

# EUGENE CITY COUNCIL

## AGENDA ITEM SUMMARY



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### Work Session and Possible Action: Envision Eugene Implementation - An Ordinance Concerning Single-Family Code Amendments for Accessory Buildings, Alley Access Lots and Secondary Dwellings

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Meeting Date: May 14, 2014  
Department: Planning and Development  
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Agenda Item Number: B  
Staff Contact: Alissa Hansen  
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#### **ISSUE STATEMENT**

The City Council will deliberate and possibly take action on a package of land use code amendments related to single-family housing in the R-1 Low Density Residential zone. These would apply citywide, except for the three neighborhoods covered by the recently adopted university area protection measures. The proposed amendments would:

1. Improve compatibility standards for structures that are already allowed, including secondary dwellings, dwellings on existing alley access lots and accessory buildings; and
2. Allow for new alley access lots in limited areas, subject to compatibility standards.

#### **BACKGROUND**

As part of Envision Eugene, the City Council initiated land use code amendments to promote secondary dwellings and allow for new alley access lots. These amendments directly implement several Envision Eugene strategies under the housing affordability, neighborhood livability and climate change/energy resiliency pillars related to smaller homes.

During the public engagement process for the Envision Eugene recommendation, there was strong and broad support voiced for more opportunities for smaller homes. Subsequent research confirmed that this sentiment is consistent with changing trends in demographics and housing preferences. In particular, singles, couples, and retirees are seeking smaller housing options, which provide more affordable, flexible and energy efficient housing than traditional single-family homes. A recent video produced by the Oregon Department of Environmental Quality describes the benefits of smaller housing options and specifically mentions the programs offered in Eugene and Portland. This video can be watched at this [link](#) or via <http://vimeo.com/87717129>.

Unfortunately, these smaller housing types are not widely available in Eugene, in part due to costly and/or uncertain regulations. As a result, the Envision Eugene recommendations call for the promotion of these housing types through modifying regulations and providing incentives to create more opportunities, while improving compatibility.

#### **Citywide Amendments for Secondary Dwellings, Alley Access Lots and Accessory Buildings**

The proposed amendments represent the culmination of many years of public engagement and considerable community input, with the ultimate goal of fulfilling a strong community desire and long-standing interest to improve the compatibility of small-scale infill in this community's neighborhoods. Because of the broad applicability of these proposed standards (they would apply in all R-1 neighborhoods with the exception of Amazon, Fairmount and South University), and the diverse nature and character of the community's neighborhoods, they necessarily represent a balanced approach. It is essential that the proposed standards provide enough flexibility to ensure they work citywide in a variety of situations. In addition, care was taken to ensure that the proposed standards were not so restrictive that they would unduly discourage the construction of these development types.

### **City Council Process**

Following a unanimous recommendation for approval by the Eugene Planning Commission in October 2013, the City Council held a work session and a public hearing on the entire package of single-family code amendments (the citywide compatibility standards and the university area protection measures). Following the November 18, 2013, public hearing, the City Council voted to hold the public hearing record open for one week for additional testimony. Written testimony received at the public hearing and during the open record period was provided previously to the City Council under separate cover.

At the February 12, 2014, work session on the entire package of single-family code amendments, the City Council directed staff to return with a separate ordinance which on its own would accomplish the interim protection measures. Subsequently, on March 12, 2014, the City Council adopted the university area interim protection measures, which became effective on April 12, 2014. Those code amendments apply to the existing single-family neighborhoods surrounding the University of Oregon (Amazon, Fairmount and South University), which have experienced a substantial increase in unintended housing development associated with the demand for student housing and the proximity of the university. As adopted, they prohibit certain dwelling types and land divisions, and limit certain uses until more comprehensive planning of these areas can be completed, as committed to through Envision Eugene.

The single family code amendments as originally proposed at the City Council's November 2013 public hearing -- which are amendments unanimously recommended by the Planning Commission -- are contained in the proposed ordinance and exhibits provided as Attachment A. The proposed ordinance and exhibits contain some minor revisions from those originally posted for the public hearing, including organizational and format changes of the code sections, as well as code citation references, as a result of the interim protection measures being adopted first.

In addition to separating the interim protection measures from the remainder of the single-family code amendments, the City Council expressed interest in reviewing other modifications being suggested by neighborhood leaders. These suggested changes are included as Attachment B. Staff has prepared a matrix that summarizes the current land use code provisions, the proposed amendments (as contained in the attached ordinance) and the changes suggested for each building type. The final column includes some of the effects of the changes suggested. This matrix is provided as Attachment C. During the work session, staff will walk the City Council through the matrix.

If the council chooses to pursue the changes suggested by the university area neighbors,

additional process steps will need to be taken prior to adoption, including required public notice to property owners of lots that would no longer be eligible for secondary dwellings. Given the extent of those alternative changes, and to provide for a transparent and equitable process, staff recommends that the proposed changes return to the Planning Commission for a new public hearing process. Due to staff resources and priorities, this process would not begin until following local adoption of Envision Eugene (including a Eugene-specific urban growth boundary). While the number of single-family dwellings anticipated to occur as a result of these amendments (approximately 40 alley access lots and 85 secondary dwellings) is small, they would not be counted as land efficiency measures to accommodate housing within the current urban growth boundary. Instead, this number of housing units (125) would necessarily be added to the city's land need.

### **RELATED CITY POLICIES**

Findings addressing the applicable approval criteria, including Statewide Planning Goals, the Metro Plan, and applicable refinement plans, are provided as an exhibit to the ordinance in Attachment A.

### **COUNCIL OPTIONS**

Following deliberations, the City Council may consider the following options:

1. Approve the ordinance as provided in Attachment A
2. Approve the ordinance with specific modifications as determined by the City Council
3. Deny the ordinance

### **CITY MANAGER'S RECOMMENDATION**

The City Manager recommends approval of the ordinance as provided in Attachment A.

### **SUGGESTED MOTION**

Move to adopt Council Bill 5115, an ordinance concerning single-family code amendments for accessory buildings, alley access lots and secondary dwellings, contained in Attachment A.

### **ATTACHMENTS**

- A. Proposed Ordinance and Findings
- B. Draft R-1 Code Amendments Recommendations, provided by Carolyn Jacobs, SUNA
- C. Summary Comparison Matrix

### **FOR MORE INFORMATION**

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