

SUMMARY OF PLANNING IN THE CITY OF EUGENE

A quick summary of key dates related to Planning in Eugene; and an overview of the process for amending the land use code.

Historic Perspective

- 1925 Eugene Planning Commission established.
- 1948 First comprehensive zoning ordinance established in Eugene.
- 1959 First Eugene-Springfield metropolitan area land use plan adopted.
- 1973 Senate Bill 100 established statewide Land Use Planning Program.
- 1974 First recognized neighborhood associations created, with 21 established by 2005
- 1974 Land Conservation and Development Commission require the establishment of Urban Growth Boundaries.
- 1982 *Eugene-Springfield Metropolitan Area General Plan* adopted.
- 1992 Award-winning West Eugene Wetlands Plan adopted.
- 1998 Eugene City Council adopts Growth Management Policies.
- 2001 Eugene City Council adopted updated Land Use Code.
- 2001 *TransPlan* adopted by Eugene, Springfield and Lane County
- 2004 Measure 37 passed by Oregon voters into state law.
- 2004 *Eugene Downtown Plan* adopted by Eugene City Council.

Code Amendment Process

The primary tool for changing the land use code is the "Code Amendment" process. Code amendments must be formally initiated by the City Council. Private parties cannot request amendments independently. The process for considering the code amendments involves a legislative action. The Planning Commission holds a public hearing and ultimately makes a recommendation to the City Council. The City Council then holds its own public hearing(s) to consider the proposed amendments. Ultimately, the Council adopts an ordinance formally amending the City's Land Use Code. Keep in mind this process exists for the adoption of formal (mandatory) regulations and standards. Guidelines, handbooks and other non-regulatory documents are not required to follow this formal process.

In 2001, the City Council completed a major update of the land use code. This process took several years to complete. More recently (11/05), the Council approved a series of minor changes to the Land Use Code. That process took over a year to complete. The ordinance can be found at www.eugeneplanning.org

In addition, the matrix below provides a synopsis of the minor code amendments that were made.

Finally, the city will begin phase 2 of the code amendment process this winter. This phase will likely address more significant policy issues, but will likely be very limited in the actual number of amendments to be considered. A full public process will be implemented to solicit input on potential amendments, followed by prioritization by the Planning Commission and City Council.

2005 Minor Code Amendments Approved by Council
(Does not represent actual amendment language)

Code Section	Description	Problem	Solution
9.0500	Definition of “canopy tree” does not allow any coniferous trees	Projects are prohibited from utilizing coniferous trees in order to meet the canopy tree requirements. However, there are many coniferous trees that provide the same intended level of canopy as deciduous trees.	Change the definition of canopy tree to include coniferous trees that meet the current 50’ canopy requirement.
9.0500	Definition of curved lot	“Curved lots” are listed in Lot Standards Table (EC 9.2760), but the term is not defined. The code allows a reduced lot width for curved lots, much like cul-de-sac lots.	Provide a definition which accounts for lots on curved streets. The definition would limit lots to those on the outside curve of a street, similar to cul-de-sac designs.
9.0500	Definition of “Development site”	Definition restricts ability to comprehensively evaluate a project when streets bisect a site. Any land use application involving multiple parcels bisected by a street (created in a subdivision) would have to be evaluated separately.	Clarify definition so that a development site will include parcels separated by a street. This would give the city the authority to require one comprehensive application rather than piecemeal applications.
9.0500	Duplex definition: Attachment requirements	Code requires a duplex to be one building, but does not specify how the two units must be attached. Staff has commonly seen requests to connect units only by breezeways and other similar features.	Clarify minimum requirements for how units must be attached, consistent with current interpretations. This interpretation will require that a common wall, ceiling, or floor connect the 2 units.
9.0500	“Legal lot” and “Lot of record” definition regarding lots not created through a plat	Requires <u>recording</u> of deeds prior to April 2, 1962. In some cases, the deeds may be <u>signed</u> but original owners many times neglected to record the document.	Change definition to be based on date that the deeds are signed. Since many of these cases involve new owners, this change would not penalize the current owner for a previous owner’s neglect.
9.0500	“Lot width” definition	Current definition measures lot width at the front setback. In the case of residential lots, this means the lot is measured 10’ back from the street. This definition does not provide a logical point for measuring overall lot width, nor does it	The purpose of lot width standards is to ensure an adequate buildable area as well corresponding separation between buildings. The revised definition will provide a midpoint measurement which more accurately reflects actual

		apply well to non-rectangular shaped lots.	lot width, while accounting for non-rectangular lots.
9.0500	“Vision clearance area” definition regarding dimensions	The definition explains how to determine the vision clearance triangle but doesn’t denote that the triangle legs are 35’ long.	Include the dimension of 35 feet in the definition to coincide with the figure.
9.2161(1)	C-1 limitation of 5,000 square feet of floor area per tenant as it relates to existing buildings	Code is unclear if 5,000 sq. ft. limitation applies to new tenants in <u>existing</u> buildings which already exceed 5,000 sq ft.	Clarify that the limitation only applies to new buildings in C-1, so as to enable tenant reuse of existing building.
Table 9.2170 9.2171(5)(c)	Percent of building façade required within 15’ maximum setback for General Office (GO) zone	GO zone does not specify the minimum percentage of building facade that is required within the 15’ maximum setback. C-2/C-3 zones require 25% of the building to be within the setback; C-1 requires 80%.	Clarify the minimum percent of building frontage that must be located within the maximum setback. GO zone is typically considered to be less intense than C-2/C-3 and more intense than C-1. Therefore, a requirement of 60% was determined appropriate.
9.2171(5)	Buildings in C-2 & C-3 are required to be within 15’ of a street or “Internal private way”	“Internal private way” is not defined. Term is intended to account for internal streets within a commercial center, which are distinguished from drive aisles, by providing curb and raised sidewalk designs.	The code already contains definitions within the “Large Commercial Facilities” development standards which address the same issue. Amendment would reference these definitions.
9.2171(11,d) 9.8030	Outdoor Display within required setback	Only plant and garden supply displays are allowed within 7’ of front property line within C-2 & C-4. Does not allow other potentially acceptable forms of outdoor display (e.g. antiques, art)	Establish an adjustment review option for outdoor displays consistent with purpose of commercial design standards.
9.2171(15)(e)	Reference to stacking lane requirements	Code incorrectly references the parking lot standards rather than drive-through standards.	Replace current reference with correct reference to drive-through standards.
9.2173(10)(c)	Large commercial building standards – loading docks. Standard requires ground floor windows on all sides of a large commercial building, including loading docks.	Since loading docks typically don’t face public view, windows would pose little benefit and pose potential conflicts with design of the loading dock.	Exempt the window requirement along walls containing loading docks.
9.2180, 9.2470, 9.2686, 9.3220, 9.3822	“Average Lot Width” requirement for Commercial, Industrial, Public Land, Downtown Westside & Royal Node Special Area zones	The term “Average lot width” is mistakenly referenced. Lot width is not measured by an averaging approach (see 9.0500 for definition of lot width).	Eliminate the word “average” from each code section.
9.2450(table)	Land Use Table for Industrial Zones related to	Section 9.5750 specifically allows telecommunication	Add the “S” symbol to the Land Use Table enabling

	Telecommunication towers and facilities	towers in I-1, but this is not reflected on the Use Table (EC 9.2450).	telecommunication towers in the I-1 zone, subject to special standards.
9.2450(table)	Trucking Terminals allowed in I-2 and I-3 zones	Since 1968 this use has been permitted outright in these two zones, however it is not specifically listed in the I-2 and I-3 use tables.	Clarify that trucking terminals are permitted outright in the I-2 and I-3 zones by listing in the industrial use matrix.
9.2683(2)	PL zone requires a Site Review for many uses and a CUP for more significant uses within 300' of residential property	Language is unclear. Could be read to require a Site Review in addition to a CUP. The intent was to elevate more intense uses to a more intense public hearing process (i.e. CUP).	Clarify language such that the projects requiring a CUP are not also subject to Site Review.
9.2685(1)	Height of buildings within 50' of a residential zone restricted to height limit of adjacent residential zone	Language is not clear that the special height restriction is limited to that <u>portion</u> of a building within the 50' buffer. Does not account for buildings with varying heights.	Clarify that the special height restriction applies only for that portion of a building within 50' of a residential zone.
9.2741	Land Use Table for Residential Zones, related to rowhouses	Rowhouses are allowed in residential zones, subject to specific limitations in some zones. Table does not reference the special limitations listed in EC 9.735 (Siting Requirements)	Include reference in the Land Use Table regarding special limitations listed in EC 9.735.
9.2760 (table)	R-1 allows rowhouse lots with minimum lot size of 1,600 sq ft, but requires at least 50' of lot width	The lot standards table does not include a reduced lot width necessary to accommodate narrower rowhouse lots. Since rowhouses are attached on both sides, lot width should match width of residence.	Add a minimum lot width for R-1 rowhouse lots which reflects realistic rowhouse designs. Planning Commission recommended 15', noting that there are no adjustments available in the code.
9.2760	13,500 sq. ft. maximum lot size requirement for R-1 lots	Standard intended to encourage infill in R-1 by limiting <u>new</u> parcels to 13,500 sq. ft. Currently applies to existing parcels as well. Could prohibit 2 existing lots over 13,500 sq. ft. from adjusting a common property line.	Revise language such that the R-1 maximum lot standard applies to land divisions only (subdivisions, partitions).
9.2761(5)	Exceptions to maximum lot size	Current exceptions do not clearly allow waiver of the maximum lot size based on natural resource protection.	Clarify that an exception to maximum lot size can be granted in order to protect natural resources.
9.2775(1)	Purpose statement regarding flag lots	Purpose statement references old code provision regarding screening along flag lot driveway, however the requirement for screening was	Eliminate screening language consistent with current flag lot provisions.

		eliminated in LUCU update.	
9.2795(3)(a)	Exemption from Solar Setback requirement: Lots having 20% slope and generally north facing	Intended to exempt parcels on steep slopes (>20%) which won't cast significant shadows on adjoining lots. Code incorrectly references south facing lots.	Correct the compass reference error by referring to north facing lots regarding exemption.
Table 9.3910	Residential Day Care, 3-12 persons served in Whiteaker Special Area Zone	Table lists day care for 3-12 persons, but does not specify if use is allowed. Table does list day care for over 12 persons as permitted, thereby supporting the intent that less than 12 persons should also be allowed.	Add an "S" in the permitted column to clarify that this use is allowed if specific standards are met.
9.4730(3); 9.4830(2,b)	Site review required for wetland restoration projects approved by West Eugene Wetland Mitigation Bank team	Site Review process provides no additional benefit as wetland restoration projects are subject to extensive review and requirements at State and Federal level far exceed local site review provisions. Projects have been limited to city restoration projects.	Eliminate requirement for site review for wetland restoration projects approved by the Mitigation Bank team within the /WB and /WP overlay zones. Would affect future city restoration projects.
9.5250(1)(b)	Farm Animal Standards - lot size for large animals. A minimum of 20,000 sq. ft. is required for larger animals, such as horses, cows, sheep, etc	Code is unclear on whether more than one contiguous lot under the same ownership can be used toward the minimum 20,000 square feet to allow large animals.	Clarify that the development site must be at least 20,000 square feet to allow large animals.
9.5350	Home Occupation Standards	Standards only apply to residential zones even though code allows home occupations in residences located in some commercial zones.	Clarify code by removing the reference to all residential zones at the beginning of this section, so that the standards also apply in commercial zones.
9.5350	Home Occupation requirements	Code restricts flag lots from being used for home occupations [EC 9.2775(4)]. This is not reflected in 9.5350.	Add provision in Home Occupation Standards (EC 9.5350) clarifying prohibition on flag lots.
9.5500(8)(a)	R-2 Multi-Family Standards: Minimum landscaping and lot coverage standards	Current language conflicts with revised lot coverage and open space standards. Requires <u>all</u> area outside of maximum allowed building footprint to be landscaped.	Modify minimum landscaping requirement for the R-2 zone, consistent with open space provisions.
9.5500(9)(a)5; 9.5500(9)(c)2	Multi-Family Standards – Minimum Common Open Space Requirement	Current provisions conflict: Minimum required open space area is 250 square feet, but (a)(5) requires minimum dimension of 20 feet, resulting in a 400 sq. ft. area	Modify code to match existing interpretation using a minimum dimension of 15 feet for open space.

9.5750(6,a,10); 9.5750(6,b,11)	Requirements for telecommunication facilities	Code requires review by Oregon Aeronautics Division. Agency has changed their name to the Oregon Department of Aviation.	Replace old name with current name of state agency.
9.5800(4)(c)	Sign standards for temporary uses	Language could potentially allow signs or temporary uses be placed off-site, or city-wide.	Clarify that signs must be located on the site of the temporary use.
9.5800(5)(b)	Duration of temporary uses in commercial zones	Current code could arguably allow temporary uses year round in 2 week increments (with 24 hours between events).	Apply limitation on the number of events allowed per year, similar to residential zones (3/yr.).
9.6105(4)table	Bike parking for Library use	Parking table does specify the number of spaces required for library use, but not the proportion of long and short term bike parking spaces.	Clarify that 25% shall be long term and 75% short term spaces, consistent with other similar uses.
9.6105(4)table	Bike parking for "Office Equipment and Supplies" use	Use is specifically identified in vehicle parking table, but was inadvertently left off the bike parking table.	Include Office Equipment and Supplies category with bike parking standards consistent with similar uses (1 space/3,000 sq. ft.).
9.6105(4)table; 9.6410(table)	Bike and Vehicle parking requirements for "Martial Arts" uses	Martial Arts are specifically called out in Commercial and Industrial zones, but are not included in bike and vehicle parking requirements.	Insert "Martial Arts" use on respective parking tables consistent with the use tables for commercial and industrial zones.
9.6410(3)	Parking requirements for outdoor restaurant seating	Code is not clear how to treat outdoor seating in parking calculations requirement (which is based on seating number). Since outdoor seating is typically seasonal, some reduction in the parking for outdoor seats better reflects actual need.	Provide specific code provision exempting up to 20 outdoor seats from off-street parking requirements, consistent with long held practice.
9.6410 (table)	Wholesale Trade: Required parking	LUCU inadvertently changed this standard to require 1 space per 550 sq. ft. of floor area.	Modify Wholesale Trade parking requirement back to original ratio of 1 space per 1650 sq. ft.
9.6420(3)(e)	Parking island requirement regarding landscape coverage	Inconsistency between code language and figure. Figure indicates that parking islands need to meet L-2 standards while code language is silent.	Clarify that parking islands need to meet 70% landscape coverage requirement, consistent with L-2 standards.
9.6420(3)(f)(1)	5' Perimeter landscaping required for Parking Structures	Standard requires landscaping along interior property lines (not along streets) which in C-2 and C-3, can typically result in a landscape strip wedged	Modify standard to exempt perimeter landscaping along interior yards when the building is 15' or less from the property line. This amendment would

		between two buildings. Such areas would not be conducive to landscape survival and would provide minimal benefit.	still require landscaping when adequate space exists, but exempt it within unsuitable situations.
9.6610(1)	Exemptions to sign standards for “mall vending”	Exemption for signs related to “mall vending” is outdated due to repeal of Administrative Rule R-3.336. Vending signs in the downtown are now administered by DEI.	Clarify that signs for vending within the “Downtown Activity Area” are exempt from Ch. 9
9.6610(1)	Time Period for Election Sign Exemption	Code does not clearly tie the time period for erecting election signs to the date of an election in which Lane County residents may vote.	Clarify code so it is clear that election signs cannot be erected based on election dates in other counties.
9.6610(1) 9.6615	Downtown Activity Zone Sign Exemption	Eugene Code does not recognize the existing provisions exempting city review for portable signs downtown. Such signs are administered by DEI.	Provide a reference in 9.6610 noting the existence of portable sign provisions in the Downtown Activity Zone Ordinance.
9.6630(1)	Installation of Signs prior to Permit Issuance	Language in code is not clear as to when signs may be installed. Some applicants have installed signs before paying for their permit.	Clarify code to match current policy that permit issuance, not permit approval, must occur before installing sign.
9.6640(4)(d)	Vision Clearance Area for Signs:	Reference to Vision Clearance standards was not modified in LUCU to match revised language describing when standards apply.	Clarify this reference by using same applicability provisions as main Vision Clearance Area section (EC 9.6780).
9.6650(3)(c)	Signs for Manufactured Home Park	Code allows identity sign (e.g. project name) for a subdivision or Planned Unit Development but not a manufactured home park.	Allow identity sign for a manufactured home park consistent with other residential developments.
9.6670(6)(b)	Reference to Revocable Permit Requirements for Signs in ROW	Current code requires revocable permit for all forms of signs in the public right-of-way. Some signs, such as plaques, or other minor signs don’t warrant permit requirements	Revise code to allow Public Works staff the ability to waive revocable permit process for minor signs
9.6709	Flood Plain Standards	Current standards do not match new federally mandated language.	Revise code to meet federal standards.
9.6730 9.8030	On-site Pedestrian Circulation	Code does not allow applicants to request alternative approaches to the requirements regarding pedestrian circulation.	Create an adjustment review provision allowing consideration of alternatives to the current standards, provided the alternative meets or exceeds

			the same objectives as the standards.
9.6745(3)(b)	Projecting Architectural Features for Multiple Story Buildings	Previous language was inadvertently omitted which allowed eaves, chimneys and similar architectural features above one story to project into side yards (as is allowed for the first story). Would allow a chimney to encroach on first floor but not the second floor.	Modify language to clarify that these architectural features are allowed to project as per current policy, which includes the second story.
9.6745(3)(c)	Allowance for signs in required front yard setbacks	Code section describing allowed intrusions of signs into setbacks does not match allowance cited in residential zones & sign standards.	Revise code to be consistent in all three locations which currently allows signs to extend up to 5' into 10' front yard setback.
9.6805; 9.6870 (table)	Dedication of Public Ways	References to public way design standards do not ensure consistency with public improvement standards and Arterial Collector Street Plan.	Provide necessary references in Chapter 9 to ensure other adopted design standards and policies are applied.
9.6810	Requires new local streets to intersect with other streets at intervals of 600' or less	Code does not allow flexibility from the 600' standard except for physical constraints. Some larger subdivisions may provide a thorough network of streets, but have an intersection slightly > 600', requiring another unnecessary street.	Create an exception provision allowing requests for exceptions to the 600' standard while maintaining street connectivity and emergency access objectives.
9.6815(2)	Adjustment Review regarding street connectivity	Adjustment review process is redundant. Street connectivity is already evaluated as part of land use application (subdivision, partition, PUD, etc). Any requests for exceptions can be handled through the main application.	Eliminate requirement for separate adjustment review and instead, fold in same requirements into an exception process as part of the primary land use application review. This will consolidate all street connectivity discussion without changing any actual requirements.
9.6820; 9.8030(12)(b)	Cul-de-sac requirements	Language describing when a cul-de-sac vs. alternative designs (i.e. hammerheads) can be used is confusing.	Clarify circumstances in which exceptions to cul-de-sac design can be requested and granted.
9.6870 (table)	Cul-de-sac design standards	Right-of-way (ROW) and paving width requirements are not consistent with other adopted public works standards	Revise the table to specify consistent right-of-way standards for cul-de-sacs
9.6885(2)	Tree preservation plans requires report from certified arborist	Requirement is limited to certified arborists. In some	Revise standard to allow landscape architects as well as

		cases, landscape architects are better equipped to look at broader site design options to improve tree preservation. Especially relevant when tree health/vitality are not key factors.	certified arborists to provide the required report.
9.7015	Completeness Review: Timeline for response to incomplete applications	Language is not consistent with more recently adopted State Statutes which puts burden on the applicant to inform city of their intention to provide missing information.	Revise language to ensure consistency with State Law.
9.7020	Waiver of timelines	Current language implies any timeline can be waived, however a recently adopted state statute limits time waivers for land use applications.	Clarify limitation on timeline waivers consistent with state statutes (maximum of 245 days).
9.7110	Type I decisions: Limits decisions to approval or denials	EC 9.8415 and 9.8715 allow conditional approval of property line adjustments and unimproved easement vacations. This conflicts with language under Type I process, which implies projects can only be approved or denied as is.	Correct conflicting language by amending EC 9.7110 to allow for conditional approvals.
9.7605, 9.7655	Filing deadlines for appeals	Code requires filing of appeals within 12 days of notice of decision but does not specify the time of day for this deadline (e.g. could allow after hours submittals).	Specify that the deadline expires at 5pm or the close of the regular business day.
9.7805(map), 9.7885	Industrial Corridor Map	ICCO map doesn't precisely match the boundaries in the 1991 Industrial Corridor Agreement.	Revise geographic description in 9.7885 and map to match agreement.
9.8010 (table)	Reference to adopted plans includes specific dates for each plan.	Many dates listed in table are not reflected on adopted plan or do not correspond to date of adoption. If plans are amended, it would require a code amendment simply to reflect new date.	Eliminate dates from the table of applicable plans.
9.8030(10)	Traffic Demand Management (TDM) Plans: Adjustments to parking standards	Code allows the city to require an annual report for TDM's involving a reduction in minimum parking, but not for TDM's involving excess parking.	Establish ability to require annual reports for TDM plans requesting adjustments to maximum parking requirements.

9.8030(10)	Adjustment to parking standards: Timing and requirement for TDM plans	Requires TDM approval <u>before</u> , rather than a part of adjustment review. Requires formal TDM for <u>all</u> requests. Some adjustment reviews can be adequately addressed without a formal TDM.	Revise language so that a TDM plan is reviewed as part of adjustment review. Allow ability to waive formal TDM plan if required adjustment review criteria are otherwise met.
9.8055(1)	Cluster Subdivision Criteria	Criteria reference redundant. Lot dimensions, street and public improvement standards already addressed within standard subdivision criteria.	Strike EC 9.8055(1)(c), (d) and (e).
9.8055(1)	Cluster Subdivisions: Relaxation of lot and development standards	Doesn't include intended range of standards which can be relaxed (i.e. Setbacks, lot coverage etc). Also requires separate adjustment review process instead of integrating within the subdivision process.	Revise language and review process to provide intended range of standards available for relaxation while integrating an exceptions process (same requirements) into subdivision process.
9.8090(8)(c) 9.8215(1)(b) 9.8220(2)(b) 9.8320(5)(a) 9.8325(6)(a) 9.8440(3)(a) 9.8515(1)(b) 9.8520(3)(b)	Approval criteria for various land use applications regarding street connectivity standards	Approval criteria require compliance with street connectivity standards (EC 9.6800-9.6870), but inadvertently excluded reference to private street design standards (EC 9.6875).	Amend various code references to ensure approval criteria require compliance with private street standards (EC 9.6875).
9.8130(2)	PUD Design Team must include a member of the American Institute of Certified Planners (AICP), unless waived by Planning Director	Requirement for AICP planner does not necessarily correlate to better prepared projects. AICP is a voluntary certification, and does not serve an accurate measure of effectiveness.	Eliminate the AICP requirement.
9.8335	Modification to Approved Tentative PUD's	PUD's have 2 approval steps. Code does not allow requests for minor modifications to the first step (Tentative PUD's), but does for the second step (Final PUD). Applicants are either required to start the process over, or process the final PUD for a project they have no desire to build, simply to avail themselves of the modification process.	Establish a provision to allow requests for modifications to tentative PUD's similar to Final PUD process (Type II review). This will enable public notice as is required for all other modifications requests.
9.8410(1)	Property Line Adjustment: Surveyor Stamp required	Code does not reflect ORS requirement for surveyor stamp on parallel adjustments for unplatted lots (lots not created through a land division).	Add language consistent with ORS requirement to require surveyor stamp in these situations.

9.8410(2)	Property Line Adjustments: Title report required	Staff have, at times, had difficulty obtaining title reports from applicants that are current, given lack of clarity in the code.	Add language to require a <u>current</u> preliminary title report (within one year).
9.8580	Final Subdivision requirements	EC 9.7025 requires performance agreements related to subdivisions. No means available to consider modifications to agreements as is allowed for many other similar applications.	Establish Type II modification process similar to other performance agreements (i.e. Site Reviews, CUP's, PUD's)
9.8710	Vacations of improved right-of-way (ROW)	State law only requires Council approval of ROW vacations, which until LUCU, is how such requests were handled. LUCU standardized all application procedures (Type I through V), which did not account for this unique vacation process.	Clarify that vacations of improved right-of-way go directly to City Council (including public hearing).
9.8710(6)	ROW vacation: Consent requirements	Code only references a portion of ORS requirements which apply to vacations of ROW. Does not include requirements pertaining to consent of adjoining and surrounding property owners.	Include reference to applicable ORS requirements.
9.8710(7)	Required consent for public utility easement vacations	Language conflicts with intent to require consent from any owners adjacent to the portion of easement to be vacated. Implies consent also required from unaffected neighbors.	Revise language to clarify consent is only required of owners of property adjacent to the easement in question.
9.8720	Unimproved ROW vacation: Payment of assessed value	Code does not specify how and when applicant shall pay for vacated <u>unimproved</u> ROW (Type II process). However, code does specify provisions for vacations of <u>improved</u> ROW.	Provide language similar to Type IV ROW vacations.

Last revised 12/22/05