



Eugene City Council

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www.eugene-or.gov

EUGENE CITY COUNCIL AGENDA

April 20, 2026

5:30 p.m. CITY COUNCIL PUBLIC HEARING

City Council meetings will continue to be held in hybrid format using in person and virtual meeting technology. Information about online or other options for access and participation will be available at <https://www.eugene-or.gov/3360/Webcasts-and-Meeting-Materials>

**Meeting of April 20, 2026;
Her Honor Mayor Kaarin Knudson Presiding**

Councilors

Lyndsie Leech, President	Eliza Kashinsky, Vice President
Jennifer Yeh	Alan Zelenka
Mike Clark	Greg Evans
Randy Groves	Matt Keating

5:30 p.m. CITY COUNCIL PUBLIC HEARING

- 1. PUBLIC HEARING: An Ordinance Adopting Hazardous Substance User Fees**
- 2. PUBLIC HEARING: An Ordinance Concerning Increased Public Health Standards Coordination; Amending Sections 9.0500, 9.2460, 9.2461, and 9.4165 of the Eugene Code, 1971; and Providing an Effective Date**
- 3. PUBLIC HEARING: An Ordinance Amending the Fairmount/University of Oregon Special Area Study Text and Diagram; Amending Sections 9.4205, 9.4215, 9.4220, and 9.9570 of the Eugene Code, 1971; Rezoning the Property Identified as Assessor's Map 17-03-33-32, Tax Lots 07000, 07100, 07200, 07300, 07400, 07500, 07600, 07700, And 07800 to Remove the /EC East Campus Overlay Zone; and Providing an Effective Date**

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El consejo de la Ciudad de Eugene agradece su interés en estos asuntos de la agenda. El lugar de la reunión tiene acceso para sillas de ruedas. Se puede proveer a un intérprete para las personas con discapacidad auditiva si avisa con 48 horas de anticipación. También se puede proveer interpretación para español si avisa con 48 horas de anticipación. Para reservar estos servicios llame al 541-682-5010. Las reuniones del consejo de la ciudad se transmiten en vivo por Metro Television, Canal 21 de Comcast y son retransmitidas durante la semana

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EUGENE CITY COUNCIL AGENDA ITEM SUMMARY



Public Hearing: An Ordinance Adopting Hazardous Substance User Fees

Meeting Date: April 20, 2026
Department: Fire & EMS
www.eugene-or.gov

Agenda Item Number: 1
Staff Contact: Travis Worthington
Phone: 541-682-8428

ISSUE STATEMENT

In accordance with provisions of Section 54, Article VII of the Eugene City Charter and Section 3.694 of the City Code, the cost of running the Eugene Toxics Right-to-Know Program must be fully funded by fees assessed to local manufacturing businesses that are hazardous substance users. The proposed ordinance that is the subject of this public hearing would adopt a rate of \$75.22 per full-time-equivalent employee (FTE), up to the maximum of \$2,000 per entity as provided by State law.

BACKGROUND

Each year, beginning in 1998, Council has approved fees to support the Eugene Toxics Right-to-Know Program, first by resolution, and later by ordinance due to changes in state law. Throughout the life of this program, the City has assessed fees based on the number of individuals employed by businesses required to be in the program. This is because the City is prohibited by State law from charging fees based on the quantity of chemicals used.

Until 2004, the methodology was to poll businesses at the beginning of each calendar year and ask them to calculate and report their FTE for the preceding calendar year, then divide the program's revenue requirement for the upcoming fiscal year by the total number of FTE reported, and bill accordingly. In 2004, a state-imposed fee cap of \$2,000 per entity took effect (in accordance with ORS 453.370(2)(b)). Since that time, businesses are still polled for their FTE figures, and revenue requirements are still divided by the total number of FTE reported, and businesses are billed accordingly.

To help balance the financial impact on businesses that have not yet reached the state-imposed \$2,000 fee cap, while also supporting appropriate staffing levels in the Fire Marshal's Office the Toxics Board voted on March 31, 2026, to recommend a fee of \$75.22 per FTE for Fiscal Year 2027. This recommended rate supports a program budget of \$115,000.92 for FY27, which provides the needed resources to administer the program.

RELATED CITY POLICIES

In alignment with the focus areas of the City's strategic plan, the Eugene Toxics Right-to-Know Program and Toxics Board support all people and aid in responsibly managing our physical assets and natural resources. They address urgent community needs by providing timely information on environmental hazards, enhance public awareness through communication and outreach, promote inclusivity in decision-making, and ensure efficient and effective operations.

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Through prudent management of people, time, and money, the Toxics Board fosters sustainable stewardship of Eugene's natural resources.

Section 54, Article I of the City Charter reads as follows:

The people of Eugene do hereby find that:

- A. Exposure to toxic chemicals can damage human health and the environment; and*
- B. Citizens have a fundamental right to know the identity and amounts of toxic chemicals that are released into the workplaces, air, water, soil, and environment of their community.*

The Eugene Toxics Right-to-Know Program requires businesses who meet certain criteria to provide information to the public concerning the use and disposition of federally listed hazardous substances. The program is overseen by the Toxics Board, which makes policy recommendations governing the program and is authorized to enforce the reporting requirements and impose penalties.

PREVIOUS COUNCIL DIRECTION

[April 28, 2025 Meeting](#)

Councilor Evans, seconded by Councilor Leech, moved to adopt An Ordinance Adopting Hazardous Substance User Fees as provided in Attachment A to this AIS.

Passed: 8:0

COUNCIL OPTIONS

This item is scheduled for public hearing only. No action is required at this time. Deliberations and potential action are scheduled for April 27, 2026.

CITY MANAGER'S RECOMMENDATION

None.

SUGGESTED MOTION

None.

ATTACHMENTS

- A. An Ordinance Adopting Hazardous Substance User Fees.
- B. Toxics Right-to-Know Program Workplan for the 2027 fiscal year commencing July 1, 2026
- C. Toxics Right-to-Know Program User Fee History

FOR MORE INFORMATION

Staff Contact: Travis Worthington, Deputy Chief Fire Marshal

Telephone: 541-682-8428

Staff E-Mail: wworthington@eugene-or.gov

April 20, 2026 Public Hearing – Item 1

ORDINANCE NO. _____

AN ORDINANCE ADOPTING HAZARDOUS SUBSTANCE USER FEES.

The City Council of the City of Eugene finds that:

A. Pursuant to Article VII of Amendment IV to the Eugene Charter of 2002 (the “Amendment”), the City Council has previously adopted a series of Resolutions and Ordinances establishing fees to be paid by hazardous substance users within the City with the most recent being Ordinance No. 20725.

B. In accordance with other requirements of the Amendment, the City Council, by ordinance, has adopted the City’s Hazardous Substance Tracking Instructions, which provide guidance to hazardous substance users in completing and submitting the reports required by the Amendment.

C. Pursuant to ORS 453.370(2)(a), the City must adopt the hazardous substance user fee schedule via ordinance after notice and public hearing. The City published and posted notice of the public hearing to be held on April 20, 2026, concerning the proposed ordinance adopting hazardous substance user fees, and such hearing was held before the Eugene City Council on that date.

D. Pursuant to ORS 453.370(2)(b), the City cannot adopt a fee schedule that imposes a fee of more than \$2,000 for any single facility in any calendar year.

E. The Toxics Board has recommended a fee of \$75.22 per FTE, not to exceed \$2,000 for any single facility for the 2026 calendar year, in order to cover the expenses of the program for the fiscal year commencing July 1, 2026.

THE CITY OF EUGENE DOES ORDAIN AS FOLLOWS:

Section 1. A fee of \$75.22 per FTE, not to exceed \$2,000 for any single facility for the 2026 calendar year, is hereby imposed as the fee to be paid by hazardous substance users within the City of Eugene.

Section 2. No enforcement action shall be taken against any reporting company for failure to pay until after July 1, 2026.

Section 3. As used in this Ordinance, the terms “FTE” and “hazardous substance users” have the meanings ascribed to them in Section 3.692 of the Eugene Code, 1971.

Section 4. The fees collected pursuant to this Ordinance shall be used for the purpose of operating the Toxics Right-to-Know Program created by Amendment IV to the Eugene Charter of 2002 and implemented by subsequent ordinances of the City.

Passed by the City Council this

____ day of April, 2026

City Recorder

Approved by the Mayor this

____ day of April, 2026

Mayor

TOXICS RIGHT-TO-KNOW WORKPLAN

Fiscal Year '27

Travis Worthington - Deputy Chief Fire Marshal
Program Manager, City of Eugene
1320 Willamette St., Eugene, OR 97401

April 20, 2026 Public Hearing - Item 1

Introduction

The Toxics Right-to-Know Program started in 1996 by amendment to the Eugene City Charter. The Program was created to facilitate the collection and distribution of information related to the use and disposition of federally listed hazardous substances, by qualifying businesses. Since 1998 the program has been funded through the assessment of fees paid by businesses which are: physically located within the Eugene city limits, use any quantity of listed hazardous substances, have at least 10 full time equivalent (FTE) employees, and operate within the #2,000-3,999 SIC codes.

Each of the first six section of the workplan has a summary, a list of general tasks, and an estimate of staff time allotment. Tasks are grouped by similarity and by synergy (a decrease in time spent on one can lead to an increase in another). Due to the interaction between tasks the time allotment is given by section. The seventh section covers proposed projects to be worked on or explored during the course of the year.

For fiscal year '26, the Workplan has been created with a 100% staffing model. The Toxics Program will fully fund 100 percent (100%) of staffing personnel costs (e.g. wages, benefits, taxes) and receive a direct proportional amount of staff time over the course of the fiscal year.

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Budget, Fees, & Workplan

The Program facilitates the Toxics Board's annual requirement to recommend a fee schedule to the City Council. In coordination with Fire Administration, the Program prepares the annual budget; in partnership with the Fire Marshal's Office and the Toxics Board, it also develops the Annual Workplan. These documents, along with the proposed fee schedule, are submitted to the Toxics Board for approval and serve as supporting documentation in the fee recommendation process. As mandated by the Charter, the approved fee schedule must fully fund the Program through collected fees.

1. Facilitate the process to support the Toxics Board in recommending the annual hazardous substance user fees.¹
2. Collaborate with the Fire Marshal and the Toxics Board to develop the Annual Workplan and coordinate the process for providing a fee recommendation to the City Manager and City Council.²
3. Support the City Council's approval of the annual hazardous substance user fees by preparing and submitting required documentation and attending relevant public hearings and meetings.³

Estimated Budget, Fees, & Workplan Total = 20%

¹ Article VI, Section 6.2.B.1

² Article VI, Section 6.3

³ Article VII, Section 7.A

Education, Outreach & PR

Providing orientations and educational sessions with new businesses and board members along with informational presentations to community members is a critical element of the program. By ensuring full understanding of the scope and purpose of the program, businesses are more likely to comply with the mandate of the program.

1. Maintain content on the Toxics Board and Toxics Program's webpages.⁴
2. Provide an orientation of the Toxics Program for new Toxics Board members, manufacturing business representatives, environmental justice and advocacy representatives and interested members of the public.⁴
3. Build and maintain good working relationships between the Toxics Program Manager and Toxics Board members, the manufacturing business community, the environmental justice and advocacy community and other program stakeholders.⁴
4. Conduct public education and outreach efforts to increase transparency, understanding and awareness of the program; including issue news releases to keep the media and community informed; collaborate with the University of Oregon and Oregon State University, and to provide graduate students with internship opportunities; hold ongoing informational work sessions to give businesses and the community opportunities to learn and ask questions about the program, and provide feedback; Monitor the Toxics Board's email box, and facilitate responses accordingly.⁴

Estimated Education, Outreach, & PR Total = 20%

⁴ Necessary to support charter amendment

Compliance and Auditing

As much as possible, the program attempts to proactively encourage compliance. Through proper guidance and education, provided to businesses within the program, coupled with auditing of submitted data the need for more extreme activities from non-compliance has been kept to a minimum. The charter mandated activities, for when a business is non-compliant, have been budgeted at under 1% of program staff time since they are on an as needed basis and rarely needed.

1. Work with businesses in the program to assist them in successfully meeting Charter Amendment hazardous substance reporting requirements and Charter mandated deadline of April 1st: including providing information and assistance.⁵
2. Report to the Fire Marshal the names of any hazardous substance users in non-compliance with hazardous materials balance reports requirements.⁶
3. Publish names of non-complying entities in the daily newspaper.⁷
4. Investigate evidence of reports not filed in compliance with the Charter Amendment.⁸
5. Audit the accuracy of hazardous materials balance reports for the Fire Marshal: including follow-up work with businesses to assist them in reconciling errors accurately (site audits are permitted, not required); Conduct site visits of newly identified businesses as part of Toxics Program representative orientation; Work with the Toxics Board to update procedure to implement a more comprehensive audit process, including cross-referencing data reported under other programs. Conduct a mid-year audit to verify contact information for all participants in the program; Provide reminder and status update letters to participants who are not meeting reporting metrics to encourage timely compliance during the reporting phase of the year.⁹
6. Work with businesses in the program to assist them in reporting FTE, which the annual fee is based upon; Work with Toxics Board to implement procedure to verify accuracy of number of reported FTE; Perform data entry, print and send invoices to businesses in the program; and Assist businesses in the program meeting the Charter-mandated deadline of May 1st for payment of invoices.¹⁰
7. Enforce reporting requirements and impose penalties for noncompliance.¹¹
8. Order non-complying repeat offenders to cease and desist using hazardous substances in the City of Eugene.¹²
9. Members of the Public: Petition the Toxics Board against hazardous substance users or persons for failure to comply with the Charter Amendment.¹³

Estimated Compliance & Auditing Total = 20%

⁵ Article IV, Section 4

⁶ Article VI, Section 6.2.C

⁷ Article VI, Section 6.2.D

⁸ Article VI, Section 6.2.E

⁹ Article VI, Section 6.2.F

¹⁰ Article VII, Section 7.A

¹¹ Article VIII, Section 8.1

¹² Article VII Section 8.2.E

¹³ Article VIII, Section 8.3

Program Management

Beyond the previous sections there are many tasks that must be completed to maintain an effective and efficient program. The Program operates in a balance between needs of the Board, facilitating the program mandates, and needs of the Fire Marshal's Office. Annual reporting, process evaluation and improvement, program research, and much more must take place for the program to operate and optimum efficacy.

1. Facilitate process to assist Toxics Board provide forms for hazardous materials balance reports to be filed electronically that are compatible with the Eugene Public Library's computer systems; and work with Information Technology staff to build or purchase a more efficient records and data management program/system.¹⁴
2. Collaborate with other City staff and community organizations on relevant citywide projects and processes (e.g.: participate as a member of the Lane County Local Emergency Planning Committee (LEPC); participate in the Envision Eugene planning process).¹⁵
3. Facilitate process to assist Toxics Board make hazardous materials balance reports available at the Eugene Public Library.¹⁶
4. Facilitate process to help Toxics Board file an annual report on the effectiveness of the program, and any recommendations for improvements: including preparing draft report for Toxics Board review, edits and approval, and submitting to City Council on the Toxics Board's behalf.¹⁷
5. Monitor applicable Federal regulatory program websites and state program databases to keep related local program information current and accurate.¹⁵
6. Conduct inventory processes to identify covered entities and implement processes and procedures to proactively identify covered entities in the future because with each business that is successfully identified, it extends the financial burden across industry more fairly and equitably and lowers the cost per full-time equivalent (FTE) employee and the cost to smaller businesses.¹⁵
7. Conduct ongoing continuous improvement program and process analyses and make recommendations to Toxics Board for improvements as necessary.¹⁵

Estimated Program Management Total = 20%

¹⁴ Article IV, Section 4

¹⁵ Necessary to support charter amendment

¹⁶ Article V, Section 5.1.F

¹⁷ Article VI, Section 6.2.B.3

Board Support

A critical element of the program operations is to support the Toxics Right-to-Know Board to facilitate effective operation. The Program facilitates: communication of recommendations from the Board to the City Council and City Manager, posting and filling of Board vacancies, coordination of Board meetings, and other special projects as developed by the Board.

1. Facilitate process to ensure Toxics Board members are appointed; including filling vacancies on the Toxics Board due to mid-term resignations; Prepare and submit necessary paperwork and attend City Council Public Hearings and Meetings for new Toxics Board member candidate interviews and appointments.¹⁸
2. Facilitate process to assist City Council enact reasonable ordinances necessary for carrying into execution the provisions of the Charter Amendment upon recommendation of the Toxics Board (not already specifically shown above).¹⁹
3. Facilitate Toxics Board meetings and completion of projects and processes to ensure compliance with the Charter Amendment (including Toxics Board meeting preparation, attendance and follow-up).²⁰
4. Facilitate process to assist the Toxics Board recommend and the City Manager conduct Administrative Rule processes for updates to the Hazardous Substance Tracking Instructions and List of Reportable Chemicals in alignment with the Oregon Department of the State Fire Marshal; and publish and distribute Hazardous Substance Tracking Instructions and List of Reportable Chemicals to reporting businesses in the program; publish corresponding Citizen Guide.²⁰

Estimated Board Support Total = 20%

¹⁸ Article VI, Section 6.1

¹⁹ Article X, Section 10

²⁰ Necessary to support charter amendment.

Appendix A – Program Task Matrix

EXPLICITLY MANDATED BY SECTION 54, AMENDMENT IV OF THE EUGENE CHARTER; OR NECESSARY TO SUPPORT CHARTER AMENDMENT	STAFF TASKS	APPROXIMATE % OF STAFF TIME	PROGRAM AREA AND TASK NUMBER
Charter Mandate – Article VI, Section 6.2.B.1 and Article VII, Section 7.B: Toxics Board: Recommend annual hazardous substance user fees	Facilitate process to assist Toxics Board recommend the annual hazardous substance user fees	3%	Budget, Fees, & Workplan #1
Charter Mandate – Article VI, Section 6.3: City Manager: Work with the Toxics Board jointly to determine the appropriate support services for the program	Work with Fire Marshal and the Toxics Board to develop a work plan, and facilitate process to provide recommendation to City Manager and City Council for adoption as part of the annual hazardous substance user fee	6%	Budget, Fees, & Workplan #2
Charter Mandate – Article VII, Section 7.B: City Council: Approve and amend as necessary annual hazardous substance user fees	Facilitate process to assist City Council approve the annual hazardous substance user fees; and prepare and submit necessary paperwork and attend associated City Council Public Hearings and Meetings	5%	Budget, Fees, & Workplan #3
Necessary to Support Charter Amendment	Maintain content on the Toxics Board and Toxics Program’s webpages	4%	Education, Outreach, & PR #1
Necessary to Support Charter Amendment	Provide an orientation of the Toxics Program for new Toxics Board members, manufacturing business representatives, environmental justice and advocacy representatives and interested members of the public	3%	Education, Outreach, & PR #2
Necessary to Support Charter Amendment	Build and maintain good working relationships between the Toxics Program Manager and Toxics Board members, the manufacturing business community, the environmental justice and advocacy community and other program stakeholders	3%	Education, Outreach, & PR #3
Necessary to Support Charter Amendment	Conduct public education and outreach efforts to increase transparency, understanding and awareness of the program; including issue news releases to keep the media and community informed; collaborate with the University of Oregon and Oregon State University, and to provide graduate students with internship opportunities; hold ongoing informational work sessions to give businesses and the community opportunities to learn and ask questions about the program, and provide feedback; Monitor the Toxics Board’s email box, and facilitate responses accordingly	5%	Education, Outreach, & PR #4
Charter Mandate – Article IV, Section 4: Hazardous Substance Users: File annual, public, hazardous materials balance report; and File a signed declaration certifying that the hazardous materials balance reports filed are accurate and complete	Work with businesses in the program to assist them in successfully meeting Charter Amendment hazardous substance reporting requirements and Charter-mandated deadline of April 1 st : including providing information and assistance	6%	Compliance and Auditing #1

EXPLICITLY MANDATED BY SECTION 54, AMENDMENT IV OF THE EUGENE CHARTER; OR NECESSARY TO SUPPORT CHARTER AMENDMENT	STAFF TASKS	APPROXIMATE % OF STAFF TIME	PROGRAM AREA AND TASK NUMBER
Charter Mandate – Article VI, Section 6.2.C: Toxics Board: Report to the Fire Marshal the names of any hazardous substance users in non-compliance with hazardous materials balance reports requirements	Percentage of staff time is currently zero because work is done to assist businesses understanding program requirements on a proactive basis to avoid this situation from occurring	3%	Compliance and Auditing #2
Charter Mandate – Article VI, Section 6.2.D: Toxics Board: Publish names of non-complying entities in the daily newspaper	Percentage of staff time is currently zero because work is done to assist businesses understanding program requirements on a proactive basis to avoid this situation from occurring	3%	Compliance and Auditing #3
Charter Mandate – Article VI, Section 6.2.E: City Fire Marshal: Investigate evidence of reports not filed in compliance with the Charter Amendment	Percentage of staff time is currently zero because work is done to assist businesses understanding program requirements on a proactive basis to avoid this situation from occurring	3%	Compliance and Auditing #4
Charter Mandate – Article VI, Section 6.2.F: City Fire Marshal: Audit the accuracy of the reporting processes of each hazardous substance user in an order such that all hazardous substance users are audited in a random order at least once every three years	Audit the accuracy of hazardous materials balance reports for the Fire Marshal: including follow-up work with businesses to assist them in reconciling errors accurately (site audits are permitted, not required); Conduct site visits of newly identified businesses as part of Toxics Program representative orientation; Work with Toxics Board to update procedure to implement a more comprehensive audit process, including cross-referencing data reported under other programs	3%	Compliance and Auditing #5
Charter Mandate – Article VII, Section 7.A and Article VII, Section 7.C: Hazardous Substance Users: Pay an annual fee to cover program expenses	Work with businesses in the program to assist them in reporting FTE, which the annual fee is based upon; Work with Toxics Board to implement procedure to verify accuracy of number of reported FTE; Perform data entry, print, and send invoices to businesses in the program; and Assist businesses in the program meeting the Charter-mandated deadline of May 1 st for payment of invoices	5%	Compliance and Auditing #6
Charter Mandate – Article VIII, Section 8.1: Toxics Board: Enforce reporting requirements and impose penalties for noncompliance	Percentage of staff time is currently zero because work is done to assist businesses understanding program requirements on a proactive basis to avoid this situation from occurring	3%	Compliance and Auditing #7
Charter Mandate – Article VIII, Section 8.2.E: City Manager: Order non-complying repeat offenders to cease and desist using hazardous substances in the City of Eugene	Percentage of staff time is currently zero because work is done to assist businesses understanding program requirements on a proactive basis to avoid this situation from occurring	3%	Compliance and Auditing #8

EXPLICITLY MANDATED BY SECTION 54, AMENDMENT IV OF THE EUGENE CHARTER; OR NECESSARY TO SUPPORT CHARTER AMENDMENT	STAFF TASKS	APPROXIMATE % OF STAFF TIME	PROGRAM AREA AND TASK NUMBER
Charter Mandate – Article VIII, Section 8.3: Members of the Public: Petition the Toxics Board against hazardous substance users or persons for failure to comply with the Charter Amendment	Percentage of staff time is currently zero because historically, this situation has not occurred; however, if it were to occur, staff time would need to be reallocated accordingly to manage the process	3%	Compliance and Auditing #9
Charter Mandate – Article V, Section 5.1.C and Article VI, Section 6.2.A: Toxics Board: Provide forms for hazardous materials balance reports to be filed electronically that are compatible with the Eugene Public Library’s computer systems	Percentage of staff time is currently zero because online data entry system for hazardous materials balance reports has been developed and implemented	3%	Program Management #1
Necessary to Support Charter Amendment	Facilitate process to assist Toxics Board provide forms for hazardous materials balance reports to be filed electronically that are compatible with the Eugene Public Library’s computer systems; and work with Information Technology staff to build or purchase a more efficient records and data management program/system	3%	Program Management #1
Necessary to Support Charter Amendment	Collaborate with other City staff and community organizations on relevant citywide projects and processes (e.g.: participate as a member of the Lane County Local Emergency Planning Committee (LEPC); participate in the Envision Eugene planning process)	3%	Program Management #2
Charter Mandate – Article V, Section 5.1.F: Toxics Board: Make hazardous materials balance reports available at the Eugene Public Library for seven years	Facilitate process to assist Toxics Board make hazardous materials balance reports available at the Eugene Public Library	3%	Program Management #3
Charter Mandate – Article VI, Section 6.2.B.3: Toxics Board: File an annual report on the effectiveness of the program, and any recommendations for improvements	Facilitate process to help Toxics Board file an annual report on the effectiveness of the program, and any recommendations for improvements: including preparing draft report for Toxics Board review, edits and approval, and submitting to City Council on the Toxics Board’s behalf	3%	Program Management #4
Necessary to Support Charter Amendment	Monitor applicable Federal regulatory program websites and state program databases to keep related local program information current and accurate	3%	Program Management #5
Necessary to Support Charter Amendment	Conduct inventory processes to identify covered entities, and implement processes and procedures to proactively identify covered entities in the future because with each business that is successfully identified, it extends the financial burden across industry more fairly and equitably and	3%	Program Management #6

EXPLICITLY MANDATED BY SECTION 54, AMENDMENT IV OF THE EUGENE CHARTER; OR NECESSARY TO SUPPORT CHARTER AMENDMENT	STAFF TASKS	APPROXIMATE % OF STAFF TIME	PROGRAM AREA AND TASK NUMBER
	lowers the cost per full-time equivalent (FTE) employee and the cost to smaller businesses		
Necessary to Support Charter Amendment	Facilitate Toxics Board meetings and completion of projects and processes to ensure compliance with the Charter Amendment (including Toxics Board meeting preparation, attendance and follow-up); and conduct ongoing continuous improvement program and process analyses, and make recommendations to Toxics Board for improvements as necessary	8%	Program Management #7 Board Support #3
Charter Mandate – Article VI, Section 6.1: City Council: Appoint Toxics Board members	Facilitate process to ensure Toxics Board members are appointed; including filling vacancies on the Toxics Board due to mid-term resignations; Prepare and submit necessary paperwork and attend City Council Public Hearings and Meetings for new Toxics Board member candidate interviews and appointments	3%	Board Support #1
Charter Mandate – Article X, Section 10: City Council: Enact reasonable ordinances necessary and proper for carrying into execution the provisions of the Charter Amendment upon recommendation of the Toxics Board	Facilitate process to assist City Council enact reasonable ordinances necessary for carrying into execution the provisions of the Charter Amendment upon recommendation of the Toxics Board (not already specifically shown above)	3%	Board Support #2
Necessary to Support Charter Amendment	Facilitate process to assist the Toxics Board recommend and the City Manager conduct Administrative Rule processes for updates to the Hazardous Substance Tracking Instructions and List of Reportable Chemicals; and publish and distribute Hazardous Substance Tracking Instructions and List of Reportable Chemicals to reporting businesses in the program; publish corresponding Citizen Guide	3%	Board Support #4
	TOTAL APPROXIMATE % OF STAFF TIME	100%	



Program Fee History

November 1996 Eugene City Charter, Section 54, Amendment IV adopted (Section 54, Amendment IV, Article VII, Section 7(D)). For the fiscal year 1997 and 1998 – The program was supported by the City of Eugene’s General Fund in accordance with the Eugene City Charter (Section 54, Amendment IV, Article VII, Section 7(D)).

- ❖ 1998 fee -- \$500/facility + \$16.12/FTE (Charged to reporting businesses)¹
- ❖ 1999 fee -- \$500/facility + \$7.92/FTE (Charged to reporting businesses)²
- ❖ 2000 fee -- \$14.31/FTE³
- ❖ 2001 fee -- \$12.54/FTE
- ❖ 2002 fee -- \$10.79/FTE
- ❖ 2003 fee -- \$13.92/FTE
- ❖ 2004 fee -- \$31.65/FTE up to \$2,000⁴
- ❖ 2005 fee -- \$30.94/FTE up to \$2,000
- ❖ 2006 fee -- \$31.30/FTE up to \$2,000
- ❖ 2007 fee -- \$37.38/FTE up to \$2,000
- ❖ 2008 fee -- \$46.20/FTE up to \$2,000
- ❖ 2009 fee -- \$52.38/FTE up to \$2,000
- ❖ 2010 fee -- \$55.48/FTE up to \$2,000
- ❖ 2011 fee -- \$53.34/FTE up to \$2,000
- ❖ 2012 fee -- \$79.00/FTE up to \$2,000
- ❖ 2013 fee -- \$82.69/FTE up to \$2,000
- ❖ 2014 fee -- \$56.75/FTE up to \$2,000
- ❖ 2015 fee -- \$56.08/FTE up to \$2,000
- ❖ 2016 fee -- \$48.29/FTE up to \$2,000
- ❖ 2017 fee -- \$63.12/FTE up to \$2,000
- ❖ 2018 fee -- \$65.43/FTE up to \$2,000
- ❖ 2019 fee -- \$62.23/FTE up to \$2,000
- ❖ 2020 fee -- \$56.13/FTE up to \$2,000
- ❖ 2021 fee -- \$62.80/FTE up to \$2,000
- ❖ 2022 fee -- \$26.10/FTE up to \$2,000
- ❖ 2023 fee -- \$62.28/FTE up to \$2,000
- ❖ 2024 fee -- \$62.28/FTE up to \$2,000
- ❖ 2025 fee -- \$85.62/FTE up to \$2,000
- ❖ 2026 fee -- \$75.22/FTE up to \$2,000

¹ Beginning spring 1998, program is supported by fees assessed each spring, per the City Charter. This continues to be the case.

² Because of the 05/05/99 Oregon Court of Appeals decision, all fees paid in 1998 and 1999 were refunded; due to the City assessing fees based on quantity.

³ In 2000 an additional class of businesses that did not meet the 2,640-pound reporting threshold but did meet the other three criteria to be considered hazardous substance users. This class of businesses are categorized as non-reporting businesses under the program. From then all fees were assessed to both reporting and non-reporting businesses.

⁴ State-imposed fee cap of \$2,000 per facility took effect 7/1/03 (ORS 453.370(2)(b)).

EUGENE CITY COUNCIL

AGENDA ITEM SUMMARY



Public Hearing: An Ordinance Concerning Increased Public Health Standards Coordination; Amending Sections 9.0500, 9.2460, 9.2461, and 9.4165 of the Eugene Code, 1971; and Providing an Effective Date

Meeting Date: April 20, 2026
Department: Planning & Development
www.eugene-or.gov

Agenda Item Number: 2
Staff Contact: Reid Verner
Phone: 541-682-5534

ISSUE STATEMENT

The purpose of this agenda item is for the Eugene City Council to hold a public hearing on a proposed ordinance that would amend the Eugene Code to increase coordination between the City's permitting process and public health regulatory agencies for new development in the E-2 Mixed-Use Employment, I-2 Light-Medium Industrial, and I-3 Heavy Industrial zones. This public hearing is on "Version 3" of the public health standards code amendments.

BACKGROUND

The proposed ordinance that is the subject of this public hearing would amend the Eugene Code to require that, prior to issuance of any development permits for property zoned E-2 Mixed-Use Employment, I-2 Light-Medium Industrial, or I-3 Heavy Industrial, an applicant must provide documentation to the City identifying all the air, land, and water permits required by the Environmental Protection Agency (EPA), the Oregon Department of Environmental Quality (DEQ), and/or the Lane Regional Air Protection Agency (LRAPA), or provide documentation attesting that no air, land, and water permits are required for the proposed development. The ordinance also requires the City to send notice to the EPA, DEQ, and LRAPA that includes the following information: the location of the development; the associated development permit number(s) and a description of the proposed work; and the documentation regarding the required air, land, and water permits submitted by the applicant. The ordinance is provided as Attachment A to this Agenda Item Summary (AIS).

This will be the second public hearing held by the City Council regarding the Public Health Standards project. On February 17, 2026, the City Council held a public hearing on a similar ordinance, except that it reflected "Version 4" of the public health standards code amendments, which were recommended by the Eugene Planning Commission. On March 9, 2026, in lieu of taking action on the February, 17, 2026 ordinance, the City Council passed a motion to hold a public hearing on a new ordinance that more closely matched modified "Version 3" of the code amendments, which had previously been presented to the Planning Commission. The ordinance included as Attachment A to this AIS and the subject of this public hearing is "Version 3" of the code amendments, as directed and amended by the Council's motion on March 9, 2026.

Both Version 4 and Version 3 of the amendments require notice by the City to the identified environmental agencies. The difference between the two versions is that Version 3 requires an applicant to submit documentation stating what environmental permits are required from the three partner agencies for their project, whereas Version 4 does not require this documentation.

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A key question of discussion throughout the code amendments, including questions from the City Council, has been: what does “documentation” look like for applicants identifying and attesting to the needed regulatory permits? In response to this question, staff has developed a draft example of a “Public Health Permitting Attestation Form.” The draft attestation form provided as Attachment B to this AIS is not final and may be modified but is an example of what an attestation form could look like to comply with the Version 3 requirement.

Purpose and History of the Public Health Standards Project

The proposed land use code amendment is part of the Public Health Standards project. At the Council’s [June 18, 2025](#), work session, Council passed two motions related to the Public Health Standards project. The first motion directed the City Manager to draft land use code amendments to require that an applicant demonstrate, prior to the issuance of City development permits, that either:

1. The applicant has been issued all necessary licenses and permits from pollution control agencies like Lane Regional Air Protection Agency (LRAPA) and Oregon Department of Environmental Quality (DEQ), or
2. The applicant has applied for the necessary licenses and permits, and the licenses and permits are likely to be issued.

The ordinance that is the subject of this public hearing is intended to implement the direction provided in the motion noted above. Other details and history regarding the Public Health Standards project were provided in a detailed summary of the process that is available in the [March 9, 2026, City Council AIS](#).

Procedural Summary

The proposed land use code amendments are subject to the City’s Type V application procedures (EC 9.7500 through EC 9.7560), as well as the approval criteria in EC 9.8065. These application procedures provide for a legislative review of changes to the land use code. The process includes public notice and hearing before the Planning Commission, which forwards a recommendation to the City Council for a public hearing and action.

Notice of the Council’s public hearing was provided according to EC 9.7545. This includes notice sent to Eugene neighborhood organizations, the Oregon Department of Land Conservation and Development, Lane County, the City of Springfield, and other community groups and interested parties who have requested notice.

The full record of materials submitted to date regarding these land use code amendments will be provided to Council electronically and hard copies will be placed in the Council offices. Record materials, including all written testimony received as of April 8, 2026, are available on the project website. As new written testimony is received, it will also be provided to the Council in batches for consideration and inclusion into the public record. For ease of reference, and as a courtesy, all written testimony received can also be found on the project website. Interested parties can send their comments to RVerner@Eugene-or.gov.

RELATED CITY POLICIES

This item supports the Council goal of Safe Community for Community Wellbeing in the City of Eugene [Strategic Plan](#).

Envision Eugene Comprehensive Plan. The Economic Development Chapter includes the following

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relevant policies:

- 3.22 West Eugene industrial areas. Protect industrial areas in west Eugene, while supporting their evolution into diverse places of commerce with a flexible regulatory approach that offers a broad mix of employment and industrial uses, thereby accommodating increased employment densities and services to surrounding neighborhoods.
- 3.23 Flexible campus employment areas. Recognize changing market demands and accommodate land needs through flexible zoning for light industrial/campus employment areas, including Greenhill Technology Park, Willow Creek Circle and Chad Drive.
- 3.24 Environmental justice and compatibility. To promote compatibility between industrial lands and adjacent areas, apply and maintain land use regulations to avoid the siting of new heavy industrial uses in areas that already accommodate a disproportionate amount of such uses or near residentially designated lands, schools, day care centers, and community recreational facilities such as athletic fields, pools and playgrounds; or, mitigate typical associated impacts when adjacency cannot be avoided.

Neighborhood Planning. Several health-related aspects can be addressed through neighborhood planning, including walkability, transportation options, access to parks and open space and equitable opportunities for access to healthy food. Bethel and the University area neighborhoods are currently undertaking neighborhood planning efforts.

Climate Friendly and Equitable Communities Rulemaking Implementation. The City is currently developing and implementing several land use and transportation comprehensive plans and regulatory changes to reduce greenhouse gas emissions.

Climate Action Plan 2.0 (CAP 2.0). The purpose of the CAP2.0 is to outline the actions needed to reach Eugene’s community-wide Climate Recovery Ordinance (CRO) goals. This plan, Eugene’s Community Climate Action Plan 2.0 continues the momentum created by Eugene’s Climate Recovery Ordinance by identifying research-based actions that will help the community reach its climate goals most quickly. The CAP 2.0 connects readers to other plans and policies already in place that are foundational to achieving these goals to create an equitable and livable community for everyone.

PREVIOUS COUNCIL DIRECTION

[February 28, 2022 City Council Meeting](#)

Councilor Syrett, seconded by Councilor Groves, moved to direct the City Manager to schedule a work session on the concept of a public health overlay zone; the work session should provide information on what benefits of creating an overlay zone might be, and how the City would develop criteria for deciding which areas of the City might benefit from such a zone.

Passed 8:0

[May 23, 2022 Work Session](#)

City Council held a work session titled Addressing Chronic Toxic Polluters and reviewed the City’s role in the regulation of pollutants, the role of other regulatory authorities, and then discussed opportunities for the City’s role in regulation. The breadth of possible pollutants across air, water, land, and noise makes the regulatory environment associated with pollutants complex and multi-layered.

[September 26, 2022 Work Session](#)

City Council held a work session on Public Health Overlay Zone and Other Concepts.

[October 18, 2023 Work Session](#)

Councilor Groves, seconded by Councilor Keating, move to direct the City Manager to initiate a land use code amendment to implement public health industrial development standards.

Passed 8:0

[June 18, 2025 Work Session](#)

Councilor Evans, seconded by Councilor Leech, moved to direct the City Manager to draft land use code amendments to require that an applicant demonstrate prior to the issuance of the City development permits that either 1) the applicant has been issued all necessary licenses and permits for pollution control agencies like Lane Regional Air Protection Agency (LRAPA) and Department of Environmental Quality (DEQ), or 2) the applicant has applied for the necessary license and permits and permits and licenses are likely to be issued.

Passed 8:0

Councilor Evans, seconded by Councilor Leech, moved to direct the City Manager, upon completion of the Hazard and Risk analysis study, to draft land use code amendments informed by the results of the hazard and risk analysis.

Passed 5:3

[February 17, 2026 Public Hearing](#)

City Council held a public hearing on an Ordinance Concerning Increased Public Health Standards Coordination (Version 4). At the public hearing, the City Council heard testimony from ten members of the public. The testimony was mixed with six people speaking in support of Version 4 of the proposed code amendments and four people speaking in support of Version 3 of the proposed code amendments. Some of the people who submitted testimony did so on behalf of organizations they represented. A representative for Onward Eugene, an economic development organization focused on regional prosperity, spoke in favor of Version 4, while representatives of LRAPA, the Active Bethel Community Board, and Beyond Toxics spoke in favor of Version 3.

[March 9, 2026 City Council Meeting](#)

City Council held a meeting to potentially take action on an Ordinance Concerning Increased Public Health Standards Coordination that was based on Version 4 of the proposed code amendments.

Councilor Kashinsky, seconded by Councilor Zelenka, moved to direct the City Manager to draft an ordinance and schedule a public hearing on Version 3 of the Public Health Standards Code Amendments included in the December 16, 2025, Planning Commission agenda packet. The ordinance drafted by the City Manager shall modify Section 3 of Version 3 to replace the phrase “scope of the proposed work” with the phrase “a description of the proposed work.

Passed 8:0

COUNCIL OPTIONS

This item is scheduled for public hearing only. No action is required at this time.

CITY MANAGER'S RECOMMENDATION

This item is scheduled for public hearing only. Deliberations and potential action are scheduled for June 8, 2026.

SUGGESTED MOTION

None.

ATTACHMENT

- A. Ordinance -- Public Health Standards Code Amendments
- B. Draft Example of "Public Health Permitting: Attestation Form"

FOR MORE INFORMATION

Staff Contact: Reid Verner, Land Use Supervisor

Telephone: 541-682-5534

Staff E-Mail: RVerner@Eugene-or.gov

ORDINANCE NO. _____

AN ORDINANCE CONCERNING INCREASED PUBLIC HEALTH STANDARDS COORDINATION; AMENDING SECTIONS 9.0500, 9.2460, 9.2461, AND 9.4165 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 following definition in alphabetical order:

Air, Land, and Water Permits. Any permits or licenses issued by the Environmental Protection Agency, the Oregon Department of Environmental Quality, or the Lane Regional Air Protection Agency that are required to comply with local, state, or federal air, land or water regulations.

Section 2. Table 9.2460 in Section 9.2460 of the Eugene Code, 1971, is amended to provide as follows:

9.2460 Employment and Industrial Zone Development Standards.

(2) *Application of Standards.* In addition to applicable provisions contained elsewhere in this land use code, the development standards listed in Table 9.2460 Employment and Industrial Zone Development Standards shall apply to all development in employment and industrial zones. In cases of conflict, the standards specifically applicable in employment and industrial zones shall apply.

Table 9.2460 Employment and Industrial Zone Development Standards				
	E-1	E-2	I-2	I-3
Maximum Building Height (1)	80 feet	80 feet	None	None
Minimum Front Yard Setback (2)(4)				
Frontage on Arterial Street	20 feet	15 feet	0 feet	0 feet
Frontage on all other streets	20 feet	5 feet	0 feet	0 feet
Maximum Front Yard Setback				
Frontage on Arterial Street		25 feet		
Frontage on all other streets		15 feet		

Table 9.2460 Employment and Industrial Zone Development Standards				
	E-1	E-2	I-2	I-3
Minimum Interior Yard Setback				
Abutting any zone except residential or park and open space (2)	0 feet	0 feet	0 feet	0 feet
Abutting residential or park and open space zone (2)	20 feet	20 feet	20 feet	20 feet
Minimum Landscape Standard abutting a residential zone (3)	High Screen	High Screen	High Wall	High Wall
Minimum Landscape Area (3)	20%	10%	Some (3)	Some (3)
On-Site Pedestrian Requirements (5)	Yes	Yes	No	No
Fences (6)				
Outdoor Storage Areas (7)				
Outdoor Merchandise Display (8)				
Garbage Screening (9)				
Utilities (10)				
Drive Through Facilities (11)				
Delivery and Loading Facilities (12)				
Public Health Coordination (13)	No	Yes	Yes	Yes

Section 3. Section 9.2461 of the Eugene Code, 1971, is amended by adding subsection (13)

to provide as follows:

9.2461 Special Development Standards for Table 9.2460.

[\(13\) Public Health Coordination.](#)

[\(a\) Prior to city approval of any development permit for development on property located in the E-2, I-2, or I-3 zones, the applicant shall submit:](#)

- [1. Documentation identifying all Air, Land, and Water Permits required for the proposed development. The documentation shall include an attestation by the applicant that the listed Air, Land and Water Permits are the only Air, Land and Water](#)

Permits required for the proposed development; or

2. Documentation attesting that no Air, Land, and Water Permits are required for the proposed development.

(b) Prior to city approval of any development permit, for development on property located in the E-2, I-2, or I-3 zones, the city shall provide notice of the proposed development to the Environmental Protection Agency, Oregon Department of Environmental Quality, and Lane Regional Air Protection Agency. The notice shall include, but is not limited to the following information:

1. The street address or other easily understood geographical reference to the subject property;

2. The Map and Tax Lot(s) for the subject property;

3. The associated development permit number(s) and a description of the proposed work; and

4. The information provided by the applicant referenced in subparagraph 13(a) above.

Section 4. Subsection (1) of Section 9.4165 of the Eugene Code, 1971, is amended to provide as follows:

9.4165 /CL Clear Lake Overlay Zone Special Application and Development Standards.

(1) Application Requirements. In addition to standard required application materials, a development permit proposing a new building, change of use, additional use, or building expansion that exceeds 25 percent of the existing building square footage on the development site shall include ~~the following additional application material at the time of submittal:~~

~~(a) Demonstration of compliance with EC 9.7007 Neighborhood/Applicant Meetings. Developments that require multiple applications may convene a single neighborhood/ applicant meeting to address all materials; and~~

~~(b) A pre-clearance letter issued by the Lane Regional Air Protection Agency (LRAPA) confirming that the proposed use and associated operations have the ability to meet air quality standards with appropriate control technologies and mitigation measures. The LRAPA pre-clearance letter does not constitute formal approval of the use by either LRAPA or the City of Eugene.~~

Section 5. The findings set forth in Exhibit A attached to this Ordinance are adopted as findings in support of this Ordinance.

Section 6. 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 7. If any section, subsection, sentence, clause, phrase, or portion of this Ordinance is for any reason held invalid or unconstitutional by the Oregon Land Use Board of Appeals or 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. Further, if this Ordinance is remanded back to the City Council for further action by the Oregon Land Use Board of Appeals or a court of competent jurisdiction, those sections, subsections, sentences, clauses, phrases, or portions that do not require action on remand shall be deemed separate, distinct, and independent provisions and such remand shall not affect their validity or effect.

Section 8. 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 _____, 2026

Approved by the Mayor this
___ day of _____, 2026

City of Eugene

Public Health Standards Land Use Code Amendments (CA 25-3)

FINDINGS

Public Health Standards Land Use Code Amendments (CA 25-3):

The Public Health Standards (PHS) Land Use Code Amendments provide that, prior to issuance of any development permits for property zoned E-2 Mixed-Use Employment, I-2 Light-Medium Industrial, or I-3 Heavy Industrial, an applicant must provide documentation to the City identifying all the air, land, and water permits required by the Environmental Protection Agency (EPA), the Oregon Department of Environmental Quality (DEQ), and/or the Lane Regional Air Protection Agency (LRAPA) or provide documentation attesting that no air, land, and water permits are required for the proposed development. The PHS Land Use Code Amendments also require the City to send notice to EPA, DEQ, and LRAPA informing those agencies about the location of the development, the associated development permit number(s) and description of the proposed work, and the documentation regarding the required air, land, and water permits submitted by the applicant.

PHS Land Use Code Amendment Findings

Eugene Code (EC) Section 9.8065 sets out the following approval criteria (in ***bold and italic***) for a land use code amendment.

EC 9.8065(1) The amendment is consistent with applicable statewide planning goals adopted by the Land Conservation and Development Commission.

Based on the findings under each of the Statewide Planning Goals 1 through 19 below, the amendments are consistent with the goals and this criterion is satisfied.

Statewide Planning Goals

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's acknowledged procedures for adoption of legislative land use decisions, located in EC 9.7050 and 9.7500 through 9.7560, ensure the opportunity for community members to be involved in all phases of the legislative land use decision process and set out the requirements for such involvement. The PHS Land Use Code Amendments ("the amendments") do not amend or change the City's adopted citizen involvement program. The process for adoption of the PHS Land Use Code Amendments complies with Goal 1 because it is consistent with the City's acknowledged procedures for legislative land use decisions.

In addition to compliance with the City's acknowledged legislative land use decision procedures, the City also conducted significant public involvement related to the project. In January 2025, Planning

and Development staff launched the PHS project to identify possible changes to Eugene's land use regulations to address the concerns of residents living near industrial areas within the City of Eugene. Through this project, staff have worked to:

- Engage residents, businesses, and community organizations on possible changes.
- Identify gaps in local, state, and federal regulation of industrial development.
- Consider enhanced land use regulations for new or expanded industrial developments located near residential zones, parks, schools, and other sensitive areas in order to mitigate community health risks.
- Gather additional recommendations for future changes to City policy, zoning of properties, programs and investments, or other ways to make changes through land use planning.

Community Engagement

Community engagement efforts focused on better understanding community views and perceptions of the issue and whether the land use code is the right tool to help address those concerns. Staff reached out to a broad spectrum of community members, including affected neighborhood groups, businesses, and environmental and community groups. The project team received feedback from a wide range of interested parties.

Between January and May 2025, the project team organized both small- and large-group conversations to provide the opportunity to connect with specific communities. Over this time, the team connected with 250+ individuals across 19 meetings and events, analyzed 209 survey responses, and reached out to 18,500+ individuals through online information sharing platforms. Staff also reached out to regulatory agencies, including the EPA, DEQ and LRAPA.

As discussed below, notices of the proposed Code Amendments were provided in accordance with EC 9.7520 Public Hearing Notice (Planning Commission) and EC 9.7545 Public Hearing Notice (City Council). Notice of the Planning Commission and City Council public hearings was provided to Eugene neighborhood organizations, the Oregon Department of Land Conservation and Development, Lane County, the City of Springfield, and other community groups and interested parties who have requested notice. Notices of the public hearings were also published in the Register Guard according to Eugene Code requirements.

On September 9, 2025, the City provided notice of the proposed PHS Land Use Code Amendments to DLCDC. A public hearing conducted by the Planning Commission was held on October 14, 2025. On September 12, 2025, notice of the Planning Commission public hearing was sent in accordance with Type V notice procedures referenced above.

In response to testimony received, the Planning Commission considered a few different iterations of the PHS Code Amendments. Following deliberations, on January 13, 2026, the Planning Commission voted to recommend that the City Council approve version 4 of the PHS Code Amendments, which requires city staff to notify the EPA, DEQ and LRAPA when an application for a development permit is filed for property zoned E-2, I-2, or I-3, but does not require anything from the applicant.

On February 17, 2026, the City Council held a public hearing on an ordinance effectuating version 4 of the PHS Code Amendments. On March 9, 2026, the Council voted to direct the City Manager schedule another public hearing on an ordinance effectuating version 3 of the PHS Code Amendments. Like

version 4 of the PHS Code Amendments, version 3 requires city staff to notify EPA, DEQ and LRAPA when an application for a development permit is filed for property zoned E-2, I-2, or I-3, but also requires that, prior to issuance of any development permits for the property, an applicant must provide documentation identifying all the air, land, and water permits required by EPA, DEQ, and/or LRAPA, or attest that no air, land, and water permits are required for the proposed development. The City Council held a public hearing on the ordinance effectuating version 3 of the PHS Land Use Code Amendments on April 20, 2026.

These processes afforded ample opportunity for citizen involvement consistent with Goal 1. Therefore, the amendments are 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 base for such decisions and actions.

Eugene's land use code specifies the formal adoption procedures and approval criteria that were used in considering the PHS Land Use Code Amendments. These findings and the record show that there is an adequate factual basis for the Code Amendments. The Goal 2 coordination requirement is met when the City engages in an exchange, or invites such an exchange, between the City and any affected governmental unit and when the City uses the information obtained in the exchange to balance the needs of citizens.

To comply with the Goal 2 coordination requirement, the City engaged in an exchange about the subject of these amendments with affected governmental units. Specifically, the City provided notice of the proposed action and opportunity to comment to the Oregon Department of Land Conservation and Development (DLCDD), Lane County, and the City of Springfield. There are no exceptions to Statewide Planning Goal 2 required for the PHS Code Amendments. Therefore, the amendments are consistent with Statewide Planning Goal 2.

Goal 3 - Agricultural Land: To preserve and maintain agricultural lands.

The PHS Land Use Code Amendments will only affect properties located within the City of Eugene and therefore do not affect any lands designated by the comprehensive plan for agricultural use. Additionally, the amendments only apply to properties zoned E-2 Mixed-Use Employment, I-2 Light-Medium Industrial, and I-3 Heavy Industrial, therefore to the extent that there are properties within the City currently zoned for agricultural use, the code amendments do not force a discontinuance of agricultural practices. For these reasons, the amendments are consistent with Statewide Planning Goal 3.

Goal 4 - Forest Land: To conserve forest lands.

The PHS Land Use Code Amendments will only affect properties located within the City of Eugene and therefore do not affect any lands designated by the comprehensive plan for forest use. The amendments are therefore consistent with Statewide Planning Goal 4.

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

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

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

These PHS Land Use Code Amendments do not create or amend the City's list of Goal 5 resources, do not amend a code provision adopted in order to protect a significant Goal 5 resource or to address specific requirements of Goal 5, do not allow new uses that could be conflicting uses with a significant Goal 5 resource site and do not amend the acknowledged urban growth boundary. Therefore, the amendments are consistent with Statewide Planning Goal 5.

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

Goal 6 addresses waste and process discharges from development and is aimed at protecting air, water, and land from impacts from those discharges. The PHS Land Use Code Amendments do not affect the City's ability to provide for clean air, water or land resources, and in fact will increase coordination with the agencies regulating the quality of the air, water, and land resources of the state, including the Environmental Protection Agency, Oregon Department of Environmental Quality, and Lane Regional Air Protection Agency. Therefore, the amendments are consistent with Statewide Planning Goal 6.

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

Goal 7 requires that local government planning programs include provisions to protect people and property from natural hazards such as floods, landslides, wildfires, and earthquakes and related hazards. The PHS Land Use Code Amendments do not make changes to policies or regulations that protect people and property from natural hazards. Therefore, the amendments are consistent with Statewide Planning Goal 7.

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 that recreational facilities are provided to Oregon citizens and is primarily concerned with

the provision of recreational facilities in non-urban areas of the state. The PHS Land Use Code Amendments do not affect the City's provisions for, or citizen's access to, recreation areas, facilities, or recreational opportunities. Therefore, the amendments are consistent with Statewide Planning Goal 8.

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 Administrative Rule for Statewide Planning Goal 9 (OAR 660, Division 9) requires that the City provide at least an adequate supply of sites of suitable sizes, types, locations, and service levels for a variety of industrial and commercial uses consistent with plan policies.

The Employment Lands Supply Study 2012-2032 (ELSS) is included as Appendix B in the City's Envision Eugene Comprehensive Plan and demonstrates that Eugene has an adequate supply of commercial and industrial land, in compliance with the requirements of Goal 9 and the corresponding Administrative Rule.

The PHS Land Use Code Amendments, which will apply only within the City, will not rezone or re-designate any properties, and do not impact the supply of industrial or commercial lands. The amendments are designed to improve coordination with the City's public health regulatory partners and will not change or impact any zoning, designation or allowed land uses. Therefore, the amendments are consistent with Statewide Planning Goal 9.

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

Goal 10 requires the City to provide an adequate supply of buildable land to accommodate the City's estimated housing needs for a 20-year planning period. The *Envision Eugene* Residential Land Supply Study (2012-2032) was adopted by the City of Eugene in 2017 as a refinement of the *Envision Eugene Comprehensive Plan* and complies with the requirements of Goal 10 and Chapter 660, Division 008 of the Oregon Administrative Rules.

The *Envision Eugene* Residential Land Supply Study includes an inventory of buildable lands for residential use. According to the Residential Land Supply Study, there is sufficient buildable residential land within Eugene's Urban Growth Boundary to meet the identified land need. The PHS Land Use Code Amendments do not impact the City's supply of residential buildable land. No land is being re-designated from a residential use to a non-residential use, and the amendments do not otherwise diminish the amount of land available for residential use. Therefore, the amendments are consistent with Statewide Planning Goal 10.

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

The Eugene-Springfield Public Facilities and Services Plan (PFSP) is the adopted and acknowledged public facility plan for areas within Eugene's Urban Growth Boundary with respect to water, wastewater, and stormwater services. The Eugene 2035 Transportation System Plan, which was adopted pursuant to Chapter 660, Division 12 of the Oregon Administrative Rules (OARs), fulfills the requirement for

transportation facilities planning in ORS 197.172(2)(e), Statewide Planning Goal 11, and OAR Chapter 660, Division 11.

The PHS Land Use Code Amendments do not affect the planning or development of future public facilities or services. The amendments do not make changes to the City's provision of public facilities and services or to the PFSP or the Eugene 2035 Transportation System Plan. Consistent with the PFSP, the City will continue to plan and develop public facilities to support the land uses designated in the City's acknowledged comprehensive plan. The amendments do not change the allowed uses or densities for any properties within the City; therefore, the amendments will not affect the demand on the City's public facilities and services. The amendments are consistent with Statewide Planning Goal 11.

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

Goal 12 is implemented through the Transportation Planning Rule (TPR), OAR Chapter 660, Division 12. Eugene's 2035 Transportation System Plan provides the policy framework through which the TPR is implemented at the local level. The TPR includes the following requirements at OAR 660-012-0060:

- (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 TPR requires that land use changes that would significantly affect a transportation facility provide mitigation measures to address the anticipated impacts. The PHS Land Use Code Amendments will not significantly affect a planned or existing transportation facility, and no changes to existing, adopted land use designations or zoning of properties are proposed. The amendments will not change the functional classification of an existing or planned transportation facility, nor will they change any standards implementing a functional classification system. Further, because the amendments do not alter or affect the land uses allowed, the amendments will not result in levels of travel or access which are inconsistent with the functional classification of an existing or planned transportation facility nor will they degrade the performance standards of an existing or planned transportation facility so that it will not meet the performance standards identified in the City's adopted transportation system plan. Therefore, the PHS Land Use Code Amendments are consistent with Statewide Planning Goal 12.

Goal 13 - Energy Conservation: To conserve energy.

Goal 13 provides guidance on the management of land and land uses to maximize the conservation of energy. Goal 13 provides implementation direction focused on lot sizes, building heights, density of housing, and availability of light, wind, and air. The PHS Land Use Code Amendments will not amend or otherwise affect any adopted land use regulations that implement this goal. Instead, the Code Amendments will increase coordination with the City's regulatory partners. Therefore, the amendments are consistent with Statewide Planning Goal 13.

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

The PHS Land Use Code Amendments are specific to land already zoned and designated for urban uses. The amendments do not affect the transition from rural to urban land uses, as all the property affected by the amendments is located within the City limits. Therefore, the amendments are consistent with Statewide Planning Goal 14.

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 PHS Code Amendments do not contain any changes to the City's 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 lands affected by PHS Land Use Code Amendments. Therefore, these goals are not relevant, and the amendments will not affect compliance with Statewide Planning Goals 16 through 19.

EC 9.8065(2): [The amendments are] consistent with applicable provisions of the comprehensive plan and applicable adopted refinement plans.

The following findings address the *Eugene-Springfield Metropolitan Area General Plan (Metro Plan)*, the

City's adopted and acknowledged regional comprehensive plan, the *Envision Eugene Comprehensive Plan (Envision Eugene)*, the Eugene-specific adopted and acknowledged comprehensive plan, the *Eugene 2035 Transportation System Plan (2035 TSP)*, the transportation element of Eugene's comprehensive land use plan, and applicable adopted refinement plans.

Metro Plan Policies

Environmental Resources Element

- C.27 Local governments shall continue to cooperate in developing and implementing programs necessary to meet air quality standards. This effort should include but not be limited to:*
- a. Review of all major public capital expenditure projects for potential air quality impacts.*
 - b. Integration of air quality concerns into the comprehensive land use plan.*
 - c. Active participation in developing and implementing additional controls, as needed.*

The PHS Land Use Code Amendments focus on improving the coordination between the City of Eugene and its public health regulatory partners. By adding the requirement that the applicant submit information regarding required air, land, and water permits as a part of the building permit process, the City is actively participating in developing and implementing additional controls related to air quality standards.

Based on the findings provided above, the amendments are consistent with and supported by the applicable provisions of the *Metro Plan*.

Envision Eugene Policies

The *Envision Eugene Comprehensive Plan* does not contain any policies relevant to the PHS Land Use Code Amendments.

Eugene 2035 Transportation System Plan

The *Eugene 2035 Transportation System Plan* does not contain any policies relevant to the PHS Land Use Code Amendments.

Applicable Refinement Plans

There are no refinement plan policies applicable to the PHS Land Use Code Amendments.

EC 9.8065(3): In the case of establishment of a special area zone, [the amendments are] consistent with EC 9.3020 Criteria for Establishment of an S Special Area Zone.

The PHS Land Use Code Amendments do not establish a special area zone. Therefore, this criterion does not apply.



Public Health Permitting: **DRAFT** Attestation Form

Purpose: Completing this form will satisfy the requirement at Eugene Code (EC) 9.2461(13)(a) for a development permit including property located in the E-2 Mixed Use Employment, I-2 Light-Medium Industrial, and I-3 Heavy Industrial zones. This form includes identifying and attesting to all Air, Land, and Water Permits required by the Environmental Protection Agency (EPA), Oregon Department of Environmental Quality (DEQ), and/or Lane Regional Air Protection Agency (LRAPA) for the proposed development, if any.

Note: The permitting office contact information for each agency is included below, and all information provided on this form will be provided to each agency prior to approval of City development permits.

Subject Development Information:

Street Address: _____

Map and Tax Lot(s): _____

Eugene Permit Number(s) if known: _____

Description of work proposed: _____



Public Health Permitting: **DRAFT** Attestation Form

Agency: Environmental Protection Agency (EPA)

Permitting Contact: <https://www.epa.gov/hwpermitting/forms/contact-us-about-hazardous-waste-permitting>

Permitting Webpage: <https://www.epa.gov/hwpermitting/how-obtain-hazardous-waste-permit>

Typical Permit Types: Hazardous Waste Permitting

EPA Permits Required for proposed development (Include Permit Numbers, if known): _____

No EPA Permits are required for the proposed use.

Date Contacted (if applicable): _____

Response Date (indicate if response not received): _____



Public Health Permitting: **DRAFT** Attestation Form

Agency: Oregon Department of Environmental Quality (DEQ)

Permitting Contact: <https://www.oregon.gov/deq/Pages/Contact.aspx>

Typical Permit Types: Water Quality Permits (NPDES and WPCF) and Land Quality Programs and Permitting

Water Quality Permits Webpage:
<https://www.oregon.gov/deq/wq/wqpermits/Pages/default.aspx>

Land Quality Permits Webpage: <https://www.oregon.gov/deq/Pages/Land-Quality.aspx>

DEQ Permits Required for proposed development: _____

No Oregon DEQ Permits are required for the proposed use.

Date Contacted (if applicable): _____

Response Date (indicate if response not received): _____



Public Health Permitting: **DRAFT** Attestation Form

Agency: Lane Regional Air Protection Agency (LRAPA)

Permitting Contact: permitting@lrpa-or.gov or 541-736-1056

Typical Permit Types: Air Permits (for emissions above a certain threshold)

Air Permitting Webpage: <https://www.lrapa-or.gov/air-quality-protection/permitting-lane-county-sources/#stepbystepguide>

LRAPA Permits Required for proposed development: _____

No LRAPA Permits are required for the proposed use.

Date Contacted (if applicable): _____

Response Date (indicate if response not received): _____

EUGENE CITY COUNCIL

AGENDA ITEM SUMMARY



Public Hearing: An Ordinance Amending the Fairmount/University of Oregon Special Area Study Text and Diagram; Amending Sections 9.4205, 9.4215, 9.4220, and 9.9570 of the Eugene Code, 1971; Rezoning the Property Identified as Assessor's Map 17-03-33-32, Tax Lots 07000, 07100, 07200, 07300, 07400, 07500, 07600, 07700, And 07800 to Remove the /EC East Campus Overlay Zone; and Providing an Effective Date

Meeting Date: April 20, 2026
Department: Planning and Development Department
www.eugene-or.gov

Agenda Item Number: 3
Staff Contact: Brai Black
Phone: 541-682-5437

ISSUE STATEMENT

The City Council will hold a public hearing on the requested Refinement Plan Amendment, Land Use Code Amendment, and Zone Change.

BACKGROUND

The University of Oregon is requesting approval of a package of three land use applications: a Refinement Plan Amendment, a Code Amendment, and a Zone Change (City Files: RA 25-01, CA 25-02, and Z 25-03). This package of applications is intended to align the requirements of the Fairmount/University of Oregon Special Area Study (the applicable Refinement Plan), the Eugene Code, and the zoning of the properties that are the subject of the applications with the University's Next Generation Housing Development Plan and recent updates to the East Campus Area Plan. A vicinity map showing the properties affected by the proposal is provided in Attachment A to this Agenda Item Summary (AIS).

This is the second City Council public hearing for this package of applications. The second hearing was scheduled after the Council passed a motion at their March 9, 2026 meeting to immediately reopen the record for the applications and to hold a second public hearing on a modified Ordinance. The Council's motion was passed in response to modifications to the proposal provided by the applicant to address concerns raised in public testimony. A more detailed description of the project history is provided below. The proposed Ordinance for this second public hearing is included as Attachment B to this AIS.

The applicant's modifications to the Refinement Plan Amendment and Code Amendment removed some of the proposed changes to the Refinement Plan text, which were intended to update and modernize the document. Though the modifications to the Ordinance warranted a second public hearing, the primary components of the applicant's proposal remain unchanged, and include:

- Allowance for residence halls in the East Campus Area.
- An increase in building height and expansion of the residential transition area. (See Attachment C to this AIS.)

April 20, 2026 Public Hearing – Item 3

- The Land Use Designations and zoning will be changed for properties north of East 15th Avenue and east of Villard Street to reflect existing and future university uses. (See Attachment D to this AIS.)

The changes the applicant initially proposed were intended to modernize the Refinement Plan but were not necessary to facilitate the primary components of the project listed above. As explained in the annotated Ordinance in Attachment E to this AIS, the applicant’s modifications to their proposal primarily revert the text of the Refinement Plan to its existing state.

Project History

In 2024, the University completed its Next Generation Housing Development Plan, a long-range plan for on-campus housing and infrastructure and adopted its 2024 East Campus Area Plan. The 2024 East Campus Area Plan updated the University’s policies to accommodate current and projected needs for student housing and institutional uses, while maintaining the compatibility of the University of Oregon campus with the surrounding neighborhood.

Implementation of the University’s Next Generation Housing Development Plan and updated East Campus Area Plan informs the applicant’s request for amendments to the Eugene Code and to the Fairmount/University of Oregon Special Area Study policies that currently govern development in the East Campus Area.

On March 21, 2025, the applicant submitted a request for a Refinement Plan Amendment, Code Amendment, and Zone Change in order to align the applicable requirements of the Eugene Code, the Fairmount/University of Oregon Special Area Study, and the zoning of certain East Campus area properties owned by the University with the University’s internal development policies to increase the capacity for housing on campus. Each of the applications is summarized below:

- Refinement Plan Amendment (City File: RA 25-01): The proposed amendments to the Fairmount/University of Oregon Special Area Study include text changes to align the Special Area Study with the University’s recent planning efforts in the East Campus area to allow student dormitory uses and increased building height for on-campus development within the /EC East Campus Overlay Zone. The proposed amendments also include the redesignation of eleven properties as “Institutional” on the Special Area Study’s Generalized Future Land Use Diagram to reflect existing and future development. Other proposed amendments to the Fairmount/University of Oregon Special Area Study include updates to terms, references, and designation names. The proposed amendments are shown in the proposed Ordinance that is the subject of this public hearing and is included as Attachment B to this AIS.
- Code Amendment (City File: CA 25-02): The proposed land use code amendment would add dormitories as an allowed use in the /EC East Campus Overlay Zone; increase the allowed building height within the /EC Overlay Zone from 45 feet to 85 feet; expand the “residential transition” distance from R-1 Low Density Residential zoned properties from 60 feet to 75 feet; and increase the allowed building height within the residential transition area from 30 feet to 45 feet. To clarify the proposed changes in building height allowances, an illustrative map is provided as Attachment C to this AIS. The proposed Code Amendments are shown in the proposed Ordinance that is the subject of this public hearing and is included in Attachment B to this AIS.
- Zone Change (City File: Z 25-03): Consistent with the proposed Refinement Plan Amendment, which would redesignate eleven properties from “Limited High Density

Residential / Limited Institutional” to “Institutional,” the proposed Zone Change would remove the /EC East Campus Overlay Zone from nine properties located north of East 15th Avenue. A map of the proposed zone change is included in Attachment D to this AIS.

The initial public hearing on these applications was conducted by the Planning Commission on [October 21, 2025](#). Prior to the Planning Commission’s public hearing, eighteen pieces of written testimony were received, both in support of and in opposition to the requested amendments and Zone Change. Fourteen people and two representatives of the applicant testified at the Planning Commission’s public hearing, with nine individuals in opposition to the request; four individuals in favor of the request; and one individual who identified their stance as neutral.

At the public hearing, the Planning Commission approved a motion to hold the record open to allow interested parties to submit additional written testimony prior to the Planning Commission’s deliberations. During the open record period, fourteen pieces of written testimony were submitted, including additional information provided by the applicant. Many of the community members who provided public testimony expressed opposition to the request, citing concerns related to building height, traffic, and consistency with the Metro Plan and the applicable Refinement Plan. All public testimony is included in the record for this request.

Following the public hearing, the Planning Commission held deliberations at their [November 18, 2025](#) meeting. Following their deliberations, the Planning Commission voted on a motion to recommend that the City Council approve the requested Refinement Plan Amendment, Code Amendment, and Zone Change, and adopt the proposed amendments to the Refinement Plan and the Land Use Code as included in Attachments B and C to the [November 18, 2025](#) Agenda Item Summary. The motion passed 4:0:1, with one commissioner abstaining (Commissioner Edwards).

On [January 20, 2026](#), the City Council held a public hearing on this package of applications. Following the public hearing, the Council voted to hold the record open for three weeks to allow interested parties to submit additional testimony, with the final week open to the applicant only, as required by state law. During the final open record period, during which only the applicant was able to submit testimony, the applicant submitted several proposed modifications to the applications. The applicant’s final open record period submission, dated February 10, 2026, stated that the modifications to the Ordinance were intended to address public testimony, including specific testimony from the Fairmount Neighborhood Organization.

At the City Council’s [March 9, 2026](#) meeting, the Council unanimously voted to immediately reopen the record for these applications to accept evidence and argument from all parties, and directed the City Manager to bring back an ordinance incorporating the applicant’s proposed modifications for a public hearing on April 20, 2026. The updated Ordinance is provided as Attachment B to this AIS.

An annotated version of the Ordinance, which explains the changes between the original version of the Ordinance and the updated version of the Ordinance, is provided as Attachment E to this AIS.

The City Council’s public hearing on this request will be followed by deliberations and action, which is scheduled for the May 11, 2026, City Council meeting.

Procedural Summary

The City Council public hearing on the proposed Refinement Plan Amendment, Code Amendment, and Zone Change applications will be conducted in accordance with the Type IV (quasi-judicial) procedures as set forth in EC 9.7050 and 9.7400 through 9.7455. The Type IV process includes

public notice and public hearings before the Planning Commission and the City Council. This request is being considered in accordance with the approval criteria at EC 9.8065, EC 9.8424, and EC 9.8865. Findings demonstrating compliance with the approval criteria, including any applicable policies, for these Refinement Plan Amendment, Code Amendment and Zone Change applications have been updated to reflect the applicant's proposed modifications, and are provided as Exhibit E to the proposed Ordinance (Attachment B). As a reminder, failure to raise an issue with sufficient specificity to allow the Planning Commission, City Council, and parties to respond may preclude future appeals on that issue.

On April 10, 2026, notice of the City Council's April 20, 2026, Public Hearing on the applications was mailed to the applicant, the owner of the subject property, and all interested parties, in accordance with EC 9.7440.

All testimony received to date is included in the application record for reference. Any additional written testimony received prior to the close of the record will be forwarded to the City Council for consideration.

More details about this request can be found in the full record of application materials to date, which will be provided separately to City Council. Otherwise, application materials can be made available to the public in hardcopy or electronic format upon request.

As a courtesy, the materials can also be accessed online here:

<https://pdd.eugene-or.gov/LandUse/SearchApplicationDocuments?file=CA-25-0002>

RELATED CITY POLICIES

Approval of these Refinement Plan Amendment, Code Amendment, and Zone Change applications must be based solely on the applicable approval criteria.

PREVIOUS COUNCIL DIRECTION

[January 20, 2026 Public Hearing](#)

Councilor Zelenka, seconded by Councilor Keating, moved to call speakers for this public hearing in the order they signed up.

Failed 2:5 (Opposed by Kashinsky, Yeh, Clark, Leech, and Groves)

Councilor Leech, seconded by Councilor Zelenka, moved to extend the open record period to the first open record period to January 27 at 5p.m., the end of the second open record period to February 3 at 5p.m. and the end of the third open record period to February 10 at 5p.m.

Passed 7:0

[March 9, 2026 Meeting](#)

The City Council approved a motion to immediately reopen the record for this matter to accept evidence and argument from all parties, and to direct the City Manager to provide notice of a public hearing for April 20, 2026, on an ordinance incorporating the applicant's proposed modifications.

Passed 8:0

COUNCIL OPTIONS

This is a public hearing only. No action is required at this time.

CITY MANAGER'S RECOMMENDATION

This item is scheduled for a public hearing only. Action is scheduled for May 11, 2026.

SUGGESTED MOTION

None.

ATTACHMENTS

- A. Vicinity Map
- B. Proposed Ordinance
 - a. Ex A: Fairmount/University of Oregon Special Area Study Land Use Diagram
 - b. Ex B: List of Tax Lots Redesignated LHDR/LI to I
 - c. Ex C: List of Tax Lots Redesignated LHDR/LI to LI
 - d. Ex D: List of Tax Lots Rezoned to Remove the /EC East Campus Overlay Zone
 - e. Ex E: Findings
- C. Illustrative Map Showing Proposed Building Height Allowances
- D. Map Showing Properties Affected by Proposed Zone Change
- E. Annotated Ordinance Showing the Changes Between the Original and Updated Ordinances

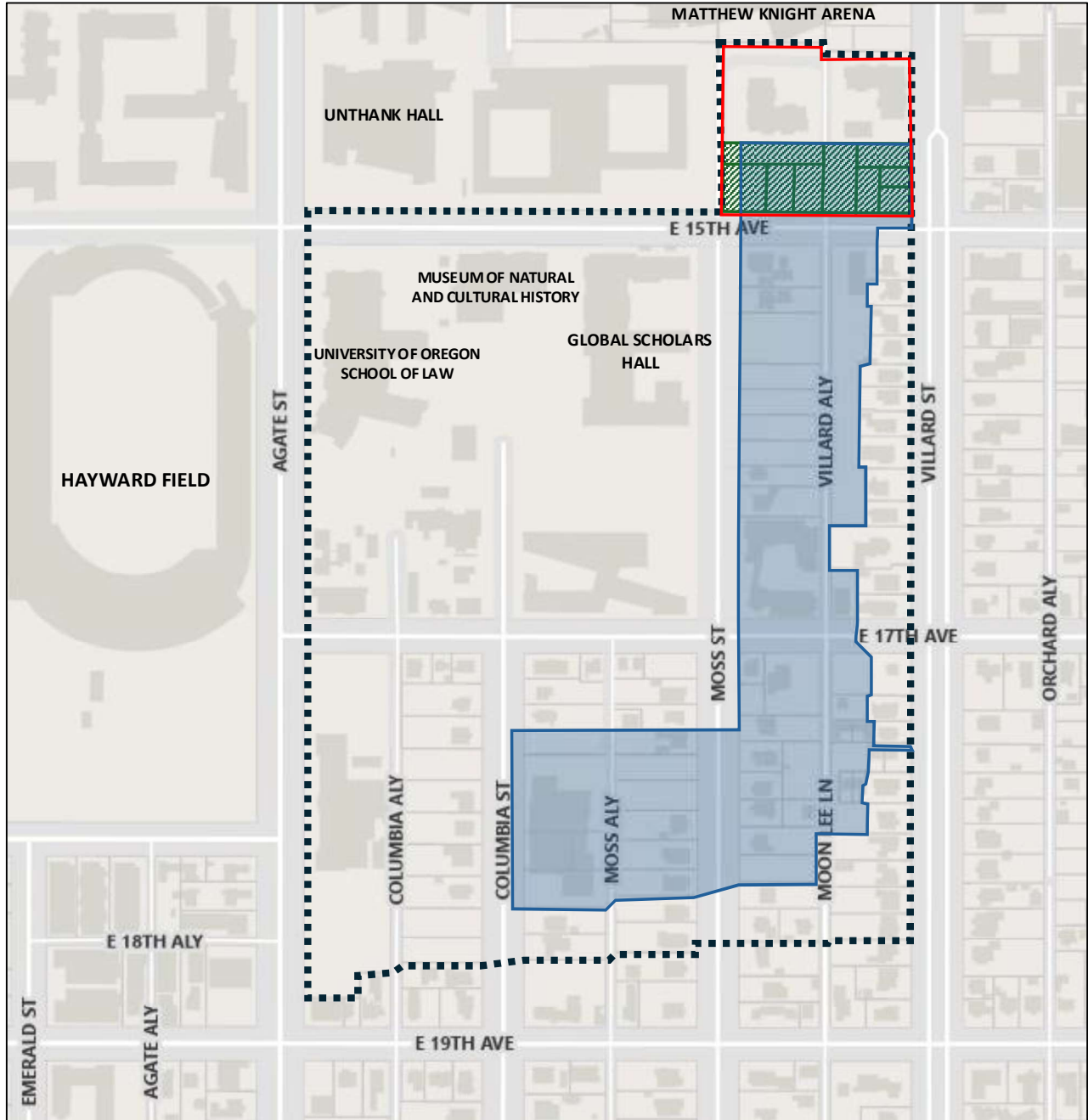
FOR MORE INFORMATION






Staff Contact: Brai Black, Associate Planner

Telephone: 541-682-5437

Staff E-Mail: BBlack@Eugene-or.gov

East Campus University of Oregon
 Refinement Plan Amendment, Code Amendment, Zone Change
 Subject Properties – Vicinity Map



-  Refinement Plan Amendment Affected Area
-  Code Amendment Subject Properties
-  Refinement Plan Redesignation Subject Properties
-  Zone Change Subject Properties
-  Tax Lots

Caution: This map is based on imprecise source data, subject to change, and for general reference only.

Created on 9/3/2025
 by City of Eugene Planning Division



For comprehensive lists of affected tax lots, see Attachment B, Exhibits B, C, and D to the April 20, 2026, Agenda Item Summary.
 April 20, 2026 Public Hearing - Item 3

ORDINANCE NO. _____

AN ORDINANCE AMENDING THE FAIRMOUNT/UNIVERSITY OF OREGON SPECIAL AREA STUDY TEXT AND DIAGRAM; AMENDING SECTIONS 9.4205, 9.4215, 9.4220, AND 9.9570 OF THE EUGENE CODE, 1971; REZONING THE PROPERTY IDENTIFIED AS ASSESSOR’S MAP 17-03-33-32, TAX LOTS 07000, 07100, 07200, 07300, 07400, 07500, 07600, 07700, AND 07800 TO REMOVE THE /EC EAST CAMPUS OVERLAY ZONE; AND PROVIDING AN EFFECTIVE DATE.

THE CITY OF EUGENE DOES ORDAIN AS FOLLOWS:

Section 1. The text of the Fairmount/University of Oregon Special Area Study (SAS) as adopted by Resolution No. 3719 and amended by Ordinance Nos. 20312 and 20460, is further amended as follows:

(a) The second-to-last paragraph in the “Introduction to the Plan Area” subsection of Section I (“Introduction, Overview, and Goals”) of the SAS is amended to provide as follows:

INTRODUCTION TO THE PLAN AREA

This Special Area Study contains select policies from the University of Oregon’s 2003 East Campus development policy, [with updates informed by the 2024 East Campus Area Plan](#), affecting land owned by the University. These policies are contained in the land use section of this Special Area Study. The University policies not adopted into this Special Area Study will guide the University in its planning and decision making regarding public facilities and services in the east campus area. The Special Area Study will be consulted in the public’s evaluation of private and public development requests. It is intended that this Special Area Study will gain wide circulation so that the private sector and the University, as well as other institutional and commercial land holders, will consult and take guidance from this plan in forming plans that have an effect in this area.

(b) The “Planning Process” subsection of Section I (“Introduction, Overview, and Goals”) of the SAS is amended to provide as follows:

The Planning Process

In 2002, the University of Oregon began a comprehensive update of its east campus development policy. The goal of the update was to provide for the future campus land needs without diminishing the quality of the surrounding neighborhood. Since the 1982 adoption of the SAS, the University has developed numerous facilities within the east

campus area (~~Knigh Law School, Museum of Natural History, Graduate Student Housing, East Campus Children's Center~~ William M. Knight Law School, Museum of Natural & Cultural History, Vivian Olum Child Development Center, and graduate student housing). The area's development potential, as constrained by SAS policies, University East Campus policies, and University Long Range Development Plan policies, had been almost maximized.

The amended Land Use Diagram (Map 6) reflects the expanded Institutional area, ~~Limited High-Density Residential~~/Limited Institutional area, and Low Density Residential buffer established to meet the goal of the policy update. An explanation of the process used to develop the University's updated East Campus Development Policy is contained in Section II. E of this Plan.

In May 2005, the City of Eugene, in cooperation with the University of Oregon and the State of Oregon, initiated a planning process for an area along Franklin Boulevard known as "Walnut Station" which included the area between Franklin Boulevard and East 15th Avenue that had been studied as part of the Fairmount/University of Oregon Special Area Study. The first phase of the Walnut Station project focused on developing a common vision for that study area. The second phase of the Walnut Station project began in October 2006 and focused on development of a mixed use development plan (also known as a specific area plan). The Walnut Station Specific Area Plan was adopted in 2010 and included strategies for the area based on the foundation laid out in the visioning process which included:

- Redesign of Franklin Boulevard to support the pedestrian and transit-friendly mixed use development concept;
- Improvements to the pedestrian and bicycle circulation systems;
- Redesign of side streets to improve operations, parking capacity and appearance of the other streets within the study area;
- Identification of appropriate development patterns and intensities of development within the area.

With the adoption of the Walnut Station Specific Area Plan, the City Council removed from the Fairmount/University of Oregon Special Area Study most of the area north of East 15th Avenue. The Land Use Diagram (Map 6) reflects the Fairmount/University of Oregon Special Area Study boundaries after the removal of Walnut Station area's Commercial, Office and Low or Medium Residential areas.

In moving these properties from the Fairmount/University of Oregon Special Area Study to the Walnut Station Specific Plan and Special Area Zone, careful consideration was given to the Metro Plan Diagram as refined by the Fairmount/University of Oregon Special Area Study and to the zoning conditions at that time. As East 15th Avenue acts as a transition from primarily commercial zoning and uses, special emphasis was placed on East 15th Avenue as a transition edge. Development standards adopted for the Walnut Station Special Area Zone include a height step-down to three stories along East 15th Avenue, and an increased setback from 0 to 10' to match residential properties across the street and design standards were included to provide a residential scale. Policies relevant to these properties were also included in the Walnut Station Specific Area Plan.

In 2023, the University began a second update to its policies for the east campus area. The updates from this process resulted in the East Campus Area Plan, which the University adopted in December 2024. The East Campus Area Plan’s goal, which continues to align with the goals of this Plan, is to meet the needs of the growing student population without diminishing the quality of the surrounding neighborhood Area.

The University-owned properties north of 15th are redesignated from Limited Institutional to Institutional Use to reflect their development as high-density housing, and the description of the Limited Institutional area is amended to allow university and college dormitories (residence halls). An explanation of the process used to develop the University’s updated East Campus Area Plan is contained in Section II. E of this Plan.

(c) Paragraph 8 under the “Land Use” heading in the “Goals for the Fairmont Special Area Study” subsection of Section I (“Introduction, Overview, and Goals”) of the SAS is amended to provide as follows:

GOALS FOR THE FAIRMOUNT SPECIAL AREA STUDY

LAND USE

8. To respond to the need expressed in the Metro Plan for institutional use along Agate Street in the zone of University land ownership, and to provide that non-institutional, limited high density residential and limited institutional uses serve as a buffer between intensive institutional uses and the existing single-family residential area south of 15th Avenue or east of the University East Campus ~~Limited High Density Residential/Limited Institutional~~/Limited Institutional area.

(d) The “Introduction” subsection of Section II (“Land Use”) of the SAS is amended to provide as follows:

II. LAND USE SECTION

Introduction

This section examines how land within the special study area should be used and shared by the institutions, businesses, and housing and how the residential uses should be protected and upgraded so that their coexistence and compatibility with other uses is ensured.

The Fairmount Special Study Area is situated between a wide variety of land uses: its edges are Hendricks Park to the east, the University’s Hayward Field and athletic fields to the west, commercial activities along Franklin Boulevard to the north, and single-family residential uses south of 19th Avenue. Generally, the University ownership extends from Agate Street to Villard Street and from about 14th Avenue to about 18th Avenue. The area between 15th and 17th avenues, and Agate and Moss streets consists of institutional University uses and parking, with the University ownership between Moss Street and

Villard Street being primarily devoted to residential uses. The area east of Moss Street and south of 17th Avenue is primarily devoted to single-family residential development. The land between 15th Avenue and Franklin Boulevard is generally devoted to ~~commercial enterprises and includes Williams Bakery and Romania Chevrolet. There are some non-residential uses on the south side of 15th Avenue; these are Tommy Williams Florist at 15th Avenue and Walnut Street and Maude Kerns Art Center at 15th Avenue and Villard Street. The State Department of Transportation owns land east of Walnut Street and north of 15th Avenue, and this land contains the East Eugene office of the State Department of Motor Vehicles, the Eugene office of the Oregon State Police, the District Engineer's office, and the maintenance facility of the Highway Division. Condon/Magnet Arts Elementary School lies south of 17th Avenue fronting on Agate Street~~ University uses, parking, residential uses, and commercial uses. University uses include Matthew Knight Arena and Ford Alumni Center. Residential uses include the East Campus Graduate Village, Orchard Crossing Apartments, and other smaller apartment buildings. South of ~~Condon~~ Agate Hall at the 19th Avenue and Agate Street intersection is a neighborhood commercial node which contains food services, as well as other neighborhood-oriented businesses. Agate Playground, a University park and open space area, is located on Agate Street between Agate Hall and commercial businesses on 19th Avenue. There is a small City park (called Fairmount Park) at the southwest corner of 15th Avenue and Fairmount Boulevard.

(e) Policy Nos. 2, 3 and 6 under the "General Policies" subsection of Section II ("Land Use") of the SAS are amended to provide as follows:

General Policies

2. With the exception of 1) the "Institutional Area" ("I" on the Land Use Diagram), and 2) the ~~Limited High Density Residential/Limited Institutional Area ("LHDR/LI" on the Land Use Diagram)~~ Limited Institutional Area ("LI" on the Land Use Diagram), non-residential zoning shall not be expanded in the study area.
3. With the exception of University lands designated as "Institutional" or "~~Limited High Density Residential/Limited Institutional~~" "Limited Institutional," zone changes to increase residential density or commercial intensity are not supported by this plan.

6. The University, City, and Fairmount Neighbors shall continue their participation in the University/Community Liaison Committee. The University shall continue to attend meetings of the Fairmount Neighborhood Association as needed to inform the association about updates to the East Campus Area Plan.

(f) Policy Nos. 1 and 2 under the subsection A ("The Core Residential Area") of Section II ("Land Use") of the SAS are amended to provide as follows:

A. THE CORE RESIDENTIAL AREA

Policies

1. With the exception of 1) the “Institutional Area” (“I” on the Land Use Diagram); and 2) the ~~Limited High Density Residential/ Limited Institutional Area (“LHDR/LI” on the Land Use Diagram)~~ Limited Institutional Area (“LI” on the Land Use Diagram), non-residential zoning shall not be expanded in the study area.
2. With the exception of University lands designated as “Institutional” or ~~“Limited High Density Residential/Limited Institutional”~~ “Limited Institutional.” zone changes to increase residential density or commercial intensity are not supported by this plan.

(g) Policy No. 1 of subsection C (“The 19th and Agate Neighborhood Commercial Development”) of Section II (“Land Use”) of the SAS is amended to provide as follows:

C. THE 19TH AND AGATE NEIGHBORHOOD COMMERCIAL DEVELOPMENT

Policies

1. With the exception of 1) the “Institutional Area” (“I” on the Land Use Diagram), and 2) ~~the Limited High Density Residential/ Limited Institutional Area (“LHDR/LI” on the Land Use Diagram)~~ Limited Institutional Area (“LI” on the Land Use Diagram), non-residential zoning shall not be expanded in the study area.

(h) The “Description and Statement of the Problem” subsection of subsection E (“The University of Oregon Lands”) of Section II (“Land Use”) is amended to provide as follows:

E. THE UNIVERSITY OF OREGON LANDS

Description and Statement of the Problem

University ownership extends into a substantial portion of the Core Residential Area. The University owns most (but not all) of the properties between Agate and Villard streets and between where 14th Avenue would be to within two to three house lots of 19th Avenue on the south (see Map 6). Purchase of remaining private properties within that zone continues, in accord with the University’s formally adopted plans for future development.

When the purchasing of properties east of Agate Street began, it was with the expectation of continuous expansion. Certain areas were cleared of the houses on them with that immediate need in view. However, short-range conditions changed, expansion of the campus-proper in that direction came to a halt, and the need for growing space was seen as lying somewhat farther in the future. Thus, the University has become a landlord of several blocks of single-family type houses and the owner of a parking lot which had been formed on the cleared lands.

Years of uncertainty about University intentions with regard to this large tract of property directly within the neighborhood has had an effect upon owners of adjacent and nearby properties, and to a lesser degree, upon the Fairmount neighborhood as a whole. Compounding the effect was the steady erosion of the appearance of the University-

owned houses. Growth of the campus also brought increased traffic and many automobile-related problems, such as storage of cars on neighborhood streets and daytime parking by commuting University students who have not purchased University parking permits.

Through efforts made by the Fairmount Neighbors Planning Committee and by representatives of the University Planning Office ([now Office of Campus Planning](#)), the University of Oregon Plan for Development: East Campus Area, was developed and included as part of this section in the 1982 Plan. Pertinent policies contained in that Plan for Development were endorsed by the Fairmount Neighbors Special Area Planning Committee and parallel policies adopted for its special area plan. Future cooperation between the University and the neighborhood may bring diminution of some of the other persistent problems.

The 1982 University Development Policy was in place for 20 years. It accomplished evolution of the campus through an orderly pattern in which increased intensity of land use proceeded without “leapfrogging.”

In 2002, the University of Oregon began a comprehensive update of its East Campus Development Policy. The goal of the update was to provide for the future campus land needs without diminishing the quality of the surrounding neighborhood. Since the 1982 adoption of the SAS, the University has developed numerous facilities within the East Campus area (Knight Law School, Museum of Natural History, Graduate Student Housing, East Campus Children’s Center). The area’s development potential, as constrained by SAS policies, University East Campus policies, and University Long Range Development Plan policies, had been almost maximized.

The amended Land Use Diagram (Map 6) reflects the expanded Institutional area, Limited High Density Residential/Limited Institutional area, and Low Density Residential buffer established to meet the goal of the 2003 University East Campus policy update. The University utilized an extensive public involvement process in forming the update, including numerous open houses, meetings, and mailings to the Fairmount neighbors and the neighborhood organization. Neighbor comments were considered in the development of the University’s 2003 East Campus Development Policy and were incorporated into the policy as appropriate. The East Campus Development Policy was adopted by the President’s Office in April 2003 but was not adopted by the Eugene City Council. Future projects in the area will likely include support services, such as housing, offices and research space, that do not need to be within the University’s established 7-minute walking distance of the core instructional area.

In September 2003, the University submitted an application to amend the 1982 Fairmount/University of Oregon Special Area Study for the purpose of incorporating changes in the plan made necessary by the University’s adoption of the 2003 East Campus Development Policy. Commenting on the application, the Fairmount Neighborhood Association expressed concerns about the effectiveness of the proposed East Campus Development Policy in mitigating the impacts of University development on the surrounding neighborhood. The association subsequently commissioned the Fairmount Neighborhood Association East Campus Committee (Committee) to represent the neighborhood interests in the public hearing process. The Committee submitted testimony commenting on each of the University’s individual proposals. While the Committee expressed support for many of the ideas and proposals put forth in the

application, they also suggested modifications to certain policies or plan text and replacements or additions to other policies and text.

Following the public hearing, the City engaged University staff and Committee representatives in a mediation process to seek agreement and resolve differences on the proposed policy and text amendments. Agreement between the University and Committee was reached on most of the issues discussed; those agreements are reflected in the maps, policies and other text adopted through this amendment process.

In 2023, the University of Oregon began a second update to its policies for the East Campus Area. The updates from this process resulted in the East Campus Area Plan, adopted by the President's Office in December of 2024. The goal of the update was to meet the needs of the growing student population without diminishing the quality of the surrounding neighborhood. After approximately 20 years of successfully developing projects under the 2004 land use policies, it became clear that the University's future development needs could not be met without altering the 2004 policies that define allowed uses and development densities for university-owned lands. With limited amounts of land remaining within the central academic core that must be reserved for future academic instructional functions, future student housing and support services were left without viable development sites.

The process of developing the East Campus Area Plan included extensive public involvement activities. This engagement included outreach to community members; small group sessions with local neighborhood associations and business owners; open house events for residents, students, and other stakeholders; ongoing communication with representatives from the City of Eugene; and meetings with affected university departments and programs.

In March 2025, the University submitted an application to amend the 1982 Fairmount/University of Oregon Special Area Study for the purpose of incorporating changes in the plan made necessary by the University's adoption of East Campus Area Plan.

(i) Policy No. 1 under the "East Campus Area" subsection of subsection E ("University of Oregon Lands") of Section II ("Land Use") of the SAS is amended, policy no. 9 of that subsection is amended and renumbered, policy nos. 6, 7, and 8 of that subsection are renumbered, and policy no. 5 of that subsection is deleted to provide as follows:

Policies – East Campus Area

1. The City of Eugene and the Fairmount Neighbors recognize the current University-adopted ~~East Campus Policy~~ East Campus Area Plan as a statement of University policy.

4. The City shall encourage the University to develop its high- and medium-density residential units with concern for adequate parking and appropriate parking solutions, regard for landscaping, and consideration of the impact on the rest of the neighborhood.

~~5. The City shall encourage the University to consolidate nonresidential uses that currently are scattered throughout the area into the portions of the plan area reserved for institutional use, returning structures thus vacated to residential use.~~

65. On University-owned East Campus lands within the state-approved University boundary, the following policies shall apply in the Low Density Residential area:

(e) The Low Density Residential area along the south edge of the East Campus Area may be developed as passive or active open space.

(f) Conditional uses shall not exceed a total of 35,000 square feet within the Low Density Residential area.

76. The University shall ensure long-term maintenance for street-front landscaping on University-owned properties along Villard Street.

87. In an effort to maintain the Fairmount Neighborhood's character, the University shall consider contributing ranked historic houses that must be moved from other areas within the state-approved University lands due to development plans for infill projects, or to replace a non-contributing house in the University-owned Low Density Residential area, if feasible.

98. The City shall attach the site review overlay zone to the University's properties at the northwest corner of 15th and Villard. ~~In addition, Site Review shall be required for new development within 100 feet of the one privately owned, owner occupied parcel within the /EC East Campus Overlay Zone (TL 3400, map 17-03-32-44) as long as the property is privately owned.~~

(j) Proposal 1 of the "Proposal—East Campus Area" subsection of subsection E ("University of Oregon Lands") of Section II ("Land Use") of the SAS is amended to provide as follows:

Proposal--East Campus Area

1. The City shall attach the site review overlay zone to the University's properties at the northwest corner of 15th and Villard and shall apply a special East Campus Overlay Zone specifying height limitations in the area designated as ~~Limited High Density Residential/Limited Institutional~~ Limited Institutional on the Land Use Diagram. ~~In addition, Site Review shall be required for new development within 100 feet of the one privately owned parcel within the /EC East Campus Overlay Zone that is owner occupied (TL 3400, Map 17-03-32-44, a portion of Parcel 1, Block 17, Fairmount Addition), as long as the property is privately owned.~~

(k) The “University of Oregon Development Policy: East Campus Area” subsection of Section II (“Land Use”) of the SAS is amended to provide as follows:

The University adopted an updated ~~East Campus Development Policy in 2003~~[East Campus Area Plan in 2024](#). It is generally consistent with the policies, text, and land use diagram contained within this plan as amended. The University will use the updated ~~policy plan~~ for its internal development review process. Select policies contained within the ~~2003 University East Campus Development Policy 2024~~[East Campus Area Plan](#) have been adopted within this special area study. All applicable City of Eugene regulations remain in effect.

(l) The “Residential,” “Institutional” and “Limited Institutional” descriptions in the “Land Use Diagram Text” subsection of Section II (“Land Use”) of the SAS are amended to provide as follows:

LAND USE DIAGRAM TEXT

Low-Density Residential (L)

This area generally encompasses the south and east portions of the special study area. This area is to remain in low density residential use with emphasis on preserving and maintaining the single family character which currently exists and is considered an integral part of the neighborhood. On University-owned lands within the state approved University boundary, the limitations on Conditional Uses described in Policy #~~56~~ of the University of Oregon Lands Policies - East Campus Area apply. Maintaining the symmetry along Villard Street between 15th and 19th Avenues is important. However, the University-owned Low Density Residential area not facing Villard Street may be developed as passive or active open space to provide a buffer from the adjacent low density residential area.

Institutional (I)

The institutional area contains a number of uses including [but not limited to](#) automobile parking, residence halls, various University offices and uses, a fire station, and Agate Hall. The entire area is owned by the University (State Board of Higher Education) with the exception of 2 privately owned residential lots. All University related uses are allowed in this area.

~~Limited High-Density Residential / Limited Institutional (LHDR/LI).~~ [Limited Institutional \(LI\)](#)

This area serves as a transition between the more intensive institutional uses to the west and north and the low density residential development to the east and south. ~~Future uses include university housing (excluding dorms) and support services such as offices, outdoor recreation uses, storage, parking, and open space.~~ [This area provides development opportunities for a mix of university-owned, high-density student housing, including residence halls and institutional uses. Addressing on-campus student housing needs shall have priority.](#) Development will be regulated by the Eugene Code, including an East Campus Overlay Zone where it has been applied, specifying special development

standards for this area, and by the University's East Campus ~~Policies~~ [Area Plan](#) (see ~~East Campus Policy~~ [East Campus Area Plan](#) adopted by the University for detail).

(m) Policy No. 2 under subsection A ("Traffic Circulation") of Section III ("Transportation and Parking") of the SAS is amended to provide as follows:

A. Traffic Circulation

Policies

2. Primary vehicular access to the [former](#) Oregon Department of Transportation Lands, [which now contains UO Parking, UO Transportation Services, and UO Police Department](#), should minimize impact on nearby residences and Fairmount Park.

Section 2.

(a) The Fairmount/University of Oregon Special Area Study Land Use Diagram (Map 6) is replaced with the Land Use Diagram attached to this Ordinance as Exhibit A.

(b) The properties depicted on the Fairmount/University of Oregon Special Area Study Land Use Diagram (Map 6) are redesignated as shown in Exhibit B to this Ordinance; from "Limited High Density Residential/Limited Institutional" to "Institutional" and as shown in Exhibit C to this Ordinance; from "Limited High Density Residential/Limited Institutional" to "Limited Institutional."

Section 3. Section 9.4205 of the Eugene Code, 1971, is amended to provide as follows:

9.4205 /EC East Campus Overlay Zone Siting Requirements.

If consistent with the approval criteria in EC 9.8865 Zone Change Approval Criteria, the /EC Overlay Zone may be applied to the area depicted as ~~Limited High Density Residential~~/Limited Institutional on the Fairmount/University of Oregon Special Area Study Land Use Diagram.

Section 4. Subsection (1) of Section 9.4215 of the Eugene Code, 1971, is amended by deleting subsection (1)(c) and renumbering subsections (1)(d) through (1)(s) to provide as follows:

9.4215 IEC East Campus Overlay Zone Prohibited Uses and Special Use Limitations.

(1) *Prohibited Uses.*

(a) Structured parking.

(b) Broadcasting studios including commercial and public education.

~~(c) University and college dormitories.~~

(~~d~~c) Fraternities and sororities.

(~~e~~d) Hospitals.

(~~f~~e) Retail use requiring a Transportation Impact Analysis.

(~~g~~f) Manufacturing and assembly uses.

(~~h~~g) Arenas.

(~~i~~h) Heliports and helistops.

(~~j~~i) Recycling and large collection facilities.

(~~k~~j) Recycling scrap and dismantling yards.

(~~l~~k) Race tracks, including drag strips and go-cart tracks.

(~~m~~l) Sewage treatment plants.

(~~n~~m) Correctional facilities.

(~~o~~n) Parking lots exceeding 100 spaces.

(~~p~~o) Service stations.

(~~q~~p) Mineral resource mining.

(~~r~~q) Blood banks.

(~~s~~r) Plasma centers.

Section 5. Subsection (2) of section 9.4220 of the Eugene Code, 1971, is amended to provide as follows:

9.4220 /EC East Campus Overlay Zone Development Standards.

(2) *Building Height.* Within the /EC East Campus Overlay Zone, a building within 6075 feet of an R-1 Low Density Residential zone shall not exceed 3045 feet in height. All other buildings shall not exceed 4585 feet in height.

Section 6. Subsections (2), (3) and (5) of section 9.9570 of the Eugene Code, 1971, are amended to provide as follows:

9.9570 Fairmount/U of O Special Area Study Policies.

(2) *University of Oregon Lands Policies (East Campus Area).*

(a) The City of Eugene and the Fairmount Neighbors recognize the current University-adopted East Campus Policy Area Plan as a statement of University policy governing land use in the East Campus Area. (Policy 1)

(b) The City shall encourage the University to use its property in East Campus in an orderly fashion: intensity of use will be greatest near the already dense Central Campus Area (Agate Street and 15th Avenue) and become less intense as the properties approach low-density residential uses. (Policy 2)

(c) The City shall encourage the University to use its lands currently zoned PL (Public Land District) with energy and space efficient structures and land-use patterns. (Policy 3)

(d) The City shall encourage the University to develop high- and medium-density residential units with concern for adequate parking and appropriate parking solutions, regard for landscaping, and consideration of the impact on the rest of the neighborhood. (Policy 4)

~~(e) The City shall encourage the University to consolidate nonresidential uses that currently are scattered throughout the area into the portions of the plan area reserved for institutional use, returning structures thus vacated to residential use. (Policy 5)~~

(f) On University-owned East Campus lands within the state approved University boundary, the following policies shall apply in the Low Density Residential area:

5. The Low Density Residential area along the south edge of the East Campus Area may be developed as passive or active open space. (Policy 65)

6. Conditional uses shall not exceed a total of 35,000 square feet within the Low Density Residential area.

(gf) The University shall ensure long-term maintenance for street-front landscaping on University-owned properties along Villard Street. (Policy [76](#))

(hg) In an effort to maintain the Fairmount Neighborhood's character, the University shall consider contributing ranked historic houses that must be moved from other areas within the state-approved University lands due to development plans for infill projects, or to replace a non-contributing house in the University-owned Low Density Residential area, if feasible. (Policy [87](#))

(ih) The City shall attach the site review overlay zone to the University's properties at the northwest corner of 15th and Villard. ~~In addition, Site Review shall be required for new development within 100 feet of the one privately-owned, owner-occupied parcel within the /EC East Campus Overlay Zone (TL 3400, Map 17-03-32-44) as long as the property is privately-owned.~~ (Policy [98](#))

(3) *Traffic Circulation Policies.*

(a) The adverse effects of motor vehicle movement shall be mitigated as much as possible. (Policy [21](#))

(b) Traffic management techniques shall continue to be used and new techniques developed to reinforce the idea of a hierarchy of streets in the plan area. Some streets shall combine their local, collector, or arterial function with a role as primary pedestrian or bicycle ways. The use of low-volume, local neighborhood streets for through movements by truck and heavy construction equipment shall be discouraged. (Policy [42](#))

(c) By March, 2005, the City shall initiate a study of Agate Street between Franklin Boulevard and 19th Avenue. That study, conducted jointly with the University and the Fairmount Neighborhood Association, shall identify strategies to improve the function and carrying capacity of Agate according to the City criteria for its designated street classification. The City will implement the necessary changes. The University will participate in those improvements as development occurs and as required by the City code, to the extent that the University is directly responsible for the needed improvements. (Policy [64](#))

(d) The City, with the cooperation of the University and the Fairmount Neighborhood Association, shall initiate an area-wide traffic calming study for the streets within the Fairmount/University of Oregon Special Area Study boundary to determine appropriate mitigation for through-traffic utilizing neighborhood streets. Such study shall be initiated prior to December, 2008, subject to availability of funds. In the event that the City updates the Central Area Transportation Study (CATS) prior to 2008, the City shall fund and initiate an area-wide traffic calming study as part of the CATS update to determine appropriate mitigation measures for the subject area. (Policy [75](#))

(e) If a Traffic Impact Analysis that is required by the City Code projects that a proposed development will increase traffic on streets within the single-family neighborhood to the east and south of University-owned land, the City shall require the applicant to mitigate those impacts through use of traffic calming strategies or other mechanisms designed to discourage through traffic. (Policy [86](#))

(f) With the exception of alleys, vacations of streets within the state-approved University East Campus boundary should not be permitted, unless the applicant, at his or her expense, provides to the City a local street connection study that demonstrates how the proposed street system remaining after such vacation meets the intent of the Eugene Code street connectivity provisions and that such vacation will not increase traffic volumes on local residential streets. (Policy 97)

(5) *Bicycle and Pedestrian Policies.* Existing and future businesses shall be encouraged to provide safe and covered bicycle parking for employees and patrons. (Policy 31) The use of bicycles, mass transit, walking, carpooling, and other appropriate alternative modes of transportation, especially by employees working in the plan area, shall be actively encouraged and provided for in order to reduce automobile dependence and alleviate traffic and parking problems. (Policy 42)

Section 7. The property identified as Assessor's Map 17-03-33-32, Tax Lots 07000, 07100, 07200, 07300, 07400, 07500, 07600, 07700, and 07800 is rezoned to remove the /EC East Campus Overlay Zone from the property as more particularly shown in Exhibit D attached to this Ordinance.

Section 8. The findings set forth in Exhibit E attached to this Ordinance are adopted as findings in support of this Ordinance.

Section 9. 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 10. If any section, subsection, sentence, clause, phrase, or portion of this Ordinance is for any reason held invalid or unconstitutional by the Oregon Land Use Board of Appeals or 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. Further, if this Ordinance is remanded back to the City Council for further action by the Oregon Land Use Board of Appeals or a court of competent jurisdiction, those sections,

subsections, sentences, clauses, phrases, or portions that do not require action on remand shall be deemed separate, distinct, and independent provisions and such remand shall not affect their validity or effect.

Section 11. 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 April, 2026

City Recorder

Approved by the Mayor this

___ day of April, 2026

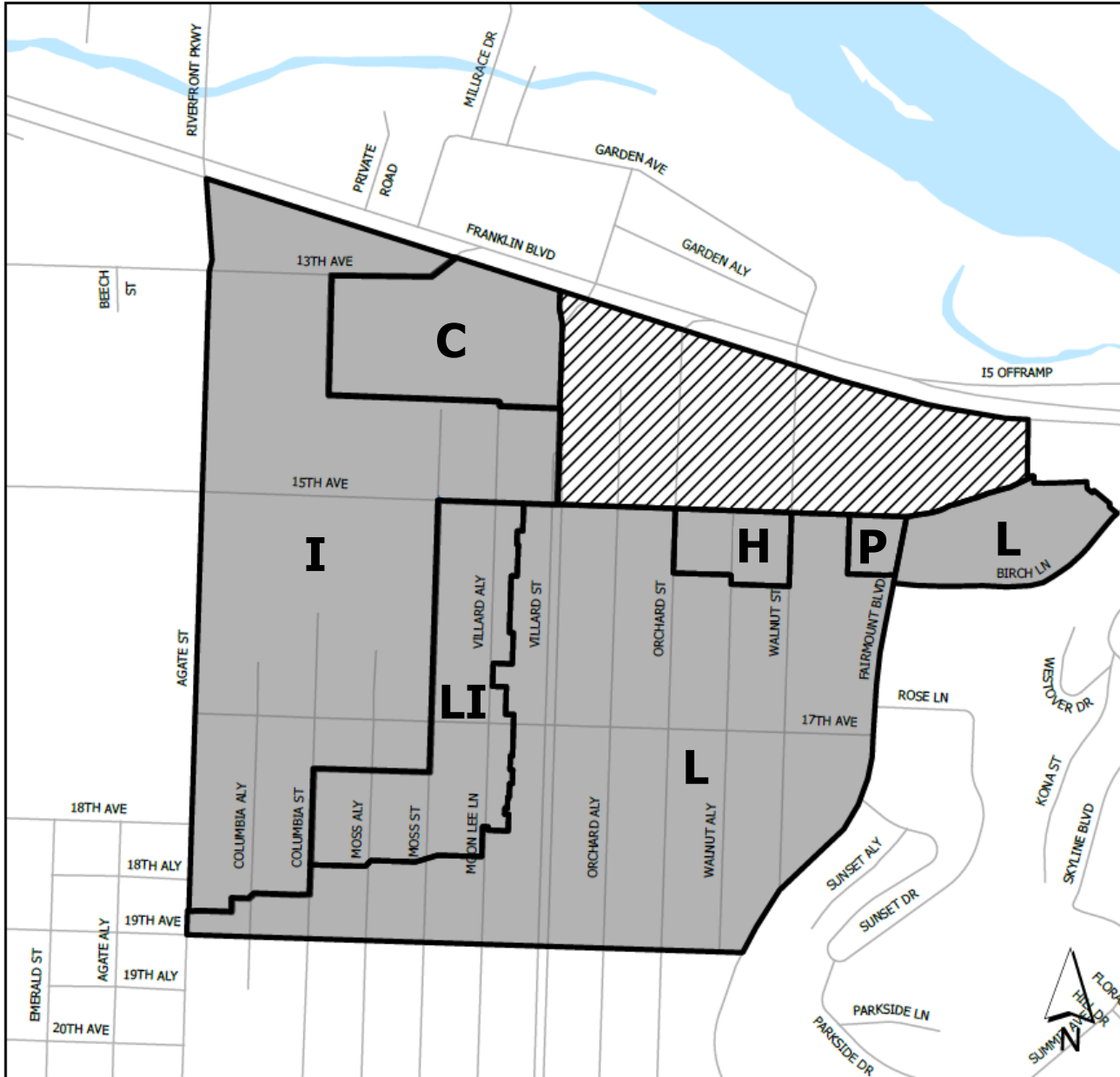
Mayor

Map 6


Exhibit A

Land Use Diagram

(Generalized Future Land Use Patterns)



- I** Institutional
- LI** Limited Institutional
- C** Commercial
- L** Low Density Residential
- H** High Density Residential
- P** Parks/Open Space

 Area removed from the Fairmount/University of Oregon Special Area Study Land Use Diagram and included in the Walnut Station Specific Area Plan by Ordinance No. 20460 (2010)

Fairmount Special Area Study

Fairmount/University of Oregon Special Area Study Land Use Diagram Redesignation		
Map / Tax Lot	Previous Designation	New Designation
17-03-33-32 / 06600	Limited High Density Residential / Limited Institutional	Institutional
17-03-33-32 / 07000	Limited High Density Residential / Limited Institutional	Institutional
17-03-33-32 / 07100	Limited High Density Residential / Limited Institutional	Institutional
17-03-33-32 / 07200	Limited High Density Residential / Limited Institutional	Institutional
17-03-33-32 / 07300	Limited High Density Residential / Limited Institutional	Institutional
17-03-33-32 / 07400	Limited High Density Residential / Limited Institutional	Institutional
17-03-33-32 / 07500	Limited High Density Residential / Limited Institutional	Institutional
17-03-33-32 / 07600	Limited High Density Residential / Limited Institutional	Institutional
17-03-33-32 / 07700	Limited High Density Residential / Limited Institutional	Institutional
17-03-33-32 / 07800	Limited High Density Residential / Limited Institutional	Institutional
17-03-33-32 / 08100	Limited High Density Residential / Limited Institutional	Institutional

Fairmount/University of Oregon Special Area Study Land Use Diagram Redesignation		
Map / Tax Lot	Previous Designation	New Designation
17-03-33-33 / 06900	Limited High Density Residential / Limited Institutional	Limited Institutional
17-03-33-33 / 07200	Limited High Density Residential / Limited Institutional	Limited Institutional
17-03-33-33 / 07600	Limited High Density Residential / Limited Institutional	Limited Institutional
17-03-33-33 / 07700	Limited High Density Residential / Limited Institutional	Limited Institutional
17-03-33-33 / 07800	Limited High Density Residential / Limited Institutional	Limited Institutional
17-03-33-33 / 07900	Limited High Density Residential / Limited Institutional	Limited Institutional
17-03-33-33 / 08000	Limited High Density Residential / Limited Institutional	Limited Institutional
17-03-33-33 / 08100	Limited High Density Residential / Limited Institutional	Limited Institutional
17-03-33-33 / 08200	Limited High Density Residential / Limited Institutional	Limited Institutional
17-03-33-33 / 08300	Limited High Density Residential / Limited Institutional	Limited Institutional
17-03-33-33 / 08400	Limited High Density Residential / Limited Institutional	Limited Institutional
17-03-33-33 / 08500	Limited High Density Residential / Limited Institutional	Limited Institutional
17-03-33-33 / 08600	Limited High Density Residential / Limited Institutional	Limited Institutional
17-03-33-33 / 08800	Limited High Density Residential / Limited Institutional	Limited Institutional
17-03-33-33 / 08900	Limited High Density Residential / Limited Institutional	Limited Institutional
17-03-33-33 / 09001	Limited High Density Residential / Limited Institutional	Limited Institutional

17-03-33-33 / 09002	Limited High Density Residential / Limited Institutional	Limited Institutional
17-03-33-33 / 09103	Limited High Density Residential / Limited Institutional	Limited Institutional
17-03-33-33 / 09104	Limited High Density Residential / Limited Institutional	Limited Institutional
17-03-33-33 / 09105	Limited High Density Residential / Limited Institutional	Limited Institutional
17-03-33-33 / 09108	Limited High Density Residential / Limited Institutional	Limited Institutional
17-03-33-33 / 09400	Limited High Density Residential / Limited Institutional	Limited Institutional
17-03-33-33 / 12500	Limited High Density Residential / Limited Institutional	Limited Institutional
18-03-04-22 / 04302	Limited High Density Residential / Limited Institutional	Limited Institutional
18-03-04-22 / 04303	Limited High Density Residential / Limited Institutional	Limited Institutional
18-03-04-22 / 05900	Limited High Density Residential / Limited Institutional	Limited Institutional
18-03-04-22 / 06000	Limited High Density Residential / Limited Institutional	Limited Institutional
18-03-04-22 / 06101	Limited High Density Residential / Limited Institutional	Limited Institutional
18-03-04-22 / 06102	Limited High Density Residential / Limited Institutional	Limited Institutional
18-03-04-22 / 06103	Limited High Density Residential / Limited Institutional	Limited Institutional

East Campus University of Oregon Zone Change		
Map / Tax Lot	Previous Zoning	Adopted Zoning
17-03-33-32 / 07000	PL Public Land /SR Site Review Overlay /EC East Campus Overlay	PL Public Land /SR Site Review Overlay
17-03-33-32 / 07100	PL Public Land /SR Site Review Overlay /EC East Campus Overlay	PL Public Land /SR Site Review Overlay
17-03-33-32 / 07200	PL Public Land /SR Site Review Overlay /EC East Campus Overlay	PL Public Land /SR Site Review Overlay
17-03-33-32 / 07300	PL Public Land /EC East Campus Overlay	PL Public Land
17-03-33-32 / 07400	PL Public Land /EC East Campus Overlay	PL Public Land
17-03-33-32 / 07500	PL Public Land /EC East Campus Overlay	PL Public Land
17-03-33-32 / 07600	PL Public Land /EC East Campus Overlay	PL Public Land
17-03-33-32 / 07700	PL Public Land /SR Site Review Overlay /EC East Campus Overlay	PL Public Land /SR Site Review Overlay
17-03-33-32 / 07800	PL Public Land /SR Site Review Overlay /EC East Campus Overlay	PL Public Land /SR Site Review Overlay

FINDINGS
Refinement Plan Amendment, Code Amendment, Zone Change

APPLICATION OVERVIEW

Name (File Numbers): East Campus University of Oregon
(RA 25-01, CA 25-02, Z 25-03)

This ordinance amends the Fairmount/University of Oregon Special Area Study, amends the Eugene Code, and changes the zoning of several properties. The area affected by this ordinance is located generally between Agate Street, Villard Street, East 15th Avenue, and East 19th Avenue, and consists of 50 tax lots totaling approximately 10.25 acres (subject area).

Background

In recent years, the University of Oregon has identified a need for increased housing development potential on and near campus, specifically with regard to increasing enrollment and student housing demand. As an outcome of the University's review of its internal development policies, the University of Oregon proposed a package of Code Amendments, Refinement Plan Amendments, and Zone Changes, to increase housing development potential within the /EC East Campus Overlay Zone.

The general intent of the Refinement Plan Amendment is to update several sections of the Fairmount/University of Oregon Special Area Study, the City's adopted neighborhood plan applicable to the subject area, to align with the University's East Campus Area Plan, a land use plan created by the University of Oregon, specifically with regard to the current and future housing needs of the University.

The Refinement Plan Amendment also includes changes to the Fairmount/University of Oregon Special Area Study's (SAS's) Generalized Future Land Use Diagram. The changes include the redesignation of eleven properties from Limited High Density Residential / Limited Institutional (LHDR/LI) to Institutional (I) and redesignation of thirty properties from Limited High Density Residential / Limited Institutional (LHDR/LI) to Limited Institutional (LI). The companion Zone Change removes the /EC East Campus Overlay Zone from nine properties.

The /EC East Campus Overlay Zone, which applies to properties previously designated as Limited High Density Residential / Limited Institutional (LHDR/LI), and now designated Limited Institutional (LI), in the SAS, was created to implement the Fairmount/University of Oregon Special Area Study by providing for a land use transition between the eastern portion of the

University of Oregon campus and the adjacent low-density residential neighborhood to the east and south. The Code Amendment updates the sections of the Eugene Code governing the /EC East Campus Overlay Zone and updates the SAS policies included in the Code to ensure consistency between those policies in the Code and the SAS.

This ordinance removes the prohibition on dormitory uses in the LHDR/LI (now LI) area and the /EC East Campus Overlay from both the SAS and the Eugene Code.

FINDINGS

The applications for a Refinement Plan Amendment, Code Amendment, and Zone Change were processed concurrently, pursuant to EC 9.8005. The following findings address the proposal and the applicable approval criteria at EC 9.8424, EC 9.8065, and EC 9.8865. Those criteria are provided below (in **bolded text**), including findings addressing compliance with each.

REFINEMENT PLAN AMENDMENT

EC 9.8424(1) The refinement plan amendment is consistent with all of the following:

EC 9.8424(1)(a) Statewide planning goals.

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

The City has acknowledged procedures for adoption of quasi-judicial land use decisions, located in Eugene Code (EC) 9.7050, 9.7400 through 9.7455, and 9.7065 through 9.7095, which ensure the opportunity for community members to be involved in all phases of the quasi-judicial land use decision process and set out the requirements for such involvement. The amendments to the Fairmount/University of Oregon Special Area Study (Refinement Plan Amendments) do not amend or otherwise affect the City's adopted citizen involvement program. The process for adoption of the Refinement Plan Amendment, Code Amendment, and Zone Change is consistent with the City's acknowledged procedures for quasi-judicial land use decisions.

The City of Eugene Land Use Code implements Statewide Planning Goal 1 by requiring that notice of the proposed amendments be given and public hearings be held prior to adoption. The applicable notice and opportunities to submit testimony on the application include:

- A pre-application Neighborhood/Applicant Meeting (held on September 23, 2024).
- Notice to the Oregon Department of Land Conservation and Development (DLCD) was originally provided on August 20, 2025, and updated notices were sent to DLCD on August 26, September 9, and September 19, 2025.
- Notice was sent to Lane County and the City of Springfield (September 19, 2025).

- Public notice of the Planning Commission Public Hearing on the applications was provided, including: mailing notice to the applicant, adjacent property owners, all neighborhood associations in Eugene, and interested parties (mailed September 19, 2025); and posting of the notice on properties in the subject area (October 6, 2025).
- The Planning Commission held a public hearing on October 21, 2025, and received testimony at that hearing. The Planning Commission then held the record open for three weeks for additional evidence and argument.
- On November 18, 2025, the Planning Commission deliberated and provided a recommendation to the Eugene City Council that the City Council approve the applications.
- Public notice of the City Council Public Hearing on the applications was mailed to the applicant, the property owner(s), any person who submitted written or oral testimony in a timely matter during the Planning Commission hearing process, and any person who requested notice of the Planning Commission's decision. (Mailed January 9, 2026). Consistent with the requirements of the Eugene Charter, notice was also published in the Register-Guard newspaper and posted on the City's website at least ten business days prior to the public hearing.
- The City Council held a public hearing on January 20, 2026, and received testimony at that hearing. In response to a request to hold the record open, the Council passed a motion to hold the record open for three weeks for additional evidence and argument, with the last 7 days reserved for only the applicant as required by state law. During the time the record was open only to the applicant, the applicant proposed modifications to the Refinement Plan Amendment and Code Amendment applications.
- On March 9, 2026, the City Council reopened the record to accept evidence and argument from all parties on all three applications and directed the City Manager to schedule a public hearing for April 20, 2026, on an ordinance incorporating the applicant's proposed modifications.
- The City provided notice of the second City Council public hearing to the Oregon Department of Land Conservation and Development (DLCD) on March 16, 2026. The revised DLCD notice explained that the ordinance would be updated to reflect the changes proposed by the applicant, and that the City Council would hold a public hearing on the updated ordinance on April 20, 2026.
- Public notice of the April 20, 2026, City Council Public Hearing to consider the applications was mailed on April 10, 2026, to the applicant, the property owner(s), any person who submitted written or oral testimony in a timely matter during the Planning Commission or City Council public hearing processes, and any person who requested notice of the Planning Commission's recommendation and City Council's decision.

- On April 20, 2026, the City Council held a public hearing on an ordinance incorporating the modified Refinement Plan Amendment, the modified Code Amendment, and the Zone Change.

All noticing was conducted in accordance with Eugene Code requirements.

Additional public engagement opportunities were provided by the University as part of the University's work on the Next Generation Housing Development Plan and the 2024 East Campus Area Plan. The University engaged with the City of Eugene, the Fairmount Neighborhood Association, university groups, and community members, to inform the outcomes of its internal planning process. The University's public engagement efforts were intended to ensure that the proposed amendments would continue to meet the original goals of the Fairmount/University of Oregon Special Area Study and the amendments adopted through Ordinance Nos. 20312 and 20460.

Based on these findings, the Refinement Plan Amendment 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 decision and actions related to use of land and to assure an adequate factual base for such decisions and actions.

Consistent with Statewide Planning Goal 2, the concurrent Refinement Plan Amendment, Code Amendment, and Zone Change applications are being processed according to Eugene's Land Use Code, which specifies the procedures and criteria applicable to review of the requests. The requested amendments to the Fairmount/University of Oregon Special Area Study text and diagram pertain to specific sites located within the Eugene City Limits. Therefore, the Refinement Plan Amendment application is subject to Type IV Application Requirements and Criteria, referenced at EC 9.7405, and the Refinement Plan Amendment Purpose, Applicability, General Requirements, and Approval Criteria at EC Sections 9.8421 through 9.8424.

The Goal 2 coordination requirement is met when the City engages in an exchange, or invites such an exchange, between the City and any affected governmental unit, 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 these amendments with affected governmental units. Specifically, the City provided notice of the proposed action and opportunity to comment to the Oregon Department of Land Conservation and Development (DLCD), Lane County, the Oregon Department of Transportation and the City of Springfield.

There are no exceptions to Statewide Planning Goal 2 required for the Refinement Plan Amendment. Therefore, the amendment is consistent with Statewide Planning Goal 2.

Goal 3: Agricultural Lands - To preserve agricultural lands.

The Refinement Plan Amendment only affects property located within the Urban Growth Boundary and does not affect any land designated for agricultural use. Therefore, the amendment is consistent with Statewide Planning Goal 3.

Goal 4: Forest Lands - To preserve forest lands.

The Refinement Plan Amendment only affects property located within the Urban Growth Boundary and does not affect any land designated by the comprehensive plan for forest use. Therefore, the amendment is consistent with Statewide Planning Goal 4.

Goal 5: Natural Resources, Scenic and Historic Areas, and Open Spaces - To protect natural resources and conserve scenic and historic areas and open spaces.

ORAR 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 Refinement Plan Amendment does not create or amend the City's list of Goal 5 resources; does not amend a code provision adopted 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, the amendment is consistent with Statewide Planning Goal 5.

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

Statewide Planning Goal 6 addresses waste and process discharges from development and is aimed at protecting air, water, and land from impacts from those discharges.

The Refinement Plan Amendment does not impact the City's ability to provide for clean air, water, and land resources. The amendment, if adopted, would allow for intensification of development on University of Oregon owned land within the Urban Growth Boundary that is currently underdeveloped, which could reduce pressure for development on the urban fringe,

and consequently, could reduce potential impacts to surrounding land, air, and water resources.

Any future development will be subject to City regulations and other state and federal requirements, including regulations adopted to implement this Goal. Based on these findings, the Refinement Plan Amendment is consistent with Statewide Planning Goal 6.

Goal 7: Areas Subject to Natural Hazards - To protect people and property from natural hazards.

Statewide Planning Goal 7 requires that local government planning programs include provisions to protect people and property from natural hazards such as floods, landslides, wildfires, and earthquakes and related hazards.

The subject area is located outside the 100-year flood zone and is not subject to hazards normally associated with steep slopes, wildfires, or tsunamis.

The Refinement Plan Amendment does not make changes to policies or regulations that protect people and property from natural hazards. Based on these findings, the amendment is consistent with Statewide Planning Goal 7.

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.

Statewide Planning Goal 8 ensures that recreational facilities are provided to Oregon residents and is primarily concerned with the provision of those facilities in non-urban areas of the state. The Refinement Plan Amendment does not affect the City's provision for, or residents' access to, recreation areas, facilities, or recreational opportunities. Therefore, the amendment is consistent with Statewide Planning Goal 8.

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.

Statewide Planning Goal 9 requires cities to evaluate the supply and demand of commercial and industrial land relative to community economic objectives. The Administrative Rule for Statewide Planning Goal 9 (OAR 660, Division 9) requires that the City provide at least an adequate supply of sites of suitable sizes, types, locations, and service levels for a variety of industrial and commercial uses consistent with plan policies.

The Employment Lands Supply Study 2012-2032 (ELSS) is included as Appendix B in the City's Envision Eugene Comprehensive Plan and demonstrates that Eugene has an adequate supply of commercial and industrial land, in compliance with the requirements of Goal 9 and the corresponding Administrative Rule. The properties impacted by the Refinement Plan Amendment are not designated as commercial or industrial lands by the Eugene Springfield Metropolitan Area General Plan (Metro Plan); instead, the property in the subject area is

designated Government and Education. The Refinement Plan Amendment does not add or remove any commercial land from the City's adopted commercial or industrial inventories.

Neither does the Fairmount/University of Oregon Special Area Study (Refinement Plan) designate property in the subject area as commercial or industrial land. The SAS currently designates the property in the subject area as Limited High Density Residential /Limited Institutional (LHDR/LI). The change in the Refinement Plan's designation of the property in the subject area from Limited High Density Residential /Limited Institutional (LHDR/LI) to Institutional (I) or Limited Institutional (LI) does not affect the City's commercial lands or industrial lands inventory, because it will not change the City's overall supply of commercially or industrially designated land.

The amendment allows for the expansion of institutional uses on underdeveloped University-owned land. Increased development and the potential future construction of new residential units could provide additional support for existing businesses in the area. Based on these findings, the amendment is consistent with Statewide Planning Goal 9.

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

Statewide Planning Goal 10 requires the City to provide an adequate supply of buildable land to accommodate the City's estimated housing needs for a 20-year planning period. The *Envision Eugene Residential Land Supply Study (2012-2032)* was adopted by the City of Eugene in 2017 as a refinement of the *Envision Eugene Comprehensive Plan* and complies with the requirements of Goal 10 and Chapter 660, Division 008 of the Oregon Administrative Rules.

The *Envision Eugene Residential Land Supply Study* includes an inventory of buildable lands for residential use. According to the Residential Land Supply Study, there is sufficient buildable residential land to meet the identified land need. The ordinance does not impact the City's supply of residential buildable land. No land is being re-designated from a residential use to a non-residential use, and the ordinance does not otherwise diminish the amount of land available for residential use. It requires the City to provide an adequate supply of buildable land to accommodate the City's estimated housing needs for a 20-year planning period. The *Envision Eugene Residential Land Supply Study (2012-2032)* was adopted by the City of Eugene in 2017 as a refinement of the *Envision Eugene Comprehensive Plan* and complies with the requirements of Goal 10 and Chapter 660, Division 008 of the Oregon Administrative Rules.

The *Envision Eugene Residential Land Supply Study* includes an inventory of buildable lands for residential use. According to the Residential Land Supply Study, there is sufficient buildable residential land within Eugene's Urban Growth Boundary to meet the identified land need. The land affected by this Refinement Plan Amendment was not included in the documented supply of "buildable land" that is available for residential development or counted as buildable residential land in the *Envision Eugene Residential Land Supply Study* because the subject property is considered "committed to public use" because of its Government and Education designation in the Metro Plan. The Refinement Plan Amendment does not change the Metro

Plan designation for property in the subject area; therefore, the Refinement Plan Amendment will have no impact on the City's inventory of land available for residential use.

The Refinement Plan Amendment does not affect the amount of land designated or zoned for residential use, nor does it render any property unusable for residential uses. The Refinement Plan Amendment, Code Amendment, and Zone Change are specifically intended to facilitate housing development for University of Oregon students. The Refinement Plan Amendment, in conjunction with the concurrent Code Amendment, will adjust the development standards to allow dormitories, increase the area's maximum building height, and increase the residential transition area's maximum building height. These changes will allow denser development of student housing than is currently allowed on the subject property. Based on these findings, 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 Eugene-Springfield Public Facilities and Services Plan (PFSP) is the adopted and acknowledged public facility plan for areas within Eugene's Urban Growth Boundary with respect to water, wastewater, and stormwater services. The Eugene 2035 Transportation System Plan, which was adopted pursuant to Chapter 660, Division 12 of the Oregon Administrative Rules (OARs), fulfills the requirement for transportation facilities planning in ORS 197.172(2)(e), Statewide Planning Goal 11, and OAR Chapter 660, Division 11.

The area affected by the amendments is located inside Eugene's City Limits, and water, wastewater, stormwater, and transportation facilities either already exist or are readily available to the subject property. Nothing in the Refinement Plan Amendment affects the City's adopted and acknowledged public facilities plans or the City's ability to provide public facilities and services. Therefore, the amendment is consistent with Goal 11.

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

OAR 660-012-0060, the Transportation Planning Rule (TPR), implements Statewide Planning Goal 12 for Refinement Plan Amendments, such as this application. Statewide Planning Goal 12 requires a determination of whether the Refinement Plan Amendment will significantly impact an existing or planned transportation facility. The TPR contains the following requirement:

OAR 660-012-0060(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 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 TPR requires that land use changes that would significantly affect a transportation facility provide mitigation measures to address the anticipated impacts. The Refinement Plan Amendment and Code Amendment are subject to analysis for compliance with the Transportation Planning Rule (TPR). Due to the nature of these applications being processed concurrently and interwoven, the cumulative result of the proposed changes was analyzed as part of this TPR evaluation. While the changes to the Refinement Plan provide for a narrower addition of development potential within the Refinement Plan area, the Code Amendments will directly result in an increase in development potential, as they allow for additional building height and added uses in the subject area.

Following the initial submittal of the applications, the City identified the need for the applicant to address the applicability of the Transportation Planning Rule to the proposed amendments. On June 6, 2025, the applicant submitted a Transportation Planning Rule Analysis as information supporting the applications.

The TPR analysis provided by the applicant included two evaluations: the initial evaluation was based on potential traffic impacts resulting from “worst case scenario buildout” for the year 2045 modeled under current zoning, development standards, and use allowances; while the second evaluation was based on the potential traffic impacts of the “worst case scenario buildout” development that could occur by 2045 if the City Council approved the Refinement Plan Amendment, Code Amendment, and Zone Change applications.

The City Council adopts the applicant's findings that, upon approval of the Code Amendments, Refinement Plan Amendments, and Zone Change, and assuming that full buildout of the entire study area is achieved by the year 2045, all study area intersections are estimated to operate acceptably during the typical weekday PM peak hour condition, based on current City performance standards. The City Council adopts the applicant's conclusion that the adoption of the amendments and Zone Change is expected to result in an increase in the trip generation potential of the East Campus area, but that the increase is not expected to have a *significant effect* on the transportation system. Additionally, no changes to the City's functional classifications or street design standards are warranted, and existing adjacent facilities are adequate to support additional trips generated as a result of the amendments and Zone Change.

Subsections (2) through (11) of OAR 660-012-0060 do not apply, because there will be no significant effect on the transportation system, and because OAR 660-012-0060(1) is satisfied.

Additionally, the City Council makes the following findings:

On February 2, 2026, the Fairmount Neighbors, the City-recognized neighborhood association that encompasses the subject area, submitted testimony that suggested the applicant's TPR Analysis was inconsistent with the methodology prescribed in Chapter 15.1 of the Highway Capacity Manual (HCM). The Council finds, consistent with the materials submitted by the applicant on February 10, 2026, that the methodology in Chapter 15 of the HCM, which focuses on two-lane rural highways, is not the appropriate analysis to apply to Agate Street or the applicable Agate Street intersections. The Council finds that the applicant's TPR analysis applied the appropriate methodologies from the HCM to evaluate the signalized intersections, two-way stop-controlled intersections and all-way stop-controlled intersections along Agate Street. Further, the Council finds persuasive and adopts the Memorandum from Kittelson & Associates, which the applicant submitted into the record on January 27, 2026, and which states that the TPR Analysis was performed in accordance with the HCM, and that the HCM is "recognized and accepted as the best practice throughout the United States."

The City also received testimony that suggested the applicant's TPR Analysis misrepresents Agate Street's conditions and does not adequately account for the impacts of pedestrian traffic on the local road system.

The City Council finds that the applicant's TPR Analysis properly evaluates a narrow range of traffic (primarily student housing-related) that is understood to be a direct result of the development allowed by the Code Amendment, Refinement Plan Amendment and Zone Change, rather than all the traffic associated with the broad range of University and other surrounding uses.

The City Council adopts the findings and conclusions of the January 27, 2026, Memorandum from Kittelson & Associates, which explains the traffic counts used in the TPR Analysis were collected on a typical weekday when the University was in normal session, during both peak and off-peak times. The Memorandum also states that the TPR Analysis focuses on the busiest 15 minutes within the peak hour. The City Council finds, consistent with the applicant's TPR

Analysis, that the traffic increases expected to result from the amendments and Zone Change will not cause Agate Street or other local streets to fail or otherwise fall below the performance standards set by the City, and that all of the study intersections will continue to perform within acceptable levels of service.

The City Council finds that the parameters of the study performed for the TPR Analysis are consistent with accepted TPR methodology and adequately account for pedestrian traffic. Regarding traffic mitigation measures, the City Council finds that the Transportation Planning Rule requires only that the City put in place measures to address “significant” effects to the transportation system, as defined in the TPR, resulting from the proposed Refinement Plan Amendment, Code Amendment, and Zone Change. The applicant has submitted a substantial volume of information into the record to support the conclusion that the amendments and Zone Change will not “significantly affect” the local transportation system for purposes of the TPR.

Based on the above findings, the amendment is consistent with Statewide Planning Goal 12.

Goal 13: Energy Conservation - To conserve energy.

Statewide Planning Goal 13 provides guidance on the management of land and land uses to maximize the conservation of energy. Goal 13 provides implementation direction focused on lot sizes, building heights, density of housing, compatibility and availability of light, wind, and air. The Refinement Plan Amendment will not amend or otherwise affect any adopted land use regulations that implement this Goal.

Therefore, the amendment is consistent with Statewide Planning Goal 13.

Goal 14: Urbanization - To provide for an orderly and efficient transition from rural to urban land use, to accommodate urban population and urban employment inside urban growth boundaries, to ensure efficient use of land, and to provide for livable communities.

The Refinement Plan Amendment is applicable to land already zoned and designated for urban uses. The amendment does not affect the transition from rural to urban land uses, as all the property affected by the amendment is located within the City limits. Based on this finding, the amendment is consistent with Statewide Planning Goal 14.

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 Refinement Plan Amendment does not make any changes to the City’s Willamette River Greenway regulations, nor is the subject area located within the adopted Willamette Greenway boundary. Based on these findings, Statewide Planning Goal 15 does not apply.

Goals 16 – 19: Estuarine Resources; Coastal Shorelands; Beaches and Dunes; and Ocean Resources

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

Based on the above findings addressing consistency with the Statewide Planning Goals, the Refinement Plan Amendment is consistent with the Statewide Planning Goals.

EC 9.8424(1)(b) Applicable provisions of the comprehensive plan.

The following findings address the *Eugene-Springfield Metropolitan Area General Plan (Metro Plan)*, the City's adopted and acknowledged regional comprehensive plan, the *Envision Eugene Comprehensive Plan (Envision Eugene)*, the Eugene-specific adopted and acknowledged comprehensive plan, the *Eugene 2035 Transportation System Plan (2035 TSP)*, the transportation element of Eugene's comprehensive land use plan, and the Fairmount/University of Oregon Special Area Study, the applicable area-specific plan, adopted as a refinement of the Metro Plan.

Metro Plan

The Metro Plan designates the properties in the subject area as Government and Education.

The applicant has not requested an amendment to the Metro Plan designation. The Refinement Plan Amendment to redesignate eleven properties from the Limited High Density Residential/Limited Institutional designation to the Institutional designation and to redesignate thirty properties from the Limited High Density Residential/Limited Institutional designation to the Limited Institutional designation on the Refinement Plan's Land Use Diagram remains consistent with the Metro Plan designation of the properties in the subject area as Government and Education land, as both the Institutional and Limited Institutional designations provide for a range of education uses, which includes higher education-related uses. The text amendments to the Fairmount/University of Oregon Special Area Study are also consistent with the subject area's Government and Education Metro Plan designation. There are no policies in the Metro Plan that appear to be directly relevant to this Refinement Plan Amendment or that serve as mandatory approval criteria for the amendment.

Envision Eugene Comprehensive Plan

The *Envision Eugene* Comprehensive Plan does not contain any policies that appear to be directly relevant to this Refinement Plan Amendment or that serve as mandatory approval criteria for the amendment.

EC 9.8424(1)(c) Remaining portions of the refinement plan.

The Fairmount/University of Oregon Special Area Study provides policy direction related to land use, transportation, and parking, to guide development within the eastern portion of the University of Oregon campus and the adjacent portion of the Fairmount Neighborhood. The Fairmount/University of Oregon Special Area Study (SAS), which was adopted in 1982,

recognizes the need for periodic updates to the SAS. The text on page 6 of the SAS states: *“This plan is a long-range, comprehensive plan and, as such, should be occasionally reviewed and updated (the University Development Policy specifically states it should govern for ten years from the date of its acceptance). Changes in conditions may dictate reconsideration of policies.”*

No policies listed in the SAS appear to serve as mandatory approval criteria for this Refinement Plan Amendment

Residential Transition Area

Interested parties submitted testimony suggesting that the Refinement Plan Amendment is inconsistent with the SAS provisions related to the residential transition area because the amendment would eliminate a “meaningful transition” between the Institutional designation area and the Low Density Residential designation area. For the reasons described below, the City Council finds that the Refinement Plan Amendment is consistent with the existing residential transition area provisions in the SAS.

The area designated as Institutional in the Refinement Plan is zoned PL Public Land. The PL Zone generally does not include a maximum building height; therefore, buildings taller than 85 feet are currently allowed within the Institutional designation area. The area designated Low Density Residential in the SAS is zoned R-1 Low-Density Residential. Development in the Low Density Residential designation is currently subject to a maximum building height of 30 feet, with allowance for an additional 7 feet of building height for roof slopes of 6:12 or steeper.

The Limited High Density Residential/Limited Institutional (“LHDR/LI”) designation area (which will be redesignated as “Limited Institutional” or “LI”) is located between the Institutional designation area to the west and the Low Density Residential designation area to the east, and aligns with the area zoned with the /EC Overlay Zone.

The Land Use Diagram Text for the LHDR/LI designation describes the area as “a transition between the more intensive institutional uses to the west and north and the low density residential development to the east and south.” This language indicates that the LHDR/LI designation was created to function as a land use transition between the University-owned Institutional land, on which the building height is generally unlimited, and the adjacent residential areas, within which development is limited to the relatively low building height that is typical of low-density residential development.

The Fairmount/University of Oregon Special Area Study itself does not specify a maximum building height in the area designated LHDR/LI, nor does the SAS explicitly require building height within the LHDR/LI area to “step down” based on proximity to the Low Density Residential designation area. Rather, the SAS simply dictates that the LHDR/LI area provide a “transition” between those land uses on campus and those within the surrounding neighborhoods.

Building height requirements for the LHDR/LI area were added to the Eugene Code through the /EC Overlay Zone. As stated in Eugene Code Section 9.4200, Purpose of the /EC East Campus Overlay Zone, the /EC Overlay was created to implement the land use transition concept in the

Fairmount/University of Oregon Special Area Study. As such, EC 9.4220(2) limits building height within the /EC Overlay to 45 feet, or 30 feet for buildings within 60 feet of an R-1 Low-Density Residential Zone. The Code Amendments adopted concurrently with the Refinement Plan Amendment expand the existing 60-foot residential transition area to 75 feet, measured from the edge of the R-1 Low-Density Residential Zone. Within this transition area, building height is limited to a maximum of 45 feet, rather than the existing limit of 30 feet.

It is the Eugene Code, and not the SAS, that provides specific building height limits for the Limited Institutional area (via regulation of development in the /EC Overlay). Similarly, the “stepped down” height limit applicable to development within 60 feet of the R-1 Zone is a Eugene Code requirement, and not a requirement of the SAS. The City Council finds that the Refinement Plan Amendment is consistent with the land use transition concept in the SAS.

Fairmount/VO SAS Transportation and Parking Section

In testimony submitted on January 20, 2026, the Fairmount Neighbors Association discusses two specific policies from the Transportation and Parking section of the SAS, which directed the City to perform traffic studies within the study area. For reference, those Traffic Circulation Policies are as follows:

Policy 6: By March, 2005, the City shall initiate a study of Agate Street between Franklin Boulevard and 19th Avenue. That study, conducted jointly with the University and the Fairmount Neighborhood Association, shall identify strategies to improve the function and carrying capacity of Agate according to the City criteria for its designated street classification. The City will implement the necessary changes. The University will participate in those improvements as development occurs and as required by the City code, to the extent that the University is directly responsible for the needed improvements.

Policy 7: The City, with the cooperation of the University and the Fairmount Neighborhood Association, shall initiate an area-wide traffic calming study for the streets within the Fairmount/University of Oregon Special Area Study boundary to determine appropriate mitigation for through-traffic utilizing neighborhood streets. Such study shall be initiated prior to December, 2008, subject to availability of funds. In the event that the City updates the Central Area Transportation Study (CATS) prior to 2008, the City shall fund and initiate an area-wide traffic calming study as part of the CATS update to determine appropriate mitigation measures for the subject area.

The City Council finds that Traffic Circulation Policies 6 and 7 were addressed through the Agate/Fairmount Transportation Study, which was presented to the City Council on July 9, 2007.

The City Council finds that these two SAS policies are not applicable to the Refinement Plan Amendment because the policies are directed at the City and not the applicant. The City Council finds that Traffic Circulation Policies 6 and 7 primarily provide direction to the City, in that the policies require the City to initiate the traffic studies described in the policies. However, to the

extent that Policy 6 directs the University to participate in the referenced study to some degree, the Agate/Fairmount Transportation Study has already been completed.

The City Council finds that Policies 6 and 7 do not require all future development proposals to include traffic mitigation measures.

Based on the above findings, the Refinement Plan Amendment is consistent with the remaining portions of the Fairmount/University of Oregon Special Area Study.

This criterion is met.

EC 9.8424(2) The refinement plan amendment addresses one or more of the following:

- (a) An error in the publication of the refinement plan.**
- (b) New inventory material which relates to a statewide planning goal.**
- (c) New or amended community policies.**
- (d) New or amended provisions in a federal law or regulation, state statute, state regulation, statewide planning goal, or state agency land use plan.**
- (e) A change of circumstances in a substantial manner that was not anticipated at the time the refinement plan was adopted.**

New or amended community policies.

The City Council finds that the Refinement Plan Amendment addresses EC 9.8424(2)(c). This criterion is met.

In 2023, the University of Oregon began the process of updating its internal development policies for the East Campus area in response to demand for student housing and the need to build additional student housing. The University found that its future student housing development needs could not be met without amending the policies that define allowed uses and development standards applicable to University-owned lands in the East Campus area, including both City requirements and the University's internal development guidance. This process resulted in the University's adoption of the East Campus Area Plan in December, 2024.

The term "community policy" is not defined in the Eugene Code. For purposes of the Refinement Plan Amendment, the City Council finds that the University's adopted East Campus Area Plan constitutes a community policy. The unique confluence between the Fairmount/University of Oregon Special Area Study and the East Campus Area Plan is alluded to in the "The University of Oregon Lands: Description and Statement of the Problem" section of the Fairmount/University of Oregon Special Area Study, as amended by Ordinance No. 20312:

"In September 2003, the University submitted an application to amend the 1982 Fairmount/University of Oregon Special Area Study for the purpose of incorporating changes in the plan made necessary by the University's adoption of the 2003 East Campus Development Policy. Commenting on the application, the Fairmount Neighborhood Association expressed concerns about the effectiveness of the proposed East Campus Development Policy in mitigating the impacts of University development on the surrounding neighborhood. The association subsequently commissioned the

Fairmount Neighborhood Association East Campus Committee (Committee) to represent the neighborhood interests in the public hearing process. The Committee submitted testimony commenting on each of the University's individual proposals. While the Committee expressed support for many of the ideas and proposals put forth in the application, they also suggested modifications to certain policies or plan text and replacements or additions to other policies and text.

Following the public hearing, the City engaged University staff and Committee representatives in a mediation process to seek agreement and resolve differences on the proposed policy and text amendments. Agreement between the University and Committee was reached on most of the issues discussed; those agreements are reflected in the maps, policies and other text adopted through this amendment process."

Consideration of the East Campus Plan as "community policy" is further supported by East Campus Area Policy 1 (page 24 of the Refinement Plan), as amended by Ordinance No. 20312, which reads as follows:

"1. The City of Eugene and the Fairmount Neighbors recognize the current University-adopted East Campus Policy as a statement of University policy."

The City Council finds that University's adopted updates to its East Campus Area Plan are "new or amended community policies" in the context of this criterion. The University's adoption of the East Campus Area Plan has triggered the need for text and diagram amendments to the Fairmount/University of Oregon Special Area Study in order to ensure consistency between the two documents.

New or amended provisions in a federal law or regulation, state statute, state regulation, statewide planning goal, or state agency land use plan.

The City Council finds that the Refinement Plan Amendment and the concurrently adopted Code Amendments are consistent with recent changes to state statutes that encourage the development of housing and remove barriers to the development of housing, including specifically laws related to needed housing and middle housing.

A change of circumstances in a substantial manner that was not anticipated at the time the refinement plan was adopted.

The City Council finds that the growth of the University, the demand for on-campus student housing, and recent changes to state housing laws are changed circumstances addressed by the Refinement Plan Amendment consistent with EC 9.8424(2)(e).

The City Council finds there is substantial evidence in the record to show that on-campus living benefits University students and leads to better student outcomes. Recent state statutes related to needed housing and middle housing have changed the housing types and density allowed in residential zones, and those state law changes were not anticipated when the SAS was last updated in 2004. The Council finds that these changed circumstances will be addressed by the Refinement Plan Amendment and concurrently adopted Code Amendment.

Based on the above findings, the Refinement Plan Amendment addresses EC 9.8424(2)(c), (d), and (e). Therefore, this criterion is met.

CODE AMENDMENT

Application Details

As stated at EC 9.4200, the purpose of the /EC East Campus Overlay Zone is to provide for a land use transition between the eastern portion of the University of Oregon campus and the adjacent low-density residential neighborhood to the east and south. As one of the codified provisions intended to meet this purpose, the Land Use Code sections pertaining to the /EC East Campus Overlay Zone includes requirements related to allowed and prohibited uses. Eugene Code (EC) Section 9.4215(1)(c) establishes that “University and college dormitories” are a prohibited use in the /EC Overlay Zone. The land use transition is also implemented through the requirement at EC 9.4220(2), which requires that, *“Within the /EC East Campus Overlay Zone, a building within 60 feet of an R-1 Low Density Residential zone shall not exceed 30 feet in height. All other buildings shall not exceed 45 feet in height.”*

The University of Oregon has identified a need for increased development potential of on-campus student housing in the East Campus area. To meet this need, the University has proposed changes to the Refinement Plan and the Eugene Code to allow development of student dormitories on properties zoned with the /EC East Campus Overlay Zone.

The Code Amendment increases the allowed building height within the /EC East Campus Overlay Zone from 45 feet to 85 feet; expands the “residential transition” distance from R-1 zoned properties from 60 feet to 75 feet; and to increase the allowed building height within the residential transition area from 30 feet to 45 feet.

Evaluation – Code Amendment

The following findings address the applicable approval criteria for the requested Code Amendment:

EC 9.8065(1) Is consistent with applicable statewide planning goals as adopted by the Land Conservation and Development Commission.

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

The City has acknowledged procedures for adoption of quasi-judicial land use decisions, located in Eugene Code (EC) 9.7050, 9.7400 through 9.7455, and 9.7065 through 9.7095, which ensure the opportunity for community members to be involved in all phases of the quasi-judicial land use decision process and set out the requirements for such involvement. The amendments to the Land Use Code do not amend the City’s adopted citizen involvement program. The process for adoption of the Refinement Plan Amendment, Code Amendment, and Zone Change is consistent with the City’s acknowledged procedures for quasi-judicial land use decisions.

The City of Eugene Land Use Code implements Statewide Planning Goal 1 by requiring that notice of the proposed amendments be given and public hearings be held prior to adoption. The applicable notice and opportunities to submit testimony on the application include:

- A pre-application Neighborhood/Applicant Meeting (held on September 23, 2024).
- Notice to the Oregon Department of Land Conservation and Development (DLCD) was originally provided on August 20, 2025, and updated notices were sent to DLCD on August 26, September 9, and September 19, 2025.
- Notice was sent to Lane County and the City of Springfield (September 19, 2025).
- Public notice of the Planning Commission Public Hearing on the applications was provided, including: mailing notice to the applicant, adjacent property owners, all neighborhood associations in Eugene, and interested parties (mailed September 19, 2025); and posting of the notice on properties in the subject area (October 6, 2025).
- On November 18, 2025, the Planning Commission deliberated and provided a recommendation to the Eugene City Council that the City Council approve the applications.
- Public notice of the City Council Public Hearing on applications, was mailed to the applicant, the property owner(s), any person who submitted written or oral testimony in a timely matter during the Planning Commission hearing process, and any person who requested notice of the Planning Commission's decision. (Mailed January 9, 2026). Consistent with the requirements of the Eugene Charter, notice was also published in the Register-Guard newspaper and posted on the City's website at least ten business days prior to the public hearing.
- The City Council held a public hearing on January 20, 2026, and received testimony at that hearing. In response to a request to hold the record open, the Council passed a motion to hold the record open for three weeks for additional evidence and argument, with the last 7 days reserved for only the applicant as required by state law. During the time the record was open only to the applicant, the applicant proposed modifications to the Refinement Plan Amendment and Code Amendment applications.
- On March 9, 2026, the City Council reopened the record to accept evidence and argument from all parties on all three applications and directed the City Manager to schedule a public hearing for April 20, 2026, on an ordinance incorporating the applicant's proposed modifications.
- The City provided notice of the second City Council public hearing to the Oregon Department of Land Conservation and Development (DLCD) on March 16, 2026. The revised DLCD notice explained that the ordinance would be updated to reflect the

changes proposed by the applicant, and that the City Council would hold a public hearing on the updated ordinance on April 20, 2026.

- Public notice of the April 20, 2026, City Council Public Hearing to consider the applications was mailed on April 10, 2026, to the applicant, the property owner(s), any person who submitted written or oral testimony in a timely matter during the Planning Commission or City Council public hearing processes, and any person who requested notice of the Planning Commission's recommendation and City Council's decision.
- On April 20, 2026, the City Council held a public hearing on an ordinance incorporating the modified the Refinement Plan Amendment, the modified Code Amendment, and the Zone Change.

All noticing was conducted in accordance with Eugene Code requirements.

Additional public engagement opportunities were provided by the University as part of the University's work on the Next Generation Housing Development Plan and the 2024 East Campus Area Plan, the University engaged with the City of Eugene, the Fairmount Neighborhood Association, university groups, and community members, to inform the outcomes of its internal planning process. The University's public engagement efforts were intended to ensure that the proposed amendments would continue to meet the original goals of the Fairmount/University of Oregon Special Area Study and the amendments adopted through Ordinance Nos. 20312 and 20460.

Based on these findings, the proposed Code Amendment 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 decision and actions related to use of land and to assure an adequate factual base for such decisions and actions.

Consistent with Statewide Planning Goal 2, the concurrent Refinement Plan Amendment, Code Amendment, and Zone Change applications are being processed according to Eugene's Land Use Code, which specifies the procedure and criteria applicable to review of the requests. The requested amendments to the Land Use Code pertain to specific sites located within the Eugene City Limits. Therefore, the Code Amendment application is subject to EC 9.7405 Type IV Application Requirements and Criteria Reference and the Code Amendment General Requirements and Approval Criteria at EC Sections 9.8060 through 9.8065.

The Goal 2 coordination requirement is met when the City engages in an exchange, or invites such an exchange, between the City and any affected governmental unit, 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 these amendments with affected governmental units. Specifically, the City provided notice of the proposed action and opportunity to comment to the Oregon

Department of Land Conservation and Development (DLCD), Lane County, the Oregon Department of Transportation and the City of Springfield.

There are no exceptions to Statewide Planning Goal 2 required for the Code Amendment. Therefore, the amendment is consistent with Statewide Planning Goal 2.

Goal 3: Agricultural Lands - To preserve agricultural lands.

The Code Amendment only affects property located within the Urban Growth Boundary and does not affect any land designated for agricultural use. Therefore, the amendment is consistent with Statewide Planning Goal 3.

Goal 4: Forest Lands - To preserve forest lands.

The Code Amendment only affects property located within the Urban Growth Boundary and does not affect any land designated by the comprehensive plan for forest use. Therefore, the amendment is consistent with Statewide Planning Goal 4.

Goal 5: Natural Resources, Scenic and Historic Areas, and Open Spaces - To protect natural resources and conserve scenic and historic areas and open spaces.

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:

- (c) 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;*
- (c) 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 Code Amendment does not create or amend the City's list of Goal 5 resources; does not amend a code provision adopted 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, the amendment is consistent with Statewide Planning Goal 5.

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

Statewide Planning Goal 6 addresses waste and process discharges from development and is aimed at protecting air, water, and land from impacts from those discharges.

The Code Amendment does not impact the City's ability to provide for clean air, water, and land resources. The amendment, if adopted, would allow for intensification of development on University of Oregon owned land within the Urban Growth Boundary that is currently underdeveloped, which could reduce pressure for development on the urban fringe, and consequently, could reduce potential impacts to surrounding land, air, and water resources.

Any future development will be subject to City regulations and other state and federal requirements, including regulations adopted to implement this Goal. Based on these findings, the Code Amendment is consistent with Statewide Planning Goal 6.

Goal 7: Areas Subject to Natural Hazards - To protect people and property from natural hazards.

Statewide Planning Goal 7 requires that local government planning programs include provisions to protect people and property from natural hazards such as floods, landslides, wildfires, and earthquakes and related hazards.

The subject area is located outside the 100-year flood zone and is not subject to hazards normally associated with steep slopes, wildfires, or tsunamis.

The Code Amendment does not make changes to policies or regulations that protect people and property from natural hazards. Based on these findings, the amendment is consistent with Statewide Planning Goal 7.

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.

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

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.

Statewide Planning Goal 9 requires cities to evaluate the supply and demand of commercial and industrial land relative to community economic objectives. The Administrative Rule for

Statewide Planning Goal 9 (OAR 660, Division 9) requires that the City provide at least an adequate supply of sites of suitable sizes, types, locations, and service levels for a variety of industrial and commercial uses consistent with plan policies.

The Employment Lands Supply Study 2012-2032 (ELSS) is included as Appendix B in the City's *Envision Eugene Comprehensive Plan* and demonstrates that Eugene has an adequate supply of commercial and industrial land, in compliance with the requirements of Goal 9 and the corresponding Administrative Rule. The properties impacted by the Code Amendment are not designated as commercial or industrial lands by the Eugene Springfield Metropolitan Area General Plan (Metro Plan); instead, the property in the subject area is designated Government and Education. The Code Amendment does not add or remove any commercial land from the City's adopted commercial or industrial inventories.

The amendment allows for the expansion of institutional uses on underdeveloped University-owned land. Increased development and the potential future construction of new residential units could provide additional support for existing businesses in the area. Based on these findings, the amendment is consistent with Statewide Planning Goal 9.

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

Statewide Planning Goal 10 requires the City to provide an adequate supply of buildable land to accommodate the City's estimated housing needs for a 20-year planning period. The *Envision Eugene Residential Land Supply Study (2012-2032)* was adopted by the City of Eugene in 2017 as a refinement of the *Envision Eugene Comprehensive Plan* and complies with the requirements of Goal 10 and Chapter 660, Division 008 of the Oregon Administrative Rules.

The *Envision Eugene Residential Land Supply Study* includes an inventory of buildable lands for residential use. According to the Residential Land Supply Study, there is sufficient buildable residential land to meet the identified land need. The ordinance does not impact the City's supply of residential buildable land. No land is being re-designated from a residential use to a non-residential use, and the ordinance does not otherwise diminish the amount of land available for residential use. It requires the City to provide an adequate supply of buildable land to accommodate the City's estimated housing needs for a 20-year planning period. The *Envision Eugene Residential Land Supply Study (2012-2032)* was adopted by the City of Eugene in 2017 as a refinement of the *Envision Eugene Comprehensive Plan* and complies with the requirements of Goal 10 and Chapter 660, Division 008 of the Oregon Administrative Rules.

The *Envision Eugene Residential Land Supply Study* includes an inventory of buildable lands for residential use. According to the Residential Land Supply Study, there is sufficient buildable residential land within Eugene's Urban Growth Boundary to meet the identified land need. The land affected by this Code Amendment was not included in the documented supply of "buildable land" that is available for residential development or counted as buildable

residential land in the *Envision Eugene* Residential Land Supply Study because the subject property is considered “committed to public use” because of its Government and Education designation in the Metro Plan. The Code Amendment does not change the Metro Plan designation for property in the subject area; therefore, the Code Amendment will have no impact on the City’s inventory of land available for residential use.

The Code Amendment does not affect the amount of land designated or zoned for residential use, nor does it render any property unusable for residential uses. The Refinement Plan Amendment, Code Amendment, and Zone Change are specifically intended to facilitate housing development for University of Oregon students. The Code Amendment, in conjunction with the concurrent Refinement Plan Amendment, will adjust the development standards to allow dormitories, increase the area’s maximum building height, and increase the residential transition area’s maximum building height. These changes will allow denser development of student housing than is currently allowed on the subject property. Based on these findings, 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 Eugene-Springfield Public Facilities and Services Plan (PFSP) is the adopted and acknowledged public facility plan for areas within Eugene’s Urban Growth Boundary with respect to water, wastewater, and stormwater services. The Eugene 2035 Transportation System Plan, which was adopted pursuant to Chapter 660, Division 12 of the Oregon Administrative Rules (OARs), fulfills the requirement for transportation facilities planning in ORS 197.172(2)(e), Statewide Planning Goal 11, and OAR Chapter 660, Division 11.

The area affected by the amendments is located inside Eugene’s City Limits, and water, wastewater, stormwater, and transportation facilities either already exist or are readily available to the subject property. Nothing in the Code Amendment affects the City’s adopted and acknowledged public facilities plans or the City’s ability to provide public facilities and services. Therefore, the amendment is consistent with Goal 11.

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

OAR 660-012-0060, the Transportation Planning Rule (TPR), implements Statewide Planning Goal 12 for Code Amendments, such as this application. Statewide Planning Goal 12 requires a determination of whether the Code Amendment will significantly impact an existing or planned transportation facility. The TPR contains the following requirement:

OAR 660-012-0060(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 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 TPR requires that land use changes that would significantly affect a transportation facility provide mitigation measures to address the anticipated impacts. As discussed in the Refinement Plan Amendment evaluation above, the Refinement Plan Amendment and Code Amendment are subject to analysis for compliance with the Transportation Planning Rule (TPR). Due to the nature of these applications being processed concurrently and interwoven, the cumulative result of the changes was analyzed as part of this TPR evaluation. While the changes to the Refinement Plan provide for a narrower addition of development potential within the Refinement Plan area, the Code Amendments will directly result in an increase in development potential, as they allow for additional building height and added uses in the subject area.

Following the initial submittal of the applications, the City identified the need for the applicant to address the applicability of the Transportation Planning Rule to the proposed amendments. On June 6, 2025, the applicant submitted a Transportation Planning Rule Analysis as information supporting the applications.

The TPR analysis provided by the applicant included two evaluations: the initial evaluation was based on potential traffic impacts resulting from “worst case scenario buildout” for the year 2045 modeled under current zoning, development standards, and use allowances; while the second evaluation was based on the potential traffic impacts of the “worst case scenario buildout” development that could occur by 2045 if the City Council approved the Refinement Plan Amendment, Code Amendment, and Zone Change applications.

The City Council adopts the applicant's findings that, upon approval of the Code Amendments, Refinement Plan Amendments, and Zone Change, and assuming that full buildout of the entire study area is achieved by the year 2045, all study area intersections are estimated to operate acceptably during the typical weekday PM peak hour condition, based on current City performance standards. The City Council adopts the applicant's conclusion that the adoption of the amendments and Zone Change is expected to result in an increase in the trip generation potential of the East Campus area, but that the increase is not expected to have a *significant effect* on the transportation system. Additionally, no changes to the City's functional classifications or street design standards are warranted, and existing adjacent facilities are adequate to support additional trips generated as a result of the amendments and Zone Change.

Subsections (2) through (11) of OAR 660-012-0060 do not apply, because there will be no significant effect on the transportation system, and because OAR 660-012-0060(1) is satisfied.

Additionally, the City Council makes the following findings:

On February 2, 2026, the Fairmount Neighbors, the City-recognized neighborhood association that encompasses the subject area, submitted testimony that suggested the applicant's TPR Analysis was inconsistent with the methodology prescribed in Chapter 15.1 of the Highway Capacity Manual (HCM). The Council finds, consistent with the materials submitted by the applicant on February 10, 2026, that the methodology in Chapter 15 of the HCM, which focuses on two-lane rural highways, is not the appropriate analysis to apply to Agate Street or the applicable Agate Street intersections. The Council finds that the applicant's TPR analysis applied the appropriate methodologies from the HCM to evaluate the signalized intersections, two-way stop-controlled intersections and all-way stop-controlled intersections along Agate Street. Further, the Council finds persuasive and adopts the Memorandum from Kittelson & Associates, which the applicant submitted into the record on January 27, 2026, and which states that the TPR Analysis was performed in accordance with the HCM, and that the HCM is "recognized and accepted as the best practice throughout the United States."

The City also received testimony that suggested the applicant's TPR Analysis misrepresents Agate Street's conditions and does not adequately account for the impacts of pedestrian traffic on the local road system.

The City Council finds that the applicant's TPR Analysis properly evaluates a narrow range of traffic (primarily student housing-related) that is understood to be a direct result of the development allowed by the Code Amendment, Refinement Plan Amendment and Zone Change, rather than all the traffic associated with the broad range of University and other surrounding uses.

The City Council adopts the findings and conclusions of the January 27, 2026, Memorandum from Kittelson & Associates, which explains the traffic counts used in the TPR Analysis were

collected on a typical weekday when the University was in normal session, during both peak and off-peak times. The Memorandum also states that the TPR Analysis focuses on the busiest 15 minutes within the peak hour. The City Council finds, consistent with the applicant's TPR Analysis, that the traffic increases expected to result from the amendments and Zone Change will not cause Agate Street or other local streets to fail or otherwise fall below the performance standards set by the City, and that all of the study intersections will continue to perform within acceptable levels of service.

The City Council finds that the parameters of the study performed for the TPR Analysis are consistent with accepted TPR methodology and adequately account for pedestrian traffic. Regarding traffic mitigation measures, the City Council finds that the Transportation Planning Rule requires only that the City put in place measures to address "significant" effects to the transportation system, as defined in the TPR, resulting from the proposed Refinement Plan Amendment, Code Amendment, and Zone Change. The applicant has submitted a substantial volume of information into the record to support the conclusion that the amendments and Zone Change will not "significantly affect" the local transportation system for purposes of the TPR.

Based on the above findings, the amendment is consistent with Statewide Planning Goal 12.

Goal 13: Energy Conservation - To conserve energy.

Statewide Planning Goal 13 provides guidance on the management of land and land uses to maximize the conservation of energy. Goal 13 provides implementation direction focused on lot sizes, building heights, density of housing, compatibility and availability of light, wind, and air. The Code Amendment will not amend or otherwise affect any adopted land use regulations that implement this Goal.

Therefore, the amendment is consistent with Statewide Planning Goal 13.

Goal 14: Urbanization - To provide for an orderly and efficient transition from rural to urban land use, to accommodate urban population and urban employment inside urban growth boundaries, to ensure efficient use of land, and to provide for livable communities.

The Code Amendment is applicable to land already zoned and designated for urban uses. The amendment does not affect the transition from rural to urban land uses, as all the property affected by the amendment is located within the City limits. Based on this finding, the amendment is consistent with Statewide Planning Goal 14.

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 Code Amendment does not make any changes to the City's Willamette River Greenway regulations, nor is the subject area located within the adopted Willamette Greenway boundary. Based on these findings, Statewide Planning Goal 15 does not apply.

Goals 16 – 19: Estuarine Resources; Coastal Shorelands; Beaches and Dunes; and Ocean Resources

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

Based on the above findings addressing consistency with the Statewide Planning Goals, the Code Amendment is consistent with the Statewide Planning Goals.

EC 9.8065(2) Is consistent with applicable provisions of the comprehensive plan and applicable adopted refinement plans.

Metro Plan

As is discussed within the Refinement Plan Amendment evaluation above, the Eugene-Springfield Metropolitan Area General Plan (Metro Plan) is the basic guiding land use policy document for regional land use planning. The Code Amendment is consistent with the Metro Plan, which designates the subject properties as Government and Education land.

The applicant has not requested an amendment to the Metro Plan designation, and none of the changes to the Code are inconsistent with the Metro Plan designation of the subject properties as Government and Education land. Therefore, the proposal is consistent with the provisions of the Metro Plan. There are no policies in the Metro Plan that appear to be directly relevant to this Code Amendment or that serve as mandatory approval criteria for the amendment.

Envision Eugene Comprehensive Plan

The *Envision Eugene* Comprehensive Plan does not contain any policies that appear to be directly relevant to this Code Amendment or that serve as mandatory approval criteria for the amendment.

Fairmount/University of Oregon Special Area Study

The Refinement Plan Amendment, which is adopted concurrently with the Code Amendment, includes updates to several sections of the Fairmount/University of Oregon Special Area Study (SAS).

The text of the Fairmount/University of Oregon Special Area Study has been updated to allow student "dorm" uses within the area designated Limited Institutional (LI).

In order to ensure consistency with the Fairmount/University of Oregon Special Area Study, section 9.4215(1)(c) of the Eugene Code must be updated to remove the prohibition of dormitory uses from the /EC East Campus Overlay Zone.

The City Council finds that the proposed Code Amendments are consistent with Fairmount/University of Oregon Special Area Study East Campus Area Policy 6(d), which provides as follows:

East Campus Area Policy 6: On University-owned East Campus lands within the state-approved University boundary, the following policies shall apply in the Low Density Residential area:

(d) The preservation and maintenance of the historic architectural, single-family residential character of the Low Density Residential area is an integral part of the surrounding neighborhood. New development shall demonstrate compatibility with this historic architectural, single-family residential character, located east and south of the East Campus area, through consideration of appropriate building mass, building scale, historic architectural style, setbacks, building and entrance orientation, roof pitch and mitigation of off-site impacts.

The City Council finds that, as described in the main text of Policy 6, this policy applies to the “Low Density Residential Area” that is located “[o]n University-owned East Campus lands within the state-approved University boundary.” The Council finds that the Refinement Plan Amendment and Code Amendments only apply to properties designated Limited Institutional (LI) or Institutional (I). Neither the Refinement Plan Amendment nor the Code Amendments redesignate, rezone, or apply directly to property designated “Low Density Residential.” Further, the Council finds that the Low Density Residential area is located to the east of the area affected by the Refinement Plan Amendment and Code Amendments; therefore, East Campus Area Policy 6(d) is not applicable to property within the area affected by the Refinement Plan Amendment and Code Amendments. East Campus Area Policy 6(d) is not relevant to the proposed Code Amendments because the amendments do not apply to or affect development within the Low Density Residential designation area.

Remaining portions of the Fairmount/University of Oregon Special Area Study are related to areas outside the East Campus boundaries or to general neighborhood policies, none of which will be directly affected by the Code Amendments. As such, no other policies listed in the SAS appear to serve as mandatory approval criteria for these Code Amendments.

Based on these findings, this criterion is met.

EC 9.8065(3) In the case of establishment of a special area zone, is consistent with EC 9.3020 Criteria for Establishment of an S Special Area Zone.

The Code Amendment does not establish a Special Area Zone. Therefore, this criterion does not apply to the Code Amendment.

ZONE CHANGE

Application Details

The ordinance includes a Zone Change removing the /EC East Campus Overlay from nine properties, which total approximately 1.15 acres. The base zoning of the properties, PL Public Land, will not change, nor will any other overlay zones applicable to the subject properties, such as the /SR Site Review Overlay Zone.

The Zone Change corresponds to the changes in the eleven affected properties' Refinement Plan designation, from Limited High Density Residential / Limited Institutional (LHDR/LI) to Institutional (I). The change in Refinement Plan designation and zoning aligns with the existing institutional uses on the properties as well as other institutional uses planned for the future.

Evaluation – Zone Change

The following findings address the applicable approval criteria for the requested Zone Change:

EC 9.8865(1) The proposed change is consistent with applicable provisions of the Metro Plan. The written text of the Metro Plan shall take precedence over the Metro Plan diagram where apparent conflicts or inconsistencies exist.

The ordinance removes the /EC East Campus Overlay from nine tax lots. The base zoning of the properties, PL Public Land, will not change. Five of the tax lots are also zoned or partially zoned with the /SR Site Review Overlay, which will remain.

The properties are designated as Government and Education land in the Metro Plan Diagram. EC 9.2680 provides that the Public Land zone is "intended for public and semi-public uses that are designed to implement the comprehensive plan by providing areas for government services and education." Because the properties' base zoning aligns with the Metro Plan's Government and Education designation and will not change, the removal of the /EC East Campus Overlay Zone from the subject properties' zoning is consistent with the subject properties' Metro Plan designation.

Many Metro Plan policies are relevant and supportive of the Zone Change, including policies A.4, A.11 through A.14, and A.23 of the Residential Land Use and Housing Element which provide:

A.4 Use annexation, provision of adequate public facilities and services, rezoning, redevelopment, and infill to meet the 20-year projected housing demand.

A.11 Generally locate higher density residential development near employment or commercial services, in proximity to major transportation systems or within transportation-efficient nodes.

A.12 Coordinate higher density residential development with the provision of adequate infrastructure and services, open space, and other urban amenities.

A.13 Increase overall residential density in the metropolitan area by creating more opportunities for effectively designed in-fill, redevelopment, and mixed use while considering impacts of increased residential density on historic, existing and future neighborhoods.

A. 14 Review local zoning and development regulations periodically to remove barriers to higher density housing and to make provision for a full range of housing options.

A.23 Reduce impacts of higher density residential and mixed-use development on surrounding uses by considering site, landscape, and architectural design standards or guidelines in local zoning and development regulations.

While these policies provide support for the Zone Change, it does not appear that there are any Metro Plan policies that serve as mandatory approval criteria for the Zone Change. To the extent that the Metro Plan policies are relevant, the change is consistent with these policies. This criterion is met.

EC 9.8865(2) The proposed zone change is consistent with applicable adopted refinement plans. In the event of inconsistencies between these plans and the Metro Plan, the Metro Plan controls.

The Fairmount/University of Oregon Special Area Study (SAS) is the adopted refinement plan applicable to the subject properties. The subject properties are located in the Limited High Density Residential / Limited Institutional (LHDR/LI) area north of East 15th Avenue, as identified in the SAS's Land Use Diagram.

The concurrent Refinement Plan Amendment amends the Fairmount/University of Oregon Special Area Study Land Use Diagram to redesignate the subject properties from LHDR/LI (LHDR/LI) to Institutional (I). The concurrent Code Amendments provide that the /EC East Campus Overlay Zone is only applicable to properties designated Limited Institutional (LI). As the subject properties are now designated Institutional (I), the Zone Change to remove the /EC East Campus Overlay Zone from the properties is consistent with the concurrent amendments to the Fairmount/University of Oregon Special Area Study.

No other policies listed in the Fairmount/University of Oregon Special Area Study appear to serve as mandatory approval criteria for this Zone Change, nor do any other policies require further analysis beyond that provided in the Refinement Plan Amendment evaluation above. Based on these findings, and with the concurrent approval of the Refinement Plan Amendment, this criterion is met.

EC 9.8865(3) The uses and density that will be allowed by the proposed zoning in the location of the proposed change can be served through the orderly extension of key urban facilities and services.

Key urban facilities and services are defined in the Metro Plan as: wastewater service, stormwater service, transportation, water service, fire and emergency medical services, police protection, City-wide parks and recreation programs, electric service, land use controls,

communication facilities, and public schools on a district-wide basis (see Metro Plan, page V-3). The following summary addresses the availability of these key urban services and facilities, as required under this criterion.

Wastewater: An existing 8-inch public wastewater line is available and located adjacent to the subject properties, within the Villard Alley right-of-way. Wastewater standards will be reviewed at the time of future development for any extension of service to the subject properties.

Stormwater: There are existing stormwater lines that run along Villard Street, Villard Alley, and portions of East 15th Avenue. In the event of future development, applicants may be required to address all applicable stormwater management standards including flood control, water quality, oil control, easements, operation and maintenance. Any designs will be reviewed at time of building permit.

Streets: Six of the subject properties have frontage on East 15 Avenue to the south; one of the subject properties has frontage on Moss Street to the west; and the remaining two subject properties have frontage on Villard Street to the east. These sections of East 15th Avenue and Villard Street are maintained by the City of Eugene, and this section of Moss Street is privately maintained. Compliance with applicable street standards will be addressed at the time of future development.

Solid Waste: Collection service is provided by private entities. Regional disposal sites and the Short Mountain Landfill are operated by Lane County.

Water and Electric: Water and electrical services, operated by Eugene Water and Electric Board (EWEB) are available to the subject properties. Any future development will require coordination with EWEB staff to ensure that water and electric services comply with City standards and EWEB requirements.

Public Safety: Police protection for the subject properties is consistent with service provision throughout the City. Fire protection will be provided by the Eugene Springfield Fire Department. Emergency medical services are currently provided on a regional basis by the cities of Eugene and Springfield.

Transportation: The subject properties are accessible to pedestrians, bicycles, and vehicles via the surrounding street network. Two Lane Transit District public transit stops, the EmX Agate Station and Walnut Station, are located within ¼ mile of the subject properties, on Franklin Boulevard. Sidewalks and bikes lanes are present on both sides of East 15th Avenue.

Parks and Recreation: Parks and recreation programs are provided on a City-wide basis. The inclusion of the subject properties in the City is sufficient evidence to demonstrate the minimum level of this key urban service is met.

Planning and Development Services: Planning and building permit services are provided for all properties located within the urban growth boundary by the City of Eugene. The Eugene Code, Chapter 9, will provide the required land use controls for future development of property in the subject area.

Communication: A variety of telecommunication providers offer communications services throughout the Eugene/Springfield area. Therefore, these services are available, and this key urban service requirement is met.

Public Schools: The subject area is located within Eugene School District 4J. As access to schools is evaluated on a district wide basis, the property's location within the school district is sufficient evidence to demonstrate the minimum level of this key urban service is met.

Based on these findings, this criterion is satisfied.

EC 9.8865(4) The proposed zone change is consistent with the applicable siting requirements set out for the specific zone in:

(e) EC 9.2681 Public Land Zone Siting Requirements.

The applicant has requested a Zone Change to remove the /EC East Campus Overlay from nine tax lots. While the base zoning of the properties, PL Public Land, is not proposed to change, the Zone Change is consistent with the Public Land Zone Siting Requirements because the subject properties are owned solely by the University of Oregon, a public agency, and are developed with public (institutional) uses listed in EC 9.2682(1). This criterion is met.

EC 9.8865(5) In cases where the NR zone is applied based on EC 9.2510(1)(b), the property owner shall enter into a contractual arrangement with the city to ensure the area is maintained as a natural resource area for a minimum of 50 years.

This criterion does not apply because the Zone Change does not include the NR zone.

OAR 660-012-0060 - Transportation Planning Rule

While not an approval criterion included in Eugene Code, Zone Change applications are subject to Goal 12 Transportation of the Statewide Planning Goals, adopted by the Land Conservation and Development Commission. As such, Oregon Administrative Rule (OAR) 660-012-0060(1) must be specifically addressed as part of the requested Zone Change.

OAR 660-012-0060(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.

As discussed in the Refinement Plan Amendment and Code Amendment evaluations above, the two concurrent applications were evaluated for potential transportation system impacts, and the City Council has determined that the proposed amendments will not have a significant effect on the transportation system. In this case, the Zone Change also qualifies for an exemption from OAR 660-012-0060(2) under subsection (9), which is addressed below.

OAR 660-012-0060(9): Notwithstanding section (1) of this rule, a local government may find that an amendment to a zoning map does not significantly affect an existing or planned transportation facility if all of the following requirements are met.

(a) The proposed zoning is consistent with the existing comprehensive plan map designation and the amendment does not change the plan map;

(b) The local government has an acknowledged TSP and the proposed zoning is consistent with the TSP; and

(c) The area subject to the amendment was not exempted from this rule at the time of an urban growth boundary amendment as permitted in OAR 660- 024-220(1)(d), or the area was exempted from this rule but the local government has a subsequently acknowledged TSP amendment that accounted for urbanization of the area.

The City of Eugene’s adopted Eugene 2035 Transportation System Plan (2035 TSP) is the City’s acknowledged local transportation system plan. Per Chapter 3: Needs Assessment and Evaluation of the 2035 TSP, the needs assessment and resulting projects that establish a transportation system adequate to meet the identified local transportation needs are based upon the land use designations established by the Metro Plan. Generally, because the 2035 TSP is based on the Metro Plan land use designations, any zone allowed within the land use designation is consistent with both the Metro Plan and the 2035 TSP.

The removal of the /EC East Campus Overlay Zone from the subject properties is consistent with the subject properties’ land use designation in the Metro Plan. Therefore, the zoning of the subject properties is also consistent with the 2035 TSP. As the applicant has not requested an amendment to the Metro Plan designation, and as the subject properties’ base zoning of PL Public Land remains consistent with the Government and Education designation of the subject properties, the Zone Change complies with OAR 660-012-0060(9) and OAR 660-012-0060(1) is satisfied. Based on these findings, the Zone Change complies with the Transportation Planning Rule.

CONCLUSION

Based on the available information and evidence, and the preceding findings of compliance, the Refinement Plan Amendment, Code Amendment, and Zone Change comply with the applicable approval criteria.

Procedural Findings

The City processed the Refinement Plan Amendment, the Code Amendments, and the Zone Change as consolidated land use applications under the City’s Type IV quasi-judicial procedures. The specific procedural steps are described above in the Council’s Goal 1 findings.

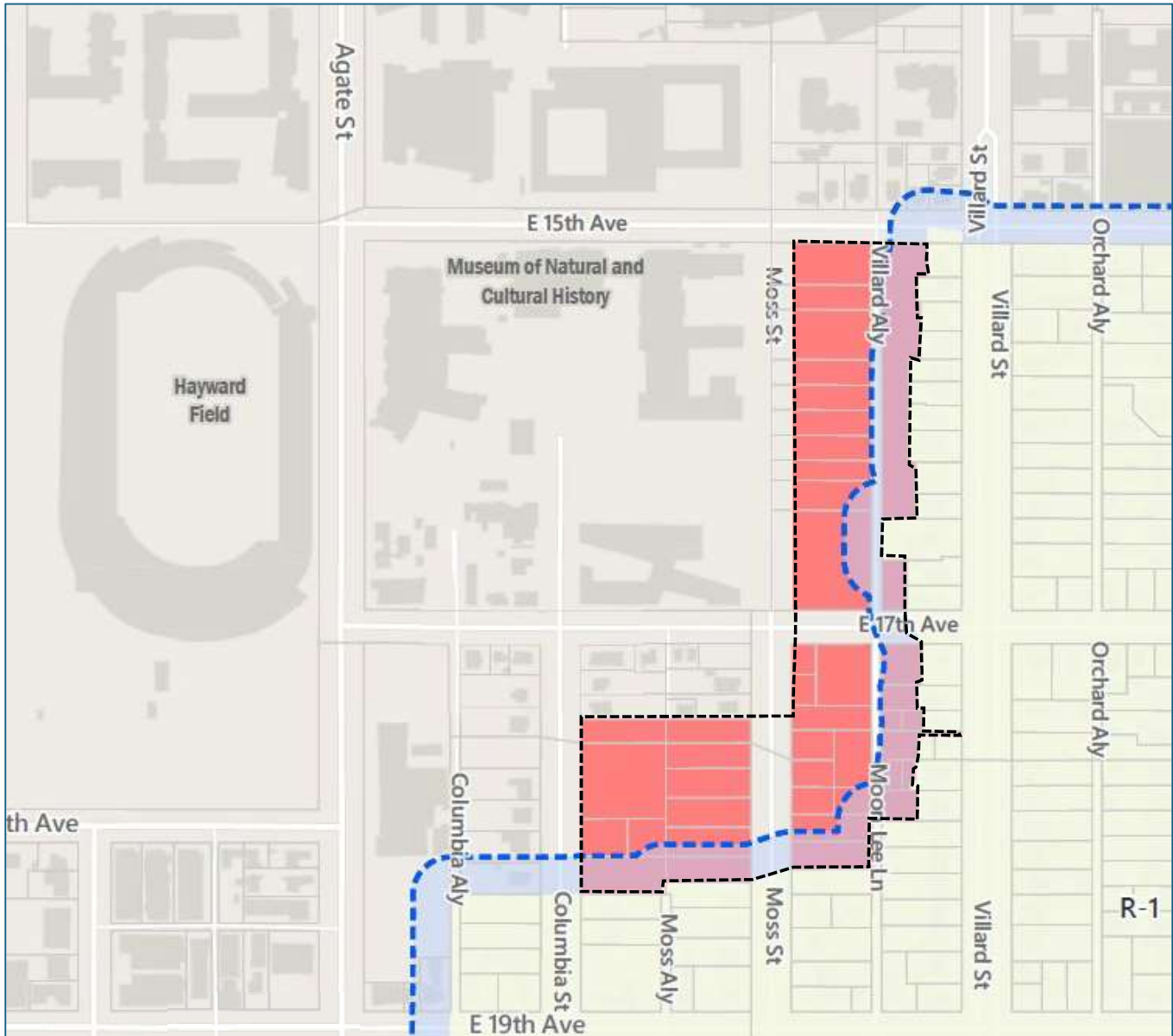
Interested parties argued that the consolidated applications were in fact “legislative” and not “quasi-judicial” and should have been processed under the City’s Type V procedures. The City Council finds that the Type IV process is appropriate in this case because of the site-specific







nature of the consolidated applications, the requirement that the City Council reach a decision on the applications, and the combination of land use decisions requested.

The Council finds that the University's proposal is site-specific under the City Code because all of the land that would be subject to changed development rules is within a small geographic area and is owned by the University. The Council further finds that, notwithstanding the general statement in EC 9.8060 that amendments to the Land Use Code are to be processed under Type V procedures, in this case, due to the site-specific nature of the applications, the use of quasi-judicial Type IV procedures was appropriate and is not prohibited by the Eugene Code. EC 9.8423 supports the use of Type IV procedures in this instance, by providing that site-specific refinement plan amendments are Type IV applications. In addition, Table 9.7055 and EC 9.8855(5) support the use of Type IV procedures, stating that Zone Changes processed concurrently with a Refinement Plan Amendment follow the applicable Refinement Plan procedure.

The Council also finds that, in this case, the City's Type IV and Type V processes are not meaningfully different in terms of public process. Both procedures require similar public notice and the same sequence of Planning Commission and City Council public hearings. Additionally, despite utilizing the quasi-judicial Type IV procedures in the Eugene Code to process the University's proposal, the City also provided notice of the Code Amendments and Refinement Plan Amendments to the Department of Land Conservation and Development, as it would as part of a Type V legislative process. As discussed in detail in the Council's findings of compliance with Goal 1, the Council finds that interested parties have had ample notice and opportunity to make their views heard in this proceeding, and to provide evidence and argument to support their views. Interested parties have submitted significant written testimony and provided extensive oral testimony to both the Planning Commission and the City Council.

East Campus University of Oregon
Code Amendment – Proposed Maximum Building Heights



-  R-1 Low-Density Residential Zone
-  75-Foot Buffer From Residentially Zoned Land
-  Proposed Boundary of /EC East Campus Overlay Zone
-  Area Subject to Proposed 85-Foot Maximum Building Height
-  Area Subject to Proposed 45-Foot Maximum Building Height
-  Tax Lots



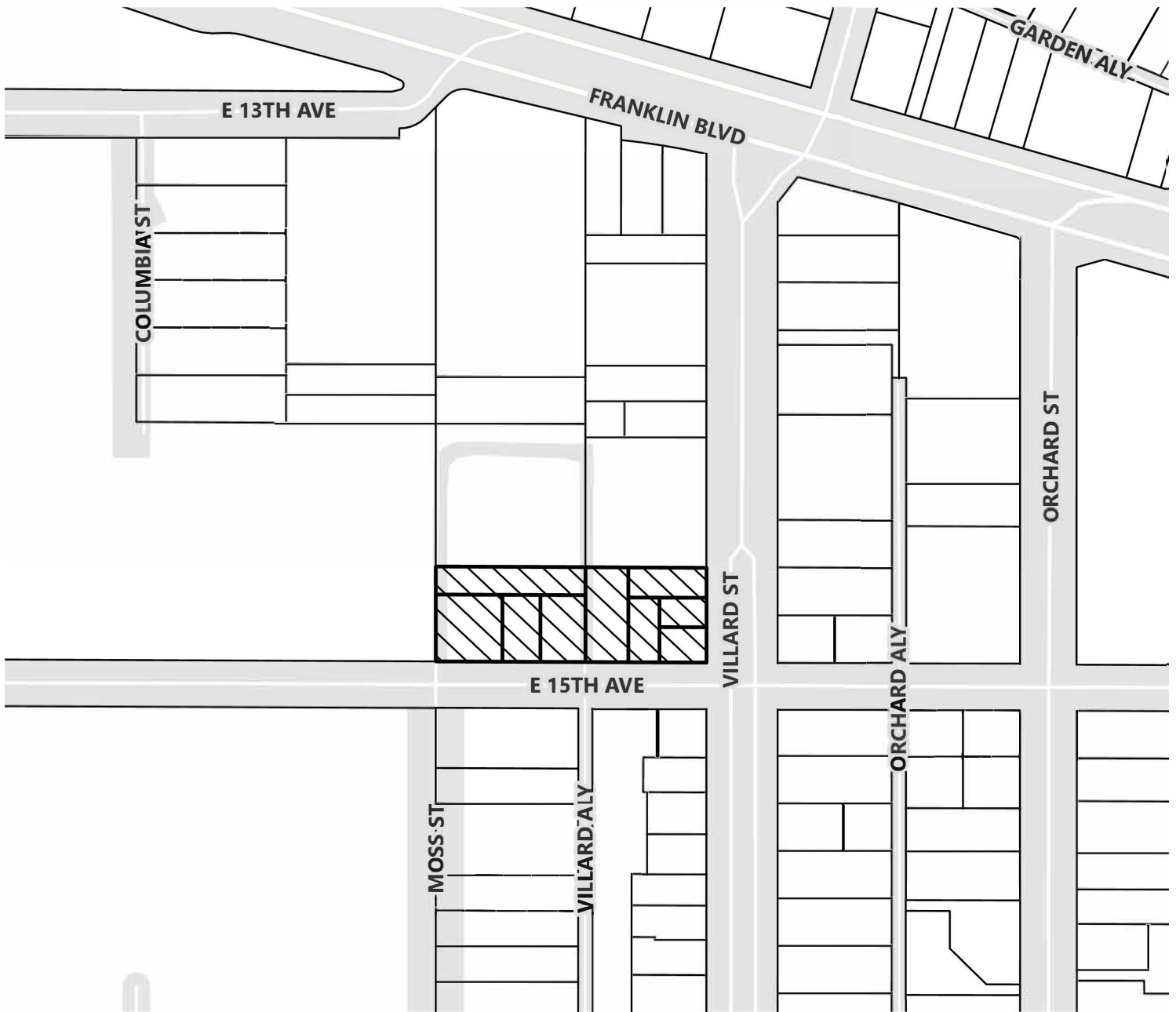
This map is intended for reference purposes only, to illustrate the areas impacted by the requested Code Amendment.

This map is based on imprecise source data, subject to change, and is for general reference only.



Proposed Zone Change

East Campus - University of Oregon (City Files: CA 25-02 / RA 25-01 / Z 25-03)
 Land Use Code Amendment, Refinement Plan Amendment, and Zone Change



- Taxlots
- Subject Properties for Zone Change to remove the /EC East Campus Overlay Zone*

*Subject Properties' base zoning (PL Public Land) is not proposed to change.

Subject Properties:
 Assessor's Map: 17-03-33-32
 Tax Lots: 07000, 07100, 07200, 07300, 07400,
 07500, 07600, 07700, & 07800



Caution: This map is based on imprecise source data, subject to change, and for general reference only.

Created on 9/16/2025
 by City of Eugene Planning Division



HOW TO USE THIS DOCUMENT

Proposed changes to the adopted Fairmount/University of Oregon Special Area Study (SAS) and Eugene Code **are shown in [Track Changes](#)**.

Differences between Version 1 of the ordinance (included in the Council's January 20, 2026, public hearing packet) **and Version 2** of the ordinance (reflecting the modifications requested by the applicant in their February 10, 2026, submission and included in the Council's April 20, 2026, public hearing packet) **are shown in [blue text and set out in text boxes](#)**.

ORDINANCE NO. _____

AN ORDINANCE AMENDING THE FAIRMOUNT/UNIVERSITY OF OREGON SPECIAL AREA STUDY TEXT AND DIAGRAM; AMENDING SECTIONS 9.4205, 9.4215, 9.4220, AND 9.9570 OF THE EUGENE CODE, 1971; REZONING THE PROPERTY IDENTIFIED AS ASSESSOR'S MAP 17-03-33-32, TAX LOTS 07000, 07100, 07200, 07300, 07400, 07500, 07600, 07700, AND 07800 TO REMOVE THE /EC EAST CAMPUS OVERLAY ZONE; AND PROVIDING AN EFFECTIVE DATE.

THE CITY OF EUGENE DOES ORDAIN AS FOLLOWS:

Section 1. The text of the Fairmount/University of Oregon Special Area Study (SAS) as adopted by Resolution No. 3719 and amended by Ordinance Nos. 20312 and 20460, is further amended as follows:

(a) The second-to-last paragraph in the "Introduction to the Plan Area" subsection of Section I ("Introduction, Overview, and Goals") of the SAS is amended to provide as follows:

INTRODUCTION TO THE PLAN AREA

This Special Area Study contains select policies from the University of Oregon's 2003 East Campus development policy, [with updates informed by the 2024 East Campus Area Plan](#), affecting land owned by the University. These policies are contained in the land use section of this Special Area Study. The University policies not adopted into this Special Area Study will guide the University in its planning and decision making regarding public

facilities and services in the east campus area. The Special Area Study will be consulted in the public's evaluation of private and public development requests. It is intended that this Special Area Study will gain wide circulation so that the private sector and the University, as well as other institutional and commercial land holders, will consult and take guidance from this plan in forming plans that have an effect in this area.

This paragraph has been updated to clarify that the SAS includes "policies from the 2003 East Campus development policy with updates informed by the 2024 East Campus Area Plan." Version 1 of the ordinance deleted the reference to 2003 plan and only stated that the SAS included policies from the 2024 plan.

(b) The "Planning Process" subsection of Section I ("Introduction, Overview, and Goals") of the SAS is amended to provide as follows:

The Planning Process

In 2002, the University of Oregon began a comprehensive update of its east campus development policy. The goal of the update was to provide for the future campus land needs without diminishing the quality of the surrounding neighborhood. Since the 1982 adoption of the SAS, the University has developed numerous facilities within the east campus area (~~Knight Law School, Museum of Natural History, Graduate Student Housing, East Campus Children's Center~~ William M. Knight Law School, Museum of Natural & Cultural History, Vivian Olum Child Development Center, and graduate student housing). The area's development potential, as constrained by SAS policies, University East Campus policies, and University Long Range Development Plan policies, had been almost maximized.

The amended Land Use Diagram (Map 6) reflects the expanded Institutional area, ~~Limited High Density Residential~~/Limited Institutional area, and Low Density Residential buffer established to meet the goal of the policy update. An explanation of the process used to develop the University's updated East Campus Development Policy is contained in Section II. E of this Plan.

Version 1 of the ordinance deleted the paragraph above. Version 2 only deletes the reference to the Limited High Density Residential designation.

In May 2005, the City of Eugene, in cooperation with the University of Oregon and the State of Oregon, initiated a planning process for an area along Franklin Boulevard known as "Walnut Station" which included the area between Franklin Boulevard and East 15th Avenue that had been studied as part of the Fairmount/University of Oregon Special Area Study. The first phase of the Walnut Station project focused on developing a common vision for that study area. The second phase of the Walnut Station project began in October 2006 and focused on development of a mixed use development plan (also known as a specific area plan). The Walnut Station Specific Area Plan was adopted in 2010 and included strategies for the area based on the foundation laid out in the visioning process which included:

- Redesign of Franklin Boulevard to support the pedestrian and transit-friendly mixed use development concept;
- Improvements to the pedestrian and bicycle circulation systems;
- Redesign of side streets to improve operations, parking capacity and appearance of the other streets within the study area;
- Identification of appropriate development patterns and intensities of development within the area.

With the adoption of the Walnut Station Specific Area Plan, the City Council removed from the Fairmount/University of Oregon Special Area Study most of the area north of East 15th Avenue. The Land Use Diagram (Map 6) reflects the Fairmount/University of Oregon Special Area Study boundaries after the removal of Walnut Station area's Commercial, Office and Low or Medium Residential areas.

In moving these properties from the Fairmount/University of Oregon Special Area Study to the Walnut Station Specific Plan and Special Area Zone, careful consideration was given to the Metro Plan Diagram as refined by the Fairmount/University of Oregon Special Area Study and to the zoning conditions at that time. As East 15th Avenue acts as a transition from primarily commercial zoning and uses, special emphasis was placed on East 15th Avenue as a transition edge. Development standards adopted for the Walnut Station Special Area Zone include a height step-down to three stories along East 15th Avenue, and an increased setback from 0 to 10' to match residential properties across the street and design standards were included to provide a residential scale. Policies relevant to these properties were also included in the Walnut Station Specific Area Plan.

[In 2023, the University began a second update to its policies for the east campus area. The updates from this process resulted in the East Campus Area Plan, which the University adopted in December 2024. The East Campus Area Plan's goal, which continues to align with the goals of this Plan, is to meet the needs of the growing student population without diminishing the quality of the surrounding neighborhood Area.](#)

Version 1 of the ordinance included the following additional sentence at the end of the paragraph above: "The amended Land Use Diagram (Map 6) incorporates the updates to the East Campus Area Plan in this Plan. The amended land use diagram includes revised terms for the Land Use Diagram's Uses to align with the simplified plan areas included in the East Campus Area Plan."

[The University-owned properties north of 15th are redesignated from Limited Institutional to Institutional Use to reflect their development as high-density housing, and the description of the Limited Institutional area is amended to allow university and college dormitories \(residence halls\). An explanation of the process used to develop the University's updated East Campus Area Plan is contained in Section II. E of this Plan.](#)

(c) Paragraph 8 under the “Land Use” heading in the “Goals for the Fairmont Special Area Study” subsection of Section I (“Introduction, Overview, and Goals”) of the SAS is amended to provide as follows:

GOALS FOR THE FAIRMOUNT SPECIAL AREA STUDY

LAND USE

8. To respond to the need expressed in the Metro Plan for institutional use along Agate Street in the zone of University land ownership, and to provide that non-institutional, limited high density residential and limited institutional uses serve as a buffer between intensive institutional uses and the existing single-family residential area south of 15th Avenue or east of the University East Campus ~~Limited High Density Residential/Limited Institutional/Limited Institutional~~ area.

Version 1 of the ordinance changed the reference in the paragraph above from “15th” to “17th”.

(d) The “Introduction” subsection of Section II (“Land Use”) of the SAS is amended to provide as follows:

II. LAND USE SECTION

Introduction

This section examines how land within the special study area should be used and shared by the institutions, businesses, and housing and how the residential uses should be protected and upgraded so that their coexistence and compatibility with other uses is ensured.

The Fairmount Special Study Area is situated between a wide variety of land uses: its edges are Hendricks Park to the east, the University’s Hayward Field and athletic fields to the west, commercial activities along Franklin Boulevard to the north, and single-family residential uses south of 19th Avenue. Generally, the University ownership extends from Agate Street to Villard Street and from about 14th Avenue to about 18th Avenue. The area between 15th and 17th avenues, and Agate and Moss streets consists of institutional University uses and parking, with the University ownership between Moss Street and Villard Street being primarily devoted to residential uses. The area east of Moss Street and south of 17th Avenue is primarily devoted to single-family residential development. The land between 15th Avenue and Franklin Boulevard is generally devoted to ~~commercial enterprises and includes Williams Bakery and Romania Chevrolet. There are some non-residential uses on the south side of 15th Avenue; these are Tommy Williams Florist at 15th Avenue and Walnut Street and Maude Kerns Art Center at 15th Avenue and Villard Street. The State Department of Transportation owns land east of Walnut Street and north of 15th Avenue, and this land contains the East Eugene office of the State Department of Motor Vehicles, the Eugene office of the Oregon State Police, the District~~

~~Engineer's office, and the maintenance facility of the Highway Division. Condon/Magnet Arts Elementary School lies south of 17th Avenue fronting on Agate Street~~ University uses, parking, residential uses, and commercial uses. University uses include Matthew Knight Arena and Ford Alumni Center. Residential uses include the East Campus Graduate Village, Orchard Crossing Apartments, and other smaller apartment buildings. South of ~~Condon~~ Agate Hall at the 19th Avenue and Agate Street intersection is a neighborhood commercial node which contains food services, as well as other neighborhood-oriented businesses. Agate Playground, a University park and open space area, is located on Agate Street between Agate Hall and commercial businesses on 19th Avenue. There is a small City park (called Fairmount Park) at the southwest corner of 15th Avenue and Fairmount Boulevard.

Version 1 of the ordinance included the following additional language about "University uses" in the previous paragraph: "the Romania property (primarily used for University storage and parking), and Transportation Services and UO Police Department (which is on land formerly owned by ODOT). The Romania property is planned for redevelopment as housing and commercial uses." The previous paragraph also included Skybox Apartment as a listed residential use.

(e) Policy Nos. 2, 3 and 6 under the "General Policies" subsection of Section II ("Land Use") of the SAS are amended to provide as follows:

General Policies

2. With the exception of 1) the "Institutional Area" ("I" on the Land Use Diagram), and 2) the ~~Limited High Density Residential/Limited Institutional Area ("LHDR/LI" on the Land Use Diagram)~~ Limited Institutional Area ("LI" on the Land Use Diagram), non-residential zoning shall not be expanded in the study area.
3. With the exception of University lands designated as "Institutional" or "~~Limited High Density Residential/Limited Institutional~~" "Limited Institutional," zone changes to increase residential density or commercial intensity are not supported by this plan.

6. The University, City, and Fairmount Neighbors shall continue their participation in the University/Community Liaison Committee. The University shall continue to attend meetings of the Fairmount Neighborhood Association as needed to inform the association about updates to the East Campus Area Plan.

Version 1 used the phrase "involve the association in updates." Version 2 uses the phrase "inform the association about updates."

(f) Policy Nos. 1 and 2 under the subsection A ("The Core Residential Area") of Section II ("Land Use") of the SAS are amended to provide as follows:

A. THE CORE RESIDENTIAL AREA

Policies

1. With the exception of 1) the “Institutional Area” (“I” on the Land Use Diagram); and 2) the ~~Limited High Density Residential/Limited Institutional Area (“LHDR/LI” on the Land Use Diagram)~~ Limited Institutional Area (“LI” on the Land Use Diagram), non-residential zoning shall not be expanded in the study area.
2. With the exception of University lands designated as “Institutional” or ~~“Limited High Density Residential/Limited Institutional”~~ “Limited Institutional,” zone changes to increase residential density or commercial intensity are not supported by this plan.

(g) Policy No. 1 of subsection C (“The 19th and Agate Neighborhood Commercial Development”) of Section II (“Land Use”) of the SAS is amended to provide as follows:

C. THE 19TH AND AGATE NEIGHBORHOOD COMMERCIAL DEVELOPMENT

Policies

1. With the exception of 1) the “Institutional Area” (“I” on the Land Use Diagram), and 2) ~~the Limited High Density Residential/Limited Institutional Area (“LHDR/LI” on the Land Use Diagram)~~ Limited Institutional Area (“LI” on the Land Use Diagram), non-residential zoning shall not be expanded in the study area.

(h) The “Description and Statement of the Problem” subsection of subsection E (“The University of Oregon Lands”) of Section II (“Land Use”) is amended to provide as follows:

E. THE UNIVERSITY OF OREGON LANDS

Description and Statement of the Problem

University ownership extends into a substantial portion of the Core Residential Area. The University owns most (but not all) of the properties between Agate and Villard streets and between where 14th Avenue would be to within two to three house lots of 19th Avenue on the south (see Map 6). Purchase of remaining private properties within that zone continues, in accord with the University’s formally adopted plans for future development.

When the purchasing of properties east of Agate Street began, it was with the expectation of continuous expansion. Certain areas were cleared of the houses on them with that immediate need in view. However, short-range conditions changed, expansion of the campus-proper in that direction came to a halt, and the need for growing space was seen as lying somewhat farther in the future. Thus, the University has become a landlord of several blocks of single-family type houses and the owner of a parking lot which had been formed on the cleared lands.

Years of uncertainty about University intentions with regard to this large tract of property directly within the neighborhood has had an effect upon owners of adjacent and nearby properties, and to a lesser degree, upon the Fairmount neighborhood as a whole. Compounding the effect was the steady erosion of the appearance of the University-owned houses. Growth of the campus also brought increased traffic and many automobile-related problems, such as storage of cars on neighborhood streets and daytime parking by commuting University students who have not purchased University parking permits.

Through efforts made by the Fairmount Neighbors Planning Committee and by representatives of the University Planning Office ([now Office of Campus Planning](#)), the University of Oregon Plan for Development: East Campus Area, was developed and included as part of this section in the 1982 Plan. Pertinent policies contained in that Plan for Development were endorsed by the Fairmount Neighbors Special Area Planning Committee and parallel policies adopted for its special area plan. Future cooperation between the University and the neighborhood may bring diminution of some of the other persistent problems.

Version 1 of the ordinance deleted the final sentence of the previous paragraph and replaced it with the following language: “Ongoing coordination and cooperation between the University and the neighborhood has been successful in providing for the expansion of institutional uses and housing options without diminishing the quality or adversely altering the character of the neighborhood.”

The 1982 University Development Policy was in place for 20 years. It accomplished evolution of the campus through an orderly pattern in which increased intensity of land use proceeded without “leapfrogging.”

In 2002, the University of Oregon began a comprehensive update of its East Campus Development Policy. The goal of the update was to provide for the future campus land needs without diminishing the quality of the surrounding neighborhood. Since the 1982 adoption of the SAS, the University has developed numerous facilities within the East Campus area (Knight Law School, Museum of Natural History, Graduate Student Housing, East Campus Children’s Center). The area’s development potential, as constrained by SAS policies, University East Campus policies, and University Long Range Development Plan policies, had been almost maximized.

The amended Land Use Diagram (Map 6) reflects the expanded Institutional area, Limited High Density Residential/Limited Institutional area, and Low Density Residential buffer established to meet the goal of the 2003 University East Campus policy update. The University utilized an extensive public involvement process in forming the update, including numerous open houses, meetings, and mailings to the Fairmount neighbors and the neighborhood organization. Neighbor comments were considered in the development of the University’s 2003 East Campus Development Policy and were incorporated into the policy as appropriate. The East Campus Development Policy was adopted by the President’s Office in April 2003 but was not adopted by the Eugene City Council. Future projects in the area will likely include support services, such as housing, offices and research space, that do not need to be within the University’s established 7-minute walking distance of the core instructional area.

In September 2003, the University submitted an application to amend the 1982 Fairmount/University of Oregon Special Area Study for the purpose of incorporating

changes in the plan made necessary by the University's adoption of the 2003 East Campus Development Policy. Commenting on the application, the Fairmount Neighborhood Association expressed concerns about the effectiveness of the proposed East Campus Development Policy in mitigating the impacts of University development on the surrounding neighborhood. The association subsequently commissioned the Fairmount Neighborhood Association East Campus Committee (Committee) to represent the neighborhood interests in the public hearing process. The Committee submitted testimony commenting on each of the University's individual proposals. While the Committee expressed support for many of the ideas and proposals put forth in the application, they also suggested modifications to certain policies or plan text and replacements or additions to other policies and text.

Following the public hearing, the City engaged University staff and Committee representatives in a mediation process to seek agreement and resolve differences on the proposed policy and text amendments. Agreement between the University and Committee was reached on most of the issues discussed; those agreements are reflected in the maps, policies and other text adopted through this amendment process.

In 2023, the University of Oregon began a second update to its policies for the East Campus Area. The updates from this process resulted in the East Campus Area Plan, adopted by the President's Office in December of 2024. The goal of the update was to meet the needs of the growing student population without diminishing the quality of the surrounding neighborhood. After approximately 20 years of successfully developing projects under the 2004 land use policies, it became clear that the University's future development needs could not be met without altering the 2004 policies that define allowed uses and development densities for university-owned lands. With limited amounts of land remaining within the central academic core that must be reserved for future academic instructional functions, future student housing and support services were left without viable development sites.

The process of developing the East Campus Area Plan included extensive public involvement activities. This engagement included outreach to community members; small group sessions with local neighborhood associations and business owners; open house events for residents, students, and other stakeholders; ongoing communication with representatives from the City of Eugene; and meetings with affected university departments and programs.

Version 1 of the ordinance included the following language:

"In general, findings from the public involvement process indicated that impacted community members and user groups want the university to prioritize the development of affordable and diverse housing options that facilitate a sense of connectivity with the central campus area and are supported by adequate transportation infrastructure. Comments from this process were considered in the development of the East Campus Area Plan.

The amended Land Use Diagram (Map 6) and policy changes incorporate the changes from the East Campus Area Plan into the Fairmount/University of Oregon Special Area Study. The amended land use diagram includes revised terms for the diagram's uses to align with the plan area names included in the East Campus Area Plan. The diagram was also amended to redesignate the University-owned properties north of 15th from Limited

Institutional to Institutional Use, to reflect their potential for development of high-density housing, and to allow university and college dormitories (residence halls) in the Limited Institutional area.”

In March 2025, the University submitted an application to amend the 1982 Fairmount/University of Oregon Special Area Study for the purpose of incorporating changes in the plan made necessary by the University’s adoption of East Campus Area Plan.

Version 1 of the ordinance would have deleted the section of the SAS titled “Findings for the University Lands Bounded by Agate and Moss Streets and 17th and 15th Avenues.” This version of the ordinance will not delete that section of the SAS.

(i) Policy No. 1 under the “East Campus Area” subsection of subsection E (“University of Oregon Lands”) of Section II (“Land Use”) of the SAS is amended, policy no. 9 of that subsection is amended and renumbered, policy nos. 6, 7, and 8 of that subsection are renumbered, and policy no. 5 of that subsection is deleted to provide as follows:

Policies – East Campus Area

1. The City of Eugene and the Fairmount Neighbors recognize the current University-adopted ~~East Campus Policy~~ East Campus Area Plan as a statement of University policy.

Version 1 of the ordinance would have amended policy 4, which provides: “The City shall encourage the University to develop its high- and medium-density residential units with concern for adequate parking and appropriate parking solutions, regard for landscaping, and consideration of the impact on the rest of the neighborhood,” to delete the words “concern for adequate parking.” Version 2 of the ordinance will not amend Policy 4.

~~5. The City shall encourage the University to consolidate nonresidential uses that currently are scattered throughout the area into the portions of the plan area reserved for institutional use, returning structures thus vacated to residential use.~~

- ~~6~~5. On University-owned East Campus lands within the state-approved University boundary, the following policies shall apply in the Low Density Residential area...

Version 1 of the ordinance would have amended policy 5 to delete the words “Low Density” from “Low Density Residential area.”

- ~~7~~6. The University shall ensure long-term maintenance for street-front landscaping on University-owned properties along Villard Street.

87. In an effort to maintain the Fairmount Neighborhood’s character, the University shall consider contributing ranked historic houses that must be moved from other areas within the state-approved University lands due to development plans for infill projects, or to replace a non-contributing house in the University-owned Low Density Residential area, if feasible.

Version 1 of the ordinance would have deleted the previous policy.

98. The City shall attach the site review overlay zone to the University’s properties at the northwest corner of 15th and Villard. ~~In addition, Site Review shall be required for new development within 100 feet of the one privately-owned, owner-occupied parcel within the /EC East Campus Overlay Zone (TL 3400, map 17-03-32-44) as long as the property is privately owned.~~

(j) Proposal 1 of the “Proposal—East Campus Area” subsection of subsection E (“University of Oregon Lands”) of Section II (“Land Use”) of the SAS is amended to provide as follows:

Proposal--East Campus Area

1. The City shall attach the site review overlay zone to the University’s properties at the northwest corner of 15th and Villard and shall apply a special East Campus Overlay Zone specifying height limitations in the area designated as ~~Limited High Density Residential/Limited Institutional~~ Limited Institutional on the Land Use Diagram. ~~In addition, Site Review shall be required for new development within 100 feet of the one privately owned parcel within the /EC East Campus Overlay Zone that is owner-occupied (TL 3400, Map 17-03-32-44, a portion of Parcel 1, Block 17, Fairmount Addition), as long as the property is privately owned.~~

(k) The “University of Oregon Development Policy: East Campus Area” subsection of Section II (“Land Use”) of the SAS is amended to provide as follows:

The University adopted an updated ~~East Campus Development Policy in 2003~~ [East Campus Area Plan in 2024](#). It is generally consistent with the policies, text, and land use diagram contained within this plan as amended. The University will use the updated ~~policy plan~~ [policy plan](#) for its internal development review process. Select policies contained within the ~~2003 University East Campus Development Policy~~ [2024 East Campus Area Plan](#) have been adopted within this special area study. All applicable City of Eugene regulations remain in effect.

(I) The “Residential,” “Institutional” and “Limited Institutional” descriptions in the “Land Use Diagram Text” subsection of Section II (“Land Use”) of the SAS are amended to provide as follows:

LAND USE DIAGRAM TEXT

Low-Density Residential (L)

This area generally encompasses the south and east portions of the special study area. This area is to remain in low density residential use with emphasis on preserving and maintaining the single family character which currently exists and is considered an integral part of the neighborhood. On University-owned lands within the state approved University boundary, the limitations on Conditional Uses described in Policy #56 of the University of Oregon Lands Policies - East Campus Area apply. Maintaining the symmetry along Villard Street between 15th and 19th Avenues is important. However, the University-owned Low Density Residential area not facing Villard Street may be developed as passive or active open space to provide a buffer from the adjacent low density residential area.

Version 1 of the ordinance would have renamed the “Low Density Residential (L)” designation as “Residential (R),” deleted the words “Low Density” in the previous paragraph and added the following final sentence to the previous paragraph: “The Residential area should create a transition between the campus and the adjacent low-density residential neighborhood. These areas are devoted primarily to middle housing for student families.” None of those changes are proposed in Version 2.

Institutional (I)

The institutional area contains a number of uses including but not limited to automobile parking, residence halls, various University offices and uses, a fire station, and Agate Hall. The entire area is owned by the University (State Board of Higher Education) with the exception of 2 privately owned residential lots. All University related uses are allowed in this area.

~~Limited High-Density Residential / Limited Institutional (LHDR/LI)~~ Limited Institutional (LI)

This area serves as a transition between the more intensive institutional uses to the west and north and the low density residential development to the east and south. ~~Future uses include university housing (excluding dorms) and support services such as offices, outdoor recreation uses, storage, parking, and open space.~~ This area provides development opportunities for a mix of university-owned, high-density student housing, including residence halls and institutional uses. Addressing on-campus student housing needs shall have priority. Development will be regulated by the Eugene Code, including an East Campus Overlay Zone where it has been applied, specifying special development standards for this area, and by the University’s East Campus ~~Policies Area Plan~~ (see ~~East Campus Policy~~ East Campus Area Plan adopted by the University for detail).

(m) Policy No. 2 under subsection A (“Traffic Circulation”) of Section III (“Transportation and Parking”) of the SAS is amended to provide as follows:

A. Traffic Circulation

Policies

2. Primary vehicular access to the former Oregon Department of Transportation Lands, which now contains UO Parking, UO Transportation Services, and UO Police Department, should minimize impact on nearby residences and Fairmount Park.

Section 2.

(a) The Fairmount/University of Oregon Special Area Study Land Use Diagram (Map 6) is replaced with the Land Use Diagram attached to this Ordinance as Exhibit A.

(b) The properties depicted on the Fairmount/University of Oregon Special Area Study Land Use Diagram (Map 6) are redesignated as shown in Exhibit B to this Ordinance; from “Limited High Density Residential/Limited Institutional” to “Institutional” and as shown in Exhibit C to this Ordinance; from “Limited High Density Residential/Limited Institutional” to “Limited Institutional.”

Version 1 of the ordinance would also have redesignated properties from “Low Density Residential” to “Residential.” Version 2 of the ordinance does not redesignate any Low Density Residential properties.

Section 3. Section 9.4205 of the Eugene Code, 1971, is amended to provide as follows:

9.4205 /EC East Campus Overlay Zone Siting Requirements.

If consistent with the approval criteria in EC 9.8865 Zone Change Approval Criteria, the /EC Overlay Zone may be applied to the area depicted as ~~Limited High Density Residential~~/Limited Institutional on the Fairmount/University of Oregon Special Area Study Land Use Diagram.

Section 4. Subsection (1) of Section 9.4215 of the Eugene Code, 1971, is amended by deleting subsection (1)(c) and renumbering subsections (1)(d) through (1)(s) to provide as follows:

9.4215 IEC East Campus Overlay Zone Prohibited Uses and Special Use Limitations.

(1) *Prohibited Uses.*

(a) Structured parking.

(b) Broadcasting studios including commercial and public education.

~~(c) University and college dormitories.~~

(~~d~~c) Fraternities and sororities.

(~~e~~d) Hospitals.

(~~f~~e) Retail use requiring a Transportation Impact Analysis.

(~~g~~f) Manufacturing and assembly uses.

(~~h~~g) Arenas.

(~~i~~h) Heliports and helistops.

(~~j~~i) Recycling and large collection facilities.

(~~k~~j) Recycling scrap and dismantling yards.

(~~l~~k) Race tracks, including drag strips and go-cart tracks.

(~~m~~l) Sewage treatment plants.

(~~n~~m) Correctional facilities.

(~~o~~n) Parking lots exceeding 100 spaces.

(~~p~~o) Service stations.

(~~q~~p) Mineral resource mining.

(~~r~~q) Blood banks.

(~~s~~r) Plasma centers.

Section 5. Subsection (2) of section 9.4220 of the Eugene Code, 1971, is amended to provide as follows:

9.4220 /EC East Campus Overlay Zone Development Standards.

(2) *Building Height.* Within the /EC East Campus Overlay Zone, a building within ~~60~~⁷⁵ feet of an R-1 Low Density Residential zone shall not exceed ~~30~~⁴⁵ feet in height. All other buildings shall not exceed ~~45~~⁸⁵ feet in height.

Section 6. Subsections (2), (3) and (5) of section 9.9570 of the Eugene Code, 1971, are amended to provide as follows:

9.9570 Fairmount/U of O Special Area Study Policies.

(2) *University of Oregon Lands Policies (East Campus Area).*

(a) The City of Eugene and the Fairmount Neighbors recognize the current University-adopted East Campus ~~Policy~~^{Area Plan} as a statement of University policy governing land use in the East Campus Area. (Policy 1)

(b) The City shall encourage the University to use its property in East Campus in an orderly fashion: intensity of use will be greatest near the already dense Central Campus Area (Agate Street and 15th Avenue) and become less intense as the properties approach low-density residential uses. (Policy 2)

(c) The City shall encourage the University to use its lands currently zoned PL (Public Land District) with energy and space efficient structures and land-use patterns. (Policy 3)

(d) The City shall encourage the University to develop high- and medium-density residential units with concern for adequate parking and appropriate parking solutions, regard for landscaping, and consideration of the impact on the rest of the neighborhood. (Policy 4)

Version 1 of the ordinance would have deleted the words “concern for adequate parking” but since Version 2 of the ordinance does not amend the SAS policy, Version 2 also does not amend the codified version of Policy 4.

~~(e) The City shall encourage the University to consolidate nonresidential uses that currently are scattered throughout the area into the portions of the plan area reserved for institutional use, returning structures thus vacated to residential use. (Policy 5)~~

~~(f)~~^e On University-owned East Campus lands within the state approved University boundary, the following policies shall apply in the Low Density Residential area:

5. The Low Density Residential area along the south edge of the East Campus Area may be developed as passive or active open space. (Policy [65](#))

6. Conditional uses shall not exceed a total of 35,000 square feet within the Low Density Residential area.

Version 1 of the ordinance would have deleted the words “Low Density,” but since Version 2 of the ordinance does not remove the words “Low Density” from the SAS policy, Version 2 also does not amend the codified version of Policy 5.

(~~g~~f) The University shall ensure long-term maintenance for street-front landscaping on University-owned properties along Villard Street. (Policy [76](#))

(~~h~~g) In an effort to maintain the Fairmount Neighborhood’s character, the University shall consider contributing ranked historic houses that must be moved from other areas within the state-approved University lands due to development plans for infill projects, or to replace a non-contributing house in the University-owned Low Density Residential area, if feasible. (Policy [87](#))

Version 1 of the ordinance would have deleted the previous subsection, but since Version 2 of the ordinance does not delete the SAS policy, Version 2 also does not amend the codified version of Policy 7 (formerly Policy 8).

(~~h~~i) The City shall attach the site review overlay zone to the University’s properties at the northwest corner of 15th and Villard. ~~In addition, Site Review shall be required for new development within 100 feet of the one privately-owned, owner-occupied parcel within the /EC East Campus Overlay Zone (TL 3400, Map 17-03-32-44) as long as the property is privately-owned.~~ (Policy [98](#))

(3) *Traffic Circulation Policies.*

(a) The adverse effects of motor vehicle movement shall be mitigated as much as possible. (Policy [21](#))

(b) Traffic management techniques shall continue to be used and new techniques developed to reinforce the idea of a hierarchy of streets in the plan area. Some streets shall combine their local, collector, or arterial function with a role as primary pedestrian or bicycle ways. The use of low-volume, local neighborhood streets for through movements by truck and heavy construction equipment shall be discouraged. (Policy [42](#))

(c) By March, 2005, the City shall initiate a study of Agate Street between Franklin Boulevard and 19th Avenue. That study, conducted jointly with the University and the Fairmount Neighborhood Association, shall identify strategies to improve the function and carrying capacity of Agate according to the City criteria for its designated street classification. The City will implement the necessary changes. The University will participate in those improvements as development occurs and as required by the City code, to the extent that the University is directly responsible for the needed improvements. (Policy [64](#))

(d) The City, with the cooperation of the University and the Fairmount Neighborhood Association, shall initiate an area-wide traffic calming study for the streets within the Fairmount/University of Oregon Special Area Study boundary to determine appropriate mitigation for through-traffic utilizing neighborhood streets. Such study shall be initiated prior to December, 2008, subject to availability of funds. In the event that the City updates the Central Area Transportation Study (CATS) prior to 2008, the City shall fund and initiate an area-wide traffic calming study as part of the CATS update to determine appropriate mitigation measures for the subject area. (Policy [75](#))

(e) If a Traffic Impact Analysis that is required by the City Code projects that a proposed development will increase traffic on streets within the single-family neighborhood to the east and south of University-owned land, the City shall require the applicant to mitigate those impacts through use of traffic calming strategies or other mechanisms designed to discourage through traffic. (Policy [86](#))

(f) With the exception of alleys, vacations of streets within the state-approved University East Campus boundary should not be permitted, unless the applicant, at his or her expense, provides to the City a local street connection study that demonstrates how the proposed street system remaining after such vacation meets the intent of the Eugene Code street connectivity provisions and that such vacation will not increase traffic volumes on local residential streets. (Policy [97](#))

(5) *Bicycle and Pedestrian Policies.* Existing and future businesses shall be encouraged to provide safe and covered bicycle parking for employees and patrons. (Policy [31](#)) The use of bicycles, mass transit, walking, carpooling, and other appropriate alternative modes of transportation, especially by employees working in the plan area, shall be actively encouraged and provided for in order to reduce automobile dependence and alleviate traffic and parking problems. (Policy [42](#))

Section 7. The property identified as Assessor's Map 17-03-33-32, Tax Lots 07000, 07100, 07200, 07300, 07400, 07500, 07600, 07700, and 07800 is rezoned to remove the /EC East Campus Overlay Zone from the property as more particularly shown in Exhibit D attached to this Ordinance.

Section 8. The findings set forth in Exhibit E attached to this Ordinance are adopted as findings in support of this Ordinance.

Section 9. 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 10. If any section, subsection, sentence, clause, phrase, or portion of this Ordinance is for any reason held invalid or unconstitutional by the Oregon Land Use Board of Appeals or 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. Further, if this Ordinance is remanded back to the City Council for further action by the Oregon Land Use Board of Appeals or a court of competent jurisdiction, those sections, subsections, sentences, clauses, phrases, or portions that do not require action on remand shall be deemed separate, distinct, and independent provisions and such remand shall not affect their validity or effect.

Section 11. 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 _____, 2026

Approved by the Mayor this
___ day of _____, 2026

City Recorder

Mayor