

NOTICE FOR THE EUGENE REGISTER-GUARD

On Monday, September 21, 2020, at 7:30 p.m., the Eugene City Council will conduct a public hearing on the following ordinances:

AN ORDINANCE CONCERNING DIGITAL SIGN CODE, AMENDING SECTIONS 9.0500, 9.6610, 9.6615, 9.6620, 9.6630, 9.6635, 9.6640, 9.6645, 9.6650, 9.6655, 9.6660, 9.6665, 9.6670, 9.6675, AND 9.6680 OF THE EUGENE CODE, 1971, AND PROVIDING AN EFFECTIVE DATE.

AN ORDINANCE AMENDING THE EUGENE-SPRINGFIELD METROPOLITAN AREA GENERAL PLAN DIAGRAM AND THE WILLAKENZIE PLAN DIAGRAM TO REDESIGNATE THE PROPERTY IDENTIFIED AS ASSESSOR'S MAP 17-03-16-41, TAX LOTS 201, 300 AND 400 AND ASSESSOR'S MAP 17-09-16-44, TAX LOTS 400 AND 800 FROM CAMPUS INDUSTRIAL TO LIGHT MEDIUM INDUSTRIAL AND REZONE THE PROPERTY FROM E-1 CAMPUS EMPLOYMENT TO E-2 MIXED USE EMPLOYMENT.

AN ORDINANCE EXTENDING THE TERM OF ORDINANCE NO. 20170 GRANTING TO NORTHWEST NATURAL GAS COMPANY, A CORPORATION, A NON-EXCLUSIVE NATURAL GAS FRANCHISE, TO MAY 11, 2021.

Due to Governor Kate Brown's Stay Home, Save Lives Executive Order to combat the spread of Covid-19, this public hearing will be held remotely using virtual meeting technology. Information about online or other options for participation will be available by 5 p.m. on September 21, 2020, at <https://www.eugene-or.gov/3360/Webcasts-and-Meeting-Materials>. Written testimony may be sent to mayorcouncilandcitymanager@eugene-or.gov or to 125 E. 8th Avenue, 2nd floor, Eugene, OR 97401. Written testimony must be received by Monday, September 21, 2020, at 5 p.m.

These ordinances are posted on the City of Eugene website at <http://www.eugene-or.gov> and are also available by calling the City Manager's Office at 541-682-5010.

Notice posted on Thursday, September 3, 2020.

ORDINANCE NO. _____

AN ORDINANCE CONCERNING DIGITAL SIGN CODE, AMENDING SECTIONS 9.0500, 9.6610, 9.6615, 9.6620, 9.6630, 9.6635, 9.6640, 9.6645, 9.6650, 9.6655, 9.6660, 9.6665, 9.6670, 9.6675, AND 9.6680 OF THE EUGENE CODE, 1971, AND PROVIDING AN EFFECTIVE DATE.

THE CITY OF EUGENE DOES ORDAIN AS FOLLOWS:

Section 1. Section 9.0500 of the Eugene Code, 1971, is amended to add the definitions of “Cutout,” “Digital Billboard,” and “Digital Sign,” and amend the definitions of “Electronic Message Center” and “Flashing Sign” as follows:

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

Cutout. ***A supplemental design element attached to or superimposed upon a billboard.***

Digital Billboard. ***Any billboard that changes messages by any electronic process.***

Digital Sign. ***Any sign with a sign face of 20 or fewer square feet in surface area that changes messages by any electronic process.***

Electronic Message Center. ~~A sign, or portion of a sign, that conveys information through a periodic automatic change of message on a lampbank, through the use of fiber optics, or through mechanical means. A sign on which any portion less than an entire sign rotates shall be considered an electronic message center.~~ ***A sign component that utilizes a computer or other electronic means to change the digital message displayed.***

Flashing Sign. A sign or sign structure ***that is not a digital billboard, digital sign, or electronic message center,*** where some part of the display is provided by light-emitting elements which abruptly change color or intensity of illumination, including intermittent periods of illumination and non-illumination, or where the effect of flashing is achieved through mechanical means, including rotation.

Section 2. Subsection (2) of Section 9.6610 of the Eugene Code, 1971, is amended to add the “Building Directories” entry, and amend the “Message Boards” entry including renaming it to “Drive-through Signs,” and amend the “Residential Signs” entry as follows:

9.6610 **Exemptions to Sign Standards.**

(2) Except as provided in subsection (3) of this section, the following signs are exempt from the requirements of EC 9.6600 through 9.6680, and are exempt from the requirement to obtain a sign permit if they are located on private

property outside of vision clearance areas:

Building Directories. *For buildings with multiple tenants, one wall-mounted sign up to 12 square feet in area for the purpose of communicating to persons already on the development site.*

~~Message Boards~~**Drive-through Signs.** One sign per business for the purpose of communicating to persons on the development site, such as a drive-through menu sign or building directory. Such a sign may be up to 6 feet in height and up to 40 square feet in area.

Two drive-through signs for each drive-through lane. Each drive-through sign may be up to 7 feet in height and up to 40 square feet in area. Drive-through signs may be digital signs if the sign display is static and the display copy is not changed more than once per hour, except for a portion of the digital display not to exceed 2 square feet may change the display copy more frequently.

Residential Property Signs. Two signs for each development site used primarily for a single family dwelling or duplex. The signs are limited to the following types: freestanding sign or banner. A freestanding sign may not exceed 12 square feet in size per face, with a maximum of two faces; a banner may not exceed 15 square feet in size. The maximum height of a freestanding sign under this exemption is 6 5 feet (from grade), and it must be separated by at least 8 feet from any other freestanding sign on the same development site.

Section 3. Subsection (5) of Section 9.6615 of the Eugene Code, 1971, is amended to provide as follows:

- 9.6615** **Prohibited Signs.** Except where qualified as a nonconforming sign, the following signs are unlawful and are declared to be nuisances:
- (5) Decorative laser signs, search lights, and flashing signs, ~~except electronic message centers;~~

Section 4. Subsections (3) and (5) of Section 9.6620 of the Eugene Code, 1971, are amended to provide as follows, and subsection (6) is deleted.

- 9.6620** **Nonconforming Signs.**
- (3) Except ***as provided in EC 9.6675(7) and EC 9.6680(7) or*** where only a change in display copy is made, any nonconforming sign which is structurally altered or has illumination installed shall be brought into compliance with all applicable provisions of the sign standards within 90 days and shall thereafter be kept in compliance with the sign standards.
 - (5) The provisions of ~~subsection (6) of this section and~~ subsection (2) of EC 9.6635 Approval of Permit Application do not apply to signs in existence pursuant to a validly issued sign permit as of July 1, 1990, along Goodpasture Island Road from a point 300 feet north of the intersection with Valley River

Way to a point 1400 feet north of the intersection. The provisions of subsection (2) of this section shall apply except that restoration of a damaged sign shall be allowed where a sign is damaged to the extent of 100 percent of its value. All other provisions of this section shall apply.

- (6) ~~All signs with a surface area of 200 square feet or greater shall be removed or brought into compliance with this land use code by April 1, 2003.~~

Section 5. Subsection (1) of Section 9.6630 of the Eugene Code, 1971, is amended to provide as follows:

9.6630 Permit Application.

- (1) An application and related information shall be submitted by the applicant, in a manner prescribed by the city, together with a fee established by the city manager as provided by EC 2.020 City Manager - Authority to Set Fees and Charges. ~~When a person begins construction of a sign requiring a sign permit before the permit is issued, the permit fee shall be doubled. Payment of a double permit fee shall not otherwise exempt the person from liability for other penalties prescribed for a violation of the sign standards.~~

Section 6. Subsection (8) of Section 9.6635 of the Eugene Code, 1971, is amended to provide as follows:

9.6635 Approval of Permit Application.

- (8) A decision granting or denying a sign permit may be appealed to a hearings official. Appeals are processed according to ~~other~~ Type II applications beginning at EC 9.7200 General Overview of Type II Application Procedures. The decision of the hearings official is final.

Section 7. Subsections (4)(a), (4)(c), (5)(f), (6)(d), and (9) of Section 9.6640 of the Eugene Code, 1971, are amended, and subsection (10) is added to provide as follows:

9.6640 General Provisions.

(4) Location Standards.

- (a) Setbacks. All signs shall comply with the setback requirements beginning at EC 9.2000 through EC 9.3980 and EC 9.6745 Setbacks - Intrusions Permitted. ~~Signs may be installed up to 5 feet into the required front yard setback except that freestanding signs up to 5 feet in height in the E-1 zone may be installed at least 5 feet from the front property line.~~
- (c) Projecting Over the Public *Right-of-Way*. Except as specified in EC 9.6670 Central Commercial Sign Standards, no privately owned sign may project over any public right-of-way.

(5) Construction Standards.

- (f) Wall Signs. Wall signs shall *may* project a maximum of *up to* 12 inches ~~when the wall sign is more than 8 feet above grade and a maximum of 4~~

~~inches when the wall sign is less than 8 feet above grade~~ **from the wall, except that wall signs shall project no more than 4 inches from the wall when the sign is less than 8 feet above a sidewalk or public way.**

(6) Illumination Standards.

~~(d) Illumination From Signs on Residentially Zoned Property. No internally illuminated sign shall be allowed on property in a residential zone. Lighting from all light sources operated for the purposes of sign illumination on property in a residential zone shall be shielded from other property in the residential zone and shall not be more than 2 foot candles at the closest street or property line~~ **any point along the boundary of the development site. Externally illuminated signs shall be shielded.**

(9) Electronic Message Centers. Except electronic message centers operated as public signs by governmental agencies, ~~no~~ **electronic message center, or centers are subject to the following limitations:**

(a) Except as provided in subsection (b) of this section, that portion of **any** sign used as an electronic message center, shall be ~~larger than~~ **limited to 3 square feet in area, may display a message containing no** more than 5 characters, ~~or~~ **and must not** change the displayed message at intervals of less than once every 3 seconds. No electronic message center, except for temporary construction use, shall exceed a maximum one-hour equivalent A-weighted sound pressure level of 50 dBA at the receiving property line when the receiving property is occupied by a dwelling, hospital, school, library or assisted care center.

(b) Each service station may include up to 6 rectangular digital signs, constructed a minimum of 3 inches from each other, limited to 20 square feet in area cumulatively, and must not change the displayed message at intervals of less than once every 24 hours.

(10) Digital Signs. **One digital sign up to 20 square feet in area is permitted per institutional use on a development site. Digital signs must be located a minimum of 50 feet from the property line of any residentially zoned property. All digital signs shall be subject to the following standards:**

(a) The change from one message to another message shall be no more frequent than once every 10 seconds.

(b) The change from one message to another message shall be instantaneous.

(c) Animation, scrolling or other perceived movement is not allowed.

(d) The digital sign shall operate at an internal illumination intensity level of not more than 0.3 foot-candles over ambient light levels as measured from a distance of 45 feet perpendicular to the sign face

(e) The digital sign shall be equipped with a light sensor that automatically adjusts the intensity of the digital display according to the amount of ambient light.

Section 8. Subsections (1) and (2) of Section 9.6645 of the Eugene Code, 1971, are

amended to provide as follows:

9.6645 Applicability of Sign Standards.

(1) No sign permit shall be issued for any sign unless specifically identified as an

allowed sign use under the terms of the applicable sign standards or otherwise allowed a permit under EC 9.6620 Nonconforming Signs or ***exempted from the requirement for a permit under EC 9.6610 Exemptions to Sign Standards.***

- (2) Except as otherwise specified, signs located on property zoned S Special Zone shall be subject to the provisions of:
- (a) EC 9.6650 Residential Sign Standards, if the use thereon is primarily characterized as residential,
 - (b) EC 9.6680 Employment and Industrial Sign Standards, if employment or industrial, or
 - (c) EC 9.6660 General Commercial Sign Standards, or
 - (d) ***EC 9.3970(11) if the property is zoned S-WS Walnut Station Special Area Zone.***

Section 9. Subsection (2) of Section 9.6650 of the Eugene Code, 1971, is amended to provide as follows:

9.6650 Residential Sign Standards. The residential sign standards are hereby created and applied to all land zoned as set forth below. Signage is limited to preserve the character of the area by allowing signs only for residential purposes and for non-residential uses allowed in the applicable zone.

- (2) **Permitted Sign Types.** Signs allowed under residential sign standards are limited to the following types:
- (a) Awning signs;
 - (b) ***Digital signs;***
 - (~~b~~c) Freestanding signs;
 - (~~e~~d) Readerboards; and
 - (~~e~~e) Wall signs.

Section 10. Subsection (2) of Section 9.6655 of the Eugene Code, 1971, is amended to provide as follows:

9.6655 General Office Sign Standards. The general office sign standards are hereby created and applied to all land as set forth below. Signs are regulated to accommodate the office buildings and other public uses that are commonly located within these zones and because of the proximity of residential areas.

- (2) **Permitted Sign Types.** Signs allowed under general office sign standards shall be limited to the following types:
- (a) Awning signs;
 - (b) ***Digital signs;***
 - (~~b~~c) Electronic message centers;
 - (~~e~~d) Freestanding signs;
 - (~~e~~e) Marquee signs;
 - (~~e~~f) Readerboards;
 - (~~f~~g) Under-marquee signs; and
 - (~~g~~h) Wall signs.

Section 11. Subsection (2) of Section 9.6660 of the Eugene Code, 1971, is amended to provide as follows:

9.6660 **General Commercial Sign Standards.** The general commercial sign standards are hereby created and applied to all land as set forth below. Sign limitations reflect the commercial nature of the area and the amount of vehicular traffic.

(2) Permitted Sign Types. Signs allowed under these standards shall be limited to the following types:

- (a) Awning signs;
- (b) Digital signs;**
- (bc) Electronic message centers;
- (cd) Freestanding signs;
- (de) Marquee signs;
- (ef) Readerboards;
- (fg) Roof signs;
- (gh) Under-marquee signs; and
- (hi) Wall signs.

Section 12. Subsection (2) of Section 9.6665 of the Eugene Code, 1971, is amended to provide as follows:

9.6665 **Shopping Center Sign Standards.** The shopping center sign standards are hereby created and applied to all land as set forth below. Sign limitations in these standards accommodate the special commercial character of these areas and the residential areas which are close to most shopping centers.

(2) Permitted Sign Types. Signs allowed under the shopping center sign standards shall be limited to the following types:

- (a) Awning signs;
- (b) Digital signs;**
- (bc) Electronic message centers;
- (cd) Freestanding signs;
- (de) Marquee signs;
- (ef) Readerboards;
- (fg) Roof signs;
- (gh) Under-marquee signs; and
- (hi) Wall signs.

Section 13. Subsections (2) and (3) of Section 9.6670 of the Eugene Code, 1971, are amended to provide 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.

- (2) **Permitted Sign Types.** Signs allowed under the central commercial sign standards shall be limited to the following types:
- (a) Awning signs;
 - (b) **Digital signs;**
 - (bc) Electronic message centers;
 - (ed) Freestanding signs;
 - (de) Marquee signs;
 - (ef) Projecting signs;
 - (fg) Readerboards;
 - (gh) Roof signs;
 - (hi) Under-marquee signs; and
 - (ij) Wall signs.
- (3) **Maximum Number of Signs.** The number of signs central commercial sign standards allow shall be limited to no more than 1 electronic message center, freestanding, ~~projecting sign~~, readerboard, or roof sign per development site street frontage **and 1 projecting sign per business occupant**. The number of allowed awning, marque, under-marque and wall signs is not limited.

Section 14. Subsections (1), (2), (6)(a) and (6)(b) of Section 9.6675 of the Eugene Code, 1971, are amended, and subsection (7) is added to provide as follows:

9.6675 Highway Commercial Sign Standards. The highway commercial sign standards are hereby created and applied to all land as set forth below. Signs in this area are regulated to accommodate the mixed uses of the areas and the presence of major streets with high traffic volumes.

- (1) **Corresponding Zones.** The provisions of this section apply to that property within the S-RP Riverfront Park Special Zone located within 200 feet of the Franklin Boulevard center line and to property within the C-1, C-2, C-3, or any employment and industrial zone with frontage along the following named streets:
- (a) Beltline Road from 11th Avenue to Roosevelt Boulevard;
 - (b) Broadway from Mill Street to Franklin Boulevard;
 - (c) Coburg Road from 6th Avenue to 200 feet north of Frontier Drive;
 - (d) Franklin Boulevard east from Broadway, including the north-south segment;
 - (e) Garfield Street from 11th Avenue to 5th Avenue;
 - (f) Goodpasture Island Road from Valley River Drive to 1,700 feet north;
 - (g) Highway 99 North;
 - (h) I-5 **on the south side only** from Henderson Avenue to 300 feet north of Laurel Hill Drive;
 - (i) ~~I-5 on the north side only, from 720 feet east of Henderson Avenue to 1,330 feet east of Henderson Avenue;~~
 - (ji) I-105 from the Coburg interchange to Scout Access Road;
 - (kj) Mill Street from Broadway to Coburg Road;
 - (lk) Railroad Boulevard;
 - (ml) 6th Avenue east of conjunction with Highway 99 North;
 - (nm) 7th Avenue east of conjunction with Highway 99 North; and
 - (en) 11th Avenue from 200 feet east of the centerline of Chambers Street to Terry Street.

- (2) **Permitted Sign Types.** Signs allowed under the highway commercial sign standards shall be limited to the following types:
- (a) Awning signs;
 - (b) Billboards;
 - (c) **Digital Billboards;**
 - (d) **Digital Signs;**
 - (ee) Electronic message centers;
 - (ef) Freestanding signs;
 - (eg) Marquee signs;
 - (fh) Projecting signs;
 - (gi) Readerboards;
 - (hj) Roof signs;
 - (ik) Under-marquee signs; and
 - (jl) Wall signs.
- (6) **Billboards.** Billboards shall be subject to the following standards:
- (a) Billboards located along the streets named in subsection (1)(b) through (1)(g) and (1)(kj) through 1(en) of this section shall not exceed 250 square feet in surface area.
 - (b) Billboards located on developed property along streets named in subsection 1(a), and (1)(h) through **and** (1)(ji) of this section shall not exceed 300 square feet in surface area.
- (7) **Digital Billboards.** *In addition to the standards in EC 9.6675(6), Digital Billboards shall be subject to the following standards. Where standards conflict, the standards for Digital Billboards in this subsection (7) shall control:*
- (a) **Minimum spacing between digital billboards facing the same direction shall be 1200 feet. The distance between digital billboards shall be measured along the centerline of the street designated to be a location for digital billboards.**
 - (b) **The change from one message to another message shall be no more frequent than once every 10 seconds.**
 - (c) **The change from one message to another message shall be instantaneous.**
 - (d) **Animation is not allowed.**
 - (e) **The digital billboard shall operate at an internal illumination intensity level of not more than 0.3 foot-candles over ambient light levels as measured from a distance of 150 feet perpendicular to the sign face.**
 - (f) **The digital billboard shall be equipped with a light sensor that automatically adjusts the intensity of the billboard according to the amount of ambient light.**
 - (g) **The digital billboard shall be designed to either freeze the display in one static position, display a full black screen or turn off in the event of a malfunction.**
 - (h) **Cutouts are not allowed.**
 - (i) **Notwithstanding EC 9.1230, legal nonconforming billboards may be removed and replaced by digital billboards if the location, area and height of the sign do not change and if the building permit is issued within 365 days of the 1st day of demolition. However, no digital billboard shall be larger than 300 square feet and all other standards in this section must be met.**

- (j) **Digital billboards are allowed at the locations identified at EC 9.6675(1) except for (b), (e), (f), (j) and (k).**

Section 15. Subsections (2) and (5) of Section 9.6680 of the Eugene Code, 1971, are amended, and subsection (7) is added to provide as follows:

9.6680 Employment and Industrial Sign Standards. The employment and industrial sign standards are hereby created and applied to all property zoned for employment and industrial use as set forth below. Signs are regulated to accommodate the minimal street frontage of most parcels and the general proximity to highways and arterial streets.

- (2) **Permitted Sign Types.** Signs allowed under the industrial sign standards shall be limited to the following types:
- (a) Awning signs;
 - (b) Billboards;
 - (c) **Digital Billboards;**
 - (d) **Digital signs;**
 - (ee) Electronic message centers;
 - (ef) Freestanding signs;
 - (eg) Marquee signs;
 - (fh) Projecting signs;
 - (gi) Readerboards;
 - (hj) Roof signs;
 - (ik) Under-marquee signs; and
 - (jl) Wall signs.
- (5) **Maximum Height.** All billboards, freestanding signs and roof signs shall be no more than 30 feet in height except freestanding signs up to 5 feet in height are allowed in the E-1 zone at a minimum of 5 feet from the front property line.
- (7) **Digital Billboards.** *In addition to the standards in EC 9.6680(6), Digital Billboards shall be subject to the following standards. Where standards conflict, the standards for Digital Billboards in this subsection (7) shall control:*
- (a) **Minimum spacing between digital billboards facing the same direction shall be 1200 feet. The distance between digital billboards shall be measured along the centerline of the street designated to be a location for digital billboards.**
 - (b) **The change from one message to another message shall be no more frequent than once every 10 seconds.**
 - (c) **The change from one message to another message shall be instantaneous.**
 - (d) **Animation is not allowed.**
 - (e) **The digital billboard shall operate at an internal illumination intensity level of not more than 0.3 foot-candles over ambient light levels as measured from a distance of 150 feet perpendicular to the sign face.**
 - (f) **The digital billboard shall be equipped with a light sensor that automatically adjusts the intensity of the billboard according to the amount of ambient light.**
 - (g) **The digital billboard shall be designed to either freeze the display in**

one static position, display a full black screen or turn off in the event of a malfunction.

- (h) Cutouts are not allowed.*
- (i) Notwithstanding EC 9.1230, legal nonconforming billboards may be removed and replaced by digital billboards if the location, area and height of the sign do not change and if the building permit is issued within 365 days of the 1st day of demolition. However, no digital billboard shall be larger than 300 square feet and all other standards in this section must be met.*
- (j) Digital billboards are only allowed at the location described in EC 9.6680(6)(a)5.*

Section 16. The findings set forth in Exhibit A attached to this Ordinance are adopted as findings in support of this Ordinance.

Section 17. 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 18. 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 19. This Ordinance shall take effect pursuant to Section 32 of the Eugene Charter 2002, or on the date of its acknowledgement as provided in ORS 197.625, whichever is later.

Passed by the City Council this
___ day of _____, 2020

Approved by the Mayor this
___ day of _____, 2020

City Recorder

Mayor

Exhibit A
Findings:
Digital Sign Code Amendments (City File # CA 20-2)

Overview

These land use code amendments modify existing sign code standards to allow and regulate digital billboards and digital reader boards. The amendments focus on how best to allow conversion of existing billboards to new digital technology with specific standards for maximum size, message change intervals, brightness, location and separation. The amendments also include digital allowances for institutional uses and gas stations and minor changes to the existing sign code to add clarity.

Findings

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

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

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

The City has acknowledged provisions for community involvement which insure the opportunity for citizens to be involved in all phases of the planning process and set out requirements for such involvement. This code amendment does not amend the City's citizen involvement program. The process for adopting this amendment complied with Goal 1 because it is consistent with the City's acknowledged citizen involvement provisions.

A Notice of Proposed Amendment was filed with the Oregon Department of Land Conservation and Development on June 15, 2020. A public hearing was held by the Planning Commission on July 28, 2020. A public hearing was held by the City Council on September 21, 2020. Consistent with land use code requirements, the Planning Commission public hearing on the proposal was duly noticed to all neighborhood organizations in Eugene, as well as community groups and individuals who requested notice. In addition, notice of the Planning Commission public hearing was published in the Register Guard, a newspaper of general circulation in the city, on July 6, 2020. Also consistent with land use code requirements, the City Council public hearing on the proposal was duly noticed to all persons who provided oral or written testimony during the planning commission hearing procedure and those who requested notice on September 3, 2020. Information concerning the amendment, including the dates of the public hearings was posted on the City of Eugene website.

These processes afford ample opportunity for citizen involvement consistent with Goal 1. Therefore, the ordinance is consistent with Statewide Planning Goal 1.

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

decisions and actions.

Eugene's land use code specifies the procedure and criteria that were used in considering this amendment. The record shows that there is an adequate factual basis for the amendment. The Goal 2 coordination requirement is met when the City engages in an exchange, or invites an exchange, between the City and any affected governmental unit and when the City uses the information obtained in the exchange to balance the needs of the citizens.

To comply with the Goal 2 coordination requirement, the City engaged in an exchange about the subject of this amendment with affected governmental units. Specifically, the City provided notice of the proposed amendment and opportunity to comment to the Oregon Department of Land Conservation and Development, as well as to Lane County and the City of Springfield. There are no exceptions to Statewide Planning Goal 2 required for this amendment. Therefore, the amendment is consistent with Statewide Planning Goal 2.

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

The amendment affects property located within the City of Eugene and does not affect any land designated for agricultural use. Therefore, Statewide Planning Goal 3 does not apply.

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

The amendment is for property located within the City of Eugene and does not affect any land designated for forest use. Therefore, Statewide Planning Goal 4 does not apply.

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

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

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

This amendment does not create or amend the City's list of Goal 5 resources, does not amend a code provision adopted in order to protect a significant Goal 5 resource or to address specific requirements of Goal 5, does not allow new uses that could be conflicting uses with a significant Goal 5 resource site, and does not amend the acknowledged urban growth boundary. Therefore, Statewide Planning Goal 5 does not apply.

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

and land resources of the state.

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

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

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

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

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

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

Goal 9 requires cities to evaluate the supply and demand of commercial land relative to community economic objectives. The amendment does not impact the supply of industrial or commercial lands. Therefore, the amendment is consistent with Statewide Planning Goal 9.

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

Goal 10 requires communities to provide an adequate supply of residential buildable land to accommodate estimated housing needs for a 20-year planning period. The amendment does not impact the supply of residential lands. Therefore, the amendment is consistent with Statewide Planning Goal 10.

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

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

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

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

- (1) *If an amendment to a functional plan, an acknowledged comprehensive plan, or a land use regulation (including a zoning map) would significantly affect an existing or planned transportation facility, then the local government must put in place measures as provided in section (2) of this rule, unless the amendment is allowed under section (3), (9) or (10) of this rule. A plan or land use regulation amendment significantly affects a transportation facility if it would:*
- (a) *Change the functional classification of an existing or planned transportation facility (exclusive of correction of map errors in an adopted plan);*
 - (b) *Change standards implementing a functional classification system; or*
 - (c) *Result in any of the effects listed in paragraphs (A) through (C) of this subsection based on projected conditions measured at the end of the planning period identified in the adopted TSP. As part of evaluating projected conditions, the amount of traffic projected to be generated within the area of the amendment may be reduced if the amendment includes an enforceable, ongoing requirement that would demonstrably limit traffic generation, including, but not limited to, transportation demand management. This reduction may diminish or completely eliminate the significant effect of the amendment.*
 - (A) *Types or levels of travel or access that are inconsistent with the functional classification of an existing or planned transportation facility;*
 - (B) *Degrade the performance of an existing or planned transportation facility such that it would not meet the performance standards identified in the TSP or comprehensive plan; or*
 - (C) *Degrade the performance of an existing or planned transportation facility that is otherwise projected to not meet the performance standards identified in the TSP or comprehensive plan.*

The amendment does not: change the functional classification of a transportation facility; change the standards implementing a functional classification system; or degrade the performance of a facility otherwise projected to not meet performance standards. Therefore, the amendment does not significantly affect any existing or future transportation facilities. Based on the above findings, the amendment is consistent with Statewide Planning Goal 12.

Goal 13 - Energy Conservation. To conserve energy.

The amendment does not impact energy conservation. Therefore, Statewide Planning Goal 13 does not apply.

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

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

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

The amendment does not contain any changes that affect the Willamette River Greenway regulations; therefore, Statewide Planning Goal 15 does not apply.

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

There are no coastal, ocean, estuarine, or beach and dune resources related to the property affected by this amendment. Therefore, Statewide Planning Goals 16 through 19 do not apply.

(2) *The amendment is consistent with applicable provisions of the comprehensive plan and applicable adopted refinement plans.*

Metro Plan

The Metro Plan does not contain any policies relevant to this amendment.

Envision Eugene Comprehensive Plan

The Envision Eugene Comprehensive Plan does not contain any policies relevant to this amendment.

Applicable Refinement Plans

The City's adopted refinement plans do not contain policies relevant to this amendment.

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

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