

**JEFFERSON/FAR WEST REFINEMENT PLAN  
AREA 15 POLICY AMENDMENT  
BACKGROUND**

**INTRODUCTION**

On August 16, 2006 and September 11, 2006, City Council adopted two motions intended to “pause and mitigate [the] negative effect”<sup>1</sup> of inappropriate infill that could occur in Area 15 of the **Jefferson/Far West Refinement Plan** due to up-zonings to R-2.

Council took a two-pronged approach to the solution. In their August 16 motion, Council directed the City Manager to initiate a code interpretation of the Jefferson/Far West (J/FW) Refinement Plan’s Area 15 policy, which is incorporated into the Land Use Code at EC 9.9580(17).<sup>2</sup>

In their September 11 motion, Council directed staff to “initiate amendment of the Metro Plan, the Jefferson/Far West Refinement Plan and the Land Use Code to limit the subject area to Low Density Residential development.” Once implemented, these amendments will prevent upzonings from R-1 to R-2, thus fulfilling Council’s intent to “pause” inappropriate infill allowed under R-2 zone development standards.<sup>3</sup>

The Jefferson Westside Neighbors (JWN) is the City-chartered neighborhood association that encompasses Area 15, and over 200 residents of the neighborhood association have been involved in this issue through JWN meetings, signing petitions, or other activities. The JWN general membership has adopted a formal motion supporting the Council-initiated plan and code amendments.

In this document, the JWN co-chairs present additional background information related to Area 15.

**DISCUSSION**

Several factors bear on the proposed Area 15 policy amendments, including:

- City Council’s intent in directing that these plan and code amendments be initiated
- Incompatibility and negative impacts of potential R-2 development on Area 15
- The history and intent of the Jefferson/Far West Refinement Plan policy for Area 15
- Statements by Jefferson Area Neighbors leaders and residents
- Land use regulations in effect when the J/FW Refinement Plan was created and adopted
- Recent motions adopted by the JWN expressing the neighborhood association’s intent for the Jefferson/Far West Refinement Plan’s Area 15 policy

In the following sections, we cover all these areas.

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<sup>1</sup> Council motion adopted July 24, 2006.

<sup>2</sup> Although Council’s intent was to *mitigate* the negative effects of inappropriate R-2 development in Area 14, the Senior Planner responsible for this decision regrettably voided *all* limits on R-2 development, including maximum density and building design. This action *exacerbated* the problem, rather than mitigated it.

<sup>3</sup> Council also indicated the amendments should “sunset” on July 1, 2008.

## **City Council’s intent in initiating plan and code amendments**

It’s important to recognize that Council approved a specific directive to “limit the subject area to Low Density Residential development” as a short-term measure to prevent potential R-2 development that may otherwise occur in this area from destabilizing the neighborhood and degrading its character.

Not only did Council provide explicit direction for how this temporary protection was to be accomplished, they also identified these amendments as a “high priority.”

While Council’s direction provides sufficient basis for the Planning Commission to approve the proposed amendments, it may also be helpful for Commissioners who aren’t familiar with the subject area to know something of its nature and a bit of the historical context of the neighborhood residents’ vision for the area, as reflected in the Jefferson/Far West Refinement Plan’s Area 15 policy.

But first, we present a brief explanation of the nature of the threat to this area that motivated Council to initiate a high-priority response.

## **Incompatibility and negative impacts of potential R-2 development on Area 15**

Area 15 was originally developed as a predominantly single-family neighborhood in the early 1910-1930 period; and for over 80 years the area has remained an attractive, healthy neighborhood of mostly one- to one-and-a-half story, detached homes. Houses are built fairly close to one another and have a strong street orientation and modest, fairly private back yards. Many blocks are bisected by undeveloped alleys, which are used mainly for service access, rather than as the primary dwelling access (which is from the street).

Almost all lots in the area are zoned R-1<sup>4</sup>, which is Eugene’s low-density, generally single-family zone; and almost all lots are developed with only a single dwelling.

Under current R-2 density standards, many of the lots in this area would allow four to six dwelling units. Under R-2 development standards, structures can be three (or more) stories tall with 30 foot (or higher) vertical walls looming within five feet of an adjoining neighbor’s backyard or within ten feet of an adjoining home. R-2 multi-unit development requires on-site parking and vehicle circulation areas, which means substantial loss of open space and permeable and arable surface area, as well as significant noise and exhaust impacts from the average ten trips per household per day.

The negative impacts of incompatible R-2 development have been well documented in a residential area of the JWN that is very similar in character to Area 15 of the Jefferson neighborhood, except that the study area has been zoned R-2 since the 1930s. As part of the ODOT-funded “Chambers Revisited” study, residents catalogued concrete impacts of incompatible infill and identified the nature and level of these impacts on all lots in a section of the JWN referred to as the “East Traditional Neighborhood.” (The ETN area is identified in the Chambers Special Area Zone as the S-C/R-2 subarea). In summary, the data showed that the type of infill being built in this type of neighborhood under R-2

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<sup>4</sup> There are approximately 255 lots in Area 15. Of these, approximately 245 (96%) are zoned R-1.

standards contributed only marginally to increased density while having substantial destabilizing effects on the neighborhood.<sup>5</sup>

Independent assessment by Planning staff and consultants on the “Chambers Revisited” project team confirmed residents’ analysis. In their final draft report (June 28, 2005), the senior planner in charge of the project and two private consultants stated: “The currently allowed [R-2] densities effectively permit a level of intensification that will, over time, fundamentally change the character of the [ETN] neighborhood.

Because Area 15 has a highly similar grid street pattern, lot configuration, and single-family development pattern as the ETN, the conclusions reached by residents, staff, and consultants applies to Area 15, as well – R-2 development will fundamentally change the character of the neighborhood and evidence strongly suggests this change will occur through inexorable degradation and destabilization of the area.

Allowing such development to occur in Area 15 would conflict with the refinement plan policy’s explicit intent to maintain the character of the area.<sup>6</sup>

While the Jefferson/Far West Refinement Plan envisions selective, carefully controlled development projects in Area 15, including projects that may exceed R-1’s one- and two-dwelling-per-lot limit, the November 15, 2006 code interpretation of the Area 15 policy (file CI 06-13) has thrown the entire area wide open to *unlimited* R-2 development.<sup>7</sup> This staff action has confirmed residents’ fears that staff will simply ignore the refinement plan’s policy to “maintain the character of the neighborhood” when R-2 zone change applications are reviewed.

And thus, staff’s action has given additional impetus and urgency to Council’s directive that plan and code amendments to provide protection of this area should be implemented as a “high priority.”

### **History and intent of the Jefferson/Far West Refinement Plan Area 15 policy**

The Jefferson/Far West Refinement Plan was written during 1980 to 1982 by a planning team consisting of eight residents appointed by the two encompassing neighborhood associations (Jefferson Area Neighbors and Far West Neighborhood Association) and five representatives of the area business and religious community, Lane County Fairgrounds and Ida Patterson Community School. The final draft of the refinement plan was completed in June 1982. The plan was adopted by City Council on January 12, 1983. Thus, the text of the plan should be interpreted in the context of land use policies and code in effect during this period. (In this document, we use “1983-era” as a shorthand for this period.)

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<sup>5</sup> These findings are available in the “Chambers Revisited Neighbors’ Report,” which is part of the City Council public hearing record on the Chambers Special Area Zone and available on-line at [cnrneighbors.org](http://cnrneighbors.org).

<sup>6</sup> Such development would also conflict with the Metro Plan policy A.25 requirement to “increase the stability and quality of older residential neighborhoods” and Eugene’s Growth Management Policy #6 to “maintain the character and livability of individual neighborhoods.”

<sup>7</sup> Staff’s interpretation both misreads the plain language of the Area 15 policy and entirely ignores other parts of the Jefferson/Far West refinement Plan that clarify the policy, the historical context in which the policy was written, statements by members of the J/FW planning team, and motions by the JWN membership stating the intended meaning of the policy. On November 21, the JWN Executive Board voted unanimously to appeal this decision.

At the time the J/FW Refinement Plan was adopted, Area 15 was encompassed by the Jefferson Area Neighbors (JAN) neighborhood association. A few years ago, Jefferson Area Neighbors merged with the Westside Neighborhood Quality Project (WNQP) to form the Jefferson Westside Neighbors, which is now the City-chartered neighborhood association that encompasses Area 15.

As the J/FW Refinement Plan “Findings” for Area 15 note, this area was (and still remains) primarily single-family, with fifty percent of the residential units owner-occupied at the time the plan was written.<sup>8</sup> Owner occupancy in this area was higher than the overall rate for Eugene at the time (46%), and over three times higher than the rate for the Jefferson neighborhood as a whole (16%). Thus, this area was a stable, single-family neighborhood at the time the J/FW Refinement Plan policy covering the area was written. Taking an even longer term view, Area 15 has been a healthy, single-family neighborhood for over eighty years.

The historical and contemporary data also shows the area has maintained a stable, evenly balanced ratio of owner-occupied and rental properties for over two decades.

A thorough reading of the entire J/FW Refinement Plan, as well as the Refinement Plan Appendix, presents a clear picture of how the planning team viewed the future of Area 15. For example, the planning team presented the following as one of the plans “Highlights” (see page facing Table of Contents):

*“Improving rehabilitable structures and preserving sound residential areas is an important component of the plan.”*

Area 15 was one of the healthier sections of the Jefferson neighborhood during a period where many areas of the older, close-in neighborhoods were in decline, and this area would unquestionably have been one of the “sound residential” areas the plan sought to preserve.

The planning team also appeared to be very aware of the problems caused by unmanaged, higher-density development, and the plan’s “Land Use Element – Findings” section (page 5) cites a research study conducted while the plan was being created. One of the study’s conclusions was:

*“c. Lot-by-lot development in areas with standard single-family parcels is unworkable at higher densities.”*

The “Findings” for Area 15 noted the area had primarily standard, single-family parcels; and consequently Area 15 policy was carefully crafted to *prevent* “unworkable” higher density development. Area 15 policy was intended to allow only limited, well-planned and designed development that in specific situations would permit more than the single dwelling unit the R-1 zone allowed on non-corner lots.<sup>9</sup> The planning team was also careful to explicitly include the requirement that development in Area 15 that exceeded R-1 density limits must “maintain the character of the area.”

The planning team clearly desired that “block planning” would provide a new way to “allow land use changes to occur with the joint approval of property owners and residents, the neighborhood group, and the City” (J/FW Refinement Plan, “Highlights of the Plan”, page facing Table of Contents). Note in particular, the specific reference to

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<sup>8</sup> Currently, approximately 124 (or 49%) of the 255 lots in Area 15 are owner occupied.

<sup>9</sup> R-1 allows duplexes on corner lots.

approval by the neighborhood group, indicating that *residents and their neighborhood association should be assigned a pivotal role in deciding how their own neighborhood would develop over time.*

The example of a block plan included in the Refinement Plan Appendix provides an example of what the planning team envisioned – low-intensity development that includes carefully sited, small-scale apartments amongst single-family homes with extensive greenspace for community orchards and gardens.

In a recent conversation with one of the JWN co-chairs, Ms. Mary Bentsen who lives at 950 W. 16th Ave., who was one of the Jefferson residents on the J/FW planning team, confirmed this sense of modest increases in allowable density, on the scale of “granny cottage” additions. In her comments, Ms. Bentsen was quite adamant that currently allowed R-2 development, for example, the addition of a duplex or larger multi-family unit in the back of an existing house, was not intended or desired by the J/FW planning team.

### **Subsequent statements by Jefferson Area Neighbors leaders and residents**

Block planning never materialized; and “site review”, which has been ineffectually applied in the past, has not provided the kind of control over development the J/FW planning team intended. As a result, residents and the neighborhood association have found themselves in repeated battles to prevent development in the area that is inconsistent with the plan’s intent and which degrades and destabilizes the neighborhood.

Looking at the record for some of the land use actions in the area provides additional historical reference points for understanding how the J/FW planning team, the neighborhood association, and neighborhood residents meant for the plan to be applied.

A good example occurred in late 1998 when numerous residents and the neighborhood association adamantly opposed the “Iverson” R-2/SR zone change application (file Z 98-14).

As part of this opposition, the combined executive boards of the Jefferson Area Neighbors and the Westside Neighborhood Quality Project neighborhood associations submitted a letter on December 16, 1998 to the hearings official. The neighborhood leaders stated that “where and how to increase density within our neighborhoods is too important to be made on a parcel by parcel basis ... we are opposed to piecemeal increases in density ...” This statement echoes the “Findings” of the J/FW Refinement Plan that “Lot-by-lot development in areas with standard single-family parcels is unworkable at higher densities.”

Even more specific to the Area 15 policy, the neighborhood leaders testified: “the properties [sic] R-1 Low Density Residential zone classification ... is in keeping with the Low to Medium Density designation in the adopted neighborhood refinement plan. ... *It also is in keeping with ... the intent of the drafters of the neighborhood refinement plan.*”

Thus, in their 1998 letter, both neighborhood association boards make clear “R-1” zoning was considered consistent with “low- to medium density,” and that upzoning to R-2 was not intended to be allowed on every site in Area 15 and was not meant to be permitted without more control than provided by site review, as site review was being used in this and previous R-2/SR upzonings.

One of the signatories of the 1998 letter was Mr. Jon Belcher who had been an alternate

member of the Jefferson/Far West Planning Team that created the refinement plan and who was a JAN co-chair at the time the letter was submitted. Mr. Belcher has also recently published a letter reaffirming that “site review has proved inadequate to prevent inappropriate development” in this area. (*JWN Neighborhood News*, May 2006, available on-line at [jwneugene.org](http://jwneugene.org).)

### **Land use regulations in effect when the Jefferson/Far West Refinement Plan was created and adopted**

The “low- to medium-density” term is a critical element of the Area 15 policy, yet the term is not defined in the J/FW Refinement Plan or any related document. This land use category appears in a sequence of residential categories that are listed in the following order on the J/FW Refinement Plan Land Use Diagram (page 18):

- Low Density Residential
- Low-Medium Density Residential
- Medium Density Residential
- High Density Residential

All of Area 15 is designated as “Low-Medium Density” on the J/FW Refinement Plan Land Use Diagram.

The “Low-Medium Density” category is listed between the “Low Density” and “Medium Density” categories, and thus Area 15’s designation as “Low-Medium Density” indicates development density for this area was intended to fall somewhere in the middle of the two ranges on either side.

At the time the J/FW Refinement Plan was developed and approved, the R-2 zone implemented the medium density range of residential development, and the policy for Area 15 explicitly provided for *conditional* up-zoning to R-2,<sup>10</sup> although *only* when there was also an associated site review (/SR) overlay whose purpose can be understood from the policy’s other requirement as intended to maintain the character of the area.

Thus, the most relevant reference point for the undefined terms “Low-Medium Density” and “low- to medium-density” is the maximum density allowed by R-2 zoning in effect during 1980-1982 when the J/FW Refinement Plan was developed. This value establishes an upper limit to the “Low-Medium Density” category’s range.

On May 24, 1982, less than a month before the J/FW planning team delivered their final draft of the refinement plan, City Council adopted Ordinance 18971 amending section 9.546 of the zoning code to require a minimum of 2,650 square feet per dwelling unit in the R-2 zone. This same R-2 standard was in effect when City Council formally adopted the J/FW Refinement Plan in January 1983 and for many years afterwards.

Mathematically, this is approximately 16.4 dwelling units per net acre (du/na), but it is essential to understand that *the zoning code in 1983 had nothing resembling current zoning code’s “round up” provision*, which greatly inflates the effective allowable density, especially on small parcels, such as those in Area 15. For example, under the R-2

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<sup>10</sup> Notably, the Area 15 policy did *not* allow upzoning to R-3 or R-4.

standard in effect at that time, a lot with 5,290 square feet could have only a *single* dwelling; whereas, today that same lot could have *four* units.<sup>11</sup>

The following table provides a chart for the number of allowable units for lot sizes found in Area 15<sup>12</sup> as of the date the J/FW Refinement Plan was adopted.

<b>Lot size</b>	<b>Allowable dwelling units</b>	<b>Number of lots in Area 15</b>
Less than 2,650 s.f.	None (unless already exists)	7
2,650 s.f. to 5,299 s.f.	1	67
5,300 s.f. to 7,949 s.f.	2	99
7,950 s.f. to 10,599 s.f.	3	74
10,600 s.f. to 13,249	4	4
13,250 s.f. or more	5+	1
<b>Total</b>		<b>252</b>

The J/FW planning team certainly intended that a policy allowing limited upzonings to R-2 in Area 15 would not allow development on any of those upzoned properties to *exceed* the R-2 maximum at that time. Even at *maximum* R-2 development allowed in 1983 (and some years later), approximately 70 percent of lots in Area 15 would limit development to no more than two units. This level of development would be consistent with the limited intensification the planning team envisioned for this single-family area and is a level of intensification that many residents have supported from the era when the refinement plan was developed right through to the present.

The “low- to medium-density” designation does *not* imply any minimum required density because the J/FW Refinement Plan explicitly uses aspirational, rather than proscriptive, language in the text: “explore methods to encourage an increase in residential density.” The planning team clearly had no intention of *requiring* densification over the prevalent single-family pattern. This was specifically confirmed by the 1998 letter from the JAN and WNQP boards.

As explained above, prior to 1983 and for some years afterwards, all density standards were applied without the current zoning code’s “round up” provision. Consequently, you cannot simply consider the maximum density of 16.44 du/na allowed by the 1983-era R-2 zone as equivalent to 16.44 du/na under today’s R-2 zone calculations. A conversion is necessary to compare “apples to apples.”

<sup>11</sup> The current code’s “round up” provision has an enormous impact on allowable density in current R-2 zones. Without the “round up” provision, the same 5,290 s.f. lot could be developed at 24.7 du/na under today’s R-2 maximum density. But the “round up” provision allows the lot to be developed at 32.9 du/na – a 25 percent increase in effective density. Note that because of the “round up” provision, almost all R-2 lots in the Jefferson and Westside neighborhoods allow development density that actually falls in the high-density range, i.e., over 28.56 du/na. This despite the R-2 zone’s stated purpose to implement the Metro Plan “Medium Density” range.

<sup>12</sup> Does not include the lots on which O’Hare School and the Lighthouse Temple are located.

Although there's no single formula to convert du/na values applied without "round up" to equivalent du/na values applied with "round up," it's quite straightforward to find the equivalency for a *specific* set of lots, such as those in Area 15.

The basic approach we took was to create a spreadsheet with individual lot areas for the 252 lots in Area 15, excluding the O'Hare school and Lighthouse Temple lots. We then applied both "no round up" and "round up" formulas with varying du/na values to this set of lots and calculated the total number of dwelling units allowed. We also tabulated comparisons between various pairs of "no round up" and "round up" values to determine how many of the 252 lots would allow a different number of dwelling units under the densities being compared.

The following table shows the values that produce the closest equivalent results under "no round up" and "round up" calculations.<sup>13</sup>

<b>1983-era R-2 min. lot area per dwelling NO round up</b>	<b>1983-era du/na NO round up</b>	<b>Equivalent du/na WITH current round up calculation</b>
2,650 s.f.	16.44	9.7

Two examples illustrate the results of applying equivalent 1983-era and current maximum densities from the table above.

<b>Lot size Square feet (acres)</b>	<b>1983-era 16.44 du/na NO round up</b> Allowable dwelling units	<b>9.7 du/na WITH current round up calculation</b> Allowable dwelling units
7,500 s.f. (0.2066 acre)	2	2
5,000 s.f. (0.1148 acre)	1	2

First, consider a 7,500 s.f. (0.2066 acre) lot. For this lot size, as for most of the lots in Area 15, the correspondence is exact.

Next, consider a 5,000 s.f. (0.1148 acre) lot. In this case, a density of 9.7 du/na under current R-2 calculations will allow one more unit than a 1983-era density of 16.44 du/na allowed. For this specific lot size, the equivalent density under the current calculation should be lower than 9.7 du/na. There were very few such cases among the 252 lots that were analyzed.

It may seem surprising that the equivalent du/na value under current R-2 zoning rules (9.7) is so much lower than the corresponding value under the rules in effect in the 1983 era (16.44). But this is due to the major effect that "rounding up" has on allowable density for small- to medium-sized lots.<sup>14</sup>

<sup>13</sup> The Excel spreadsheets we used are available by request.

<sup>14</sup> The increase in density caused by adding the "round up" provision to the code is the major reason the R-2 zone has become in effect, a *high-density* zone when applied to neighborhoods with lots in the 5,000 to 12,000 square foot range. The aggregate density allowed in Area 15 under current R-2 maximum density limits is over 31 du/na – well above the minimum defined in the Metro Plan "High Density Residential"

The equivalence table above can be used to better understand the intent of the current Area 15 policy by considering the hypothetical question:

If the intent of the J/FW planning team was to allow development on selected lots in the “low- to medium-density” area to approach the *maximum* number of units allowed by the R-2 zone in 1982, what maximum density limit would we need to set under current zoning code?

The answer is 9.7 du/na.

Another way to understand the context in which the Area 15 policy was developed is that the J/FW Planning Team was formulating the policy at a time when the R-2 zone allowed roughly a *third* the density allowed under current R-2 standards.

The *tripling* of R-2 maximum density over the last two decades is the primary reason that development allowed under R-2 is so incompatible and destabilizing for established single-family residential areas, such as Area 15.

### **Jefferson Westside Neighbors motion regarding “low- to medium-density”**

As mentioned earlier, the J/FW Refinement Plan embodies the principle that residents and their neighborhood association should have a pivotal role in deciding how their own neighborhood would develop over time. Consistent with this perspective, the JWN has actively deliberated on the intent of the Area 15 policy.

On September 12, 2006, the JWN unanimously (33-0) adopted the following motion

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**Jefferson Westside Neighbors** (JWN) intends that the *Jefferson/Far West Refinement Plan* policy for “Jefferson residential area #15” (on pages 27-28), which states (in the first paragraph):

*This area shall be recognized as a **low- to medium-density** residential area. The City shall explore methods of encouraging an increase in residential density yet maintaining the character of the area. Residential densities beyond ten units per acre shall be allowed, subject to an approved block plan or rezoning to R-2 in conjunction with site review.*

shall be applied with the following interpretation, when applicable in the review of zone change applications and other land use actions:

- The “low- to medium-density” range shall have a maximum effective density less than the maximum R-2 density in effect on the date the Jefferson/Far West Planning Team developed the policy for Area #15, specifically as of July 1, 1982 or earlier.

The determination of the equivalent maximum density under current regulations shall take into account the effect of the “round up” provision that is part of current code such that the equivalent value for current maximum density produces as close as possible the same results that would have been produced by the “round down” provision in effect in 1982.

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range. The substantial effect of the “round up” provision is an aspect of current maximum density standards that may not be fully appreciated by some City staff and officials.

This motion affirms that the neighborhood association encompassing the area intends the Area 15 policy be interpreted as has been suggested in the discussion above.

**The Area 15 policy requirement for “maintaining the character of the area.”**

In addition to setting a density range, the Area 15 policy also imposes a key requirement that any action which allows an increase in residential density must maintain the character of the area.

This requirement is stated in the second sentence of the Area 15 policy’s first paragraph:

*This area shall be recognized as a low- to medium-density residential area. The City shall explore methods of encouraging an increase in residential density yet maintaining the character of the area. Residential densities beyond ten units per acre shall be allowed, subject to an approved block plan or rezoning to R-2 in conjunction with site review.*

Note this sentence presents the encouragement (but not requirement) for development that will be more dense than the existing single-family, R-1 development; and at the same time establishes the fundamental constraint on denser development, i.e., that it maintains the character of the neighborhood.

The final sentence in the above section of Area 15 policy covers block planning and upzoning as mechanisms to allow increased density, but the policy allows these mechanisms only as long as they comply with the policy requirement that the resulting development maintains the character of the neighborhood.

Thus, not *any* block plan is acceptable for more dense development, nor is just *any* set of site review criteria acceptable as sufficient for a rezoning to R-2. *Only* a block plan or site review criteria that can be clearly demonstrated to maintain the character of the area would comply with the Area 15 policy.

Again, looking at the overall picture presented by the J/FW Refinement Plan and Appendix, and from extensive resident comments and neighborhood association actions over the years, the intent of the Area 15 policy to maintain the character of the area can only be interpreted as requiring careful siting, limited increase in density, and compatible scale of selected projects that are allowed to be developed under any upzoning to R-2. As mentioned earlier, the extensive discussion and example of block planning in the J/FW Refinement Plan Appendix provides a good picture of what the planning team envisioned.

## **JWN motion regarding “maintaining the character of the area”**

Residents and the neighborhood association have also considered this essential element of the Area 15 policy, and on March 14, 2006, the JWN unanimously (48-0) adopted the following motion:

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**Jefferson Westside Neighbors** intends that the *Jefferson/Far West Refinement Plan* policy for “Jefferson residential area #15” (on pages 27-28), which states (in the first paragraph):

*This area shall be recognized as a low- to medium-density residential area. The City shall explore methods of encouraging an increase in residential density yet maintaining **the character of the area**. Residential densities beyond **ten units per acre** shall be allowed, subject to an approved block plan or **rezoning to R-2 in conjunction with site review**.*

shall be applied with the following interpretations, when applicable in the review of zone change applications and other land use actions:

- a. **“the character of the area”** shall mean a set of concrete, measurable characteristics that have been identified through a public process as fundamental elements of the existing residential development within the area covered by this policy. These characteristics shall include, but not be limited to:
  - i. Mass and scale, both for main structures and secondary structures
  - ii. Setbacks from property lines and adjacent structures, at grade, as well as above grade
  - iii. Lot coverage by structures and vehicle use areas (e.g., driveways and parking)
  - iv. Intensity of development (i.e., dwelling units per lot)
- b. **“ten units per acre”** shall mean: “ten dwelling units per net acre”.
- c. **“rezoning to R-2 in conjunction with site review”** shall mean:
  - i. An /SR (site review) overlay zone is required for *any* lot that is rezoned to R-2.
  - ii. The /SR overlay zone requirements shall include clear and objective standards to assure that any proposed development of the lot maintains the character of the area, under the interpretation in section (a) of this motion.

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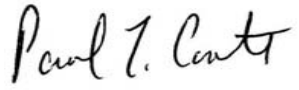
From the two JWN motions, the history of the J/FW Refinement Plan, and testimony from residents and neighborhood association leaders during the intervening years, it should be clear that residents have always intended Area 15 to have limited and carefully controlled intensification.

However, as mentioned earlier, the recent code interpretation ignores the plain intent of the refinement plan and the desires of area residents and the neighborhood association and states there are simply no limits on R-2 development in this area.

Thus, the need arises for prompt action to implement Council’s directive to prevent the kind of destructive development this interpretation would allow.

**Submitted on behalf of the Jefferson Westside Neighbors**

November 27, 2006

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Paul T. Conte, Co-chair

Handwritten signature of Rene Kane in cursive script.

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Rene Kane, Co-chair