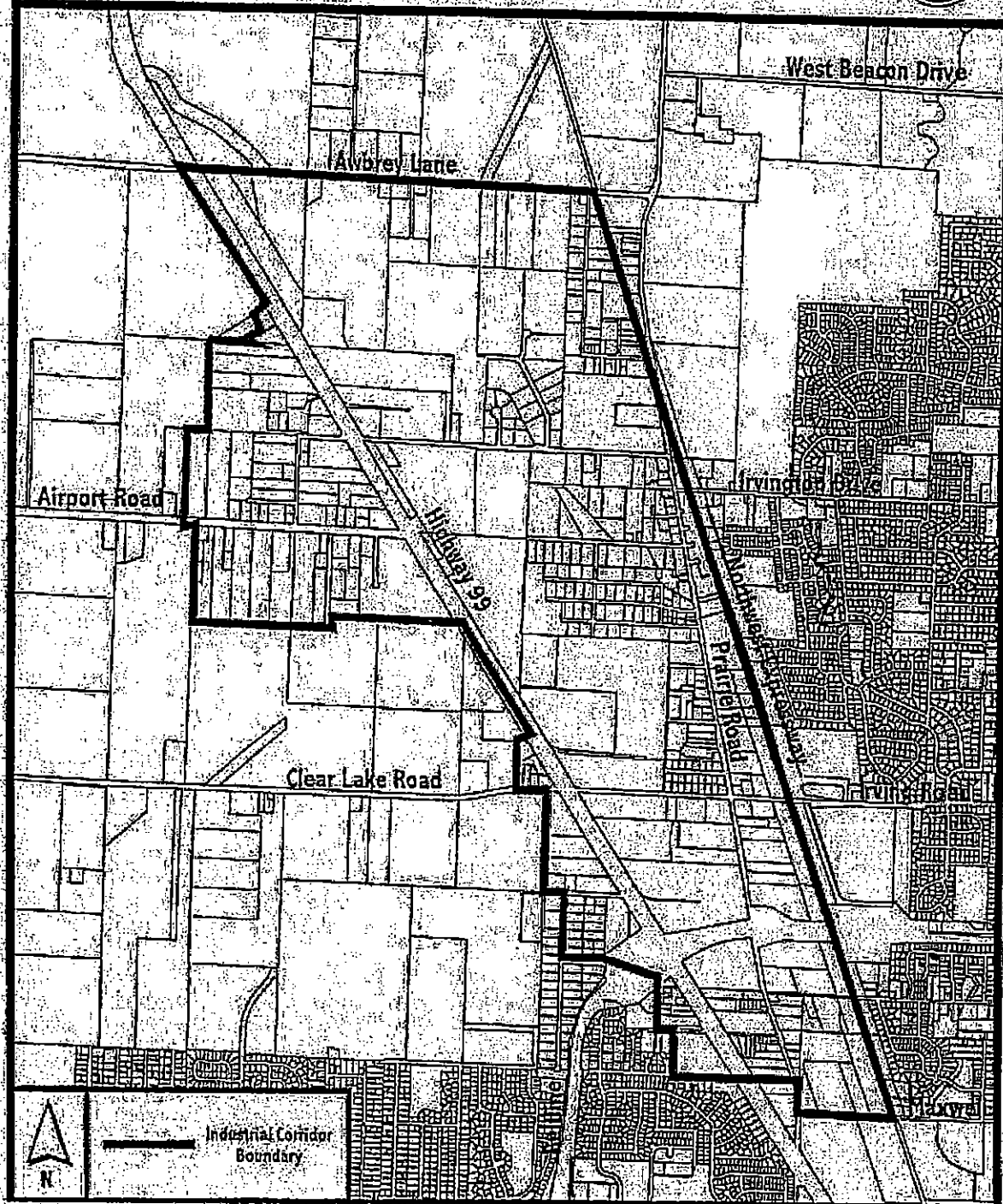
In the Public Right-of-Way, the Clearance Area Extends 35 Feet Along Curb Edge at a Maximum Height of 16 Inches

## Plan View



Map 9.7805

# Industrial Corridor



EXHIBIT

5

PAGE

22 OF 22



**ORDINANCE NO. 20270**

**AN ORDINANCE CONCERNING SECONDARY DWELLINGS  
AND FLAG LOTS; AMENDING SECTIONS 9.2741, 9.2750,  
AND 9.2775 OF THE EUGENE CODE, 1971; ADOPTING A  
SEVERABILITY CLAUSE; AND PROVIDING AN  
EFFECTIVE DATE.**

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

**Section 1.** Subsection (2) of Section 9.2741 of the Eugene Code, 1971, is amended to  
provide:

**9.2741     Special Use Limitations for Table 9.2740.**

- (2) **Secondary Dwellings.** Secondary dwellings are only permitted in R-1 and are subject to the standards below.
- (a) Secondary dwellings that are within the same building as the primary dwelling shall comply with all of the following:
1. The dwelling shall not exceed 800 square feet unless occupying the full story of a multi-story structure with ground floor residential use.
  2. Either the primary dwelling or the secondary dwelling shall be occupied by the property owner.
  3. There shall be at least 1 off-street parking space on the property.
  4. Except for flag lots, the lot shall be at least 4500 square feet. Flag lots shall contain at least 13,500 square feet to permit a secondary dwelling.
- (b) In addition to the standards in subsection (a) of this section, detached secondary dwellings shall comply with the following:
1. Except for flag lots, the lot shall be at least 6,000 square feet. Flag lots shall contain at least 13,500 square feet.
  2. If located within 20 feet of a property line, the maximum building height shall not exceed 15 feet.
  3. Provide a pedestrian walkway from the street or alley to the primary entrance of the secondary dwelling.
  4. The primary entrance to a secondary dwelling shall be defined by a roofed porch.
  5. Outdoor storage and garbage areas shall be screened from view from adjacent properties and those across the street or alley.

Prior to issuance of a final occupancy permit for the secondary dwelling (or the primary dwelling if it is constructed later), the owner shall provide the city with a copy of a notice that has been recorded with the Lane County Clerk that documents the requirement that the secondary dwelling or primary dwelling is, and will remain, owner/occupied.

**Section 2.** The "Minimum Building Setbacks" category of Table 9.2750 of the Eugene Code,

1971, is amended to provide:

- 9.2750 Residential Zone Development Standards.** In addition to applicable provisions contained elsewhere in this code, the development standards listed in this section and in EC 9.2751 to EC 9.2777 shall apply to all development in residential zones. In cases of conflicts, standards specifically applicable in the residential zone shall apply.

The following Table 9.2750 sets forth the residential zone development standards, subject to the special development standards in EC 9.2751.

Table 9.2750 Residential Zone Development Standards (See EC 9.2751 Special Development Standards for Table 9.2750.)					
	R-1	R-1.5	R-2	R-3	R-4
<b>Minimum Building Setbacks (2),(4),(6),(8),(9),(10)</b>					
Front Yard Setback (excluding garages and carports)	10 feet	10 feet	10 feet	10 feet	10 feet
Front Yard Setback for Garage Doors and Carports (11)	18 feet	--	18 feet	18 feet	18 feet
Interior Yard Setback (excluding education, government and religious uses and buildings located on Flag Lots in R-1 created after [insert effective date of amendment])(7)	5 feet or minimum of 10 feet between buildings	--	5 feet or minimum of 10 feet between buildings	5 feet or minimum of 10 feet between buildings	5 feet or minimum of 10 feet between buildings
Interior Yard Setback for Education, Government and Religious Uses	15 feet	--	15 feet	15 feet	15 feet
Interior Yard Setback for Buildings Located on Flag Lots in R-1 Created After [insert effective date of amendment] (See EC 9.2775(5)(b))	10 feet				

**Section 3.** Subsections (4) and (5)(b) of Section 9.2775 of the Eugene Code, 1971, are

amended to provide:

**9.2775 Residential Flag Lot Standards for R-1.**

- (4) **Use Regulations.** Residential flag lots have the same land use regulations as the base zone except, for residential flag lots of less than 13,500 square feet, there is no allowance for home occupations or a secondary dwelling.

**(5) Development Standards.**

- (b) Setbacks. For any new building, residential flag lots shall have a minimum 10 foot building setback along all lot lines. The special flag lot setback standard does not apply to flag lots that received final plat approval by [insert effective date of amendment].

**Section 4.** The Legislative Findings set forth in the attached Exhibit A serve as support for this Ordinance, but are not adopted.

**Section 5.** The City Recorder, at the request of, or with the concurrence 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.

**Section 6.** If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held invalid or unconstitutional by a court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions hereof.

**Section 7.** Notwithstanding the effective date of ordinances as provided in the Eugene Charter of 1976, this Ordinance shall become effective 30 days from the date of its passage by the City Council and approval by the Mayor, or upon the date of its acknowledgment as provided by ORS 197.625, whichever is later.


Passed by the City Council this

25<sup>th</sup> day of November, 2002

  
City Recorder

Approved by the Mayor this

25<sup>th</sup> day of November, 2002

  
Mayor



**ORDINANCE NO. 20271**

AN ORDINANCE ESTABLISHING A BROADWAY OVERLAY ZONE; AMENDING SECTIONS 9.1040, 9.6670, 9.8030 and 9.8865 OF THE EUGENE CODE, 1971; ADDING SECTIONS 9.4070 THROUGH 9.4090 TO THAT CODE; AMENDING THE EUGENE OVERLAY ZONE MAP; ADOPTING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

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

**Section 1.** Section 9.1040 of the Eugene Code, 1971, is amended by adding a Broadway Overlay Zone in alphabetical order to the Table as follows:

**9.1040 Establishment and List of Overlay Zones.** The overlay zones listed in Table 9.1040 Overlay Zones are established as follows:

Table 9.1040 Overlay Zones	
Overlay Zone	Description
#	Residential Density Range Overlay Zone (# indicates density range)
/BW	Broadway Overlay Zone

**Section 2.** Sections 9.4070, 9.4075, 9.4080, 9.4085 and 9.4090 are added to the Eugene Code, 1971, to provide:

- 9.4070 Purpose of /BW Broadway Overlay Zone.** The /BW overlay zone is intended to implement the Metro Plan and TransPlan by:
- (1) Establishing, strengthening, and maintaining a high quality urban environment with compatible commercial, residential and recreational uses.
  - (2) Creating a pedestrian-friendly environment.
  - (3) Encouraging active retail uses and eating establishments on the ground floor.
  - (4) Prohibiting development and activities that are antithetical to pedestrian activity along the street.
  - (5) Making Broadway a major destination in Downtown for both daytime and night time activities.
  - (6) Creating development standards that:
    - (a) Improve the quality and appearance of development in the city.
    - (b) Ensure that such development is complementary to the community as a whole.

- (c) Encourage crime prevention through environmental design, decrease opportunity for crime, and increase user perception of safety.
- (d) Increase opportunities for use of alternative modes of transportation.
- (e) Promote streetscapes that are consistent with the desired character of the underlying commercial zones.
- (f) Promote safe, attractive, and functional pedestrian circulation systems in commercial areas.
- (7) Encourage residential uses, especially above the ground floor.

**9.4075 /BW Broadway Overlay Zone Siting Requirements.** If consistent with the approval criteria in EC 9.8865 Zone Change Approval Criteria, the /BW Broadway Overlay Zone may be applied to properties abutting Broadway between Chamelton and Oak Streets but not to historic properties. (See EC 9.9500)

**9.4080 Applicability.** The /BW overlay zone applies to all property to which the /BW overlay zone has been applied through the City's rezoning process.

**9.4085 /BW Broadway Overlay Zone Development Standards.**

(1) (a) Application of Standards. The General Standards for All Development in EC 9.6000 through EC 9.6885, the special standards for specific uses in EC 9.5000 through EC 9.5850, as well as all development standards in the applicable base zone apply within this overlay zone. In the event of a conflict between the development standards, the specific provisions of EC 9.4085 through EC 9.4090 shall control. The /BW standards in this section only apply to:

1. Uses established after November 25, 2002.
2. New development on vacant land.
3. New structures on redevelopment sites, such as conversion of a parking area to a building or demolition of a building and construction of a new building.
4. A proposed expansion of 30% or more of the total existing structure square footage on the development site.
5. A proposed exterior modification affecting 30% or more of the ground-floor wall surface facing Broadway. These modifications must comply only with the standards at EC 9.4085(3), (5), (7) and (8).

(b) Adjustment. The development standards in EC 9.4085(2) through (9) may be adjusted in accordance with EC 9.8030(17).

(c) Nonconforming Uses. Notwithstanding EC 9.1220(3), a legally established use that does not conform to the allowed uses for the /BW Broadway Overlay Zone may expand its square footage by up to 30% of the area occupied by the use on November 25, 2002.



- (2) **Building Setback.** At least 70% of the Broadway-facing linear footage of first and second floors shall have a maximum two-foot building setback.
- (3) **Entrances.** For buildings that are not on street corners, main building entrances shall face Broadway. Main entrances on corner buildings may face the corner.
- (4) **Building Height.** A building shall provide either a floor-to-ceiling first floor minimum height of 12 feet for new construction, or a two-story entry space with corresponding glazed area of no less than one-third of the building width along Broadway.
- (5) **Building Facade.** At least 75 percent of Broadway-facing first floor wall area shall have openings, glazing, display windows or doorways with at least 75 percent of the total door faces being glazing, or a combination thereof. The openings, glazing and display windows must allow two-way visibility. Mullions and other solid components normally associated with glazed window systems may be counted as part of the glazing for purposes of this section. Dwelling units on the ground floor are exempt from this requirement.
- (6) **Lighting.** Notwithstanding any other provisions of this code, outdoor lighting of a building facade is permitted if provided in accordance with the standards for buildings of exceptional symbolic or historic significance (refer to EC 9.6725(13)).
- (7) **Rain Protection.** For every building abutting Broadway, awnings, canopies or recessed entries, or a combination of these, shall provide at least 30 inches of rain protection along at least 50 percent of that building's walls abutting Broadway.
- (8) **Building Projections.** Building projections such as bay windows and functional balconies shall be permitted for no more than 30 percent of the length of the affected floor along Broadway. No projection shall extend to more than three feet over the right-of-way.
- (9) **Outdoor Storage.** No outdoor storage shall be permitted except for equipment used by an outdoor cafe permitted pursuant to EC 3.344(3) during the period from March 1 through November 30.
- (10) **Ground Floor Use.** Ground floor non-residential uses located within 15 feet of the Broadway facade must accommodate walk-in customer service.

**9.4090 Prohibited Uses in the BW Broadway Overlay Zone.** The following uses are specifically prohibited in the BW Broadway Overlay Zone:

- (1) Parking garages visible on the Broadway frontage at any level.
- (2) Outdoor storage, except for temporary events.
- (3) Warehousing, heavy industry, primary storage, or telecommunication facilities (excluding call centers), unless as a secondary use for a use permitted in the BW Broadway Overlay Zone.
- (4) Uses which include a new vehicular access to Broadway.
- (5) Awnings classified as "temporary structures," except for special events.
- (6) Motor Vehicle Related Uses.

- (a) Car washes.
- (b) Parts stores.
- (c) Recreational vehicle and heavy truck sales/rental/service.
- (d) Motor vehicle and motorcycle sales/rental/service.
- (e) Service stations, includes quick servicing and automobile repair.
- (f) Tires, sales/service.
- (g) Transit park and ride, major or minor, except under a shared parking arrangement with another permitted use.
- (h) Lots or parcels used exclusively for parking.
- (i) New drive-through facilities.
- (7) Trade (Retail and Wholesale).
  - (a) Agricultural machinery rental/sales/service.
  - (b) Boats and watercraft sales and service.
  - (c) Equipment, heavy, rental/sales/service.
  - (d) Manufactured dwelling sales/service/repair.

**Section 3:** Subsection (6)(b) of Section 9.6670 of the Eugene Code, 1971, is amended

as follows:

**9.6670 Central Commercial Sign Standards.** The central commercial sign standards are hereby created and applied to all property within the central commercial zones as set forth below. Signs are restricted in recognition of the high density usage of these areas, where pedestrian traffic is heavy and vehicular traffic is commonly limited.

- (6) **Special Provisions.** The following signs are subject to special provisions:
  - (b) Awnings, marquees and projecting signs may project over public rights-of-way, and shall require a revocable permit under Chapter 7 of this code, unless the projections are required by EC 9.4085(7).
    - 1. Awnings and marquees may project a maximum of 7 feet into the public right-of-way.
    - 2. Projecting signs may project a maximum of 4.5 feet into the public right-of-way.
    - 3. No sign may project into a public right-of-way to a point within 2 feet of the vertical plane of any street (curb face), alley or driveway.
    - 4. No sign may project into an alley clearance area. The "alley clearance area" is the area formed by a line drawn from the intersecting point of a sidewalk or other public way and a public alley at an angle of 30 degrees from the projection of the boundary of the alley into the intersecting public way. (See Figure 9.6670(6)(b) Projecting Sign Area.)
    - 5. No sign may project from a building at the corner of 2 streets more than 1 foot for every 5 feet of distance from the point where the building wall on which the sign is attached would intersect the curb

if that wall extended to the curb. (See Figure 9.6670(6)(b)  
Projecting Sign Area.)

Section 4. A new subsection (17) is added to Section 9.8030 of the Eugene Code, 1971, 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:

(17) /BW Broadway Overlay Zone. A standard applicable within the /BW Broadway Overlay Zone may be adjusted upon a finding that the proposed adjustment is consistent with:

- (a) The purposes of the /BW Broadway Overlay Zone as set forth in EC 9.4070; and
- (b) The applicable adjustment criteria in another subsection of EC 9.8030, if any;

If there is no subsection within EC 9.8030 that pertains to the type of standard being considered, adjustment may be permitted based solely on compliance with EC 9.8030(17)(a).

Section 5. Subsection (4) of Section 9.8865 of the Eugene Code, 1971, is amended by adding a new subsection (e) and relettering subsections (k) and (l) to (l) and (m) as follows:

**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:
  - (k) EC 9.4675 /BW Broadway Overlay Zone Siting Requirements;
  - (l) EC 9.4715 /WP Waterside Protection Overlay Zone Siting Requirements;
  - (m) EC 9.4815 /WB Wetland Buffer Overlay Zone Siting Requirements;

Section 6. The Legislative Findings set forth in the attached Exhibit A serve as support for this ordinance, but are not adopted.

Section 7. The Eugene Overlay Zone Map is amended to add the /BW overlay zone to the properties as reflected on Exhibit B.

Ordinance 5

Section 8: The City Recorder, at the request of, or with the concurrence 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.

Section 9: If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held invalid or unconstitutional by a court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions hereof.

Section 10: Notwithstanding the effective date of ordinances as provided in the Eugene Charter of 1976, this Ordinance shall become effective 30 days from the date of its passage by the City Council and approval by the Mayor, or upon the date of its acknowledgment as provided by ORS 197.625, whichever is later.

Passed by the City Council this

25<sup>th</sup> day of November, 2002

  
City Recorder

Approved by the Mayor this

25<sup>th</sup> day of November, 2002

  
Mayor

Ordinance 6

EXHIBIT

7

PAGE

6

OF

6

**ORDINANCE NO. 20275**

**AN ORDINANCE CONCERNING THE ROYAL NODE SPECIAL AREA ZONE; AMENDING SECTIONS 9.1030, 9.8030, 9.8865, AND 9.9510 OF THE EUGENE CODE, 1971; ADDING SECTIONS 9.3800 TO 9.3823 TO THAT CODE; ADOPTING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.**

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

**Section 1.** Section 9.1030 of the Eugene Code, 1971, is amended by adding the following in alphabetical order to the Table 9.1030 Special Area Zone listing:

Table 9.1030 Zones		
Broad Zone/Category	Zone	
Special	S-RN	Royal Node Special Area Zone

**Section 2.** The following caption and Sections 9.3800 to 9.3823 are added to the Eugene Code, 1971, to provide:

**S-RN Royal Node Special Area Zone**

**9.3800 Purpose of S-RN Royal Node Special Area Zone.** The special area zone applied to the Royal Node area is intended to ensure that:

- (1) The overall street system and internal circulation systems for large developments shall provide for a circulation network that encourages walking, bicycling and transit use;
- (2) Local streets shall be designed with narrow lane widths to reduce vehicle speeds, reduce construction costs, and meet stormwater goals;
- (3) On-street parking shall be provided on all streets within the node, except alleys;
- (4) Alleys shall be used, whenever possible, to provide service and parking access to residential and commercial developments within the node.
- (5) The street system shall be designed to discourage cut-through traffic seeking an alternative to travel on arterial and collector streets;
- (6) A coordinated system of striped bicycle lanes, on-street bicycle routes, and off-street bicycle paths shall be developed within the node;
- (7) Residential development shall achieve an overall density of 12 dwelling units per net acre for the entire development site;

- (8) A mix of housing densities, ownership patterns, prices, and building types shall be developed in the node;
- (9) Open space areas adjacent to the node shall be integrated into the overall design concept for the node;
- (10) Existing drainageways shall be maintained and enhanced;
- (11) Homes located along major streets shall be placed so as to face the street;
- (12) Streets that front on neighborhood parks shall be lined with homes that face the park;
- (13) Residential accessory units shall be allowed and promoted as a means of increasing density of development in the area;
- (14) Residential garages shall be provided access from alleys whenever possible to improve the visual character of the street, improve pedestrian qualities along the street, and to promote construction of small-lot single family housing with reduced lot widths;
- (15) Multi-family developments shall retain visual and physical links to adjacent public parks and natural areas and preserve unique natural features found on the site;
- (16) Multi-family developments shall front onto public and private streets with building entrances visible from the street;
- (17) Setbacks and building designs for multi-family developments shall insure privacy for and promote compatibility with abutting lower intensity uses;
- (18) Vehicle parking lots or areas shall not be located between buildings and the public street;
- (19) Large parking areas shall be separated into smaller lots to minimize their visual impact;
- (20) Vehicle access points for multi-family, commercial, and mixed-use developments shall connect to local or collector streets, via alleys whenever possible, rather than arterial streets;
- (21) Commercial buildings shall be designed so as to stimulate the creation of high-quality pedestrian use areas and are situated so as to define the street right-of-way;
- (22) Commercial buildings shall be designed with building entrances fronting on the street and with street-facing facades that contain windows; and
- (23) A mixture of retail, service, education, office and higher-density residential uses shall be developed in the node.

**9.3805 S-RN Royal Node Special Area Zone Siting Requirements.** In addition to the approval criteria at EC 9.8865 Zone Change Approval Criteria, the site must be included within the area depicted on Map 9.3805 S-RN Royal Node Special Area Zone and Subareas. When property is rezoned to S-RN, as part of the rezoning process, the City shall identify the subarea designation applicable to the property. Within the S-RN Special Area Zone, the 7 subareas are:

- (1) S-RN/LDR (low density residential);



- (2) S-RN/MDR (medium density residential);
- (3) S-RN/MSC (main street commercial);
- (4) S-RN/CMU (commercial mixed use);
- (5) S-RN/RMU (residential mixed use);
- (6) S-RN/PRO (park, recreation and open space); and
- (7) S-RN/NR (natural resources).

The applicable subarea shall be that shown on Map 9.3805 unless a different subarea designation is found to be consistent with EC 9.3800 Purpose of S-RN Royal Node Special Area Zone.

**9.3808 S-RN/NR Royal Node Natural Resources Subarea and S-RN/PRO Royal Node Park, Recreation and Open Space Subarea Regulations.** Land use and development within the S-RN/NR subarea shall be governed by the code sections applicable in the NR Natural Resources Zone. Land use and development within the S-RN/PRO subarea shall be governed by the code sections applicable in the PRO Park, Recreation and Open Space Zone.

**9.3810 S-RN Royal Node Special Area Zone Land Use and Permit Requirements.** The following Table 9.3810 S-RN Royal Node Special Area Zone Uses and Permit Requirements identifies those uses in the S-RN zone that are:

- (P) Permitted, subject to zone verification.
- (C) Subject to an approved conditional use permit.
- (S) Permitted subject to zone verification and the Special Development Standards for Certain Uses beginning at EC 9.5000.
- (SR) Permitted, subject to an approved site review plan.
- (#) The numbers in ( ) in the table are uses that have special use limitations described in EC 9.3811 Special Use Limitations for Table 9.3810.

Examples listed in Table 9.3810 are for informational purposes and are not exclusive. Table 9.3810 does not indicate uses subject to Standards Review. Applicability of Standards Review procedures is set out at EC 9.8465.

Table 9B.1 - Permitted Principal and Accessory Uses					
Accessory Uses					
Accessory Uses. <u>Examples</u> related to residential use include a garage, storage shed, and services primarily for use by residents on the site, such as a recreation room and laundry facility. Parking areas and garages constructed and used for a principle use on the development site, such as an apartment, are allowed as an accessory use. <u>Examples</u> related to non-residential use include storage and distribution facilities incidental to the primary use of the site.	P	P	P(6)	P(7)	P(8)
<b>Agricultural, Resource Protection and Extraction</b>					
Community and Allotment Garden	P	P	P(6)	P(7)	
Horticultural Use			P(6)	P(7)	
<b>Cultural, Religious, Social and Educational</b>					
Church, Synagogue, and Temple, including associated residential structures for religious personnel, but excluding elementary through high school	C(5)	C(5)			
Community and Neighborhood Center			P	P	P
<b>Eating and Drinking Establishments</b>					
Bar and Tavern			C(6) (3)	C(7) (3)	C(8) (3)
Delicatessen, Coffee, Bagel, Donut Shop			P(6) (3)	P(7) (3)	P(8) (3)
Restaurant			P(6) (3)	P(7) (3)	P(8) (3)
<b>Entertainment and Recreation</b>					
Amusement Center (Arcade, pool tables, etc.)			C(6) (3)	C(7) (3)	P(8) (3)
Artist Gallery/Studio			P(6) (3)	P(7) (3)	P(8) (3)
Athletic Facility and Sports Club	C	C	P(6) (3)	P(7) (3)	P(8) (3)
Athletic Field, Outdoor	C	C			
Ballet, Dance, Martial Arts, and Gymnastic School/Academy/Studio			P(6) (3)	P(7) (3)	P(8) (3)
Park and Playground (Refer to Park, Recreation, and Open Space zone for examples of activities within this use.) See EC 9.2640	P	P	P(6)	P(7)	P(8)
Theater, Live Entertainment					C
<b>Financial Services</b>					
Automated Teller Machine (ATM)			P	P	P
Bank, Savings and Loan Office, Credit Union			P(6) (3)	P(7) (3)	P(8) (3)

Table 9. PERMITTED USES BY ZONE					
Zone 1: Single-Family Residential					
Government					
Government Services, not specifically listed in this or any other uses and permit requirements table. <u>An example</u> could include: a fire station and library.	P	P	P(6) (3)	P(7) (3)	P(8) (3)
Lodging					
Bed and Breakfast Facility (See EC 9.5100)	S	S			
Manufacturing					
Recycling, reverse vending machine		S	P(6) (3)	P(7) (3)	P(8) (3)
Recycling, small collection facility (See EC 9.5650)	S	S	S(6) (3)	S(7) (3)	S(8) (3)
Medical and Health Services					
Hospital, Clinic, or other Medical Treatment Facility (including mental health). 10,000 square feet or less of floor area					P (3)
Meal Service, Non-Profit			C (6) (3)	C(7) (3)	C(8) (3)
Motor Vehicle Related Uses					
Parking Garage, up to 2 levels			C(6) (3)	C(7) (3)	C(8) (3)
Transit Station, Major			C(6) (3)	C(7) (3)	C(8) (3)
Transit Station, Minor			C(6) (3)	C(7) (3)	C(8) (3)
Transit, Neighborhood Improvement	P	P	P(6) (3)	P(7) (3)	P(8) (3)
Transit Park and Ride, Major or Minor, Only when Shared Parking Arrangement with Other Permitted Use	P	P			
Office Uses					
Administrative, General and Professional Offices			P(6) (3)	P(7) (3)	P(8) (3)
Scientific and Educational Research Center, includes laboratory			P(6) (3)	P(7) (3)	P(8) (3)
Personal Services					
Barber, Beauty, Nail, Tanning Shop			P(6) (3)	P(7) (3)	P(8) (3)
Day Care Facility (Day care operations part of a residence are included in residential)			P(6) (3)	P(7) (3)	P(8) (3)
Dry Cleaner			P(6) (3)	P(7) (3)	P(8) (3)
Film, Drop-off/Pick-up			P(6) (3)	P(7) (3)	P(8) (3)
Locksmith Shop			P(6) (3)	P(7) (3)	P(8) (3)
Laundromat, Self-Service			P(6) (3)	P(7) (3)	P(8) (3)
Mailing and Package Service			P(6) (3)	P(7) (3)	P(8) (3)
Shoe Repair Shop			P(6) (3)	P(7) (3)	P(8) (3)

Table 9.25: Permitted and Conditional Uses in the R-10 Zone and the R-10 Zone Overlay					
Tailor Shop			P(6) (3)	P(7) (3)	P(8) (3)
<b>Residential</b>					
Dwellings. (All dwellings shall meet minimum and maximum density requirements for development within the Royal Specific Plan area. All dwelling types are permitted.)					
One-Family Dwelling (1 Per Lot, includes zero lot line dwellings)	P	P	P		
Secondary Dwelling (Either Attached or Detached from Primary One-Family Dwelling on Same Lot)	P (1)	P(1)	P(1)		
Rowhouse (One-Family on Own Lot Attached to Adjacent Residence on Separate Lot with Garage or Carport Access to the Rear of the Lot)	P(2) (3)	P (2) (3)	P(2) (3)	P(2) (3)	P(2) (3)
Duplex (Two-Family Attached on Same Lot)	P	P	P		
Tri-plex (Three family attached on the same lot) See EC 9.5500	P	P	P	P	
Four-plex (Four-Family Attached on Same Lot) See EC 9.5500	P	P	P		
Multiple-Family (3 or More Dwellings on Same Lot) See EC 9.5500	S(3) (9)	S(3) (9)	S(3) (9)	S(3) (9)	S(3) (9)
Manufactured Home Park. Shall comply with EC 9.5400 or site review.	S - SR (4)	S - SR (4)			
Controlled Income and Rent Housing where density is above that normally permitted in the zoning district but does not exceed 150% of the maximum permitted density. (Shall comply with multiple-family standards in EC 9.5500.)	S (9)	S (9)			
Assisted Living & Day Care (Residences Providing Special Services, Treatment or Supervision)					
Assisted Living (5 or fewer people living in facility and 3 or fewer outside employees on site at any one time)	P	P			
Assisted Living (6 or more people living in facility)	C	C			
Day Care (3 to 12 people served) (See EC 9.5200)	S	S	P	P	P
Day Care (13 or more people served)	C	C	C	C	C
<b>Trade (Retail and Wholesale)</b>					
Convenience Store			P(6) (3)	P(7) (3)	P(8) (3)
Furniture and Home Furnishing Store					P(8) (3)
Garden Supply/Nursery, includes feed and seed store			P(6) (3)	P(7) (3)	P(8) (3)
General Merchandise, includes supermarket and department store			P(6) (3)	P(7) (3)	P(8) (3)

Table 9.3810 - Special Use Limitations for Table 9.3810					
Use	Single-Family Residential	Two-Family Residential	Neighborhood Commercial	Community Commercial	Office
Hardware/Home Improvement Store			P(6) (3)	P(7) (3)	P(8) (3)
Specialty Store (examples include gift, computer or video store)			P(6) (3)	P(7) (3)	P(8) (3)
<b>Utilities and Communication</b>					
Amateur Radio Antenna Structure (See EC 9.5050)	S	S	S(6)	S(7)	S(8)
Electrical Substation, must meet landscape standards in EC 9.6210(3) High Screen Landscape Standard (L-3) unless fully enclosed within a building or approved through a Type II procedure that shows low visual impact.	P	P	P(6)	P(7)	P(8)
Fiber Optic Station, must meet landscape standards in EC 9.6210(3) High Screen Landscape Standard (L-3) unless fully enclosed within a building or approved through a Type II procedure that shows low visual impact.	P	P	P(6)	P(7)	P(8)
Pump Station, well head, non-elevated reservoir, and other water or sewer facilities, must meet landscape standards in EC 9.6210(3) High Screen Landscape Standard (L-3) unless fully enclosed within a building or approved through a Type II procedure that shows low visual impact.	P	P	P(6)	P(7)	P(8)
Telecommunication Facilities (See EC 9.5750)	S	S	S(6)	S(7)	S(8)
<b>Other Commercial Services</b>					
Building Maintenance Service					P(8) (3)
Catering Service					P(8) (3)
Collection Center, Collection of Used Goods (See EC 9.5150)					S(8) (3)
Home Occupation (See EC 9.5350)	S	S			
Model Home Sales Office (See EC 9.5450)	S	S			
Photographer Studio			P(6) (3)	P(7) (3)	P(8) (3)
Picture Framing and Glazing			P(6) (3)	P(7) (3)	P(8) (3)
Printing, Blueprinting, and Duplicating			P(6) (3)	P(7) (3)	P(8) (3)
Publishing Service			P(6) (3)	P(7) (3)	P(8) (3)
Veterinary Service					C(8) (3)

**9.3811 Special Use Limitations for Table 9.3810.**

- (1) **Secondary Dwellings.** Secondary dwellings shall conform to all of the following:
  - (a) The dwelling shall not exceed 800 square feet unless occupying the full

- story of a multi-story structure with ground floor residential use.
- (b) Either the primary dwelling or the secondary dwelling shall be occupied by the property owner.
  - (c) There shall be at least 1 off-street parking space on the property.
  - (d) The dwelling shall be located on a lot that is not a flag lot.
  - (e) Detached secondary dwellings shall:
    - 1. Comply with the residential density limitations in Table 9.3815(3)(n) Royal Node Special Area Zone Development Standards.
    - 2. Provide a pedestrian walkway from the street or alley to the primary entrance of the secondary dwelling.
    - 3. The primary entrance to a secondary dwelling shall be defined by a roofed porch.
    - 4. Outdoor storage and garbage areas shall be screened from view from adjacent properties and those across the street or alley.

Prior to issuance of a final occupancy permit for the secondary dwelling, the owner shall provide the city with a copy of a notice that has been recorded with the Lane County Clerk that documents the secondary dwelling or primary dwelling is owner/occupied.

- (2) **Rowhouses.** Rowhouses shall comply with the following:
  - (a) Maximum Building Size. Eight rowhouses in a building, no more than 180 feet in width.
  - (b) Minimum Interior or Rear Open Space Required. 400 square feet per rowhouse with a minimum smallest dimension of 14 feet.
  - (c) Auto Access and Parking. Auto access and parking shall be provided from an alley to the rear of the lot; there shall be no auto access from the front of the lot.
- (3) **Alley Access.** This use is permitted only if there is an alley that can provide auto access and parking. There shall be no auto access in front of the lot.
- (4) **Manufactured Home Park.** The number of spaces designed for manufactured homes in the park shall comply with minimum residential density standards for the Royal Node.
- (5) **Churches, Synagogues and Temples.** Permitted conditionally in areas designated for Low Density Residential use, subject to the following standards:
  - (a) Primary and accessory structures associated with the religious use are limited in size, at the ground floor, to no more than 10,000 square feet.
  - (b) Minimum requirements for on-site parking are reduced to 1 parking space per 300 square feet of floor area.
- (6) **Small Business Size Limits in RMU.** Each individual business is limited to 3,000 square feet of floor area. In addition, no use may include a drive-through facility.
- (7) **Small Business Size Limits in CMU.** Each individual business is limited to 5,000 square feet of floor area. In addition, no use may include a drive-through facility.



- (8) **Business Size Limits in MSC.** Each individual business is limited to 30,000 square feet of floor area. In addition, no use may include a drive-through facility.
- (9) **Multiple-Family Structures.** On development sites that will result in 100 feet or more of public or private street frontage, at least 60% of the site frontage abutting the street (including required yards) shall be occupied by a building(s) or enhanced pedestrian space with not more than 20 percent of the 60 percent in enhanced pedestrian space, placed within 10 feet of the minimum front yard setback line. On development sites with less than 100 feet of public or private street frontage, at least 40% of the site width shall be occupied by a building(s) placed within 10 feet of the minimum front yard setback line. Building projections and offsets with an offset interval of 10 feet or less meet this standard (excluding required yards). "Site width" as used in this standard, shall not include areas of street frontage that have significant natural resources as mapped by the city, delineated wetlands, slopes greater than 15%, recorded easements, required fire lanes or other similar non-buildable areas, as determined by the planning director.
- (10) An adjustment may be made to the special use limitations in this section if consistent with the criteria in EC 9.8030(17).

**9.3815 S-RN Royal Node Special Area Zone Development Standards - General.**

- (1) (a) Application of Standards. In addition to the special use limitations in EC 9.3811 and the development standards in EC 9.3815 to EC 9.3823, 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 9.3815 to EC 9.3823, the specific provisions of EC 9.3815 to EC 9.3823 shall control.
- (b) Adjustment. The development standards in subsections (2) and (3) of this section may be adjusted in accordance with EC 9.8030(17).
- (2) **Development Standards Applicable in the LDR, MDR, RMU, CMU and MSC Subareas.**
- (a) Transportation System.
1. Street Network. The location of arterial, collector, and local streets adjacent to drainage corridors, shall conform to Map 9.3815(2)(a)1 S-RN Royal Node Special Area Zone Street Network.
  2. Street Standards. In addition to the requirements set out in The Design Standards and Guidelines for Eugene Streets, Sidewalks, Bikeways and Accessways:
    - a. Neighborhood collector streets shall be developed in conformance with Figure 18 of the Royal Avenue Specific Plan, and
    - b. Alleys and local streets with drainage swales shall be designed in conformance with Figures 23 and 24 of the Royal Avenue

Specific Plan.

3. Required Alleys. Alleys are required to be built within the areas shown on Map 9.3815(2)(a)3 S-RN Royal Node Special Area Zone Required Alleys. Alleys shall have a minimum width of 14' and a maximum width of 20'.
4. Access from Alleys.
  - a. If the site abuts an alley, access for motor vehicles must be provided from the alley.
  - b. In cases where lots front on arterial and/or collector streets or on neighborhood parks, alley access shall be provided.

(b) Streetscapes.

1. Street Trees. Street tree requirements are specified in EC 7.280 Street Tree Program - Policies, Standards, Procedures, and rules issued thereunder.
2. Fences and Walls. With the following exception, fence standards in EC 9.2171(9) shall be applied within the node. Fences and walls greater than 42" in height shall be prohibited in front yard setback areas.

(c) Parking.

1. On-Street Parking. On-street parking is required:
  - a. On at least one side of the street on all local streets within the plan area, and
  - b. In accordance with, and where specifically indicated on Map 9.3815(2)(c)1 S-RN Royal Node Special Area Zone On-Street Parking.
2. On-Street Parking Allowance. Except within the S-RN/LDR area, on-street parking spaces that directly abut a development site can be used by the development on the site to satisfy a portion of the off-street parking requirements. If two properties abut a space, both properties may count the space toward their respective requirements. If on-street spaces are not marked, the number of spaces shall be determined by measuring the curb frontage in feet and dividing by 20 feet. The curb frontage shall exclude driveways and areas where parking is not permitted.

(d) Trash Pickup. Trash receptacles shall be served from the alley for all sites that abut an alley.

(e) Multi-Family Development. With the following exceptions, Multi-Family Development Standards in EC 9.5500 shall be applied to new multi-family development within the S-RN Special Area Zone:

1. Except as provided in EC 9.3816(5), setback sidewalks, a minimum of 5 feet in width, are required along all public streets within and abutting the development site.
2. Setback sidewalks, a minimum of 5 feet in width, are required along

- all private streets serving development of 20 or more units.
3. Sidewalks may be designed as curbside walks along portions of public or private streets that provide parallel on-street parking within parking bays. Where this option is used, canopy street trees shall be planted within the planting strip areas created by the parking bays with an average spacing of 50' along the full length of the street.
  4. On street parking spaces adjacent to the street frontage of a building shall be counted toward meeting the off-street parking requirement. If two properties abut a space, both properties may count the space toward their respective requirements. If on-street spaces are not marked, the number of spaces shall be determined by measuring the curb frontage in feet and dividing by 20 feet. The curb frontage shall exclude driveways and areas where parking is not permitted.
  5. Roofs pitches must have gable, hip, or gambrel forms. Minimum roof pitch for all structures except manufactured homes shall be 4 inches of vertical rise for each 12 inches of horizontal width, and with a minimum 6-inch overhang.

**(3) Development Standards Applicable in Specific Subareas of the S-RN Zone.**

**(a) Building Orientation and Entrances.**

1. Within the LDR subarea all primary residential structures, including multi-unit structures, must comply with the following:
  - a. For buildings within 50' of the front lot line, primary building entrances shall face the street and be directly accessed by a sidewalk. On corner lots, the building entrance may face either of the streets, or be oriented toward the intersection of both streets.
  - b. Off-street motor vehicle parking or vehicular circulation may not be located between the front door of the primary residence and the street.
2. Within the RMU, CMU and MSC subareas:
  - a. Buildings fronting on a street or streets must provide a main entrance on the facade of the building nearest to and facing each street that the building abuts. A main entrance is a principle entrance through which people enter the building.
  - b. So long as the length of the building adjacent to the street does not exceed 50 feet, corner entrances may be used to provide entrance orientation to two streets.
  - c. Off-street motor vehicle parking or vehicle circulation may not be located between the front door of any building and the street.

**(b) Building Facades and Windows.**

1. Blank Walls. Within the LDR subarea, a minimum of 15 percent of any facade that faces a front property line shall contain windows or

doors. Windows in garage doors do not count toward meeting this standard, but windows in garage walls that face the street do count toward meeting this standard. To count toward meeting this standard, a door must be at the main entrance and facing a street lot line. Gabled areas are not part of the facade for purposes of determining compliance with this section.

2. Exterior Finish Materials.

- a. Within the LDR subarea, concrete block, concrete, or corrugated metal may not be used as primary exterior building materials in low density residential structures, except as a trim material that covers no more than ten percent of any facade. Plywood and sheet pressboard may be used only as finish exterior material when applied in a board and batten pattern with battens spaced at two feet on center or less. Concrete and concrete block are allowed as foundation materials only.
- b. Within the RMU, CMU and MSC subareas, the exterior walls building facades shall be of suitable durable building materials including the following: stucco, stone, terra-cotta, tile, cedar shakes and shingles, beveled or ship-lap or other narrow-course horizontal boards or siding, vertical board & batten siding, articulated architectural concrete masonry units (CMU), brick, textured concrete, stucco, synthetic stucco (EIFS), and textured concrete block, or similar materials which are low maintenance, weather resistant, abrasion resistant and easy to clean. Prohibited building materials include the following: plain concrete, plain concrete block, corrugated metal, and unarticulated board siding (e.g. T1-11 siding, plywood, sheet pressboard) and similar quality, non-durable materials.

3. Within the RMU, CMU and MSC subareas, the following standards apply to stand-alone commercial buildings and to mixed-use buildings with ground-floor commercial uses:

- a. Except for building walls that face an alley, ground floor walls shall contain windows (as stated below) at the ground level. The windows may extend a maximum sill height of 4 feet above finish grade to a height at least 3 feet above the sill with no other limits on the height of the window. The windows on any walls that require windows shall occupy at least 60 percent of the length of the ground floor wall area. On corner lots, this provision applies to both street frontage elevations. The transparency is measured in lineal fashion (e.g. a 100 foot wide building facade shall have a total of at least 60 lineal feet of windows). This standard shall not apply to parking structures. The bottom of required windows shall be no more than 4 feet

- above the finished grade at the front building facade.
- b. Darkly tinted windows and mirrored windows that block two-way visibility are prohibited as ground floor windows.
  - c. Along the vertical face of a structure, offsets shall occur at a minimum of every 50 feet by providing at least 1 of the following:
    - (1) Recesses, including entrances, of a minimum depth of 3 feet.
    - (2) Extensions, including entrances, at a minimum depth of 3 feet.
    - (3) Offsets or breaks in roof elevation of at least 3 feet in height.
- (c) Front Porches. Within the LDR subarea, front porches shall be provided on the ground floor of all dwelling units, other than multi-family dwelling units. Front porches shall be a minimum of 6 feet deep by 10 feet wide (a minimum of 60 square feet). A minimum of 60% of each porch shall be covered to provide weather protection.
- (d) Elevated Finished Floor Elevations. Within the LDR subarea, finished floor elevations of residential structures shall be a minimum of 2 feet above the grade of the sidewalks, where sidewalks are adjacent to the dwelling units.
- (e) Roof Pitch.
- 1. Within the LDR subarea, roof pitches must have gable, hip, or gambrel forms. Minimum roof pitch for all structures except manufactured homes shall be 4 inches of vertical rise for each 12 inches of horizontal width (4:12), and with a minimum 6-inch overhang.
  - 2. Within the CMU, RMU and MSC subareas, pitched roofs shall provide a minimum 4:12 pitch. Flat roofs shall provide a cornice, or other decorative treatment.
    - a. Residential and mixed-use buildings, including accessory buildings, shall be constructed with pitched roofs having a gable, hip, or gambrel form. Minimum roof pitch on these buildings is 4 inches of vertical rise for each 12 inches of horizontal width (4:12). Such roofs shall have a minimum 6-inch overhang.
    - b. Any non-residential building may have either pitched or flat roofs provided that the buildings are constructed with a cornice or parapet extending a minimum of 3 feet above the roof plane.
- (f) Window and Door Treatments. Within the LDR subarea, all windows and doors shall provide a minimum 3-inch trim or be recessed a minimum of 3 inches to provide shadowing.
- (g) Signs. In addition to the applicable sign standards in EC 9.6600 through

9.6650, the following standards apply:

1. Within the CMU subarea:
  - a. Permitted Sign Types. Signs allowed shall be limited to the following types:
    - (1) Awning signs;
    - (2) Electronic message centers;
    - (3) Freestanding signs.
    - (4) Marquee signs;
    - (5) Readerboards;
    - (6) Under-marquee signs; and
    - (7) Wall signs.
  - b. Maximum Number of Signs. The number of signs allowed shall be limited to no more than the following amounts for each business occupant:
    - (1) One under-marquee sign per business occupant; and
    - (2) One awning, marquee or wall sign per business occupant; and
    - (3) One freestanding sign per occupied building.
  - c. Maximum Sign Area. The following size limitations apply to signs in areas designated for Commercial Mixed-Use:
    - (1) A freestanding sign shall be no more than 24 square feet for 1 face and 48 square feet for 2 or more faces.
    - (2) The sum of the area of all wall signs, marquee signs and awning signs on any wall where the general office sign stands apply shall be limited to 0.5 square feet times the length of the perimeter wall upon which the signs are located.
    - (3) No awning, marquee, under-marquee, or wall sign may exceed 100 square feet.
  - d. Freestanding Sign Location. Freestanding signs are allowed to be located only at entrances to or exits from parking areas for multi-tenant buildings.
  - e. Maximum Sign Height. A freestanding sign shall be no more than 8 feet in height.
2. Within the MSC subarea:
  - a. Permitted Sign Types. Signs allowed under sign standards shall be limited to the following types:
    - (1) Awning signs;
    - (2) Electronic message centers;
    - (3) Freestanding signs.
    - (4) Marquee signs;
    - (5) Readerboards;
    - (6) Under-marquee signs; and

- (7) Wall signs.
- b. Maximum Number of Signs. The number of signs allowed shall be limited to no more than the following amounts for each business occupant:
- (1) If the development site is occupied by only 1 business occupant:
- (A) One under-marquee sign; and
- (B) One awning, marquee, or freestanding sign;
- (C) The business occupant may substitute 2 wall signs on separate walls for the free-standing sign permitted in EC 9.3815(3)(g)2.a.
- (2) If the development site is occupied by more than 1 business occupant:
- (A) One under-marquee sign per business;
- (B) One awning, marquee or wall sign per business; and
- (C) One freestanding sign or 2 additional wall signs per development site, provided that each additional wall signs are placed on separate walls.
- c. Maximum Sign Area The following size limitations apply to signs in areas designated for Main Street Commercial use:
- (1) A freestanding sign for a development site shall be no more than 32 square feet for 1 face and 64 square feet for 2 or more faces for each business occupant on a development site. The maximum freestanding sign area when 2 business occupants are on the development site shall not exceed 64 square feet for 2 face or 132 square feet for 2 or more faces. The maximum freestanding sign area when 3 or more business occupants are on the development site shall not exceed 90 square feet for 1 face and 180 square feet for 2 or more faces.
- (2) The sum of the area of all wall signs, marquee signs and awning signs on any wall shall be limited to 1.0 square feet times the length of the perimeter wall upon which the signs are located.
- (3) No individual awning, marquee, under-marquee, or wall sign may exceed 100 square feet per face or 200 square feet for 2 or more faces.
- d. Freestanding Sign Location Freestanding signs are permitted only at entrances to or exits from parking areas for single tenant or multi-tenant buildings.
- e. Maximum Sign Height A freestanding sign shall be no more than 16 feet in height.
- (h) Landscaping Standards. In addition to the landscape standards beginning

with EC 9.6200 Purpose of Landscape Standards, and for multi-family development in EC 9.5500(8), the following standards apply to Commercial Mixed-Use area developments in the RMU, CMU and MSC subareas:

1. For commercial and mixed-use buildings with ground floor commercial uses, if the building is set back from the front lot line, the land between the building and a street must be landscaped to at least the L-1 Landscape Standard or paved with a hard surface for use by pedestrians. If a hard surface is provided, the area must contain at least two of the pedestrian amenities described in (h)2. below. The use of porous paving materials for hard surfacing is encouraged. Residential developments are exempt from this subsection.
  2. Acceptable pedestrian amenities to satisfy (h)1., above, include:
    - a. Sidewalks, at least 8 feet in width, which include ornamental treatments (e.g. brick pavers, etc.).
    - b. Benches and public outdoor seating areas.
    - c. Public art (e.g. sculpture, fountain, clock, mural, etc.) with an acquisition and placement cost greater than ½ of 1 percent of the construction value of the structure.
    - d. Plazas or pocket parks with a minimum usable area of 300 square feet
    - e. Preservation of healthy, mature trees within 20' of the front sidewalk area.
    - f. Transit shelter.
- (i) Parking and Loading. Within the RMU, CMU and MSC subareas, in addition to the standards beginning at EC 9.6100 Purpose of Bicycle Parking Standards and EC 9.6400 Purpose of Motor Vehicle Parking and Loading Standards, the following standards apply:
1. Motor vehicle parking, maneuvering and circulation is not permitted between the street and the portion of a building that is used to comply with building setback requirements.
  2. For commercial uses, including commercial uses in mixed use buildings:
    - a. No parking spaces are necessary if 8 or fewer parking spaces are otherwise required.
    - b. If 9 or more parking spaces are otherwise required, the required parking can be reduced by 4 spaces if the business provides a minimum of 2 of the amenities described in EC 9.3815(3)(h)2., above.
- (j) Outdoor Storage Areas. Within the RMU, CMU and MSC subareas, except for plant nurseries, outdoor storage is not permitted.
- (k) Outdoor Merchandise Display. Within the RMU, CMU and MSC



subareas, except for plant and garden supply products, outdoor merchandise display is not allowed.

- (l) **Garbage Collection.** Within the RMU, CMU and MSC subareas, all outdoor garbage collection areas shall be screened on all sides within a solid perimeter enclosure that meets the following standards:
  1. Materials within enclosures shall not be visible from streets and adjacent properties.
  2. Required screening shall comply with EC 9.6210(6) Full Screen Fence Landscape Standard (L-6).
  3. Trash and recycling receptacles for pedestrians are exempt from these requirements.
- (m) **Outdoor Lighting.** Within the LDR subarea, outdoor lighting shall comply with the Low Ambient Light standards in EC 9.6725. Within the MDR, RMU, CMU and MSC subareas, outdoor lighting shall comply with the Medium Ambient Light standards in EC 9.6725.
- (n) The following Table 9.3815(3)(n) sets forth additional standards for specific subareas of the S-RN Zone, subject to the special development standards in EC 9.3816 Special Development Standards for Table 9.3815(3)(n).

Table 9.3815(3)(n) S-RN Zone Special Development Standards Subarea, LDR, CMU, MSC, MDR, RMU, and MSC					
	LDR	CMU	MSC	MDR	RMU
<b>Minimum Net Density per Acre</b>	8 units	18 units	18 units	18 units	18 units
<b>Maximum Net Density per Acre</b>	14 units	28 units	28 units	28 units	28 units
<b>Maximum Building Height</b>					
Main Building	35 feet	35 feet	50'	50'	50'
Accessory Building. Includes Secondary Dwellings Detached from Main Building	25 feet	25 feet	50'	50'	50'
<b>Minimum Front Yard Setback</b>					
Front Yard Setback - residential (3)	10 feet	10 feet	10 feet		6 feet
Front Yard Setback - Garage doors and Carport (7)	18 feet				
Front Yard Setback - Commercial (5) (6)			0 feet	0 feet (5)	0 feet (5)
Front Yard Setback - Mixed Use (5) (6)			0 feet	0 feet (5)	0 feet (5)
Interior Yard Setback - Attached Buildings (2)(4)	0 feet	0 feet	0 feet	0 feet	0 feet

Table 1. Minimum Yard Setback Requirements for Various Building Types					
Building Type	Front Yard	Side Yard	Back Yard	Front Yard	Back Yard
Interior Yard Setback - Detached Buildings (2)(4)	5 feet or minimum of 10 feet between buildings	5 feet or minimum of 10 feet between buildings	5 feet or minimum of 10 feet between buildings	5 feet or minimum of 10 feet between buildings	5 feet or minimum of 10 feet between buildings
Front Yard Setback - Mixed Use Building with Ground Floor Commercial (5)(6)			0 feet	0 feet	0 feet
Commercial and/or Mixed Use Building except those Buildings on Royal Avenue or Roosevelt Boulevard with Commercial on Ground Floor in CMU or MSC			15 feet	15 feet	15 feet
Residential Buildings with more than 100' of street frontage		60% of the lot width occupied by building placed within 10' of the minimum front yard setback line	60% of the lot width occupied by building placed within 10' of the minimum front yard setback line	60% of the lot width occupied by building placed within 10' of the minimum front yard setback line	60% of the lot width occupied by building placed within 10' of the minimum front yard setback line
Residential Building with less than 100' of street frontage		40% of the lot width occupied by building placed within 10' of the minimum front yard setback line	40% of the lot width occupied by building placed within 10' of the minimum front yard setback line	40% of the lot width occupied by building placed within 10' of the minimum front yard setback line	40% of the lot width occupied by building placed within 10' of the minimum front yard setback line
Non-residential Building fronting on Royal Avenue or Roosevelt Boulevard				6 feet	6 feet
Front Yard Setback Residential Building				10 feet	10 feet
Minimum Lot Coverage					
All Lots, Excluding Rowhouse Lots	50%	50%			
Rowhouse Lots	75%	75%			
Fences - Maximum Height					
Within Front Yard Setback Area	42 inches	42 inches	42 inches	42 inches	42 inches
Within Interior Yard Setback Area	6 feet	6 feet	6 feet	6 feet	6 feet

Commercial Structures Not Mixed with Residential Uses			0.5	0.5	0.5
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**9.3816 Special Development Standards for Table 9.3815(3)(n).**

- (1) An adjustment may be made to the development standards of Table 9.3815(3)(n) and this section in accordance with EC 9.8030(17).
- (2) A minimum 5' interior yard setback is required along alleys.
- (3) Certain building features and uses may intrude into the required setback. See EC 9.6745 Setbacks - Intrusions Permitted
- (4) Except as provided in this subsection (4), no interior setback along the side property lines is required if common wall construction is used. If common wall construction is used, it must conform to applicable building codes. A 5 foot setback is required at the end of a rowhouse building, or a minimum of 10 feet between the rowhouse building and any adjacent building.
- (5) All buildings in the MSC and CMU subareas fronting on either Royal Avenue or Roosevelt Boulevard shall be set back 6' from the front property line. The setback area shall be paved to create a continuous 12' wide sidewalks along the full length of the Main Street Commercial and Commercial Mixed-Use designations along the Royal Avenue and Roosevelt Boulevard street frontage.
- (6) For commercial and mixed use buildings not fronting on either Royal Avenue or Roosevelt Boulevard, at least 80% of the street-facing facade of commercial and mixed-use buildings must be within 15' of the front lot line.
- (7) **Garage and Carport Placement.**
  - (a) Within the LDR subarea, attached or detached garages and carports:
    1. Shall be set back a minimum of 18' from a public or private street if the garage or carport entrance faces the street;
    2. Shall be set back a minimum of 10' from a public or private street if the garage or carport entrance is perpendicular to the street;
    3. Shall be set back a minimum of 5' from an alley, measured from the edge of the property line;
    4. Garage and carport entrances may be placed only:
      - a. Perpendicular to (facing) an alley, parallel to an alley, or angled up to 45 degrees to an alley.
      - b. Perpendicular to (facing) or parallel to a street;
      - c. As part of the front facade of a structure if recessed at least 4' behind the front wall of the structure, excluding porches or other projections;
      - d. At the rear of a dwelling unit with access from a street. This

type of access is prohibited where it would result in adjacent driveways. In that case, a shared driveway and reciprocal access easements shall be required.

(b) Within the RMU subarea:

1. All garages and carports shall be located so as to take access from an alley
2. A minimum 5-foot rear yard setback is required for garages and carports that are accessed from an alley. Garages and carport entrances may be located perpendicular to (facing) an alley, parallel to an alley, or angled up to 45 degrees to an alley.

(8) **Garbage Collection.** Garbage collection areas shall not be located within required setbacks.

(9) **Delivery and Loading Areas.** Within the RMU, CMU and MSC subareas, delivery and loading facilities are not permitted in required setback areas.

**9.3822 S-RN Royal Node Special Area Zone Lot Standards.** The following Table 9.3822 sets forth lot standards within the S-RN zone. The numbers in () are references to special limitations that are set forth in EC 9.3823.

Table 9.3822 S-RN Royal Node Special Area Zone Lot Standards (See EC 9.3823 Special Limitations for Table 9.3822)					
Lot Type	Minimum	Minimum	Minimum	Minimum	Minimum
Rowhouse Lot (2)	1,600 square feet	1,600 square feet	1,600 square feet	1,600 square feet	1,600 square feet
Duplex Lots (3)	6,400 square feet	6,400 square feet	1,600 square feet		
Triplex Lots (4)	9,600 square feet	9,600 square feet	1,600 square feet		
Fourplex Lots (5)	12,800 square feet	12,800 square feet	1,600 square feet		
All Other Lots in LDR and MDR	3,200 square feet	1,600 square feet			
All Commercial Lots			10,000 square feet	10,000 square feet	10,000 square feet
Duplex Division Lots (8) (Existing lot shall be at least 8,000 square feet.)	3,600 square feet		3,600 square feet	3,600 square feet	3,600 square feet
Maximum Lot Area Per Residential Unit (Except Rowhouse Lots, Duplex Lots, Triplex Lots, Fourplex Lots, Duplex Division Lots)			4,500 square feet	4,500 square feet	4,500 square feet
Table 9.3823 Special Limitations for Table 9.3822					
Lot Type	Minimum	Minimum	Minimum	Minimum	Minimum
Rowhouse Lot (2)	20 feet	20 feet	20 feet	20 feet	20 feet
Duplex, Triplex, Fourplex	40 feet	40 feet	20 feet		

Table 1 - Minimum Lot Dimensions for Various Zoning Districts					
	Front	Side	Back	Front	Back
Other Residential Lot	40 feet	20 feet	20 feet	20 feet	20 feet
Commercial Lot			20 feet	20 feet	20 feet
Cottage District					
Rowhouse Lot (2)	20 feet	20 feet	20 feet	20 feet	20 feet
Duplex, Triplex, Fourplex	40 feet	40 feet	20 feet		
Other Residential Lot	40 feet	20 feet	20 feet	20 feet	20 feet
Commercial Lot			20 feet	20 feet	20 feet
Neighborhood District					
Rowhouse Lot (2)	20 feet	20 feet	20 feet	20 feet	20 feet
Duplex, Triplex, Fourplex	30 feet	30 feet	20 feet		
Other Residential Lot	30 feet	20 feet	20 feet	20 feet	20 feet
Commercial Lot			20 feet	20 feet	20 feet
Office and Professional District					
Rowhouse Lot (2)			20 feet	20 feet	20 feet
Duplex, Triplex, Fourplex	30 feet Duplex only		20 feet		
Other Residential Lot	30 feet		20 feet	20 feet	20 feet
Business and Professional District					
Rowhouse Lot (2)			20 feet	20 feet	20 feet
Duplex, Triplex, Fourplex	40 feet	40 feet	20 feet		
Other Residential Lot	40 feet	20 feet	20 feet	20 feet	20 feet
Commercial Lot			20 feet	20 feet	20 feet
Community District					
Rowhouse Lot (2)			20 feet	20 feet	20 feet
Duplex, Triplex, Fourplex	50 feet	50 feet	20 feet		
Other Residential Lot	50 feet	20 feet	20 feet	20 feet	20 feet
Commercial Lot			20 feet	20 feet	20 feet
Central District					
Rowhouse Lot (2)			20 feet	20 feet	20 feet
Duplex, Triplex, Fourplex	30 feet	30 feet	20 feet		
Other Residential Lot	30 feet	20 feet	20 feet	20 feet	20 feet
Commercial Lot			20 feet	20 feet	20 feet
Office and Professional District					
Rowhouse Lot (2)			20 feet	20 feet	20 feet
Duplex, Triplex, Fourplex	30 feet, Duplex Only		20 feet		
Other Residential Lot	30 feet		20 feet	20 feet	20 feet

**9.3823    Special Standards for Table 9.3822.**

- (1) An adjustment may be made to the development standards of Table 9.3822 and this section in accordance with EC 9.8030(17).
- (2) Rowhouse lots shall be indicated on the final plat and shall be developed with a rowhouse. Rowhouses are not required to comply with the density requirements for other types of residential development.
- (3) Duplex lots shall be indicated on the final plat and shall be developed as a duplex.
- (4) Tri-plex lots shall be indicated on the final plat and shall be developed as a tri-plex.
- (5) Four-plex lots shall be indicated on the final plat and shall be developed as a four-plex.
- (6) Cul-de-sacs will only be permitted as provided in EC 9.6815 and EC 9.6820.
- (7) Cul-de-sacs are not permitted in areas designated for Medium-Density residential use.
- (8) Duplex division lots shall comply with other duplex division provisions. (See EC 9.2777 Duplex Division Lot Standards.)

**Section 3.** Section 9.8030 of the Eugene Code, 1971, is amended by adding a new Subsection (17) thereto, to provide as follows:

**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.

- (17) S-RN Royal Node Special Area Zone Standards Adjustment. A standard applicable within the S-RN Royal Node Subarea LDR, MDR, RMU, CMU or MSC may be adjusted upon a finding that the proposed adjustment:
  - (a) Is consistent with the purposes of the S-RN Royal Node Special Area Zone as set forth at EC 9.3800; and
  - (b) Meets the applicable adjustment criteria in another subsection of EC 9.8030, if any.

If there is no EC 9.8030 subsection that pertains to the type of standard being considered, adjustment may be permitted based solely on compliance with EC 9.8030(17)(a).

**Section 4.** Section 9.8865 of the Eugene Code, 1971, is amended by adding in numerical order by Code provision, a new Subparagraph to Subsection (4), and relettering the subparagraphs that follow, 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 siting requirements set out for the specific zone in:

(j) EC 9.3805 S-RN Royal Node Special Area Zone Siting Requirements;

**Section 5.** Section 9.9510 of the Eugene Code, 1971, is amended by adding a new Subsection (1)(a) thereto and relettering the current Subsections (1)(a) through (1)(e) to (1)(b) through (1)(f), to provide:

**9.9510**     **Bethel-Danebo Refinement Plan Policies.**

(1) **Bethel-Danebo Refinement Plan (1982).**

(a) **Land use, Royal Avenue Specific Plan Area.**

1. Construction of proposed drainage corridors identified in the Plan shall be delayed until new development in the planning area creates a need for the drainage system. New development is defined, for the purpose of this policy, as final approval of any new subdivision or planned unit development within the Royal Avenue planning area; or final approval of an annexation request for land designated in the Royal Avenue Specific Plan for Main Street Commercial, Commercial Mixed-Use, Residential Mixed-Use or Medium-Density Residential development. The drainage corridor will be constructed in one or two increments, depending on where the first development proposal is approved within the node. Approval of new development on the north side of Royal Avenue will require construction only of the northside drainage channel; approval of new development on the south side of Royal will require construction of the complete system. (Policy 2)

2. The median proposed as part of the reconstruction of Royal Avenue shall not be constructed so as to limit access to existing residences that take access off Royal Avenue. Existing homes fronting on Royal Avenue shall be allowed to maintain access onto Royal Avenue until such time as those properties are redeveloped. Redevelopment, for the purpose of this policy, is defined as final approval of a land partition or of any new subdivision or planned unit development which includes land abutting Royal Avenue; or final approval of an annexation request for land designated in the Royal Avenue Specific Plan for Main Street Commercial, or

Commercial Mixed-Use development. (Policy 5)

3. The proposed north-south drainage channel on the south side of Royal Avenue that bisects property owned by Ron Bounds (Map and Tax Lot number 17-04-20-00-01300) shall be designed so as to avoid the removal of the residential structure on that parcel. The land on which the residential structure is sited, other than land required for the construction of the drainage channel and corridor, shall retain its current zoning (AG/UL) and use allowances until the property is annexed to the City of Eugene and rezoned consistent with the Royal Avenue Specific Plan. Annexation and rezoning shall be initiated completely at the discretion of the property owner. (Policy 6)
4. With the exception of the future extension of Roosevelt Boulevard and the reconstruction of Royal Avenue, the City shall not require the construction of any street or alley depicted on the Royal Avenue Land Use diagram until the property on which that street or alley is shown is annexed to the City and approved for new development. New development is defined, for the purpose of this policy, the same as that of Policy #2. (Policy 9)

**Section 6.** The January 2002 Royal Avenue Specific Plan (as amended by Errata dated June 2002, and not including Appendices B or C), and the Legislative Findings attached as Exhibit A, serve as findings in support of this Ordinance, but are not adopted.

**Section 7.** The maps referenced in this Ordinance specific to the Royal Node are attached hereto, to be numerically incorporated in Chapter 9 of the Eugene Code, 1971.

**Section 8.** The City Recorder, at the request of, or with the concurrence 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.

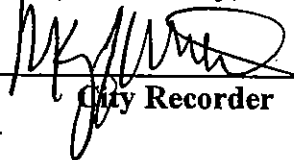
**Section 9.** If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held invalid or unconstitutional by a court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions hereof.



**Section 10.** Notwithstanding the effective date of ordinances as provided in the Eugene Charter of 2002, this Ordinance shall become effective 30 days from the date of its passage by the City Council and approval by the Mayor, or upon the date of its acknowledgment as provided by ORS 197.625, whichever is later.

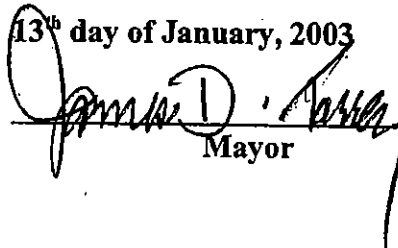
**Passed by the City Council this**

**13<sup>th</sup> day of January, 2003**

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

**Approved by the Mayor this**

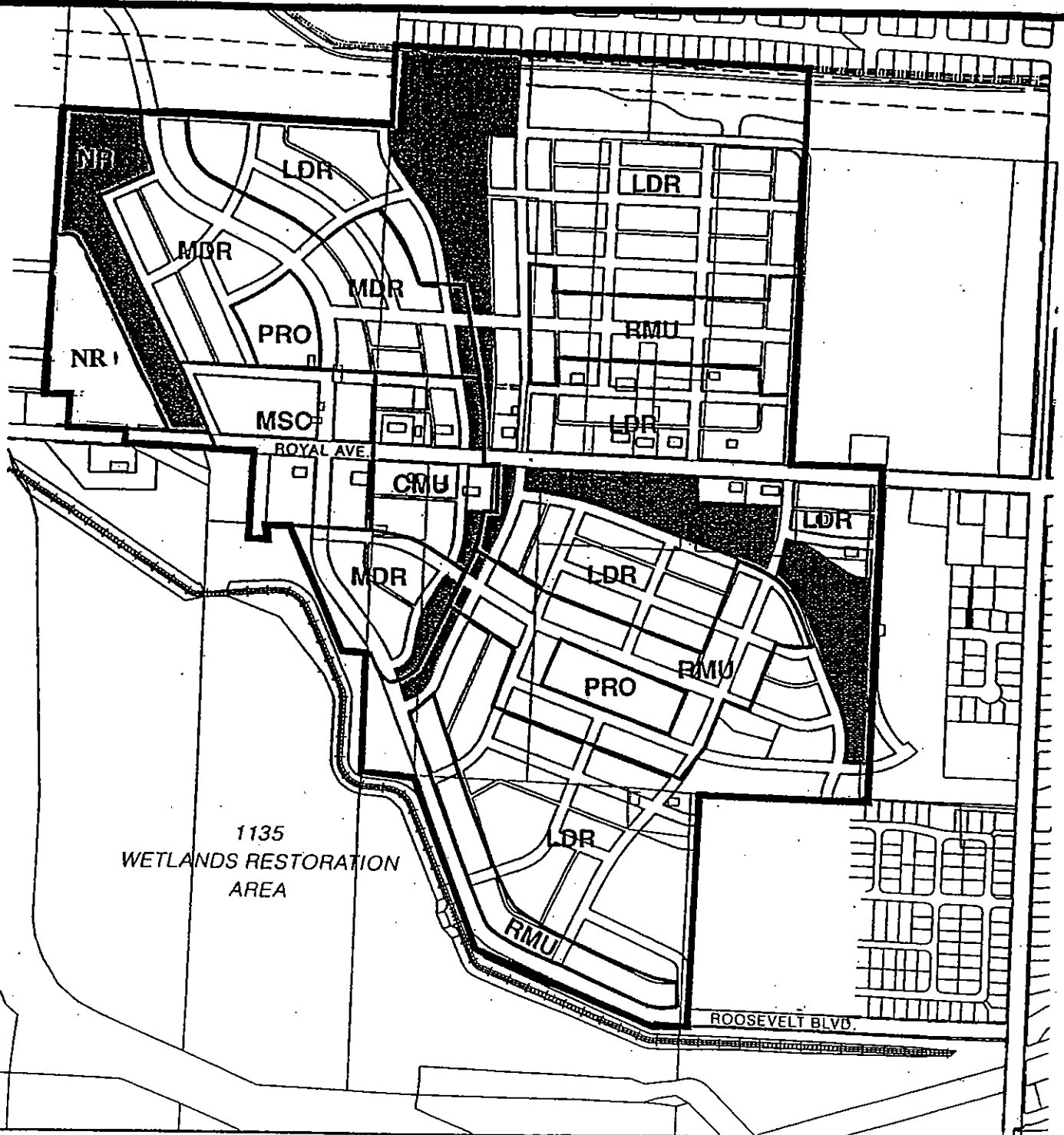
**13<sup>th</sup> day of January, 2003**


  
\_\_\_\_\_  
Mayor

Map 9.3805

S-RN

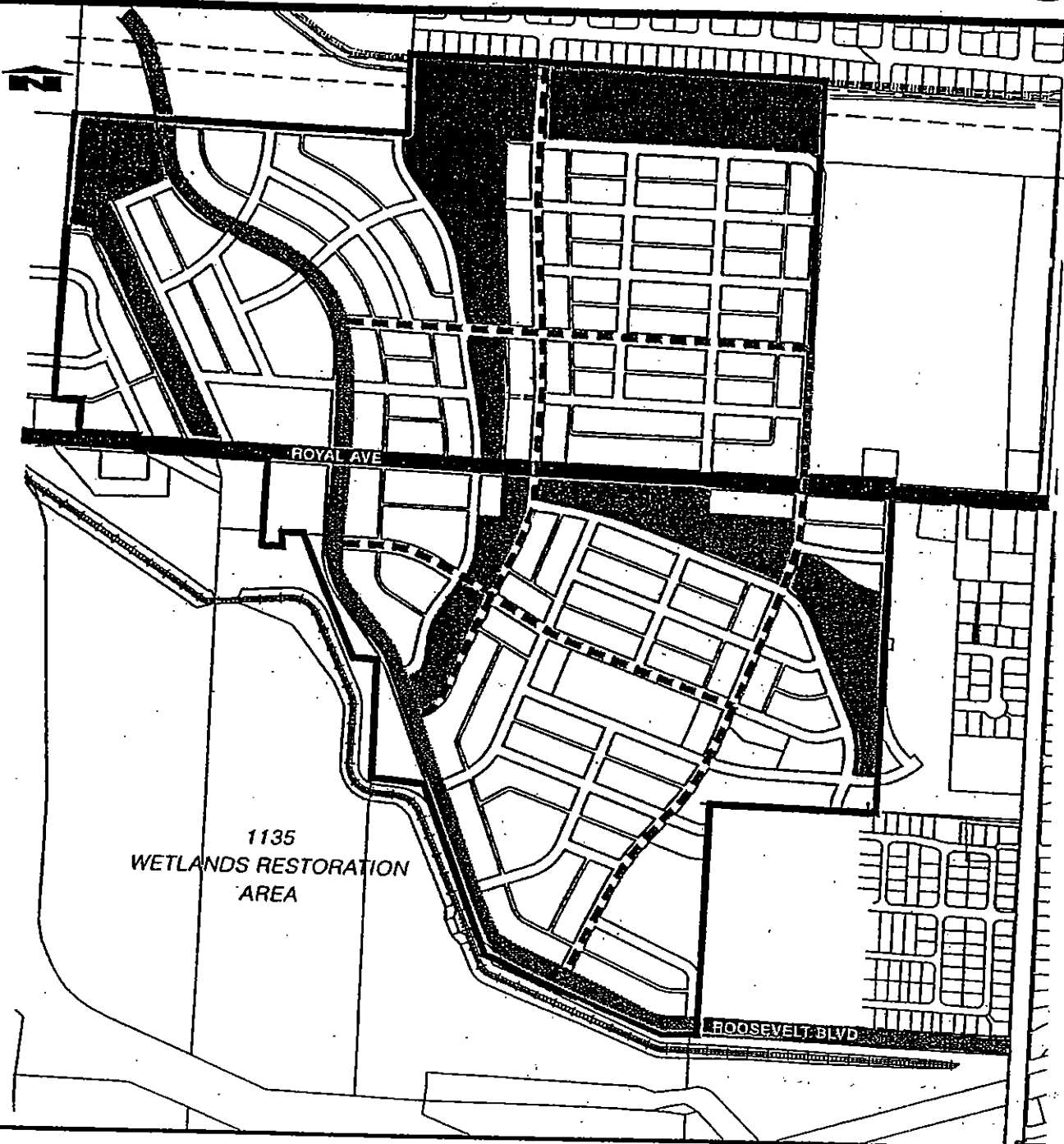
# Royal Node Special Area Zone and Subareas



-  Drainage Corridor
- LDR Low Density Residential
- MDR Medium Density Residential
- MSC Main Street Commercial

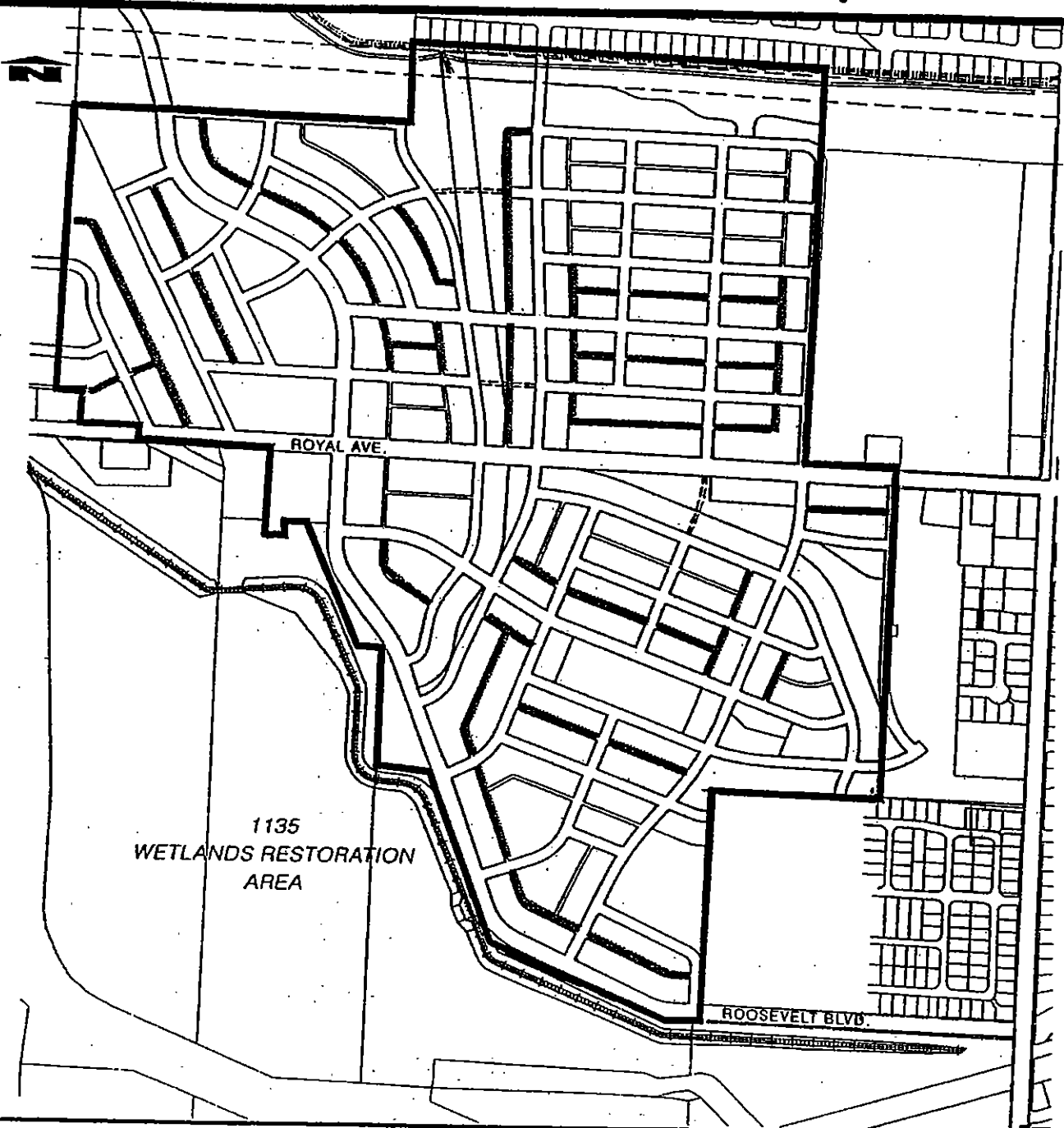
- CMU Commercial Mixed Use
- RMU Residential Mixed Use
- PRO Park, Recreation and Open Space
- NR Natural Resources

Royal Avenue Nodal Development Project



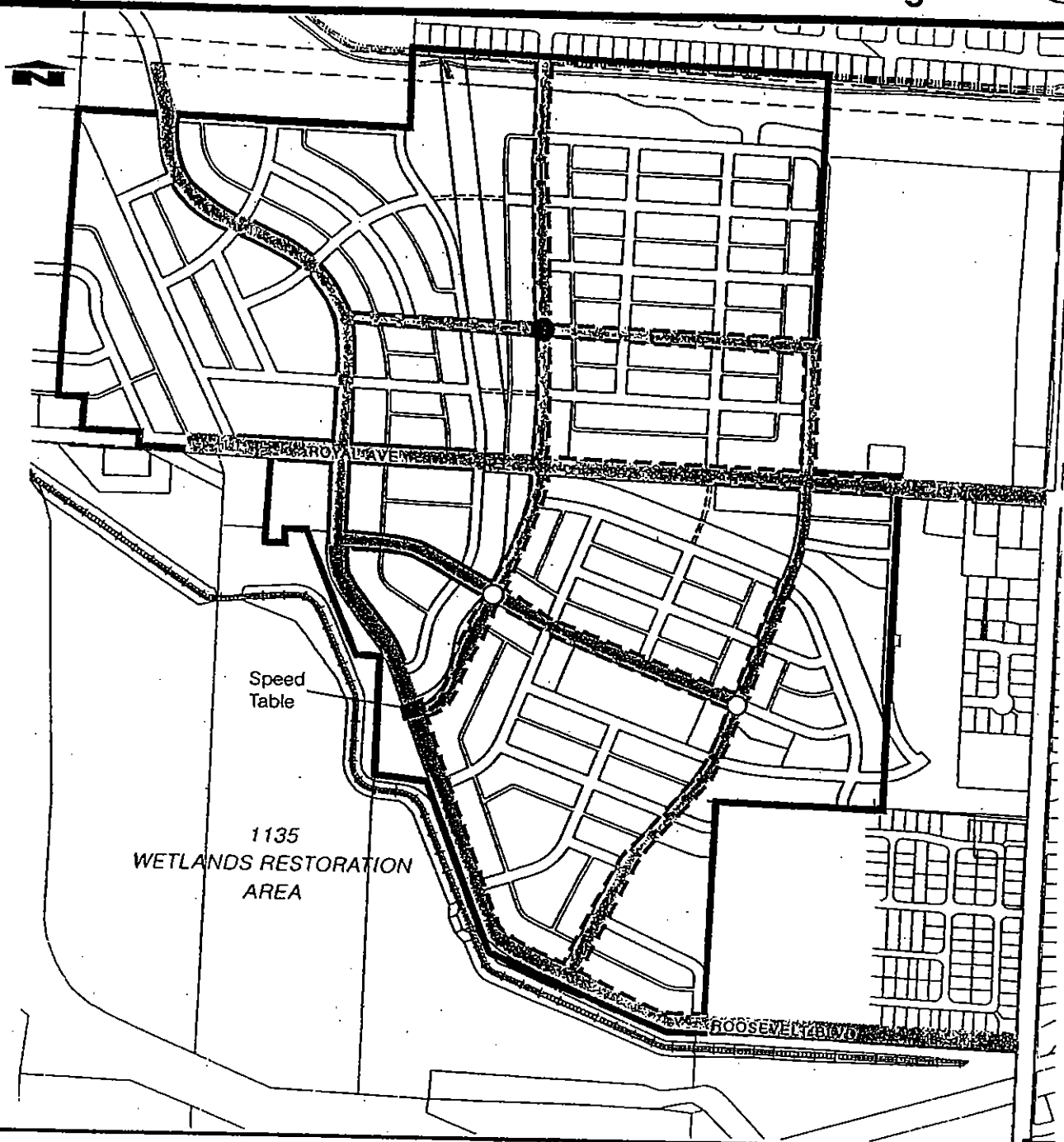
### Street Network

-  Minor Arterial
-  Major Collector
-  Neighborhood Collector
-  Local Street
-  Drainage Corridor



### Required Alleys

— Required Alleys



### On-Street Parking

- Roundabout
- Traffic Circle

- Landscaped Median
- Continuous On-Street Parking
- Intermittant On-Street Parking

**CITY OF EUGENE**  
**INTER-DEPARTMENTAL MEMORANDUM**  
**CITY ATTORNEY - CIVIL DEPARTMENT**

**To:** Kate Fieland, City Recorder

**Date:** June 12, 2002

**Subject:** Scrivener Error Correction to Ordinance 20251

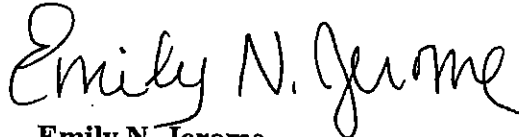
An error in the lead-in sentence of Section 2 of Ordinance No. 20251 has been brought to our attention. The sentence reads: "Subsection (2) of Section 9.8440 of the Eugene Code, 1971, is amended to provide:". Since the intent was to amend only Subsection (2)(a) of Section 9.8440, leaving subparagraphs (b), (c), (d), and (e) intact, the reference should have been to "Subsection (2)(a)."

We concur that this was a scrivener error, and pursuant to the authority of Section 5 of Ordinance 20251 you are authorized to make the corrections noted to EC 9.8440(2)(a), and to leave in the Code subparagraphs (2)(b), (c), (d), and (e) as they currently appear.

Please append this memo to the original of Ordinance No. 20251 to reflect the lead-in sentence of Section 2 of the Ordinance is administratively corrected to read: "Subsection (2)(a) of Section 9.8440 of the Eugene Code, 1971 is amended to provide:".

If you have any questions, please do not hesitate to contact me.

**HARRANG LONG GARY RUDNICK, P.C.**  
**CITY ATTORNEYS**

  
Emily N. Jerome

ENJ:jw

CITY OF EUGENE  
**INTER-DEPARTMENTAL MEMORANDUM**  
CITY ATTORNEY – CIVIL DEPARTMENT

To: Kate Fieland, Deputy City Recorder

Date: January 27, 2003

Subject: Chapter 9 Scrivener Errors

**CONFIDENTIAL ATTORNEY/CLIENT COMMUNICATION – NOT  
SUBJECT TO RELEASE UNDER THE PUBLIC RECORDS ACT**

We have been asked to review some errors in the current (12/25/02) version of Chapter 9 of the Eugene Code, 1971 to determine whether they are scrivener errors that may be corrected administratively by the City Recorder at our request, or with our concurrence. Authority for such corrections has been included in all ordinances amending Chapter 9, including the most recent ordinances, nos. 20270 and 20271.

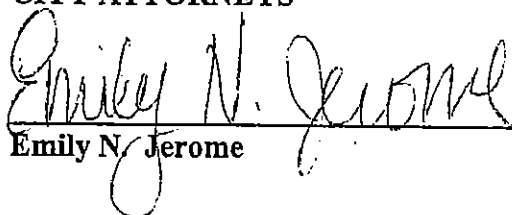
We conclude that the following are scrivener errors, and you are requested to take the action noted:

1. On Code page 40 there is an extra blank line within the definition of "Wetland Boundary." You are requested to delete that line.
2. There are two Code pages that are numbered "58." Please renumber the second one "59."
3. Please delete the first line of EC Section 9.2775(5)(d)5. from Code page 118, as the complete subsection (5)(d)5. is set forth on page 119.
4. Please delete the word "than" as it appears between the words "true" and "north" within the text for "SPH" in EC Section 9.2795(2)(b), on page 123. We have confirmed this word was not present in Ordinance 20224, nor in the June 12, 2002 City Recorder's online version of the Code, and this subsection has not been amended since those dates.
5. In EC Section 9.6430 on page 241, correct the reference to EC 9.8030(10)(c). It should refer to EC 9.8030(10)(d).

6. In EC Section 9.6780 on page 285, correct the spelling of the word "provide," by deleting the "j" that appears between the "r" and "o."

If you have any questions, please let me know.

HARRANG LONG GARY RUDNICK P.C. -  
CITY ATTORNEYS

  
Emily N. Jerome

ENJ:jw

cc: Mary Feldman  
Teresa Bishow  
Mike McKerrow



CITY OF EUGENE  
**INTER-DEPARTMENTAL MEMORANDUM**  
CITY ATTORNEY – CIVIL DEPARTMENT

To: Kate Fieland, Deputy City Recorder

Date: February 19, 2003

Subject: Chapter 9 Scrivener Errors (EC 9.4270)

**CONFIDENTIAL ATTORNEY/CLIENT COMMUNICATION – NOT  
SUBJECT TO RELEASE UNDER THE PUBLIC RECORDS ACT**

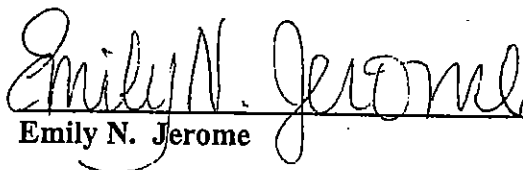
We have been asked to review Section 9.4270 of the Eugene Code, 1971 to determine whether an error in the second sentence is a scrivener error that may be corrected administratively by the City Recorder at our request, or with our concurrence. Authority for such corrections has been included in all ordinances amending Chapter 9, including the most recent ordinances, nos. 20270 and 20271.

The second sentence of EC 9.4270 contains a reference to "EC 9.4270 and 9.4280." In an earlier draft of the nodal development provisions this section (EC 9.4270) was numbered 9.4260, and the quoted reference was to the sections that are now numbered EC 9.4280 and 9.4290.

We therefore conclude that the second sentence of EC 9.4270 should be corrected to read "The /ND requirements in EC 9.4280 and 9.4290 apply to either of the following:" as a reference scrivener error, and you are requested to make that correction.

If you have any questions, please let me know.

**HARRANG LONG GARY RUDNICK P.C. –  
CITY ATTORNEYS**

  
Emily N. Jerome

ENJ:jw

cc: Mary Feldman  
Jan Childs  
Teresa Bishow