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# NOTICE OF PUBLIC HEARING

Tuesday, October 14, 2025, 5:30 p.m.

**Virtual Meeting** (See attendance information on last page)

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The Eugene Planning Commission will hold a virtual public hearing to consider:

**File Name (#):** Public Health Standards Code Amendments (CA 25-3)

**Request:** Planning Commission will hold a virtual Public Hearing on a land use code amendment to improve the coordination with Public Health Regulatory Partners.

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## Public Health Standards Code Amendments

The Planning Commission will hold a virtual public hearing on a proposed land use code amendment to improve the coordination with Public Health Regulatory Partners. Based on City Council direction, the proposed land use code amendment will require that an applicant demonstrate, prior to the issuance of City Development permits, that either:

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

The proposed land use code amendment would require developers of property zoned E-2 Mixed-Use Employment, I-2 Light-Medium Industrial, and I-3 Heavy Industrial to provide documentation that they have obtained or are on the path to obtain all required water, land, and air permits prior to the issuance of a building permit.

For more information: <https://www.eugene-or.gov/5359/Public-Health-Standards>

## Procedures & Approval Criteria

These proposed land use code amendment will be processed using the Type V land use application (legislative) procedures in Eugene Code (EC) 9.7500-9.7560. Following this initial public hearing, the Planning Commission will deliberate and make a recommendation to the City Council. The City Council will hold a separate public hearing, then deliberate and make the final local decision on the proposed land use code amendment. Separate notice of the City Council public hearing will be provided.

In making a recommendation on this proposed code amendment to the City Council, the Planning Commission will address the relevant approval criteria from the Eugene Code at EC 9.8065, available at <https://eugene.municipal.codes/EC/9.8065>. Testimony and evidence submitted to the Planning Commission should be directed toward the applicable approval criteria in EC 9.8065, or other criteria in the City's adopted plans or land use regulations or applicable State law that the person testifying believes apply to the decision.

## How to Submit Testimony to the Planning Commission

- Send a written statement to the Planning Commission, c/o Reid Verner, Planning & Development Department, 99 W. 10<sup>th</sup> Avenue, Eugene, Oregon 97401 or by e-mail to [RVerner@eugene-or.gov](mailto:RVerner@eugene-or.gov). To be included in the Planning Commission's packet for the October 14 public hearing, your statement must be received by staff no later than 5pm on October 6, 2025.
- Submit a written statement to the mailing address or email address above after 5pm on October 6, 2025, but before the Planning Commission closes the public hearing. The Planning Commission will have less time to review written material submitted after this date prior to taking action on the application and forwarding their recommendation to the City Council.
- Attend the virtual public hearing on October 14, 2025 and provide spoken testimony to the Planning Commission. Your spoken testimony will be recorded. Instructions for providing testimony will be provided during the hearing. The Planning Commission may limit the time for each speaker to a few minutes. You are encouraged to submit written testimony prior to the close of the public hearing if you have detailed comments you wish to make.

All public testimony received by the Planning Commission will be forwarded to the City Council. As noted above, the City Council will hold its own public hearing following the Planning Commission's recommendation and before the Council takes any final action on the proposed land use code amendment.

## Additional Information and Staff Report

The application materials, including all documents, evidence, and the applicable approval criteria, are available for free inspection at the Eugene Planning and Development Department, 99 West 10<sup>th</sup> Avenue, Eugene, Oregon 97401 between 12:00 p.m. and 4:00 p.m. Monday-Friday. Please contact Reid Verner to make an appointment to review application materials in person. Copies of all documents may be obtained for a fee. As a courtesy, the documents related to these proposed code amendment will be made available online at the following: <https://pdd.eugene-or.gov/LandUse/ApplicationSearch>

The agenda, meeting materials, and staff report for the Planning Commission's October 14 public hearing will be available for viewing by **5:30 p.m. on Tuesday, October 7, 2025**, on the Planning Commission's webpage at: [www.eugene-or.gov/pc](http://www.eugene-or.gov/pc).

You may also wish to discuss this proposal with your neighborhood organization. To obtain contact

information for your neighborhood group, call the City's Office of Equity and Community Involvement at 541-682-5177 or <https://www.eugene-or.gov/4495/Neighborhood-Association-Program>

For more information about the proposed code amendment or about attending the hearing or submitting testimony, or if you have questions, please contact Reid Verner, Planning and Development Department, at 541-682-5534 or by e-mail at [RVerner@eugene-or.gov](mailto:RVerner@eugene-or.gov)

**ATTENDANCE INSTRUCTIONS: VIRTUAL PLANNING COMMISSION PUBLIC HEARING**

Public Health Standards Code Amendments (CA 25-3)

**October 14, 2025, at 5:30 pm**

**Watch the Public Hearing live:** This option is for viewing only, and does not allow participation  
Please visit this URL to watch: <https://www.eugene-or.gov/2109/Planning-Commission-Webcasts>

**To participate in the Public Hearing join using one of the two following options:**

- **Join from a computer, tablet, or smart phone:**  
Please use this URL to join: <https://eugene-or-gov.zoom.us/j/86525188211>  
Webinar ID: 865 2518 8211  
Sign up to speak by clicking once on the "raise hand" icon
- **Join by phone:** Dial one of numbers below and enter the Webinar ID: 865 2518 8211  
+1 833-548-0276 (Toll Free); or +1 833-548-0282 (Toll Free); or +1 877-853-5257 (Toll Free)  
For higher quality, dial a number based on your current location.  
Sign up to speak by dialing \*9 (Star-9)  
International numbers available: <https://eugene-or-gov.zoom.us/j/86525188211>

Please contact the staff referenced above with questions about attending the virtual hearing.

The following is draft ordinance includes proposed land use code language related to improving coordination with the City's Public Health regulatory partners to be considered by the Eugene Planning Commission at a public hearing, which will be followed by deliberations regarding the amendments. The Eugene Planning Commission will then provide a recommendation to the Eugene City Council regarding the draft ordinance.

**Recommended Changes Guide:**

**Bold Red Text** = Text proposed for addition to the Eugene Land Use Code.

~~Strikethrough Bold Text~~ = Text proposed for removal from the Eugene Land Use Code.

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 provide as follows:

**9.0500 Definitions.**

***Air, Land, and Water Permits and Licenses. Any permits or licenses needed to comply with local, state, or federal regulations regarding air, land, or water impacts and pollution (such as Department of Environmental Quality and Lane Regional Air Protection Agency).***

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

**9.2460 Employment and Industrial Zone Development Standards.**

(1) *Intent.* The employment and industrial zone development standards are intended to achieve the following:

- (a) Improve the quality and appearance of business and industrial development in the city.
- (b) Ensure that such development is compatible with adjacent development and is complementary to the community as a whole.
- (c) Encourage crime prevention through environmental design, decrease opportunity for crime, and increase user perception of safety.
- (d) Increase opportunities for use of alternative modes of transportation.
- (e) Regulate the intensity of uses allowed on a site.
- (f) Promote streetscapes that are consistent with the desired character of the various employment and industrial zones.
- (g) Promote safe, attractive, and functional pedestrian circulation systems in employment and industrial areas with higher employment ratios.

(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.

<b>Table 9.2460 Employment and Industrial Zone Development Standards</b>				
	<b>E-1</b>	<b>E-2</b>	<b>I-2</b>	<b>I-3</b>
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

**Table 9.2460 Employment and Industrial Zone Development Standards**

	<b>E-1</b>	<b>E-2</b>	<b>I-2</b>	<b>I-3</b>
Maximum Front Yard Setback				
Frontage on Arterial Street		25 feet		
Frontage on all other streets		15 feet		
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)				

<b>Table 9.2460 Employment and Industrial Zone Development Standards</b>				
	<b>E-1</b>	<b>E-2</b>	<b>I-2</b>	<b>I-3</b>
Drive Through Facilities (11)				
Delivery and Loading Facilities (12)				
<b>Public Health Coordination (13)</b>	<b>No</b>	<b>Yes</b>	<b>Yes</b>	<b>Yes</b>

**Section 3.** Section 9.2461 of the Eugene Code, 1971, is amended to provide as follows:

## **9.2461 Special Development Standards for Table 9.2460.**

(1) *Building Height.* Buildings in employment and industrial zones are subject to the general height regulations contained in:

- (a) EC [9.6715](#) Height Limitation Areas;
- (b) EC [9.6720](#) Height Exceptions for Roof Structures and Architectural Features; and
- (c) Subject to the limitations in (a) and (b) of this subsection, in the E-1 and E-2 zones, no portion of a building located within 50 feet of a residential zone shall exceed the maximum building height permitted in the abutting residential zone.

(2) *Exceptions.* Exceptions to the general setbacks stated in Table 9.2460 Employment and Industrial Zone Development Standards are contained in the following:

- (a) EC [9.6745](#) Setbacks – Intrusions Permitted.
- (b) EC [9.6750](#) Special Setback Standards.

(3) *Landscape Standards.*

(a) *Minimum Landscape Area Required.*

1. In E-1, a minimum of 20 percent of the development site shall be landscaped with living plant materials. All required landscaping shall comply with landscape standards beginning at EC [9.6200](#) Purpose of Landscape Standards. Any required landscape, such as for required front or interior yard setbacks, or off-street parking areas, shall apply toward any development site area landscape requirement.
2. Minimum landscape area requirements do not apply to developments in I-2 and I-3 zones except as associated with parking lot landscape and off-street loading requirements.

(b) *Landscaping in Front Yard Setbacks.*

1. In E-1, required front yard setbacks along arterial streets shall be provided with landscaping that complies, at a minimum, with the standards in EC [9.6210\(7\)](#) Massed Landscape Standard (L-7). Front yard setbacks along collector or local streets shall be provided with landscaping that complies, at a minimum, with the standards in EC [9.6210\(1\)](#) Basic Landscape Standard (L-1). The required landscaping may be pierced by pedestrian and vehicular access ways.
2. In E-1, I-2 and I-3, required front yard setbacks shall be provided with landscaping that complies, at a minimum, with the standards in EC [9.6210\(1\)](#) Basic Landscape Standard (L-1). The required landscaping may be pierced by pedestrian and vehicular access ways.

(c) *Landscaping in Interior Yard Setbacks Abutting Residential Zones.*

1. In E-1 and E-2, required interior yard setbacks adjacent to a residential zone shall be provided with landscaping that is at least 10 feet in width and complies, at a minimum, with the standards in EC [9.6210\(3\)](#) High Screen Landscape Standard (L-3).
2. In I-2 and I-3, required interior yard setbacks adjacent to a residential zone shall be provided with landscaping that is at least 10 feet in width and complies, at a minimum, with the standards in EC [9.6210\(4\)](#) High Wall Landscape Standard (L-4).

(d) *Street Trees.* Street tree requirements are specified in EC [7.280](#) Street Tree Program –



Policies, Standards, Procedures.

(4) *Front Yard Setbacks and Building Orientation.* The front yard setbacks stated in Table 9.2460 Employment and Industrial Zone Development Standards, shall apply only to new buildings and any building addition that increases the length of the building facade facing a street by at least 100%. In addition, all new buildings and the portion of the development site specifically affected by the new building are subject to the requirements of this subsection.

(a) In the E-2 zone, a minimum of 25% of all street facing facades must be built within the specified front yard setback.

(b) In the E-2 zone, vehicular parking and circulation is not permitted between the street and the portion of the building that is used to comply with this subsection.

(c) In the E-1 and E-2 zones, buildings fronting on a street must provide a main entrance facing the street on the facade of the building located within the specified front yard setback.

(d) The requirements of [\(a\)](#) through [\(c\)](#) do not apply to developments in the I-2 and I-3 zones.

(5) *Pedestrian Circulation.* Pedestrian facilities are required in E-1 and E-2 as specified in EC [9.6730](#) Pedestrian Circulation On-Site of this land use code. On-site pedestrian facilities are not required in I-2 or I-3, except for uses listed as P(3) or P(4) in Table 9.2450.

(6) *Fences.*

(a) *Types.* The type of fence, wall, or screen used in any situation is limited only by specific requirements stated in the landscape standards beginning at EC [9.6200](#) Purpose of Landscape Standards. The standards apply to walls, fences, and screens of all types including open, solid, wood, metal, wire, masonry or other material. Use of barbed wire and electric fencing is regulated in EC [6.010\(d\)](#) Fences. Chain link fencing is prohibited within E-1.

(b) *Location and Heights.*

1. Fences up to 42 inches in height are permitted within the front yard setback.
2. Fences up to 8 feet high are permitted in the interior yard setbacks.
3. The height of fences that are not in required setback areas is the same as the regular height limits of the zone.

4. Fences must meet the standards in EC [9.6780](#) Vision Clearance Area.

(7) *Outdoor Storage Areas.* Outdoor storage is permitted in the employment and industrial zones. The applicable setbacks and landscaping standards for outdoor merchandise display are stated in Table 9.2461(8) Outdoor Storage and Display-Setbacks and Landscaping. The following additional requirements are applicable in the E-1 Campus Employment zone.

(a) *Front Setback.* Outdoor storage is not permitted in required setback areas. Additionally, outdoor storage shall be located no closer to the front property line than the front façade of the main building on the development site.

(b) *Residential Adjacency.* Except for passenger vehicular fleet parking, outdoor storage is not permitted on lots abutting residential zones.

(c) *Height Limit.* Outdoor storage materials shall not be stored at levels that exceed 30 feet from grade.

(8) *Outdoor Merchandise Display.* Outdoor display of goods is permitted in all employment and industrial zones except E-1. The applicable setbacks and landscaping standards for outdoor merchandise display are stated in Table 9.2461(8) Outdoor Storage and Display-Setbacks and Landscaping.

Table 9.2461(8) Outdoor Storage and Display-Setbacks and Landscaping					
		E-1	E-2	I-2	I-3
Outdoor Storage					
Adjacent to a street.	Permitted:	Yes	Yes	Yes	Yes
	Setback:	20 feet	15 feet	10 feet	10 feet
	Landscape:	Low Screen Landscape Standard –	Low Screen Landscape Standard –	High Screen Landscape Standard –	High Screen Landscape Standard –

**Table 9.2461(8) Outdoor Storage and Display-Setbacks and Landscaping**

		E-1	E-2	I-2	I-3
		(L-2)	(L-2)	(L-3)	(L-3)
Adjacent to a commercial or employment and industrial zone.	Permitted:	Yes	Yes	Yes	Yes
	Setback:	10 feet	10 feet	None	None
	Landscape:	Low Screen Landscape Standard – (L-2)	Low Screen Landscape Standard – (L-2)	Screening Fence Landscape Standard – (L-5)	None
Adjacent to a residential or park and recreation zone.	Permitted:	Yes	Yes	Yes	Yes
	Setback:	10 feet	10 feet	10 feet	10 feet
	Landscape:	High Screen Landscape Standard – (L-3)	High Screen Landscape Standard – (L-3)	High Wall Landscape Standard – (L-4)	High Wall Landscape Standard – (L-4)
<b>Outdoor Display</b>					
Adjacent to a street.	Permitted:	No	Yes	Yes	Yes
	Setback:		10 feet	10 feet	10 feet
	Landscape:		Low Screen Landscape Standard –	Low Screen Landscape Standard –	Low Screen Landscape Standard –

Table 9.2461(8) Outdoor Storage and Display-Setbacks and Landscaping					
		E-1	E-2	I-2	I-3
			(L-2)	(L-2)	(L-2)
Adjacent to a commercial or employment and industrial zone.	Permitted: Setback: Landscape:	No	Yes 10 feet Low Screen Landscape Standard – (L-2)	Yes None None	Yes None None
Adjacent to a residential or park and recreation zone.	Permitted:	No	No	No	No

(9) *Garbage Screening.* In all zones except I-3 Heavy Industrial, garbage collection areas must be screened so as to meet the standards of subsections (a) and (b) below. Trash receptacles for pedestrian use are exempt from these requirements.

(a) Required screening shall comply with one of the following:

1. EC [9.6210\(3\)](#) High Screen Landscape Standard (L-3).
2. EC [9.6210\(4\)](#) High Wall Landscape Standard (L-4).
3. EC [9.6210\(5\)](#) Partial Screen Fence Landscape Standard (L-5).

(b) Garbage collection areas shall not be located within required setback areas or within required landscape areas associated with parking areas.

(10) *Utilities.* Within E-1 and E-2, all utilities on the development site shall be placed underground, unless adjusted pursuant to the provisions of EC [9.8030\(5\)](#) of this land use code. Undergrounding of utilities is not required in I-2 and I-3. This provision does not apply to temporary uses on a

development site. This requirement is satisfied if the applicant verifies in writing that utilities will be placed underground concurrent with a planned future development to occur within 12 months. Exceptions shall be made for such features as pad mounted transformers, switch cabinets, back flow prevention devices and closures needed to safely operate and maintain utility systems.

(11) *Drive-Through Facilities.*

(a) *Application.* The following regulations apply to all uses that have drive-through facilities including new developments, the addition of drive-through facilities in existing developments, and the relocation of an existing drive-through facility.

(b) *Drive-Through Facilities in E-1, I-2, or I-3.* Drive-through facilities for eating and drinking establishments are not permitted in E-1. Drive-through facilities are not permitted in I-2 or I-3.

(c) *Service Areas Setback and Landscaping.* Service areas and stacking lanes must be set back a minimum of 10 feet from all lot lines. Front yard setbacks shall be provided with landscaping that complies, at a minimum, with the standards in EC [9.6210\(2\)](#) Low Screen Landscape Standard (L-2). Interior yard setbacks shall be provided with landscaping that complies, at a minimum, with the standards in EC [9.6210\(3\)](#) High Screen Landscape Standard (L-3).

(d) *Driveway Entrances.* All driveway entrances, including stacking lane entrances, must be at least 100 feet from an intersection, as measured along the property line from the tangent point of a corner radius and the closest edge of a driveway.

(e) *Pedestrian Access and Drive Aisles.* In E-1 and E-2, direct pedestrian access shall be provided from the public right of way to the primary entrance. Drive aisles for vehicular circulation are not permitted between the street and primary entrance.

(f) *Stacking Lanes.* Design of stacking lanes shall conform with the requirements of EC [9.6420](#) Parking Area Standards.

(g) *Adjustments.* Adjustments to the standards stated in this subsection may be made based on criteria at EC [9.8030\(2\)\(c\)](#) Setback Standards Adjustment.

(12) *Delivery and Loading Facilities.*

(a) Delivery and loading areas are not permitted in required setback areas.

(b) On lots abutting parcels zoned for residential development, delivery and loading facilities shall be setback a minimum of 20 feet from property lines with required setbacks landscaped to at least the standards in EC [9.6210\(4\)](#) High Wall Landscape Standard (L-4).

**(13) Public Health Coordination.**

**(a) In E-2, I-2, and I-3, prior to city approval of any development permit, the applicant shall submit:**

**(1) Documentation that all required Air, Land, and Water permits and/or licenses have been obtained; or**

**(2) Documentation that all required Air, Land, and Water permits and/or license applications have been submitted to the appropriate agencies and the permits/licenses are likely to be obtained.**

**Section 4.** 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.~~ **In E-2, I-2, and I-3, prior to city approval of any**

**development permit, the applicant shall submit:**

**(1) Documentation that all required Air, Land, and Water permits and/or licenses have been obtained; or**

**(2) Documentation that all required Air, Land, and Water permits and/or license applications have been submitted to the appropriate agencies and the permits/licenses are likely to be obtained.**

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

**Passed by the City Council this**

**\_\_\_\_\_ day of \_\_\_\_\_, 202\_**

**Approved by the Mayor this**

**\_\_\_\_\_ day of \_\_\_\_\_, 202\_**

**City Recorder**

**Mayor**