



COUNCIL ORDINANCE NO. 20628

**AN ORDINANCE CLARIFYING RELATIONSHIP
BETWEEN APPROVED RIVERFRONT PARK
PERMIT AND S-DR DOWNTOWN RIVERFRONT
CODE; AMENDING SECTION 9.3155 OF THE
EUGENE CODE, 1971; AND PROVIDING FOR AN
IMMEDIATE EFFECTIVE DATE.**

ADOPTED: April 27, 2020

SIGNED: May 1, 2020

PASSED: 8:0

REJECTED:

OPPOSED:

EFFECTIVE: May 1, 2020



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AN ORDINANCE CLARIFYING RELATIONSHIP BETWEEN APPROVED RIVERFRONT PARK PERMIT AND S-DR DOWNTOWN RIVERFRONT CODE; AMENDING SECTION 9.3155 OF THE EUGENE CODE, 1971; AND PROVIDING FOR AN IMMEDIATE EFFECTIVE DATE.

The City Council of the City of Eugene finds that:

A. On July 22, 2019, the Eugene City Council approved Ordinance No. 20619. Section 3 of that Ordinance approved amendments to EC 9.3155(15), which regulates development within view corridor areas of the Downtown Riverfront Special Area Zone. Section 8 of that Ordinance approved /WR Water Resources Overlay Zone Standards Review application No. SDR 19-2 for park areas within the Downtown Riverfront Special Area Zone.

B. The City Council's approval of SDR 19-2 as part of the same action that approved the Downtown Riverfront Special Area Zone code amendments demonstrates the City's intent that the art pavilion described and depicted in the SDR 19-2 narrative and site plans is permitted in the view corridor area extending from 5th Street as shown in the approved plans without further need to demonstrate consistency with EC 9.3155(15).

C. The view corridor areas of the Downtown Riverfront Special Area Zone that are within the /WR Water Resources Conservation Area are owned by the City of Eugene for park purposes. Approval of a park building or structure within those areas through the City's standards review process as permitted by EC 9.4930(3) ("Uses Subject to Standards Review within /WR Conservation Areas") ensures that the building or structure is consistent with the City's protection measures for the Willamette River and should also be a sufficient basis for allowing the building within a Downtown Riverfront view corridor.

NOW, THEREFORE,

THE CITY OF EUGENE DOES ORDAIN AS FOLLOWS:

Section 1. Subsection (15) of Section 9.3155 of the Eugene Code, 1971, is amended to provide as follows:

9.3155 S-DR Downtown Riverfront Special Area Zone General Development Standards (applicable to all property).

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(15) **View Corridor Requirements.** View corridors shall be provided in those areas identified on Figure 9.3155(3), in addition to compliance with other applicable standards of the S-DR Zone. View corridors shall be a minimum 40 feet in width, shall be in alignment with public rights-of-way, and shall be unobstructed by buildings or structures except as approved through a WWR Water Resources Overlay Zone standards review permit pursuant to EC 9.8460 – 9.8472 or as permitted at EC 9.3155(6).

Section 2. 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.

Section 3. Pursuant to the provisions of Section 32(2) of the Eugene Charter of 2002, with the affirmative vote of two-thirds of the members of the City Council, this Ordinance shall become effective immediately upon adoption by the Council and approval by the Mayor, or passage over the Mayor's veto. An immediate effective date is necessary to enable construction of the proposed art pavilion along with the upcoming construction of the Riverfront Park's 5th Avenue overlook.

Passed by the City Council this

27th day of April, 2020



City Recorder - Deputy

Approved by the Mayor this

1 day of May, 2020



Mayor