



Eugene City Council

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www.eugene-or.gov

EUGENE CITY COUNCIL AGENDA

July 13, 2015

5:30 p.m. CITY COUNCIL WORK SESSION

Harris Hall

125 East 8th Avenue

Eugene, Oregon 97401

7:30 p.m. CITY COUNCIL MEETING

Harris Hall

125 East 8th Avenue

Eugene, Oregon 97401

**Meeting of July 13, 2015;
Her Honor Mayor Kitty Piercy Presiding**

Councilors

George Brown, President

Pat Farr, Vice President

Mike Clark

George Poling

Chris Pryor

Claire Syrett

Betty Taylor

Alan Zelenka

CITY COUNCIL WORK SESSION

Harris Hall

- A. WORK SESSION:
Library Local Option Levy**

5:30 p.m. B. ACTION:

**An Ordinance Concerning Multiple-Unit Property Tax
Exemptions**

**CITY COUNCIL MEETING
Harris Hall**

1. **PLEDGE OF ALLEGIANCE TO THE FLAG and READING OF THE
DECLARATION OF INDEPENDENCE**

2. **CEREMONIAL MATTERS**

3. **PUBLIC FORUM**

4. **CONSENT CALENDAR**

(Note: Time permitting, action on the Consent Calendar may be taken at the 5:30 p.m. work session.)

A. **Approval of City Council Minutes**

B. **Approval of Tentative Working Agenda**

C. **Approval of Funding and Use of City Resources for Housing
Affordable to Low-Income Persons – Delta Court Apartments**

D. **A Resolution Approving a Low-Income Rental Housing
Property Tax Exemption for Delta Court, Located at 850/870
Hunsaker Lane, Eugene, Oregon (Cornerstone Community
Housing/Applicant)**

5. **PUBLIC HEARING:**

**An Ordinance Concerning Land Use Code Maintenance and
Amending Sections 9.0500, 9.1060, 9.2160, 9.2740, 9.3115, 9.3210,
9.3310, 9.3510, 9.3810, 9.3910, 9.4260, 9.5200, 9.6105, 9.6410,
9.6610, 9.7315, 9.7335, 9.7415, 9.7455, 9.7505, 9.7520, 9.7560,
9.7655, 9.8400, 9.8405, and 9.8855 of the Eugene Code, 1971 (City
File CA 15-2)**

6. **WORK SESSION:
City Hall Update**

**time approximate*

The Eugene City Council welcomes your interest in these agenda items. This meeting location is wheelchair-accessible. For the hearing impaired, FM assistive-listening devices are available or an interpreter can be provided with 48 hours' notice prior to the meeting. Spanish-language interpretation will also be provided with 48 hours' notice. To arrange for these services, contact the receptionist at 541-682-5010. City Council meetings are telecast live on Metro Television, Comcast channel 21, and rebroadcast later in the week.

City Council meetings and work sessions are broadcast live on the City's Web site. In addition to the live broadcasts, an indexed archive of past City Council webcasts is also available. To access past and present meeting webcasts, locate the links at the bottom of the City's main Web page (www.eugene-or.gov).

El Consejo de la Ciudad de Eugene aprecia su interés en estos asuntos de la agenda. El sitio de la reunión tiene acceso para sillas de ruedas. Hay accesorios disponibles para personas con afecciones del oído, o se les puede proveer un interprete avisando con 48 horas de anticipación. También se provee el servicio de interpretes en idioma español avisando con 48 horas de anticipación. Para reservar estos servicios llame a la recepcionista al 541-682-5010. Todas las reuniones del consejo estan gravados en vivo en Metro Television, canal 21 de Comcast y despues en la semana se pasan de nuevo.

For more information, contact the Council Coordinator at 541-682-5010,

www.eugene-or.gov

EUGENE CITY COUNCIL

AGENDA ITEM SUMMARY



Work Session: Library Local Option Levy

Meeting Date: July 13, 2015
 Department: Library, Recreation, and Cultural Services
www.eugene-or.gov

Agenda Item Number: B
 Staff Contact: Connie Bennett
 Contact Telephone Number: 541-682-5363

ISSUE STATEMENT

The council is asked to review a proposed library local option levy to place on the November 3, 2015 ballot.

BACKGROUND

Council Action History

At the January 14, 2015, work session, the City Council received information about the status of the Eugene Public Library funding and services, including the “Library of the Future” envisioned by the community and its leaders, and discussed initial options for a Library local option levy. The purpose of a library local option levy would be as a supplement to current General Fund support, enabling the City to invest in the Eugene Public Library of the future and to sustainably operate the services at the level desired by the community. After discussion, the council voted unanimously to direct staff to prepare a comprehensive option to place a five- year library levy measure on the November ballot.

On June 17, 2015, the council received a presentation on potential library levy options and information about a public opinion survey conducted in April. At that meeting, the council was leaning towards the “Option 1” (less costly) level of enhanced services. There were also comments and questions about building accountability into the levy measure.

Current Library Services

The bulk of Library services are those currently supported by the General Fund budget. In addition to the General Fund, the Library provides a number of ongoing services with donated funding; for example, the Eugene Public Library Foundation supports the Imagination Library early literacy program, and free Summer Reading programs for all ages are made possible by support from the Friends of the Eugene Public Library. The total FY16 Proposed Budget for the Library is \$10.6 million, of which \$10.3 million is provided from the General Fund, and \$267,000 is provided from donations.

Existing Services:

- Downtown Library services 61 hours across seven days a week.

- Bethel and Sheldon Branch services 26 hours over five days a week.
- Publically available technology to use at the Library.
- Ability to use personal technology to access Library services online 24/7.
- Purchase of a limited amount of new materials.
- Approximately 1,000 free public programs offered annually, for all ages.
- Some off-site programs serve those unable to come into the Library, such as storytimes to low-income children at daycares and large-print book delivery to homebound seniors.

Library Levy Proposal

The levy proposal would enhance existing service levels, rather than fund maintenance of current services. Based on comments from the council at the June 17 meeting, the “Option 1” scenario has been further defined into a specific proposal for the voters to consider at the November ballot. This option addresses the public’s concern about current barriers to accessing services – shortened hours, limited neighborhood convenience, not enough programs or services for teens, and constraints on access to technology, including “makerspace.” It also remains within the threshold of willingness to pay, as advised by Strategy Research Institute, the public opinion survey firm hired to inform Library planning. The levy focuses on the operational priorities identified in the survey and recommended by the council, which is to invest in services at existing branches (increasing hours and adding new services), and to bring the Library to the community through expanded off-site services.

The levy proposal builds on the existing, General Fund-supported service level and adds the following to meet current and future community needs:

Additional Hours and Access at All Three Library Locations: In order to expand access and achieve more equitable library services throughout the community, hours would be added at the Downtown Library and both branches. Specifically, the levy would:

- Add 22 hours each week at Bethel Branch Library, to be open 48 hours over six days a week.
- Add 22 hours each week at Sheldon Branch Library, to be open 48 hours over six days a week.
- Restore three hours on Sunday mornings each week at the Downtown Library, to be open 64 hours over seven days a week.

The types of expenditures that will be made to accomplish these service goals are for staff salaries, additional utilities, and custodial expenses.

Expanded Programs for Literacy, and to Support Success in School/Career: Based on community input through the Library of the Future conversations and the public opinion survey, the top priorities for expanded programs are in the areas of early literacy, success in school and career development, as well as equity of access. The levy proposal would address those priorities by adding the following:

- Expand the early literacy off-site program delivery.
- Increase programs and events for all ages, at all three Library locations, with particular focus on teens.

- Expand shared “makerspace” to provide community members with access to and training on tools and equipment they might not be able to afford individually. This could help with providing community members new skills to help with career development, as well as supporting informal, self-directed learning for all ages.

To accomplish these service goals, expenditures will be made for additional staff, materials, equipment, and a van for bringing offsite programs directly to community members. The existing Library volunteer program would also be expanded. The levy will include funds to save for replacing the equipment and van when their useful lives are ended.

More Technology and Materials: Survey results indicated that adding books and materials to shorten wait times as part of the levy proposal was positively viewed by respondents. This echoes what was determined through the Library of the Future conversation. Providing public technology equipment and user training was also identified as a key Library service; this is another way Library services address equity and access issues for all parts of the community.

- Restore to the Library’s materials budget for new books and other resources to the level of the Fiscal Year 2009 budget by adding \$300,000. This will result in a shorter “wait time” for the most popular items.
- Add technology (tablets and/or laptops) to lend for public use on-site at both branches.

Expenditures in this category will include materials, equipment, and services; also, increased staff to support these services. The levy will include dollars to save for technology replacement when the tables and/or laptops have reached the end of their useful lives.

Accountability

The council has expressed a desire to provide a high degree of assurance to voters about what will be accomplished with levy funds. This will give community members confidence about the use of public funds and reduce the risk that Eugene citizens will think that the money could be used in a way that was not intended when they voted for the measure.

To address this concern, several components will be included in the levy implementation:

- Levy funds will be budgeted and accounted for in separate funds that are easily identified by members of the public, in accordance with State law.
- Staff will prepare an annual summary of levy spending and performance measures. The report will clearly lay out the Library’s budget and the split between General Fund and Levy Funds. The Library Advisory Board will annually review the report to determine whether spending complied with the intention of the ballot language.
- The City Manager will provide an annual memorandum to the council about levy spending and key performance measures for the services. The memorandum will include the staff report and any comments from the Library Advisory Board after their review.

This three-pronged approach is designed to give the community confidence that funds are appropriately spent through both published financial documents and a community panel review. It will also focus the conversation on how levy funds are accomplishing key goals through a review of appropriate performance measures.

Financial Information and Impact to Taxpayers

The proposed levy to accomplish the goals and provide the services described above would result in a levy of \$2.7 million per year. The levy calculations include inflation at three percent per year, anticipated PERS rate increases, estimated property tax collection factors and a small contingency of five percent per year to cover the unknown. Annual cash flow needs to cover service costs between July and November prior to property tax collections would be managed by the General Fund and not built into the levy calculations.

For the \$2.7 million annual levy, the typical home in Eugene would pay an average of \$36 per year, or \$3 per month. The tax rate would be \$0.17 per \$1000 of assessed value. The typical home in Eugene was assessed at \$183,945 in the current year, and had a market value of \$237,761, according to Lane County Assessment & Taxation.

Timing

In order to place a measure on the November 3, 2015, general election ballot, the council must act by July 29, 2015 (last meeting before summer break). A meeting is scheduled for July 27 for continued council discussion and decision making.

Other Background Information

Under Oregon law, a property tax measure placed on either a primary election ballot (May) or a general election ballot (November) requires a simple majority of the votes cast in the election.

Voters' Pamphlet

Once the council places a measure on the ballot, an item that requests funding for a voters' pamphlet and assignment of councilors to serve on the proponent committee will need to be considered. The City has prepared neutral information tabloids for some of the previous ballot measures, including the previous street bond measures and library levy measures. If the council approves the resolution at this meeting to place the measure on the ballot, the council will consider the voters' pamphlet at a future meeting; otherwise, that item will be included at the July 27 council meeting, with final levy approval.

RELATED CITY POLICIES

This item relates to the following Council Goals:

- *Accessible and Thriving Culture and Recreation:* A community where arts and outdoors are integral to our social and economic well-being and are available to all.
- *Sustainable Development*
- *Effective and Accountable Municipal Government*

City of Eugene Financial Management Goals and Policies

Policy C.6 - Non-recurring revenue

"Except for local option levies approved by the voters, the City will use non-recurring revenue on limited-duration services, capital projects, equipment requirements, or services that can be terminated without significant disruption in the community or City organization."

COUNCIL OPTIONS

The council could adopt the resolution included in Attachment A, as written, or could direct staff to bring back a revised library levy proposal at the July 27 council meeting.

CITY MANAGER'S RECOMMENDATION

The City Manager recommends the adoption of the resolution included in Attachment A, as written.

SUGGESTED MOTION

Move to adopt the resolution attached as Attachment A.

ATTACHMENTS

A. Proposed Resolution.

FOR MORE INFORMATION

Staff Contact: Connie Bennett
Telephone: 541-682-5363
Staff E-Mail: connie.j.bennett@ci.eugene.or.us

ATTACHMENT A

RESOLUTION NO. ____

A RESOLUTION CALLING A CITY ELECTION ON NOVEMBER 3, 2015, FOR THE PURPOSE OF REFERRING TO THE LEGAL ELECTORS OF THE CITY OF EUGENE A MEASURE AUTHORIZING A FIVE-YEAR LOCAL OPTION LEVY FOR THE FUNDING OF LIBRARY OPERATIONS.

The City Council of the City of Eugene finds as follows:

- A.** Despite reduced budgets in recent years, the Eugene Public Library is heavily used by our community. In FY14, the Library served over 3,000 visitors daily and processed nearly three million check-outs. The Library provided more than 1,800 programs, ranging from storytimes to classes to entertainment with approximately 55,000 community members of all ages attending these free events. Monthly, the Library's three locations provided over 75,000 wireless sessions and 18,000 Internet computer user sessions.
- B.** The City's Library Services funded by General Fund and donation funds. The FY16 \$10.6 million budget pays for the following existing services:
- a. Downtown Library services 61 hours across seven days a week
 - b. Bethel and Sheldon Branch services 26 hours over five days a week.
 - c. Publically available technology to use at the Library.
 - d. Ability to use your own technology to access library services online 24 hours per day, 7 days each week.
 - e. Purchase of a limited amount of new materials.
 - f. Approximately 1,200 free public programs offered at the Library annually, for all ages.
 - g. Some off-site programs, all of which serve those unable to come into the Library, such as storytimes to low-income children at daycares and large print book delivery to homebound seniors.
- C.** Eugene Public Library is nationally recognized for excellence in cost-effective delivery of services. In its 2014 rankings, Library Journal named Eugene Public Library a "Star Library" for the fifth time. The designation means Eugene Public Library ranks among the top three percent of public libraries nationwide for excellence in cost-effective delivery of key services. The Library Journal study, the "Index of Public Library Service 2014," examined 7,586 public libraries. Only 258 libraries, including Eugene Public Library, received a Star Library designation. Eugene Public Library's delivery of services per capita was evaluated against public libraries with comparable budgets.
- D.** In October 2014, the Library engaged the community in a visioning process about the "Eugene Public Library of the Future". Participants, representing diverse demographics and viewpoints within the community, reached a consensus that "Eugene Public Library has been and will continue to be a center of our community, a community that values

learning and opportunity for all of its residents.” The resulting report set out a vision for the future 2024 Library that included themes such as technology, literacy, off-site delivery of Library programs, creativity and creative spaces, growth in services, facilities growth and funding.

- E.** In April 2015, the Library contracted for a survey to explore the community’s opinions and priorities regarding Library services and to learn the probable level of support for a five-year local option levy as a supplement to the General Fund. The survey results confirmed community support for a Library Local Option Levy and reaffirmed the priorities heard repeatedly from council, Library users and supporters, and from the Library of the Future visioning process.
- F.** Increased access to existing Library services by adding back open hours was rated by community members as the most critical enhancement for levy funding. Also highly rated was a restoration of the Library’s materials budget to former levels, which would reduce “wait times” for the most popular materials. Library services targeted to specific underserved groups were also identified as a high priority for investment. These include early literacy skill development for preschoolers and their families, an expansion of programs and services for teens, and an investment in new technologies such as makerspace.
- G.** In response to the community feedback about service level enhancements, the City Council developed a proposal for library levy funding. The proposal was shaped by what residents identified as highest priorities for themselves and the community as a whole. The levy proposal would pay for service enhancements, not existing Library services. Existing Library services would continue to be funded by the General Fund and donation funds.
- H.** Based on community input, the levy services will focus on expanding hours and access for everyone and ensuring equity in provision of library services. Specifically, the levy will fund the following service enhancements:

 - a. Additional hours and access. This would include adding 22 hours each week at Bethel Branch, to be open 48 hours over six days a week; adding 22 hours each week at Sheldon Branch, to be open 48 hours over six days a week; and restoring 3 hours on Sunday mornings each week at the Downtown Library, to be open 64 hours over seven days a week.
 - b. Increase by 33% on-site free programming for all ages, with particular focus on teens; expanded “makerspace” to provide community members with access to and training on tools and equipment they might not be able to afford individually; and increased off-site delivery of programs, including focused expansion of the early literacy outreach and other volunteer programs.
 - c. More technology and materials, including restoring \$300,000 per year to bring the budget for books and other resources back to FY09 levels, to ensure a shorter “wait time” for the most popular items; and technology (tablets and/or laptops) to lend for public use on-site at both Branch Libraries.

- I.** On July 13, 2015, the City Council agreed that a five-year Local Option Levy of \$2,700,000 per year should be placed on the November 3, 2015 ballot. The typical Eugene taxpayer is estimated to pay an average of \$36 per year over the five-year period of the levy.
- J.** In order to ensure accountability in the use of levy funds, several components will be included in the levy implementation:
- a. Levy funds will be budgeted and accounted for in separate funds that are easily identifiable by members of the public, in accordance with state law.
 - b. Staff will prepare an annual summary of levy spending and performance measures. The report will clearly lay out the Library's budget and the split between the General Fund and Levy Funds. The Library Advisory Board will annually review the report to determine whether spending complied with the intention of the ballot measure.
 - c. The City Manager will provide an annual memorandum to the City Council about library levy spending and key performance measures for the services. The memorandum will include the staff report and any comments from the Library Advisory Board after their review.

NOW, THEREFORE, based upon the above findings,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EUGENE, a Municipal Corporation of the State of Oregon, as follows:

Section 1. A city election is called for the purpose of referring to the legal electors of the City of Eugene a measure authorizing a five-year Library Local Option Levy in the amount of \$2,700,000 per year, beginning July 1, 2016, to fund enhanced library services.

Section 2. The City Council orders this city election to be held in the City of Eugene, Oregon, concurrently with the election on November 3, 2015, in accordance with the provisions of Chapter 254 of the Oregon Revised Statutes, and the ballots shall be counted and tabulated and the results certified as provided by law.

Section 3. The City Recorder is directed to give not less than ten days' notice of the city election by publication of one notice in the Register Guard, a newspaper published in the City and of general circulation within the City.

Section 4. This Resolution shall become effective immediately upon its adoption.

The foregoing Resolution adopted the 13th day of July, 2015.

City Recorder



Public
Library



Library of the Future

Existing Service Level – supported by the General Fund

- Maintain three full-service locations at current hours:
 - Downtown: 61 hours across 7 days
 - Bethel: 26 hours across 5 days
 - Sheldon: 26 hours across 5 days
- Library website offering 24/7 access
- Limited off-site services

The Library of the Future

The Library Services most valued by our Community:

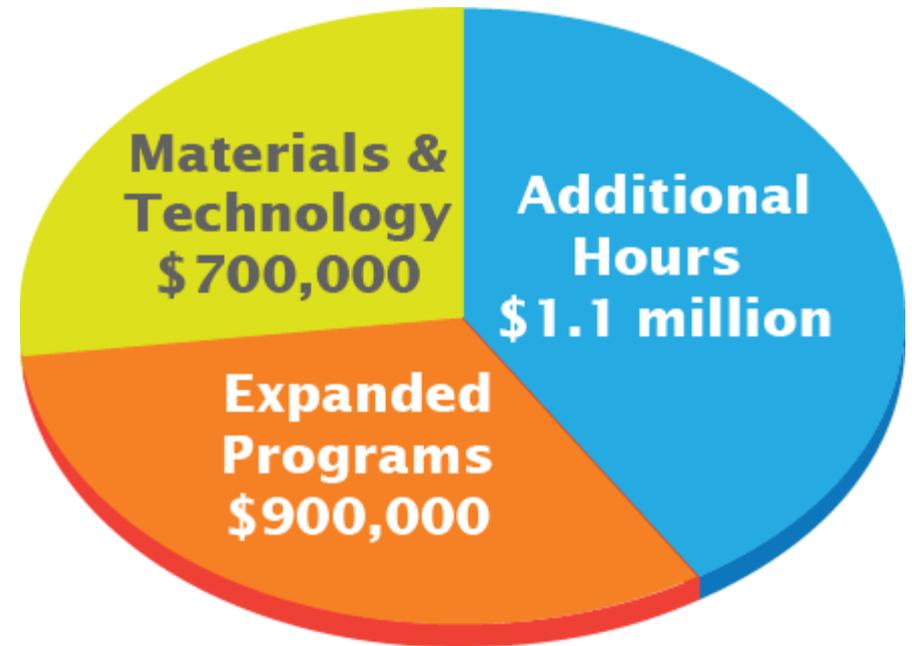
- Promote early literacy
- Support success in school and work
- Ensure equity of access

Proposed Five Year Library Local Option Levy Approximately \$3/month



Levy funds will provide the following service enhancements:

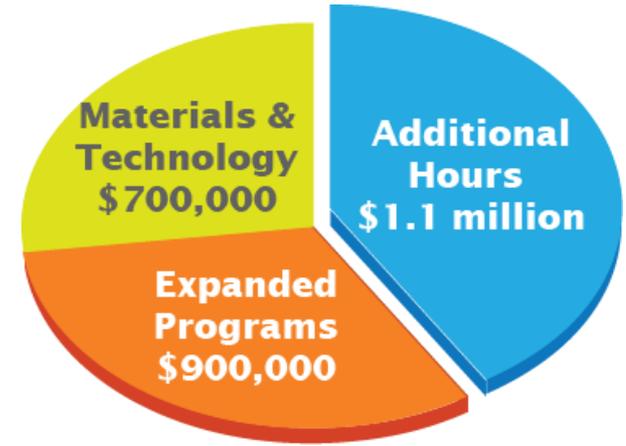
- Additional hours and access
- Expanded programs
- More materials and technology



Total Levy funds \$2,700,000

Additional Hours and Access

To expand access and achieve more equitable library services throughout the community, hours would be added to all three locations.

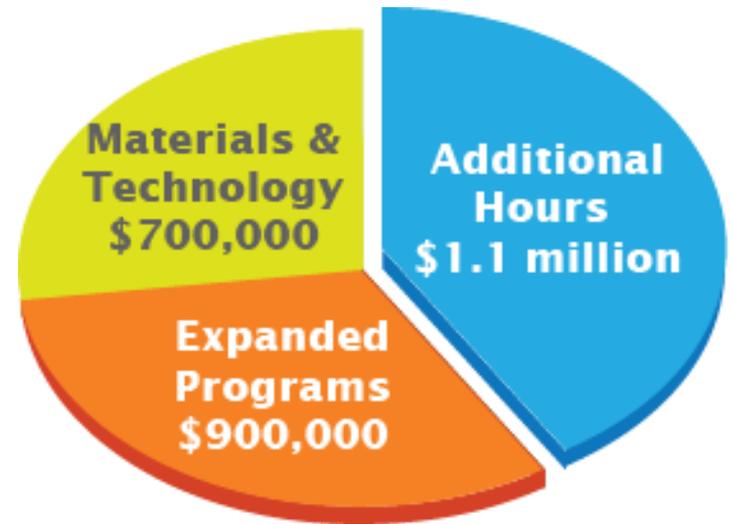


Additional Hours and Access

Bethel Branch: Add 22 hours
for 48 hours across 6 days

Sheldon Branch: Add 22 hours
for 48 hours across 6 days

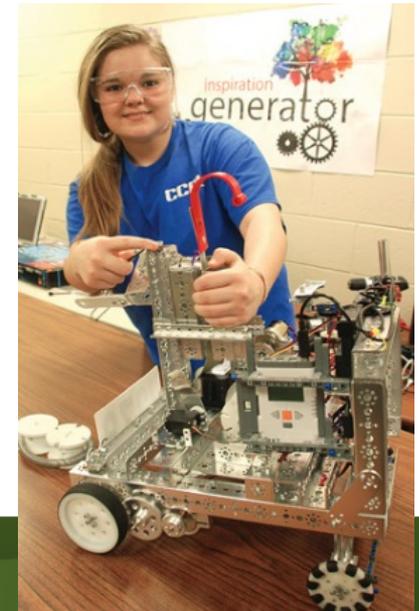
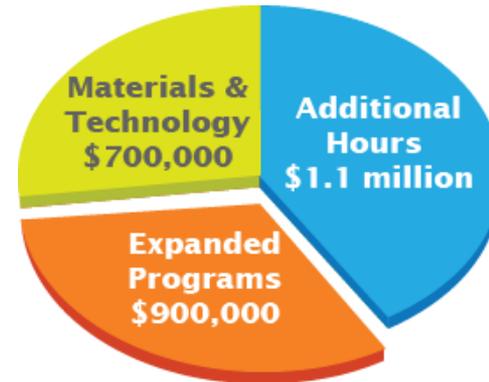
Downtown: Add 3 hours on Sundays
for 64 hours across 7 days



Expanded Programs

The top priorities for expanded programs are in the areas of

- Early literacy
- Success in school
- Career development
- and Equity of access.

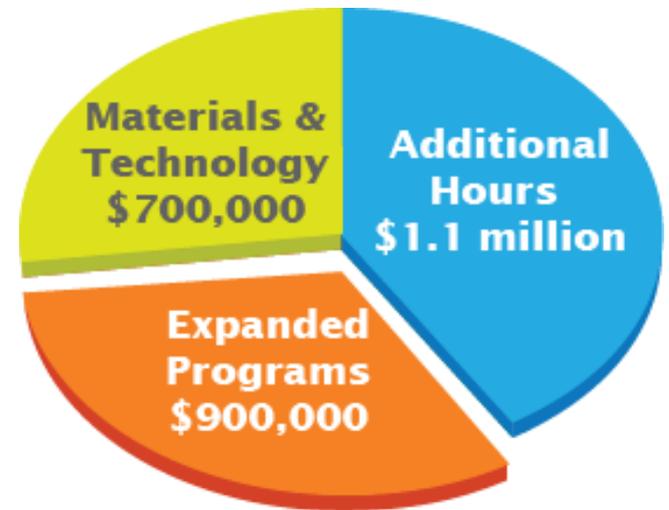


Expanded Programs

The number of programs offered will increase 33%. These will be programs offered at all three locations and throughout the community.

Examples of additional programs:

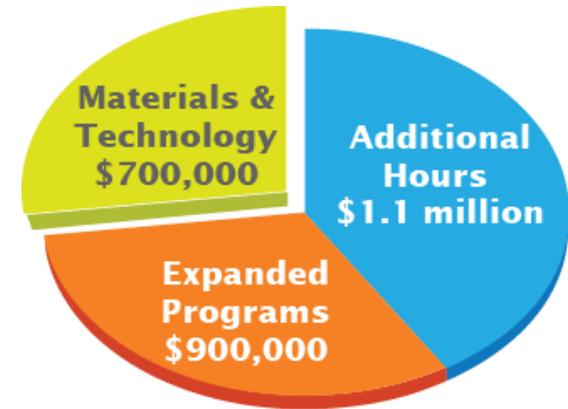
- Storytime-To-Go sites
- Teen programs
- Small business development
- Makerspace tools and training



Expanding the volunteer program is key to this growth in programs.

More Materials and Technology

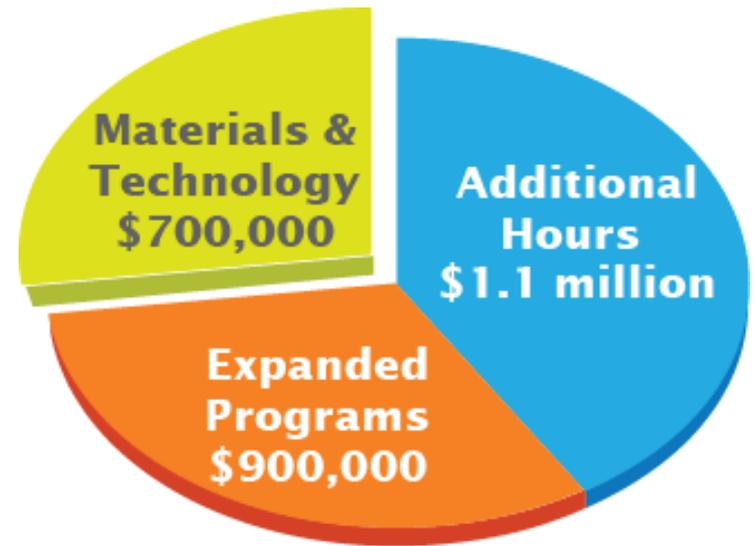
Community members are asking for more books and resources.



Increasing access to technology (Internet and equipment) is necessary to meet both current needs, and the needs will continue to grow.

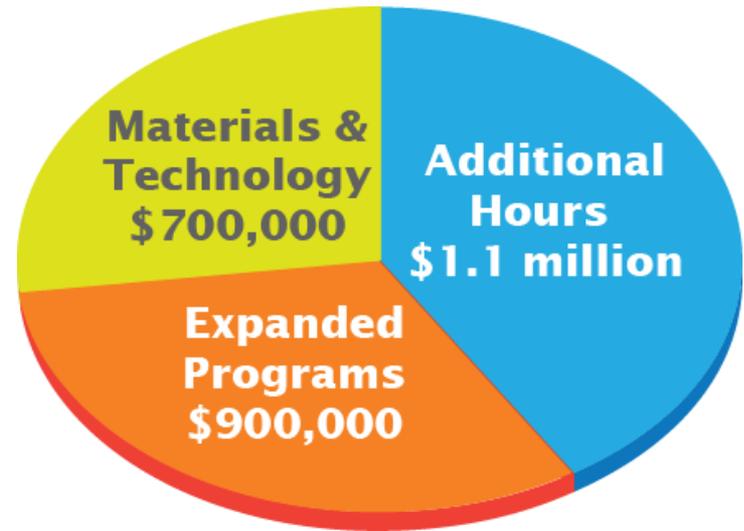
More Materials and Technology

- Add \$300,000 to the Library's materials budget for new books and other resources.
- Add technology (tablets/laptops) for public use at the Branches



Accountability

- Budgeted and accounted for in separate funds.
- Library Advisory Board reviews levy spending & performance measures annually.
- Annual memorandum to City Council.

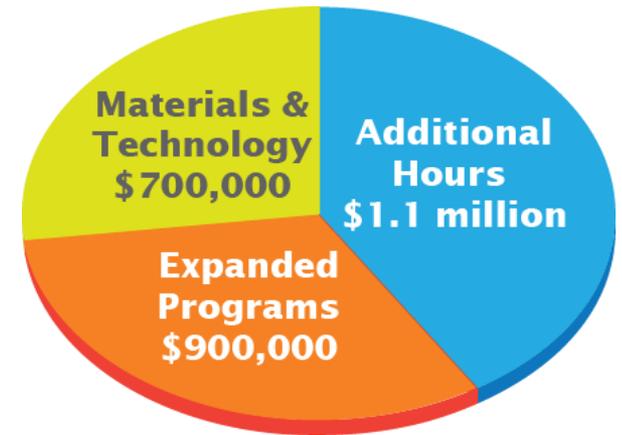


Total Levy funds \$2,700,000

Library Local Option Levy

Five years, July 1, 2016 – June 30, 2021.

- Hours added to all locations.
- Additional free programs for all ages.
- More materials and access to technology.



**Total: \$2.7 million a year –
\$0.17 per \$1,000 of assessed value**

EUGENE CITY COUNCIL

AGENDA ITEM SUMMARY



Action: Multi-Unit Property Tax Exemption (MUPTE) Program Revisions

Meeting Date: July 13, 2015
 Department: Planning & Development
www.eugene-or.gov

Agenda Item: A
 Staff Contact: Denny Braud
 Contact Telephone Number: 541-682-5536

ISSUE STATEMENT

The council will review an ordinance on potential Multi-Unit Property Tax Exemption (MUPTE) program reforms with an opportunity to take action. On July 8, the council provided direction on what to include in the final ordinance.

BACKGROUND

The MUPTE program is enabled by state legislation and designed to encourage higher density housing and redevelopment in the core area and along transit corridors. The program provides a tax exemption for up to 10 years on qualified, new multi-unit housing investments that occur within a targeted area, meet program requirements, and are reviewed and approved by the council.

The MUPTE program is currently suspended through September 1, 2015. MUPTE is a critical component to Envision Eugene. Coupled with Area Planning, it is a critical tool necessary to address future multi-family housing needs in the downtown, along key corridors, and near core commercial areas. Envision Eugene is moving towards completion, with the formal adoption process anticipated to begin in fall 2015.

The council's review of possible program changes began in 2013 with involvement from the following stakeholder groups: neighborhoods; Housing Policy Board committee for feedback specifically related to Affordable Housing criteria; development-related fields including three developers, an appraiser, and a banker; construction industry, including general contractors, specialized trades, and union representatives; Human Rights Commission subcommittee, and the Technical Resource Group (TRG) comprised of community members with expertise in real estate, land use, and business.

RELATED CITY POLICIES

Utilization of the MUPTE program to stimulate new multi-unit housing development addresses many goals for Eugene and downtown, including:

Envision Eugene Pillars

- Promote compact urban development and efficient transportation options.

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- Integrate new development and redevelopment in the downtown, in key transit corridors and in core commercial areas.
- Meet the 20-year multi-family housing need within the existing Urban Growth Boundary.
- Make compact urban development easier in the downtown, on key transit corridors, and in core commercial areas.
- o Provide housing affordable to all income levels.
- o Plan for Climate Change and Energy Resiliency.
 - Make energy efficiency in buildings and vehicles the first line of action in reducing energy dependence and greenhouse gas emissions.
 - Align incentives, costs and City processes to promote resource efficient buildings, smaller homes and development towards the city core.

Regional Prosperity Economic Development Plan

- o Strategy 5: Identify as a Place to Thrive - Priority Next Step - Urban Vitality
 - As we foster a creative economy, dynamic urban centers are an important asset. Eugene, Springfield and many of the smaller communities in the region recognize the importance of supporting and enhancing vitality in their city centers. Building downtowns as places to live, work and play will support the retention and expansion of the existing business community and be a significant asset to attract new investment. The Cities of Eugene and Springfield will continue to enhance their efforts to promote downtown vitality through development and redevelopment.

City Council Goal of Sustainable Development

- o Increased downtown development

Eugene Downtown Plan

- o Stimulate multi-unit housing in the downtown core and on the edges of downtown for a variety of income levels and ownership opportunities.
- o Downtown development shall support the urban qualities of density, vitality, livability and diversity to create a downtown, urban environment.
- o Actively pursue public/private development opportunities to achieve the vision for an active, vital, growing downtown.
- o Use downtown development tools and incentives to encourage development that provides character and density downtown.
- o Facilitate dense development in the courthouse area and other sites between the core of the downtown and the river.

Climate and Energy Action Plan

- o Buildings & Energy Section:
 - Objective 2: Reduce GHG emissions from new construction by 50 percent by 2030.
 - Action 2.2: Increase incentives for highly energy-efficient new buildings aiming toward net zero energy and carbon neutral buildings.
- o Land Use & Transportation Section:
 - Objective 11: Increase density around the urban core and along high-capacity transit corridors.

- Action 11.1: Zone future commercial and high-density residential uses in and around the urban core, and along EmX and other high-capacity transit corridors to accommodate urban growth.

Climate Recovery Ordinance

COUNCIL OPTIONS

Council may consider the following options

1. Adopt the ordinance (to be provided by Friday, 7/10).
2. Amend and adopt the ordinance.
3. Take no action at this time and continue discussions at a future work session.

CITY MANAGER'S RECOMMENDATION

The City Manager recommends adoption of the ordinance.

SUGGESTED MOTION

Move to adopt Council Bill 5142, an ordinance amending the MUPTE program.

ATTACHMENTS

None

FOR MORE INFORMATION

Staff Contact: Denny Braud
Telephone: 541-682-5536
Staff E-Mail: denny.braud@ci.eugene.or.us

EUGENE CITY COUNCIL

AGENDA ITEM SUMMARY



Pledge of Allegiance to the Flag

Meeting Date: July 13, 2015
 Department: Central Services
www.eugene-or.gov

Agenda Item Number: 1
 Staff Contact: Kris Bloch
 Contact Telephone Number: 541-682-8497

ISSUE STATEMENT

In honor of Independence Day on July 4, representatives of the Veterans and Family Student Association at the University of Oregon, will read the Declaration of Independence and lead the Pledge of Allegiance to the Flag.

BACKGROUND

The City Council voted at its June 27, 2011, work session to begin formal council meetings with a voluntary recitation of the Pledge of Allegiance to the Flag at those meetings closest to the following holidays: Memorial Day, Veterans Day, Flag Day, and the Fourth of July. In addition, the council voted to begin a practice of reading from the Declaration of Independence and/or the Constitution of the United States at the beginning of its meeting closest to the Fourth of July.

According to the United States Code, Title 4 (U.S. Flag Code), the Pledge "...should be rendered by standing at attention and facing the flag with the right hand over the heart. When not in uniform, men should remove any non-religious headwear with their right hand and hold it at the left shoulder, the hand being over the heart. Persons in uniform should remain silent, face the flag, and render the military salute."

The Pledge is as follows: *"I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one Nation under God, indivisible, with liberty and justice for all."*

CITY MANAGER'S RECOMMENDATION

No recommendation is necessary.

SUGGESTED MOTION

No motion is necessary.

ATTACHMENTS

Item 1.

A. The Declaration of Independence

FOR MORE INFORMATION

Staff Contact: Kris Bloch
Telephone: 541-682-8497
Staff E-Mail: kris.d.bloch@ci.eugene.or.us

THE DECLARATION OF INDEPENDENCE

IN CONGRESS, July 4, 1776.

The unanimous Declaration of the thirteen united States of America,

When in the Course of human events, it becomes necessary for one people to dissolve the political bands which have connected them with another, and to assume among the powers of the earth, the separate and equal station to which the Laws of Nature and of Nature's God entitle them, a decent respect to the opinions of mankind requires that they should declare the causes which impel them to the separation.

We hold these truths to be self-evident, that all men are created equal, that they are endowed by their Creator with certain unalienable Rights, that among these are Life, Liberty and the pursuit of Happiness.--That to secure these rights, Governments are instituted among Men, deriving their just powers from the consent of the governed, --That whenever any Form of Government becomes destructive of these ends, it is the Right of the People to alter or to abolish it, and to institute new Government, laying its foundation on such principles and organizing its powers in such form, as to them shall seem most likely to effect their Safety and Happiness. Prudence, indeed, will dictate that Governments long established should not be changed for light and transient causes; and accordingly all experience hath shewn, that mankind are more disposed to suffer, while evils are sufferable, than to right themselves by abolishing the forms to which they are accustomed. But when a long train of abuses and usurpations, pursuing invariably the same Object evinces a design to reduce them under absolute Despotism, it is their right, it is their duty, to throw off such Government, and to provide new Guards for their future security.--Such has been the patient sufferance of these Colonies; and such is now the necessity which constrains them to alter their former Systems of Government. The history of the present King of Great Britain is a history of repeated injuries and usurpations, all having in direct object the establishment of an absolute Tyranny over these States. To prove this, let Facts be submitted to a candid world.

He has refused his Assent to Laws, the most wholesome and necessary for the public good.

He has forbidden his Governors to pass Laws of immediate and pressing importance, unless suspended in their operation till his Assent should be obtained; and when so suspended, he has utterly neglected to attend to them.

He has refused to pass other Laws for the accommodation of large districts of people, unless those people would relinquish the right of Representation in the Legislature, a right inestimable to them and formidable to tyrants only.

He has called together legislative bodies at places unusual, uncomfortable, and distant from the depository of their public Records, for the sole purpose of fatiguing them into compliance with his measures.

He has dissolved Representative Houses repeatedly, for opposing with manly firmness his invasions on the rights of the people.

He has refused for a long time, after such dissolutions, to cause others to be elected; whereby the Legislative powers, incapable of Annihilation, have returned to the People at large for their exercise; the State remaining in the mean time exposed to all the dangers of invasion from without, and convulsions within.

He has endeavoured to prevent the population of these States; for that purpose obstructing the Laws for Naturalization of Foreigners; refusing to pass others to encourage their migrations hither, and raising the conditions of new Appropriations of Lands.

He has obstructed the Administration of Justice, by refusing his Assent to Laws for establishing Judiciary powers.

He has made Judges dependent on his Will alone, for the tenure of their offices, and the amount and payment of their salaries.

He has erected a multitude of New Offices, and sent hither swarms of Officers to harrass our people, and eat out their substance.

He has kept among us, in times of peace, Standing Armies without the Consent of our legislatures.

Item 1.

He has affected to render the Military independent of and superior to the Civil power.

He has combined with others to subject us to a jurisdiction foreign to our constitution, and unacknowledged by our laws; giving his Assent to their Acts of pretended Legislation:

For Quartering large bodies of armed troops among us:

For protecting them, by a mock Trial, from punishment for any Murders which they should commit on the Inhabitants of these States:

For cutting off our Trade with all parts of the world:

For imposing Taxes on us without our Consent:

For depriving us in many cases, of the benefits of Trial by Jury:

For transporting us beyond Seas to be tried for pretended offences

For abolishing the free System of English Laws in a neighbouring Province, establishing therein an Arbitrary government, and enlarging its Boundaries so as to render it at once an example and fit instrument for introducing the same absolute rule into these Colonies:

For taking away our Charters, abolishing our most valuable Laws, and altering fundamentally the Forms of our Governments:

For suspending our own Legislatures, and declaring themselves invested with power to legislate for us in all cases whatsoever.

He has abdicated Government here, by declaring us out of his Protection and waging War against us.

He has plundered our seas, ravaged our Coasts, burnt our towns, and destroyed the lives of our people.

He is at this time transporting large Armies of foreign Mercenaries to compleat the works of death, desolation and tyranny, already begun with circumstances of Cruelty & perfidy scarcely paralleled in the most barbarous ages, and totally unworthy the Head of a civilized nation.

He has constrained our fellow Citizens taken Captive on the high Seas to bear Arms against their Country, to become the executioners of their friends and Brethren, or to fall themselves by their Hands.

He has excited domestic insurrections amongst us, and has endeavoured to bring on the inhabitants of our frontiers, the merciless Indian Savages, whose known rule of warfare, is an undistinguished destruction of all ages, sexes and conditions.

In every stage of these Oppressions We have Petitioned for Redress in the most humble terms: Our repeated Petitions have been answered only by repeated injury. A Prince whose character is thus marked by every act which may define a Tyrant, is unfit to be the ruler of a free people.

Nor have We been wanting in attentions to our British brethren. We have warned them from time to time of attempts by their legislature to extend an unwarrantable jurisdiction over us. We have reminded them of the circumstances of our emigration and settlement here. We have appealed to their native justice and magnanimity, and we have conjured them by the ties of our common kindred to disavow these usurpations, which, would inevitably interrupt our connections and correspondence. They too have been deaf to the voice of justice and of consanguinity. We must, therefore, acquiesce in the necessity, which denounces our Separation, and hold them, as we hold the rest of mankind, Enemies in War, in Peace Friends.

We, therefore, the Representatives of the United States of America, in General Congress, Assembled, appealing to the Supreme Judge of the world for the rectitude of our intentions, do, in the Name, and by Authority of the good People of these Colonies, solemnly publish and declare, That these United Colonies are, and of Right ought to be Free and Independent States; that they are Absolved from all Allegiance to the British Crown, and that all political connection between them and the State of Great Britain, is and ought to be totally dissolved; and that as Free and Independent States, they have full Power to levy War, conclude Peace, contract Alliances, establish Commerce, and to do all other Acts and Things which Independent States may of right do. And for the support of this Declaration, with a firm reliance on the protection of divine Providence, we mutually pledge to each other our Lives, our Fortunes and our sacred Honor.

EUGENE CITY COUNCIL

AGENDA ITEM SUMMARY



Ceremonial Matters

Meeting Date: July 13, 2015
Department: City Manager's Office
www.eugene-or.gov

Agenda Item Number: 2
Staff Contact: Beth Forrest
Contact Telephone Number: 541-682-5882

ISSUE STATEMENT

This item is to acknowledge awards and achievements and inform the public of proclamations signed by the Mayor. No action is required by the City Council.

BACKGROUND

At its 1997 fall process session, the council agreed to include a monthly agenda item entitled "Ceremonial Matters." From time to time, the Mayor is asked to sign proclamations or acknowledge awards received, which serve to encourage and educate the community about important issues and events.

CITY MANAGER'S RECOMMENDATION

This is an information item only.

ATTACHMENTS

None.

FOR MORE INFORMATION

Staff Contact: Beth Forrest
Telephone: 541-682-5882
Staff E-Mail: beth.l.forrest@ci.eugene.or.us

EUGENE CITY COUNCIL

AGENDA ITEM SUMMARY



Public Forum

Meeting Date: July 13, 2015
Department: City Manager's Office
www.eugene-or.gov

Agenda Item Number: 3
Staff Contact: Beth Forrest
Contact Telephone Number: 541-682-5882

ISSUE STATEMENT

This segment allows citizens the opportunity to express opinions and provide information to the council. Testimony presented during the Public Forum should be on City-related issues and should not address items which have already been heard by a Hearings Official, or are on the present agenda as a public hearing item.

SUGGESTED MOTION

No action is required; this is an informational item only.

FOR MORE INFORMATION

Staff Contact: Beth Forrest
Telephone: 541-682-5882
Staff E-Mail: beth.l.forrest@ci.eugene.or.us

EUGENE CITY COUNCIL

AGENDA ITEM SUMMARY



Approval of City Council Minutes

Meeting Date: July 13, 2015
Department: City Manager's Office
www.eugene-or.gov

Agenda Item Number: 4A
Staff Contact: Kris Bloch
Contact Telephone Number: 541-682-8497

ISSUE STATEMENT

This is a routine item to approve City Council minutes.

SUGGESTED MOTION

Move to approve the minutes of the June 15, 2015, Public Hearing, June 17, 2015, Work Session, June 22, 2015, Work Session and Meeting, and June 24, 2015, Work Session.

ATTACHMENTS

- A. Minutes of June 15, 2015, Public Hearing
- B. Minutes of June 17, 2015, Work Session
- C. Minutes of June 22, 2015, Work Session and Meeting
- D. Minutes of June 24, 2015, Work Session

FOR MORE INFORMATION

Staff Contact: Kris Bloch
Telephone: 541-682-8497
Staff E-Mail: kris.d.bloch@ci.eugene.or.us

ATTACHMENT A

MINUTES

**Eugene City Council
Harris Hall, 125 East 8th Avenue
Eugene, Oregon 97401**

**June 15, 2015
7:30 p.m.**

Councilors Present: George Brown, Betty Taylor, Alan Zelenka, George Poling, Mike Clark, Greg Evans, Claire Syrett (*via phone*), Chris Pryor

Mayor Piercy opened the June 15, 2015, City Council public hearing.

1. PUBLIC HEARING: An Ordinance Concerning Multi-Unit Property Tax Exemptions and System Development Charges: Amending Sections 2.945 and 2.947 of the Eugene Code, 1971; and adding Sections 2.946 and 7.731 to that Code

1. John Brown – Supported MUPTE; valuable tool to help densify downtown.
2. Ralph Parshall – Supported MUPTE; use it to help with job creation.
3. Charles Hollands – Supported MUPTE; will help make downtown thrive.
4. Rob Bennett – Supported MUPTE; residential buildings won't happen without it.
5. Nicole Desch – Supported MUPTE; will help encourage housing where it's needed.
6. Garrett Dunlavey – Supported MUPTE; it is tool to help improve community.
7. Joshua Purvis – Supported MUPTE; will help incentivize development and attract young adults.
8. Brian Erickson – Supported MUPTE; adds to the community's economic viability.
9. Bob Bussel – Supported MUPTE; changes are needed to composition of review board.
10. Phil Carrasco – Supported MUPTE that protects workers' rights; changes to review board needed.
11. Jenna Fribley – Supported MUPTE; caution needed to be not too restrictive.
12. Eric Gunderson – Supported MUPTE; helps achieve compact downtown development.
13. John Rowell – Supported MUPTE; more housing downtown needed to retain young talent.
14. Sarah Bennett – Supported MUPTE; downtown housing is important to city's vision.
15. Sherry Schaefer – Supported MUPTE; critical to bring market rate housing to core of city.
16. Larry Banks – Supported MUPTE; simple tool that provides opportunities for urban center.
17. Hollie Wilson Haas – Supported MUPTE; needs to be available to encourage housing.
18. Brittany Quick-Warner – Supported MUPTE; what is implemented needs to make sense.
19. Edward McGlone – Supported MUPTE; one of the most important issues the council can take up.
20. Gerry Gaydos – Supported MUPTE; allows for investing in downtown and future goals.
21. Brian Obie – Supported MUPTE; proposed workforce housing percentage won't work.
22. Bill Aspegren – Questioned the need for MUPTE; not just for downtown.
23. Greg Brokaw – Supported MUPTE; workforce housing is important but shouldn't be added.
24. Charmaine Rehg – Opposed MUPTE; not fair that developers don't have to pay taxes.
25. Robert Macherione – Said MUPTE as a tool isn't being used right; shouldn't control so much.
26. Joshua Skov – Supported MUPTE; good for growth and it is part of community vision.
27. Katie Hall – Supported MUPTE; supports Envision Eugene and helps prepare for future needs.
28. Stan Honn – Supported MUPTE; helps increase urban density and vitality downtown.
29. Joel Iboa – Supported MUPTE; strong oversight is needed especially for workers' rights.
30. Lisa Arkin – Supported MUPTE and its inclusion of workforce housing requirement.
31. John Van Landingham – Said MUPTE will be unusable if the proposed changes are made.

Council discussion:

- Labor and business concerns are important.
- Unrestricted MUPTE will not happen; if put to a vote, it would not pass.

Item 4.A.

- Important to keep MUPTE as a tool and make it more meaningful and useful.
- Lack of adequate workforce housing is an issue that needs to be addressed.
- Expectation for new construction to be affordable housing isn't realistic.
- MUPTE program should be reviewed after a year.
- Many citizens frustrated that developers receive tax breaks while their taxes increase.
- MUPTE debate has been lengthy, thorough and fair; time now for a decision.

2. PUBLIC HEARING AND POSSIBLE ACTION: An Ordinance Concerning Sick Leave; Amending Section 5 of Ordinance No. 20537; and Amending Sections 4.576 and 4.582 of the Eugene Code

There was no testimony on this item.

Council discussion:

- More logical to wait and follow state law; in support of recommendations by City Manager.
- The council's goal was ultimately achieved; no point in making it harder for businesses.
- Eugene's action on sick leave was a catalyst for the state law.

The meeting adjourned at 9:33 p.m.

Respectfully submitted,

Chuck Crockett
Deputy City Recorder

ATTACHMENT B**MINUTES**

**Eugene City Council
Harris Hall, 125 East 8th Avenue
Eugene, Oregon 97401**

**June 17, 2015
12:00 p.m.**

Councilors Present: George Brown, Betty Taylor, Alan Zelenka, George Poling, Greg Evan, Claire Syrett, Chris Pryor

Councilors Absent: Mike Clark

Mayor Piercy opened the June 17, 2015, City Council work session.

A. ACTION: An Ordinance Concerning Sick Leave; Amending Section 5 of Ordinance No. 20537; Amending Sections 4.576 and 4.582 of the Eugene Code.

Deputy City Attorney Kathryn Brotherton discussed potential motions for sick leave ordinance.

Council discussion:

- Action at the State level was encouraged by passage of Eugene's sick leave ordinance.
- The State's version encompasses other governmental agencies.
- Proposed motion will ensure that businesses won't go through implementation twice.

MOTION: Councilor Syrett, seconded by Councilor Evans, moved to adopt Council Bill 5143, an ordinance concerning sick leave.

MOTION TO AMEND AND VOTE: Councilor Syrett, seconded by Councilor Evans, moved to amend the ordinance to add the following section: **Section 5.** 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 so that the July 1, 2015, sick leave provisions' effective date is amended prior to July 1, 2015. **PASSED 6:1**, Councilor Taylor opposed.

MOTION TO AMEND AND VOTE: Councilor Syrett, seconded by Councilor Evans, moved to amend the ordinance to provide that the City's sick leave provisions become effective on January 1, 2016, and that all references to an October 1, 2015, effective date in the Ordinance be changed to January 1, 2016. **PASSED 7:0**

MOTION TO AMEND AND VOTE: Councilor Syrett, seconded by Councilor Evans, moved to amend the Ordinance to add the following section: **Section 6.** Ordinance No. 20537 shall be automatically repealed on January 1, 2016, in the event that the B-Engrossed version of SB 454 is signed into law by the Governor and is not referred to the voters. **PASSED 7:0**

VOTE ON MAIN MOTION AS AMENDED: PASSED 7:0

B. WORK SESSION: Library Local Option Levy

Library Services Director Connie Bennett and Strategy Research Institute Consultant Gary Manross gave a PowerPoint presentation discussing potential voter results for each library levy option and

details of service additions for the two library levy options.

Council discussion:

- Amount paid for the survey by Strategy Research Institute requested.
- Support expressed for Option 1 which would bolster branch libraries and access.
- Prefer to have branches in every part of city; high turnout election would be best.
- Prefer to address library service through the budget process; 1990 tax levy info requested.
- A detailed, clear list of what will be accomplished by levy needed.
- Library is more than a budget item, means more to the community; like option 1.
- Library is an essential service and is strongly supported by community.
- Be specific as possible with ballot language; don't frame as a dire situation, focus on future.

The meeting adjourned at 1:27 p.m.

Respectfully submitted,

Chuck Crockett
Deputy City Recorder

MINUTES

**Eugene City Council
Harris Hall, 125 East 8th Avenue
Eugene, Oregon 97401**

**June 22, 2015
5:30 p.m.**

Councilors Present: George Brown, Betty Taylor, Alan Zelenka, George Poling, Mike Clark, Greg Evans
Claire Syrett, Chris Pryor

Mayor Piercy called the June 22, 2015, City Council work session to order.

A. Fire Department Update

Fire Chief Randy Groves and Deputy Chief Joe Zaludek gave an update of local fire danger levels; fuel mitigation efforts; river levels and activities; and fireworks.

Council discussion:

- Appreciate update on conditions and work to save lives.
- Council should consider banning fireworks, especially considering current and anticipated weather conditions.
- Firework signs are a good, proactive strategy.

B. WORK SESSION: Annual Meeting with Police Commission

Police Commission Chair Bob Walker and Vice Chair Tamara Miller presented the annual report of the Police Commission, reviewing what was accomplished, highlights, and the plan for the next fiscal year.

Council discussion:

- Very thoughtful and dedicated members serve on the Police Commission.
- Lots of important work has resulted in the implementation of thoughtful, effective policies.

MOTION AND VOTE: Councilor Syrett, seconded by Councilor Evans, moved to approve the Police Commission FY2016 and FY2017 work plan. **PASSED 8:0**

C. COMMITTEE REPORTS AND ITEMS OF INTEREST FROM MAYOR, COUNCIL AND CITY MANAGERCouncil discussion:

- McKenzie Watershed Council received an update about the SPARC program.
- Citizens are concerned about fireworks, cell towers, and proposed rezoning.
- National League of Cities summer meeting was useful and informative.
- Lane ACT has three vacancies; applications are being considered.
- Human Services Commission approved its budget and received Operation 365 update.
- Sustainability Commission will hold its annual one-half-day retreat this summer.
- Goodpasture Island Neighbors meeting is scheduled for June 23.
- Constituent concerns have been received about Cars 2 Go and parking in neighborhoods.
- Current IGR process isn't working well; reconsideration needed.
- Parks staff did an incredible job addressing residents' concerns about spraying.
- Recent Council newsletter highlighted several important City initiatives and activities.

Item 4.A.

D. CONSENT CALENDAR

MOTION AND VOTE: Councilor Syrett, seconded by Councilor Evans, moved to approve the items on the Consent Calendar. **PASSED 8:0**

The work session adjourned at 6:22 p.m.

Respectfully submitted,

Chuck Crockett
Deputy City Recorder

MINUTES

**Eugene City Council
Harris Hall, 125 East 8th Avenue
Eugene, Oregon 97401**

**June 22, 2015
7:30 p.m.**

Councilors Present: George Brown, Betty Taylor, Alan Zelenka, George Poling, Mike Clark, Greg Evans
Claire Syrett, Chris Pryor

Mayor Piercy opened the April June 22, 2015, City Council meeting.

Mayor Piercy opened with a statement and moment of silence for the victims of the June 17, 2015, shooting at Emanuel African Methodist Episcopal Church in Charleston, South Carolina.

1. CEREMONIAL MATTERS

Teacher Donna Dubois and students Lily Hansen, Lucy Chambliss, Olivia Carroll and Lizzy Danforth from Camas Ridge School in Eugene presented their visions for the future public plaza that will be on 8th Avenue in front of the new City Hall.

2. PUBLIC FORUM

1. Bob Carson – Concerned about rezoning for housing project near Cascade Manor.
2. Richard Sundt – Concerned about rezoning for housing project near Cascade Manor.
3. Mark Robinowitz – Said area is in a severe drought; stop consuming fossil fuels.
4. Mary Addams – Concerned about second-hand smoke downtown.

Council discussion:

- Traffic volume is at an all-time high on Beltline and continues to get worse.

3. PUBLIC HEARING and ACTION: Resolution Adopting a Supplemental Budget; Making Appropriations for the City of Eugene for the Fiscal Year Beginning July 1, 2014 and Ending June 30, 2015

1. John Barofsky – Said Supplemental Budget doesn't get the same scrutiny as budget.

Council discussion:

- Glad to see Civic Stadium expenses are included in Supplemental Budget.

MOTION AND VOTE: Councilor Syrett, seconded by Councilor Evans, moved to adopt Resolution 5132, adopting a Supplemental Budget; making appropriations for the City of Eugene for the Fiscal Year beginning July 1, 2014, and ending June 30, 2015. **PASSED 8:0**

3. **PUBLIC HEARING and ACTION: A Resolution Electing to Receive State Revenue Sharing Funds Pursuant to Section 221.770 of Oregon Revised Statutes; a Resolution Certifying that the City of Eugene Provides the Municipal Services Required by Oregon Revised Statutes Section 221.760 in Order to Receive State Shared Revenues; and a Resolution Adopting the Budget, Making Appropriations, Determining, Levying and Categorizing the Annual Ad Valorem Property Tax Levy for the City of Eugene for the Fiscal Year Beginning July 1, 2015 and Ending June 30, 2016**

MOTION AND VOTE: Councilor Syrett, seconded by Councilor Evans, moved to adopt Resolution 5133, electing to receive State Revenue Sharing funds pursuant to Section 221.770 of Oregon Revised Statutes. **PASSED 8:0**

MOTION AND VOTE: Councilor Syrett, seconded by Councilor Evans, moved to adopt Resolution 5134, certifying that the City of Eugene provides the municipal services required by Oregon Revised Statutes Section 221.760. **PASSED 8:0**

MOTION AND VOTE: Councilor Syrett, seconded by Councilor Evans, moved to adopt Resolution 5135, adopting the budget, making appropriations, and determining, levying and categorizing the annual ad valorem property tax levy for the City of Eugene for the fiscal year beginning July 1, 2015 and ending June 30, 2016. **PASSED 8:0**

The Mayor adjourned the meeting of the Eugene City Council and convened a meeting of the Eugene Urban Renewal Agency.

4. **PUBLIC HEARING and ACTION: Resolution Adopting a Supplemental Budget; Making Appropriations for the Urban Renewal Agency of the City of Eugene for the Fiscal Year Beginning July 1, 2014 and Ending June 30, 2015**

MOTION AND VOTE: Councilor Syrett, seconded by Councilor Evans, moved to adopt Resolution 1075, adopting a Supplemental Budget; making appropriations for the Urban Renewal Agency of the City of Eugene for the Fiscal Year beginning July 1, 2014, and ending June 30, 2015. **PASSED 8:0**

5. **PUBLIC HEARING and ACTION: A Resolution of the Urban Renewal Agency of the City of Eugene Adopting the Budget, Making Appropriations, and Declaring the Amount of Tax to be Certified for the Fiscal Year Beginning July 1, 2015 and Ending June 30, 2016**

MOTION AND VOTE: Councilor Syrett, seconded by Councilor Evans, moved to adopt Resolution 1076, of the Urban Renewal Agency of the City of Eugene adopting the budget, making appropriations and declaring the amount of tax to be certified for the fiscal year beginning July 1, 2015, and ending June 30, 2016. **PASSED 8:0**

The Mayor adjourned the meeting of the Eugene Urban Renewal Agency and reconvened the meeting of the Eugene City Council.

6. **PUBLIC HEARING and ACTION: An Ordinance Extending the Sunset Date of the Permitted Overnight Sleeping (“Rest Stop”) Pilot Program Adopted by Ordinance No. 20517**

1. Fay de Buhr – Said rest stops are amazing for homeless to find stability in our community.

Council discussion:

- Would like to expand more to help more; a valuable model has been created.

MOTION AND VOTE: Councilor Syrett, seconded by Councilor Evans, moved to adopt Council Bill 5144, extending the sunset date of Ordinance No. 20517 to March 31, 2016. **PASSED 8:0**

7. **ACTION: Appointment to Boards, Commissions and Committees**

Budget Committee

MOTION AND VOTE: Councilor Syrett, seconded by Councilor Evans, moved to reappoint Jill Fetherstonhaugh to Position 4 on the Budget Committee for a three-year term beginning July 1, 2015, and ending on June 30, 2018. **PASSED 8:0**

MOTION AND VOTE: Councilor Syrett, seconded by Councilor Evans, moved to appoint Lori Mace to Position 6 on the Budget Committee for a three-year term beginning July 1, 2015, and ending on June 30, 2018. **PASSED 8:0**

MOTION AND VOTE: Councilor Syrett, seconded by Councilor Evans, moved to appoint Scott Nowicki to Position 8 on the Budget Committee, for a three-year term beginning July 1, 2015, and ending on June 30, 2018. **PASSED 8:0**

Civilian Review Board

MOTION AND VOTE: Councilor Syrett, seconded by Councilor Evans, moved to appoint Lindsey Foltz to Position 5 on the Civilian Review Board, for a three-year term beginning July 1, 2015, and ending on June 30, 2018. **PASSED 8:0**

MOTION AND VOTE: Councilor Syrett, seconded by Councilor Evans, moved to reappoint Bernadette Conover to Position 6 on the Civilian Review Board for a three-year term beginning July 1, 2015, and ending on June 30, 2018. **PASSED 8:0**

MOTION: Councilor Syrett, seconded by Councilor Evans, moved to appoint Heather Marek to Position 7 on the Civilian Review Board, for a three-year term beginning July 1, 2015, and ending on June 30, 2018.

MOTION TO AMEND AND VOTE: Councilor Clark, seconded by Councilor Poling, moved to substitute George Rode. **FAILED 3:5**, Councilors Clark, Poling, and Evans in support.

VOTE ON MAIN MOTION: PASSED 6:2, Councilors Clark and Poling opposed.

Historic Review Board

MOTION AND VOTE: Councilor Syrett, seconded by Councilor Evans, moved to appoint Savannah R. Herrell to Position 6 on the Historic Review Board for a four-year term beginning July 1, 2015, and ending on June 30, 2019. **PASSED 8:0**

Human Rights Commission

MOTION AND VOTE: Councilor Syrett, seconded by Councilor Evans, moved to reappoint Debra Merskin to Position 7 on the Human Rights Commission, a three-year term beginning on July 1, 2015, and ending on June 30, 2018. **PASSED 8:0**

MOTION AND VOTE: Councilor Syrett, seconded by Councilor Evans, moved to reappoint Andrew Thomson to Position 8 on the Human Rights Commission, a three-year term beginning on July 1, 2015, and ending on June 30, 2018. **PASSED 8:0**

MOTION AND VOTE: Councilor Syrett, seconded by Councilor Evans, moved to reappoint Philip Carrasco to Position 9 on the Human Rights Commission, a three-year term beginning on July 1, 2015, and ending on June 30, 2018. **PASSED 8:0**

MOTION AND VOTE: Councilor Syrett, seconded by Councilor Evans, moved to appoint Bonnie Souza to Position 1 on the Human Rights Commission, an unexpired term on June 30, 2017. **PASSED 7:1**, Councilor Poling opposed.

MOTION AND VOTE: Councilor Syrett, seconded by Councilor Evans, moved to appoint Edward McGlone to Position 10 on the Human Rights Commission, for a three-year term beginning on July 1, 2015, and ending on June 30, 2018. **PASSED 8:0**

Lane Regional Air Protection Agency

MOTION AND VOTE: Councilor Syrett, seconded by Councilor Evans, moved to reappoint Joseph Gonzales to Position 3 on the Lane Regional Air Protection Agency, for a three-year term beginning on July 1, 2015, and ending on June 30, 2018. **PASSED 8:0**

Planning Commission

MOTION: Councilor Syrett, seconded by Councilor Evans, moved to reappoint William Randall to Position 6 on the Planning Commission for a four-year term beginning July 1, 2015, and ending on June 30, 2019.

MOTION TO AMEND AND VOTE: Councilor Clark, seconded by Councilor Poling, moved to substitute Richard Duncan. **FAILED 1:7**, Councilor Clark in support.

VOTE ON MAIN MOTION: PASSED 8:0

MOTION: Councilor Syrett, seconded by Councilor Taylor, moved to appoint Brianna Nicoletto to Position 7 on the Planning Commission for a four-year term beginning July 1, 2015, and ending on June 30, 2019.

MOTION TO AMEND AND VOTE: Councilor Clark, seconded by Councilor Poling, moved to substitute Richard Duncan. **FAILED 4:5**, Councilors Clark, Evans, Poling, and Pryor in favor; Mayor Piercy voted no to break the tie.

VOTE ON MAIN MOTION: PASSED 6:2, Councilors Clark and Poling opposed.

Sustainability Commission

- Councilor Evans appointed Alexis Biddle to the Ward 6 position for a four-year term beginning July 1, 2015, and ending on June 30, 2019.
- Councilor Syrett reappointed Sue Wolling to the Ward 7 position for a four-year term beginning July 1, 2015, and ending on June 30, 2019.
- Councilor Pryor appointed Thomas Price to the Ward 8 position for a four-year term beginning July 1, 2015, and ending on June 30, 2019.

Toxics Board

MOTION AND VOTE: Councilor Syrett, seconded by Councilor Evans, moved to appoint Marcus Baxter to Position 3, an industry representative on the Toxics Board for a three-year term beginning on July 1, 2015, and ending on June 30, 2018. **PASSED 8:0**

MOTION AND VOTE: Councilor Syrett, seconded by Councilor Evans, moved to appoint Evan Shenkin to Position 6, an advocacy representative on the Toxics Board for a three-year term beginning on July 1, 2015, and ending on June 30, 2018. **PASSED 8:0** Item 4.A.

Whilamut Natural Area Citizen Planning Committee

MOTION AND VOTE: Councilor Syrett, seconded by Councilor Evans, moved to reappoint Janette (Aryana) Ferguson to Position 3 on the Whilamut Natural Area Citizen Planning Committee, for a three-year term beginning July 1, 2015, and ending on June 30, 2018.

PASSED 8:0

MOTION AND VOTE: Councilor Syrett, seconded by Councilor Evans, moved to reappoint Carolyn (Elizabeth) Koch to Position 4 on the Whilamut Natural Area Citizen Planning Committee, for a term beginning on July 1, 2015, and ending on June 30, 2018.

PASSED 8:0

MOTION AND VOTE: Councilor Syrett, seconded by Councilor Evans, moved to reappoint Bitty Roy to Position 7 on the Whilamut Natural Area Citizen Planning Committee, for a term beginning on July 1, 2015, and ending on June 30, 2018. **PASSED 8:0**

8:0

MOTION AND VOTE: Councilor Syrett, seconded by Councilor Evans, moved to reappoint Timothy Werth to Position 10 on the Whilamut Natural Area Citizen Planning Committee, for a term beginning on July 1, 2015, and ending on June 30, 2018.

PASSED 8:0

MOTION AND VOTE: Councilor Syrett, seconded by Councilor Evans, moved to appoint Colleen McCaffrey to Position 13 on the Whilamut Natural Area Citizen Planning Committee, for a term beginning on July 1, 2015, and ending on June 30, 2018. **PASSED 8:0**

8:0

The meeting adjourned at 8:39 p.m.

Respectfully submitted,

Chuck Crockett
Deputy City Recorder

ATTACHMENT D**MINUTES**

**Eugene City Council
Harris Hall, 125 East 8th Avenue
Eugene, Oregon 97401**

**June 24, 2015
12:00 p.m.**

Councilors Present: George Brown, Betty Taylor, Alan Zelenka, George Poling, Mike Clark, Greg Evans, Claire Syrett, Chris Pryor

Mayor Piercy opened the June 24, 2015, City Council work session.

A. ACTION: Appointments to Police Commission

MOTION AND VOTE: Councilor Syrett, seconded by Councilor Brown, moved to reappoint Robert Walker to Position 4 on the Police Commission for a four-year term beginning July, 2015, and ending on June 30, 2019. **PASSED 7:0**

MOTION AND VOTE: Councilor Syrett, seconded by Councilor Taylor, moved to reappoint Jesse Lohrke to Position 5 on the Police Commission for a four-year term beginning July, 2015, and ending on June 30, 2019. **PASSED 7:0**

MOTION AND VOTE: Councilor Syrett, seconded by Councilor Taylor, moved to appoint Marshall Wilde to Position 6 on the Police Commission for a four-year term beginning July, 2015, and ending on June 30, 2019. **PASSED 7:0**

MOTION: Councilor Syrett, seconded by Councilor Taylor, moved to appoint Terry Robertson to Position 7 on the Police Commission for a four-year term beginning July, 2015, and ending on June 30, 2019.

MOTION TO AMEND AND VOTE: Councilor Brown, seconded by Councilor Taylor, moved to substitute Scott Nowicki. **PASSED 5:2**, Councilors Zelenka and Poling opposed.

VOTE ON MAIN MOTION AS AMENDED: PASSED 7:0

Council discussion:

- Candidate is fully capable of serving on both committees.
- Bad precedent to allow one person to serve on multiple standing committees.
- Would be valuable to have a Budget Committee member on the Police Commission.

B. EXECUTIVE SESSION: Pursuant to ORS 192.660(2)(1)

The Eugene City Council met in Executive Session to review and evaluate the performance of an employee. The Executive Session was held pursuant to ORS 192.660(2)(1).

C. WORK SESSION: Police Auditor Annual Performance Review

Human Resources Director Alana Holmes and Human Resources Manager Keri Beraldo lead the council in a conversation about the Police Auditor's annual performance review.

Council discussion:

- Appreciate communication with citizens; staff is doing a great job.
- More outreach to affected communities needed.
- Police Auditor works with a lot of integrity; behind-the-scenes without recognition.
- Many recognize the value of the Police Auditor's Office in the community.
- Police Auditor is a role model for others around the country; excellent job of being impartial.
- Encourage Police Auditor to be a resource for University of Oregon Police Department.
- Evaluate the need for more resources to help with outreach.

MOTION AND VOTE: Councilor Syrett, seconded by Councilor Evans, moved to provide the Police Auditor with an additional 40 hours of vacation time for this next contract year and the cost of living adjustment given to other exempt employees. *Friendly amendment included.*
PASSED 8:0

The meeting adjourned at 1:23 p.m.

Respectfully submitted,

Chuck Crockett
Deputy City Recorder

EUGENE CITY COUNCIL

AGENDA ITEM SUMMARY



Approval of Tentative Working Agenda

Meeting Date: July 13, 2015
Department: City Manager's Office
www.eugene-or.gov

Agenda Item Number: 4B
Staff Contact: Beth Forrest
Contact Telephone Number: 541-682-5882

ISSUE STATEMENT

This is a routine item to approve City Council Tentative Working Agenda.

BACKGROUND

On July 31, 2000, the City Council held a process session and discussed the Operating Agreements. Section 2, notes in part that, "The City Manager shall recommend monthly to the council which items should be placed on the council agenda. This recommendation shall be placed on the consent calendar at the regular City Council meetings (regular meetings are those meetings held on the second and fourth Monday of each month in the Council Chamber). If the recommendation contained in the consent calendar is approved, the items shall be brought before the council on a future agenda. If there are concerns about an item, the item may be pulled from the consent calendar at the request of any councilor or the Mayor. A vote shall occur to determine if the item should be included as future council business." Scheduling of this item is in accordance with the Council Operating Agreements.

RELATED CITY POLICIES

There are no policy issues related to this item.

COUNCIL OPTIONS

The council may choose to approve, amend or not approve the tentative agenda.

CITY MANAGER'S RECOMMENDATION

Staff has no recommendation on this item.

SUGGESTED MOTION

Move to approve the items on the Tentative Working Agenda.

ATTACHMENTS

A. Tentative Working Agenda

FOR MORE INFORMATION

Staff Contact: Beth Forrest
Telephone: 541-682-5882
Staff E-Mail: beth.l.forrest@ci.eugene.or.us

EUGENE CITY COUNCIL TENTATIVE WORKING AGENDA

July 8, 2015

JULY 13	MONDAY
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5:30 p.m.	Council Work Session	
Harris Hall	Expected Absences:	
A. Action: Ordinance on MUPTE Program Revisions		PDD/Braud
B. WS: Library of the Future		60 mins – LRCS/Grube

7:30 p.m.	Council Meeting	
Harris Hall	Expected Absences:	
1. Pledge of Allegiance to the Flag and Reading of the Declaration of Independence		
2. Ceremonial Matters – Sheldon High School Baseball Team		
3. Public Forum		
4. Consent Calendar		
a. Approval of City Council Minutes		CS/Bloch
b. Approval of Tentative Working Agenda		CS/Forrest
c. Approval of Funding /City Resources for Low-Income Housing (Delta Court)		PDD/Meyi-Galloway
d. Resolution Approving a LIRPTE for Delta Court, 850/870 Hunsaker Lane		PDD/Meyi-Galloway
5. PH: Ordinance on Land Use Code Amendments – Code Maintenance		PDD/Hansen
6. WS: City Hall Update		CS/Hammitt

JULY 15	WEDNESDAY
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Noon	Council Work Session	
Harris Hall	Expected Absences:	
A. Executive Session – pursuant to ORS 192.660(2)(i)		
B. WS: City Manager Annual Performance Evaluation		90 mins – CS/Holmes

JULY 20	MONDAY	** NOTE: 5:30 PM WORK SESSION ADDED **
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5:30 p.m.	Council Work Session	
Harris Hall	Expected Absences	
A. WS: Envision Eugene		45 mins – PDD/Hostick
B. WS: Regional Prosperity Update		45 mins – PDD/Medary

7:30 p.m.	Council Public Hearing	
Harris Hall	Expected Absences:	
1. PH: Ordinance Extending MUPTE Program Suspension		PDD/Braud

JULY 22	WEDNESDAY
----------------	------------------

Noon	Council Work Session	
Harris Hall	Expected Absences:	
A. WS: South Willamette Special Area Zone		45 mins – PDD/Flock
B. WS: Stormwater Program Update		45 mins – PW/Schoening

JULY 27	MONDAY
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5:30 p.m.	Council Work Session	
Harris Hall	Expected Absences:	
A. WS: Annual Report from Police Auditor and Civilian Review Board		30 mins – C/Gissiner
B. WS: Library of the Future		60 mins – LRCS/Grube

7:30 p.m.	Council Meeting	
Harris Hall	Expected Absences:	
1. Ceremonial Matters - EPD Accreditation		
2. Public Forum		
3. Consent Calendar		
a. Approval of City Council Minutes		CS/Bloch
b. Approval of Tentative Working Agenda		CS/Forrest

A=action; PH=public hearing; WS=work session

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EUGENE CITY COUNCIL TENTATIVE WORKING AGENDA

July 8, 2015

4. Action: Ordinance on Land Use Code Amendments – Code Maintenance
5. WS: Rental Unit Management and Livability

PDD/Hansen
PDD/Medary

JULY 29

WEDNESDAY

Noon

Council Work Session

Harris Hall

Expected Absences:

- A. WS: Workshop Follow-Up – Economic Prosperity
B. WS: Workshop Follow-Up – Homelessness

45 mins – CS/Ruiz
45 mins – CS/Ruiz

COUNCIL BREAK: JULY 30 , 2015 – SEPTEMBER 14, 2015

SEPTEMBER 14

MONDAY

5:30 p.m.

Council Work Session

Harris Hall

Expected Absences:

- A. Committee Reports: PC, SWEDCO, Lane Workforce, LTD/EmX, OMPOC, McKenzie Watershed
B. WS: Human Rights Commission Annual Report and Work Plan
C. WS: Sustainability Commission Annual Report and Work Plan

30 mins – CS/Kinnison
30 mins – CS/O'Sullivan

7:30 p.m.

Council Meeting

Harris Hall

Expected Absences:

1. Public Forum
2. Consent Calendar
 a. Approval of City Council Minutes
 b. Approval of Tentative Working Agenda

CS/Bloch
CS/Forrest

SEPTEMBER 16

WEDNESDAY

Noon

Council Work Session

Harris Hall

Expected Absences:

- A. WS:
B. WS:

SEPTEMBER 21

MONDAY

7:30 p.m.

Council Public Hearing

Harris Hall

Expected Absences:

1. PH:

SEPTEMBER 23

WEDNESDAY

Noon

Council Work Session

Harris Hall

Expected Absences:

- A. WS:
B. WS:

SEPTEMBER 28

MONDAY

5:30 p.m.

Council Work Session

Harris Hall

Expected Absences:

- A. Joint Meeting with LTD: Update on MovingAhead Corridor Screening
B. Committee Reports and Items of Interest

60 mins – PW/Henry

EUGENE CITY COUNCIL TENTATIVE WORKING AGENDA

July 8, 2015

7:30 p.m. Council Meeting
Harris Hall Expected Absences:
 1. Public Forum
 2. Consent Calendar
 a. Approval of City Council Minutes
 b. Approval of Tentative Working Agenda

CS/Bloch
CS/Forrest

SEPTEMBER 30	WEDNESDAY
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Noon Council Work Session
Harris Hall Expected Absences:
 A. WS: Climate Recovery Ordinance Update
 B. WS:

60 mins – CS/O'Sullivan

OCTOBER 12	MONDAY
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5:30 p.m. Council Work Session
Harris Hall Expected Absences:
 A. Committee Reports and Items of Interest: HRC, SC, HSC, LCOG, MPC, PSCC
 B. WS: Update on MovingAhead Corridor Screening

30 mins
45 mins – PW/Henry

7:30 p.m. Council Meeting
Harris Hall Expected Absences:
 1. Public Forum
 2. Consent Calendar
 a. Approval of City Council Minutes
 b. Approval of Tentative Working Agenda
 c. Authorization for EWEB Water Bonds

CS/Bloch
CS/Forrest
CS/Cutsogeorge

OCTOBER 14	WEDNESDAY
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Noon Council Work Session
Harris Hall Expected Absences:
 A. WS:
 B. WS:

OCTOBER 19	MONDAY
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7:30 p.m. Council Public Hearing
Harris Hall Expected Absences:
 1. PH:

OCTOBER 21	WEDNESDAY
-------------------	------------------

Noon Council Work Session
Harris Hall Expected Absences:
 A. WS:
 B. WS:

OCTOBER 26	MONDAY
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5:30 p.m. Council Work Session
Harris Hall Expected Absences:
 A. Committee Reports and Items of Interest from Mayor, City Council and City Manager
 B. WS:

30 mins

A=action; PH=public hearing; WS=work session

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EUGENE CITY COUNCIL TENTATIVE WORKING AGENDA

July 8, 2015

7:30 p.m. Council Meeting
Harris Hall Expected Absences:
 1. Public Forum
 2. Consent Calendar
 a. Approval of City Council Minutes
 b. Approval of Tentative Working Agenda

CS/Bloch
CS/Forrest

OCTOBER 28	WEDNESDAY
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Noon Council Work Session
Harris Hall Expected Absences:
 A. WS:
 B. WS:

NOVEMBER 9	MONDAY
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5:30 p.m. Council Work Session
Harris Hall Expected Absences:
 A. Committee Reports: LWP, Chamber of Commerce, HPB, LRAPA, MWMC
 B. WS:

30 mins

7:30 p.m. Council Meeting
Harris Hall Expected Absences:
 1. Pledge of Allegiance to the Flag (Veterans Day)
 2. Public Forum
 3. Consent Calendar
 a. Approval of City Council Minutes
 b. Approval of Tentative Working Agenda

CS/Bloch
CS/Forrest

NOVEMBER 16	MONDAY
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7:30 p.m. Council Public Hearing
Harris Hall Expected Absences:
 1. PH:

NOVEMBER 18	WEDNESDAY
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Noon Council Work Session
Harris Hall Expected Absences:
 A. WS:
 B. WS:

NOVEMBER 23	WEDNESDAY
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5:30 p.m. Council Work Session
Harris Hall Expected Absences:
 A. Committee Reports and Items of Interest from Mayor, City Council and City Manager
 B. WS:

30 mins

7:30 p.m. Council Meeting
Harris Hall Expected Absences:
 1. Public Forum
 2. Consent Calendar
 a. Approval of City Council Minutes
 b. Approval of Tentative Working Agenda

CS/Bloch
CS/Forrest

EUGENE CITY COUNCIL TENTATIVE WORKING AGENDA

July 8, 2015

NOVEMBER 25

WEDNESDAY

Noon

Council Work Session

Harris Hall

Expected Absences:

A. WS:

B. WS:

DECEMBER 9

WEDNESDAY

Noon

Council Work Session

Harris Hall

Expected Absences:

A. WS:

B. WS:

DECEMBER 14

MONDAY

5:30 p.m.

Council Work Session

Harris Hall

Expected Absences:

A. Committee Reports: PC, South Willamette EDC, LTD/EmX, OMPOC, McKenzie Watershed

B. WS:

7:30 p.m.

Council Meeting

Harris Hall

Expected Absences:

1. Public Forum

2. Consent Calendar

a. Approval of City Council Minutes

b. Approval of Tentative Working Agenda

3. PH and Action: Supplemental Budget #1

CS/Bloch

CS/Forrest

CS/Miller

DECEMBER 16

WEDNESDAY

Noon

Council Work Session

Harris Hall

Expected Absences:

A. WS:

B. WS:

EUGENE CITY COUNCIL

AGENDA ITEM SUMMARY



Approval of Funding and Use of City Resources for Housing Affordable to Low-Income Persons – Delta Court Apartments

Meeting Date: July 13, 2015
 Department: Planning & Development
www.eugene-or.gov

Agenda Item Number: 4C
 Staff Contact: Ellen Meyi-Galloway
 Contact Telephone Number: 541-682-5532

ISSUE STATEMENT

The City Council is asked to approve the use of Federal HOME Investment Partnerships Program (HOME) funds for acquisition of an eight-unit apartment complex located at 850 and 870 Hunsaker Lane by Cornerstone Community Housing for affordable housing. The project was proposed in response to the City's 2015 Housing Request for Proposals (RFP).

BACKGROUND

The City of Eugene established current goals and programs for the development of housing affordable to low-income people through the adopted 2010 and 2015 Housing and Urban Development (HUD) Consolidated Plan. The Consolidated Plan guides the use of HOME Investment Partnership (HOME) funds and Community Development Block Grant (CDBG) funds over a five-year period. Each year, the City Council approves the allocation of federal funds through a One-Year Action Plan as well as specific uses of funds for affordable housing projects. In addition to the use of federal funds, the City of Eugene offers a System Development Charge (SDC) Exemption and the Low-Income Rental Housing Property Tax Exemption (LIRHPTE) to further facilitate the development of affordable housing.

The cities of Eugene and Springfield receive the federal HOME funding allocation as a unified HOME Consortium with a targeted percentage of funds to be awarded to each jurisdiction. As outlined in the Consolidated Plan and One-Year Action Plan, staff develops and releases an annual RFP for affordable housing development projects using HOME funds. HOME funds are required to be committed to a project within two years of receiving the funds, or the funds must be returned. The 2015 RFP was developed to seek projects that could commit funds quickly, in order to meet the Consortium's HOME commitment deadline.

2015 Request for Proposals for Acquisition-Rehabilitation Projects

The City issued the 2015 Housing RFP for affordable housing projects in February with a focus on acquisition/rehabilitation projects. This was the first year that the cities of Eugene and Springfield issued a joint RFP.

HOME funds and SDC exemptions were made available through the RFP. Proposals were due to the City by April 23, 2015. All applicants were required to have site control at the time of application in the form of an option agreement.

Two applications for acquisition-rehabilitation projects were received. Cornerstone Community Housing (Cornerstone) submitted a proposal to acquire and rehabilitate "Delta Court," eight rental units located at 850 and 870 Hunsaker Lane in the Santa Clara neighborhood in Eugene. After the current residents move out, the Delta Court rental units would be targeted for transitional housing (24-month stays) for homeless families with children. The second proposal was submitted by St. Vincent de Paul Society of Lane County (SVDP), a proposal to acquire a nine-unit apartment building located at 1095 J Street in Springfield.

The two proposals were reviewed by staff and a four-member Evaluation Committee with members from Eugene and Springfield: City of Eugene Councilor Chris Pryor; City of Springfield Councilor Sean VanGordon; Michael Heckard, a Springfield citizen; and Kate Perle, a Eugene citizen and a representative of the Santa Clara Community Organization, the neighborhood in which the Delta Court proposal is located. Both proposals were recommended for funding.

City staff and Cornerstone staff conducted neighborhood outreach through mailings to adjacent neighbors and presentations to the Santa Clara Community Organization (SCCO) at meetings in May and July to keep neighbors informed about the proposed project. SCCO members and meeting attendees expressed general support for the proposed project. Concerns about the project related to the distance of the site to public transportation (one mile), and the proximity of the project to other affordable housing developments, St. Vincent de Paul's Ross Lane Apartments, and Cornerstone's Villages development.

Community members also had an opportunity to comment on the project through an advertised 30-day written comment period and a public hearing that was held at the Intergovernmental Housing Policy Board meeting on June 1. No written comments were received during the 30-day comment period. The one comment at the public hearing was in support of the project, because of the need for transitional housing for homeless families.

Summary of Cornerstone's Proposal to Acquire and Rehabilitate Delta Court

The acquisition and rehabilitation of eight, two-bedroom apartments located at 850 - 870 Hunsaker Lane is proposed as transitional 24-month housing for homeless families with children. One of the apartments would be converted to be accessible to persons with disabilities. The units only require minor rehabilitation. If approved, the acquisition is anticipated to occur by November 2015, and the rehabilitation would be completed by early 2016. See *Attachment A* for a map of the site.

Six of the eight units will be HOME designated units, affordable to households earning less than 50 percent of area median income. The other two units will be for households earning less than 60 percent of AMI. Proposed rents are \$504 - \$585 depending on income level.

The units are currently occupied as market rate units with rents at \$735-\$800. It is expected that most of the residents would be income-eligible to remain in the units after Cornerstone acquired the property. Over-income residents would be provided relocation assistance and housing placement counseling under the federal Uniform Relocation Act requirements at the time of acquisition. As the existing residents choose to move away, Cornerstone would work with Lane County Human Services Commission to target the units to homeless families with children. The families could be provided with rent vouchers to cover the rents for up to 24 months.

The proposed site is approximately 1.8 acres, and is zoned R-2. As a result, it has the capacity to accommodate development of additional units on the site. Cornerstone is evaluating possibilities and financing strategies for building up to 20 additional units in phase II. Staff will update the council with any development proposals that may include requests for additional City resources.

Cornerstone requests a forgivable HOME loan for \$741,358 for the acquisition of the property, relocation assistance and developer costs. An additional \$15,000 must be allocated to cover City of Eugene staff project delivery costs bringing the total HOME request to \$756,358. Cornerstone will contribute \$35,000 as a deferred developer fee. The agency anticipates receiving an Umpqua Bank loan for \$225,000 and will apply to the City of Eugene for a Community Development Block Grant Rental Rehab Loan for approximately \$25,000. The HOME match generated by the project is \$260,000, which is 25 percent of the total development cost. Cornerstone has applied for a Low Income Rental Housing Property Tax Exemption for the property.

EVALUATION COMMITTEE RECOMMENDATION

The Evaluation Committee recommends providing HOME funds to Delta Court as it is consistent with Eugene's goal of increasing the supply of affordable housing. In addition, the funds will help provide housing for a special needs population that does not currently have enough designated housing opportunities in the community. The HOME dollars contributed to this project would allow rents affordable to this population. The project cannot proceed without the requested HOME funds.

RELATED CITY POLICIES

The City Council has established a priority to address homelessness in Eugene. The proposed project directly supports this objective by preserving and expanding affordable housing opportunities for very low and extremely low-income families experiencing homelessness. The project supports other City priorities and policies including the Eugene-Springfield 2015 Consolidated Plan, Growth Management Policies, Envision Eugene, and the Housing Dispersal Policy.

Eugene-Springfield 2015 Consolidated Plan –This plan identifies a need for affordable housing for low-income persons and sets a five-year goal of developing 600 new units of affordable rental housing in Eugene and Springfield and specifically 20 units of housing for homeless persons. The proposed project directly supports the objective by creating eight transitional rental units for very low-income homeless family with children.

Eugene Adopted Growth Management Policies - The City of Eugene affordable housing development programs and Delta Court supports multiple Growth Management Policies including:

- Encourage in-fill, mixed-use, redevelopment, and higher-density development.
- Improve the appearance of buildings and landscapes.
- Provide for a greater variety of housing types.

Envision Eugene Plan - This plan identifies strategies and goals (pillars) that help the City of Eugene plan for growth over the next 20 years. The Envision Eugene proposal's Housing Affordability pillar includes strategies to meet the growing and changing housing needs of Eugene residents by supporting subsidized affordable housing projects. Continuing to provide property tax exemptions to low-income rental housing developments has been identified as an action to help successfully implement this strategy.

Housing Dispersal Policy - The City Council has established a Housing Dispersal Policy which seeks to maximize housing choices for low-income families and integrate housing throughout the City of Eugene. The eight units proposed for acquisition at this time are existing occupied units, and are not subject to the Housing Dispersal Policy. Once the residents move out, this site would expand the opportunities for homeless families with children who would not otherwise be able to live in this area. Phase II new construction of affordable housing would be located in a suitable Census Block Group, meaning that no more than 50 percent of the residents have incomes at or below 50 percent of area median income and subsidized units do not reach 20 percent of all housing units.

COUNCIL OPTIONS

The City Council has three options:

1. Approve funding for Delta Court as recommended by the Evaluation Committee.
2. Approve funding with specific modifications as determined by the City Council.
3. Decline to approve funding for the proposed project.

CITY MANAGER'S RECOMMENDATION

The City Manager recommends option 1, approval of \$756,358 in HOME funding for acquisition, developer costs, and project delivery costs for the Delta Court project as proposed by Cornerstone Community Housing.

SUGGESTED MOTION

Move to approve the use of \$756,358 in federal HOME funds for acquisition, developer costs, and project delivery costs for the Delta Court project as proposed by Cornerstone Community Housing.

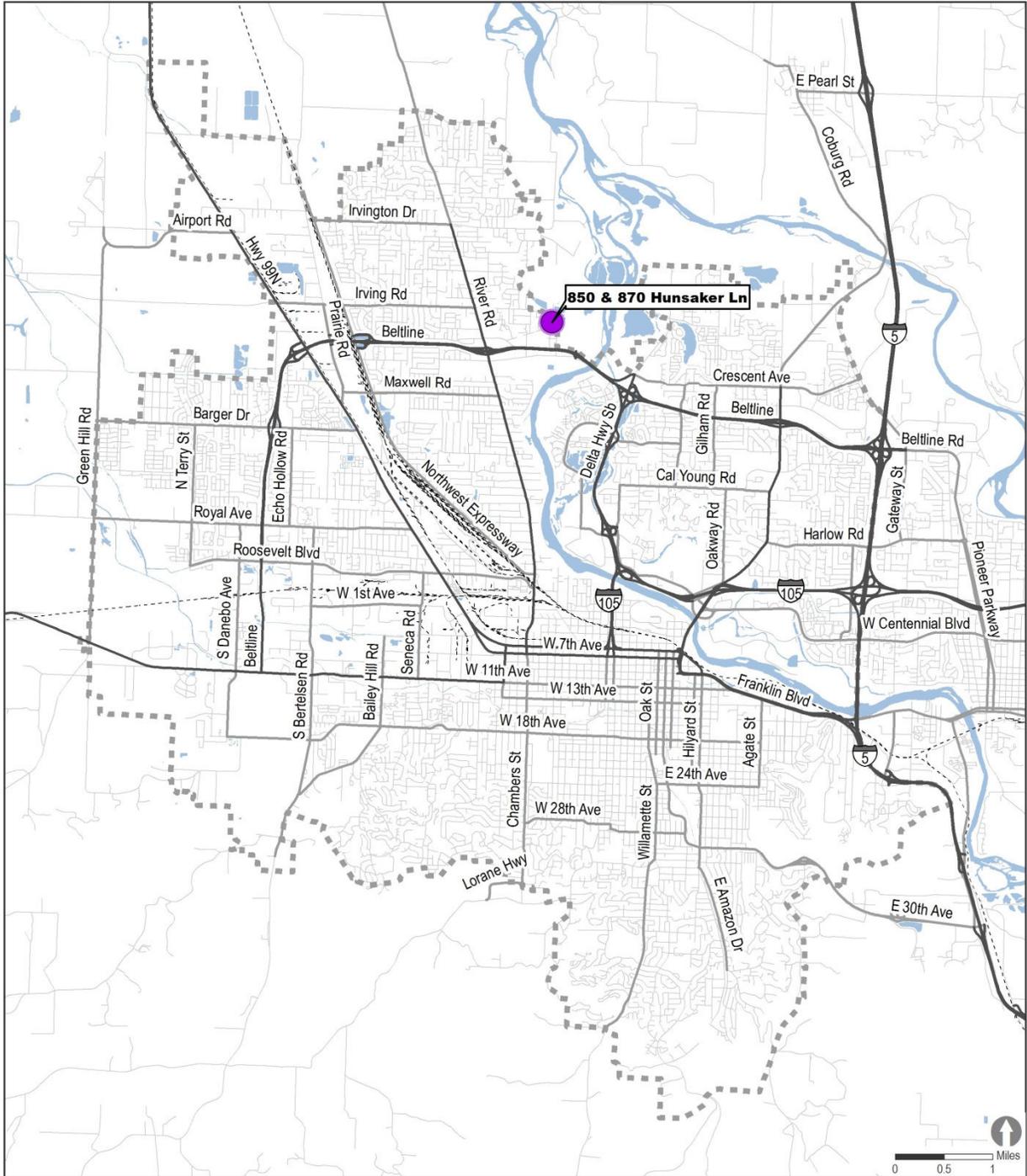
ATTACHMENTS

A. Maps of Proposed Development

FOR MORE INFORMATION

Staff Contact: Ellen Meyi-Galloway, Housing Finance Analyst
Telephone: 541-682-5532
Staff E-Mail: Ellen.E.Meyi-Galloway@ci.eugene.or.us

Hunsaker Lane



 Eugene UGB

City of Eugene
Planning and Development
June 9, 2015



Caution: This map is based on imprecise source data, subject to change, and for general reference only.

Hunsaker Lane



 Project Site Taxlots  Eugene UGB

Aerial Imagery: 2013
Caution: This map is based on imprecise source data, subject to change, and for general reference only.

City of Eugene
Planning and Development
July 2, 2015



EUGENE CITY COUNCIL

AGENDA ITEM SUMMARY



A Resolution Approving a Low-Income Rental Housing Property Tax Exemption for Delta Court, Located at 850/870 Hunsaker Lane, Eugene, Oregon. (Cornerstone Community Housing/Applicant)

Meeting Date: July 13, 2015
 Department: Planning and Development
www.eugene-or.gov

Agenda Item Number: 4D
 Staff Contact: Ellen Meyi-Galloway
 Contact Telephone Number: 541-682-5532

ISSUE STATEMENT

The City Council is asked to approve a resolution for a 20-year Low-Income Rental Housing Property Tax Exemption (LIRHPTE) for Delta Court, located at 850/870 Hunsaker Lane. The developer of the project is Cornerstone Community Housing (Cornerstone). Cornerstone has an option agreement to purchase the property.

BACKGROUND

The City of Eugene utilizes federal and local subsidies to facilitate the development of housing affordable to low-income persons. The City issues a Housing Request for Proposals to identify proposed developments. The council may award land, federal HOME Investment Partnerships funds, and Systems Development Charge exemptions to selected development proposals. These local resources are combined with state and federal subsidies in order to achieve rents affordable to low-income persons.

Approving the property tax exemption application for Delta Court supports the Envision Eugene pillar of providing housing affordable to all income levels. The Envision Eugene Housing Affordability pillar includes strategies to meet the growing and changing housing needs of Eugene residents by supporting subsidized affordable housing projects. Continuing to provide property tax exemptions to low-income rental housing developments has been identified as an action to help successfully implement this strategy.

Summary of the LIRHPTE program

The City adopted the low-income rental housing property tax exemption program in 1990. Since then, Eugene has approved tax exemptions for 27 developments with over 1,200 units. In 2011, the council unanimously approved extending the 20-year LIRHPTE program for an additional 10 years. The approved ordinance also enables recipients to reapply for the 20-year LIRHPTE after the initial 20-year period has expired.

The council reviews each tax exemption request on a case-by-case basis. Most recently, the council

approved a LIRHPTE for North Polk Apartments in December 2014. If an application meets the substantive criteria [EC 9.239(3)(a)-(i)] as referenced in the Report and Recommendation (Attachment A), the City must grant the exemption by resolution (Attachment B). A decision to deny the exemption cannot be made by simple motion or inaction; it would need to be made by a resolution (Attachment C) that explains how the applicant has failed to demonstrate that the tax exemption is in the public interest.

Summary of requested tax exemption for Delta Court

The requested tax exemption is for Delta Court, a proposed eight-unit affordable housing project that will provide rental housing to very-low and low-income households. Cornerstone has an option agreement to purchase the property if the proposal is approved by the City Council and if all contingencies are met. The proposed project was submitted through the 2015 Housing Request for Proposals. Other resources requested by Cornerstone include \$756,358 in HOME funds and a Community Development Block Grant (CDBG) rental rehabilitation loan in the amount of \$25,000. The agency anticipates receiving an Umpqua Bank loan for \$225,000, and Cornerstone will contribute \$35,000 to the project as a deferred developer fee. If approved, the acquisition is scheduled to occur in November 2015 and the rehabilitation would be completed by early 2016. If additional affordable housing units are constructed as a phase II, they would conform to LIRHPTE regulations and would be covered under the proposed tax exemption.

The acquisition and rehabilitation of eight two-bedroom apartments located at 850 and 870 Hunsaker Lane (Attachment D) is proposed to be 24-month transitional housing for homeless families with children. Cornerstone will work with the Lane County Human Services Commission to target homeless families in need of transitional housing. One of the apartments would be converted to be accessible to persons with disabilities. Only minor rehabilitation is needed.

Cornerstone proposes designating six units for households earning less than 50 percent of area median income (AMI) and two for households earning less than 60 percent of AMI. Initial rents are proposed to be \$504 - \$585 depending on income level. The families could access rent vouchers to cover the rents for up to 24 months.

The units are currently occupied. It is expected that most of the residents would be income-eligible to remain in the units after Cornerstone acquired the property. Over-income residents would be provided relocation assistance and housing placement counseling under the federal Uniform Relocation Act requirements at the time of acquisition. As the existing residents choose to move away, they would be replaced with homeless families with children working with Lane County Human Services Commission partner agencies.

The requested exemption meets the substantive criteria [EC 9.239(3)(a)-(i)] as shown in the Report and Recommendation (Attachment A).

RELATED CITY POLICIES

The proposed tax exemption supports multiple City priorities and policies including the Eugene-Springfield 2015 Consolidated Plan, Growth Management Policies, Envision Eugene, and the Housing Dispersal Policy.

Eugene-Springfield 2015 Consolidated Plan - This plan identifies a need for affordable housing

for low-income persons and sets a five-year goal of developing 600 new units of affordable rental housing in Eugene and Springfield, and 20 units of housing for homeless persons. The proposed project directly supports the objective by creating eight units for homeless families with children.

Eugene Adopted Growth Management Policies - The City of Eugene affordable housing development programs and Delta Court support multiple Growth Management Policies including improving the appearance of buildings and landscapes, and providing for a greater variety of housing types.

Envision Eugene Plan – This plan identifies strategies and goals (pillars) that help the City of Eugene plan for growth over the next 20 years. The Envision Eugene proposal’s Housing Affordability pillar includes strategies to meet the growing and changing housing needs of Eugene residents by supporting subsidized affordable housing projects. Continuing to provide property tax exemptions to low-income rental housing developments has been identified as an action to help successfully implement this strategy.

Housing Dispersal Policy - The City Council has established a Housing Dispersal Policy which seeks to maximize housing choices for low-income households and integrate housing throughout the City of Eugene.

COUNCIL OPTIONS

The City Council has two options:

1. Approve the tax exemption.
2. Deny the tax exemption.

CITY MANAGER’S RECOMMENDATION

The City Manager recommends option 1, to approve the resolution granting a 20-year low-income rental housing property tax exemption for the property located at 850 and 870 Hunsaker Lane, Eugene, Oregon (Assessor’s Property Account Numbers 1010618, 1162187, 1162195, and 1847498) if Cornerstone Community Housing becomes the owner of the property.

SUGGESTED MOTION

Move to adopt the resolution approving a 20-year low-income rental housing property tax exemption for the property located at 850 and 870 Hunsaker Lane, Eugene, Oregon (Assessor’s Property Account Numbers 1010618, 1162187, 1162195, and 1847498) if Cornerstone Community Housing becomes the owner of the property.

ATTACHMENTS

- A. Report and Recommendation
- B. Resolution to approve the tax exemption
- C. Resolution to deny the tax exemption
- D. Maps of the proposed site

FOR MORE INFORMATION

Staff Contact: Ellen Meyi-Galloway

Telephone: 541-682-5532

Staff E-Mail: Ellen.E.Meyi-Galloway@ci.eugene.or.us

ATTACHMENT A

**REPORT AND RECOMMENDATION
of the Community Development Manager
of the Planning and Development Department**

**Application of Cornerstone Community Housing
For Low Income Rental Housing Property Tax Exemption
(Section 2.937 to 2.940 of the Eugene Code, 1971)
for Property at 850 and 870 Hunsaker Lane, Eugene, Oregon**

The Community Development Manager of the Planning and Development Department of the City of Eugene finds that:

1. Metropolitan Affordable Housing Corporation DBA Cornerstone Community Housing (Cornerstone) has an option to purchase real property located at **850 and 870 Hunsaker Lane**, Eugene, Oregon, 97404 (Assessor's Map 17-04-12-40; Tax Lot Numbers 00508 and 00509; Assessor's Property Account Numbers 1162187 and 1162195). Cornerstone ("the applicant"), located at 1175 Charnelton Street, Eugene, Oregon, 97401 (mailing address P.O. Box 11923, Eugene, Oregon, 97440) has submitted an application pursuant to Subsection 2.939(3) of the Eugene Code, 1971, for an exemption from ad valorem taxes under the City's Low-Income Rental Housing Property Tax Exemption Program (Sections 2.937 to 2.940 of the Eugene Code, 1971).

2. I have reviewed the application and find that the applicant has submitted all materials, fees and documents required by the application, and is in compliance with the provisions of EC 2.939(3). Specifically I find:

- (a) The property, or portion thereof subject to the property tax exemption, will be occupied solely as a residence for low-income persons.
- (b) The applicant's application was filed prior to January 1, 2020.
- (c) The property is being purchased by a nonprofit corporation organized in a manner that meets the criteria for a public benefit corporation as described under ORS 65.001(35).
- (d) The property is being purchased by a nonprofit corporation that expends no more than ten percent of its annual income from residential rentals for purposes other than acquisition, maintenance or repair of residential rental property for low-income persons, or for the provision of on-site child care services for the residents of the rental property.
- (e) The applicant has complied with the policies set forth in the Standards and Guidelines for Low-Income Rental Housing Property Tax Exemption adopted by council Resolution No. 5028.
- (f) The proposed development is consistent with the city's housing dispersal policy.
- (g) The proposed development does not cause the displacement of low-income persons.
- (h) The proposed development does not cause destruction of historic

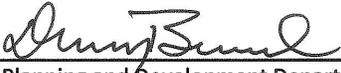
properties.

- (i) The proposed development is otherwise consistent with the Eugene Code and adopted city regulations and policies.
- (j) The applicant has executed, and agrees to maintain in effect for the duration of the tax exemption period, a Rent Regulatory Agreement.
- (k) The applicant has consented in writing that for the duration of the tax exemption period, the city may inspect the property for which the exemption is granted.

3. Comments have been solicited from interested City departments, 4J School District, and the affected neighborhood groups. No comments have been received.

Therefore, based on the above findings, the proposed project conforms with all applicable City Code provisions, local plans, planning regulations, the Envision Eugene Plan, and the criteria set forth in the City's adopted Standards and Guidelines for Low-Income Rental Housing Property Tax Exemption, and I recommend that the application be approved.

Dated this 10 day of June, 2015.

Print: Denny Braud Sign: 
Community Development Manager of the Planning and Development Department 

ATTACHMENT B**RESOLUTION NO. _____****A RESOLUTION APPROVING A LOW-INCOME RENTAL HOUSING PROPERTY TAX EXEMPTION FOR THE PROPERTY LOCATED AT 850 AND 870 HUNSAKER LANE, EUGENE, OREGON. (Cornerstone Community Housing / Applicant.)****The City Council of the City of Eugene finds that:**

A. Metropolitan Affordable Housing corporation, dba Cornerstone Community Housing (“Cornerstone”) has entered into a Commercial Real Estate Sale Agreement to purchase real property located at 850 and 870 Hunsaker Lane, Eugene, Oregon, 97404 (Assessor’s Map 17-04-12-40, Tax Lots 502, 508, 509, and 524; Assessor’s Property Account Numbers 1010618 (for TL 502), 1162187 (for TL 508), 1162195 (for TL 509), and 1847498 (for TL 524)) owned by Olaf and Korrina Junge, whose address is 4627 Calumet Way, Eugene Oregon, 97404. Cornerstone, located at 1175 Charnelton Street, Eugene, Oregon 97401 (mailing address P.O. Box 11923, Eugene, Oregon, 97440), has submitted an application pursuant to Subsection 2.939(3) of the Eugene Code, 1971, for an exemption from ad valorem taxes under the City's Low-Income Rental Housing Property Tax Exemption Program (Sections 2.937 to 2.940 of the Eugene Code, 1971). Finalization of the sale of the property to Cornerstone is dependent, in part, on City Council’s approval of the use of federal HOME funds for the property acquisition.

B. The tax exemption is being sought for eight residential units currently existing on the property, all of which will be used for low-income housing, and residential common areas. The units will undergo rehabilitation.

C. The Community Development Manager of the Planning and Development Department, as designee of the City Manager, has prepared a Report and Recommendation recommending that the application be approved and the exemption granted. In making that recommendation, the Community Development Manager found that the applicant submitted all materials, documents and fees required by the application and Section 2.938(1) of the Eugene Code, 1971, and is in compliance with the policies set forth in the Standards and Guidelines adopted by Resolution No. 5028. In addition, the Community Development Manager found that the applicant has complied with the criteria for approval provided in Section 2.939(3) of the Eugene Code, 1971.

NOW, THEREFORE,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EUGENE, a Municipal Corporation of the State of Oregon, as follows:

Section 1. Based upon the above findings, the City Council approves Cornerstone’s application for an ad valorem property tax exemption under the City's Low-Income Rental Housing Property Tax Exemption Program for the property located at 850 and 870 Hunsaker Lane, Eugene, Oregon, 97404 (Assessor’s Map 17-04-12-40, Tax Lots 502, 508, 509, and 524; Assessor’s Property Account Numbers

1010618 (for TL 502), 1162187 (for TL 508), 1162195 (for TL 509), and 1847498 (for TL 524)), which will consist of eight residential units and residential common areas. All units shall be offered for rent to persons whose earnings fall at or below 60% of the Area Median Income based on their family size.

Section 2. Subject to the condition precedent set forth in Section 3 of this Resolution, the land and units described in Section 1 above are declared exempt from local ad valorem property taxation commencing July 1, 2016, and continuing for a continuous period of twenty (20) years unless earlier terminated in accordance with the provisions of Section 2.940 of the Eugene Code, 1971, which provides for termination after an opportunity to be heard if:

2.1 Construction or development of the exempt property differs from the construction or development described in the application for exemption, or was not completed by January 1, 2020, and no extensions or exceptions were granted; or

2.2 The applicant fails to comply with provisions of ORS 307.515 to 307.523, provisions of the Eugene Code, 1971, the Standards and Guidelines adopted by Council Resolution No. 5028, or any conditions imposed in this Resolution.

The tax exemption shall be terminated immediately, without right of notice or appeal, pursuant to the provisions of ORS 307.531 in the event that the county assessor determines that a change of use to other than that allowed has occurred for the housing unit, or portion thereof, or, if after the date of this approval, a declaration as defined in ORS 100.005 is presented to the county assessor or tax collector for approval under ORS 100.110.

Section 3. The tax exemption shall not take effect unless or until closing occurs on the purchase of the property by Cornerstone.

Section 4. The City Manager, or the Manager's designee, is requested to forward a copy of this Resolution to the applicant within ten days from the date of adoption of this Resolution, and to cause a copy of this Resolution to be filed with the Lane County Assessor on or before April 1, 2016. The copy of the Resolution sent to the applicant shall be accompanied by a notice explaining the grounds for possible termination of the exemption prior to the end of the exemption period and the effects of the termination.

Section 5. This Resolution shall become effective immediately upon its adoption.

The foregoing Resolution adopted the 13th day of July, 2015.

City Recorder

ATTACHMENT C

RESOLUTION NO. ____

A RESOLUTION DENYING A LOW-INCOME RENTAL HOUSING PROPERTY TAX EXEMPTION FOR THE PROPERTY LOCATED AT 850 AND 870 HUNSAKER LANE, EUGENE, OREGON. (Cornerstone Community Housing / Applicant.)

The City Council of the City of Eugene finds that:

A. Metropolitan Affordable Housing corporation, dba Cornerstone Community Housing (“Cornerstone”) has entered into a Commercial Real Estate Sale Agreement to purchase real property located at 850 and 870 Hunsaker Lane, Eugene, Oregon, 97404 (Assessor’s Map 17-04-12-40, Tax Lots 502, 508, 509, and 524; Assessor’s Property Account Numbers 1010618 (for TL 502), 1162187 (for TL 508), 1162195 (for TL 509), and 1847498 (for TL 524)) owned by Olaf and Korrina Junge, whose address is 4627 Calumet Way, Eugene Oregon, 97404. Cornerstone, located at 1175 Charnelton Street, Eugene, Oregon 97401 (mailing address P.O. Box 11923, Eugene, Oregon, 97440), has submitted an application pursuant to Subsection 2.939(3) of the Eugene Code, 1971, for an exemption from ad valorem taxes under the City’s Low-Income Rental Housing Property Tax Exemption Program (Sections 2.937 to 2.940 of the Eugene Code, 1971). Finalization of the sale of the property to Cornerstone is dependent, in part, on City Council’s approval of the use of federal HOME funds for the property acquisition.

B. The tax exemption is being sought for eight residential units currently existing on the property, all of which will be used for low-income housing, and residential common areas. The units will undergo rehabilitation.

C. The Community Development Manager of the Planning and Development Department, as designee of the City Manager, has prepared a Report and Recommendation recommending that the application be approved and the exemption granted. In making that recommendation, the Community Development Manager found that the applicant submitted all materials, documents and fees required by the application and Section 2.938(1) of the Eugene Code, 1971, and is in compliance with the policies set forth in the Standards and Guidelines adopted by Resolution No. 5028. In addition, the Community Development Manager found that the applicant has complied with the criteria for approval provided in Section 2.939(3) of the Eugene Code, 1971.

NOW, THEREFORE,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EUGENE, a Municipal Corporation of the State of Oregon, as follows:

Section 1. Notwithstanding the findings in the Community Development Manager’s Report and Recommendation, the City Council denies Cornerstone’s application for an ad valorem property tax exemption under the City’s Low-Income Rental Housing Property Tax Exemption Program for the property located at 850 and 870 Hunsaker Lane, Eugene, Oregon, 97404 (Assessor’s Map 17-04-12-40, Tax Lots 502, 508, 509, and 524; Assessor’s Property Account Numbers 1010618 (for TL 502),

1162187 (for TL 508), 1162195 (for TL 509), and 1847498 (for TL 524)), because the applicant has failed to demonstrate that it is qualified for the tax exemption.

Section 2. The City Manager, or the Manager's designee, is requested to forward a copy of this Resolution to the applicant within ten days from the date of adoption of this Resolution, along with a notice informing the applicant of the right to appeal in the manner set forth in ORS 34.010 to 34.100.

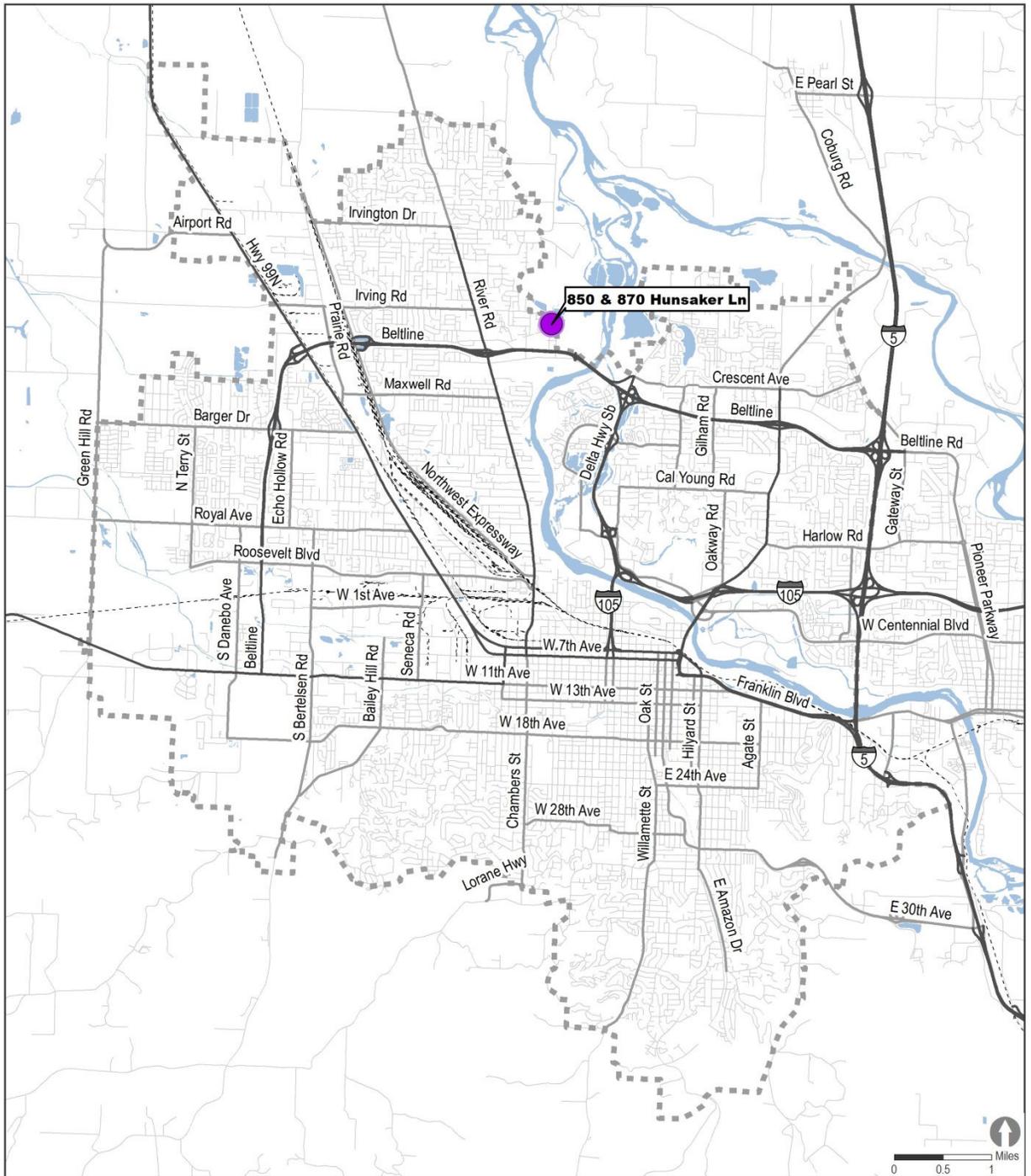
Section 3. This Resolution shall become effective immediately upon its adoption.

The foregoing Resolution adopted the 13th day of July, 2015.

City Recorder

ATTACHMENT D

Hunsaker Lane



Eugene UGB

City of Eugene
 Planning and Development
 June 9, 2015



Caution: This map is based on imprecise source data, subject to change, and for general reference only.

Hunsaker Lane



 Project Site Taxlots  Eugene UGB

Aerial Imagery: 2013
Caution: This map is based on imprecise source data, subject to change, and for general reference only.

City of Eugene
Planning and Development
July 2, 2015



EUGENE CITY COUNCIL

AGENDA ITEM SUMMARY



Public Hearing: An Ordinance Concerning Land Use Code Maintenance and Amending Sections 9.0500, 9.1060, 9.2160, 9.2740, 9.3115, 9.3210, 9.3310, 9.3510, 9.3810, 9.3910, 9.4260, 9.5200, 9.6105, 9.6410, 9.6610, 9.7315, 9.7335, 9.7415, 9.7455, 9.7505, 9.7520, 9.7560, 9.7655, 9.8400, 9.8405, and 9.8855 of the Eugene Code, 1971. (City File CA 15-2)

Meeting Date: July 13, 2015
 Department: Planning & Development
www.eugene-or.gov

Agenda Item Number: 5
 Staff Contact: Alissa Hansen
 Contact Telephone Number: 541-682-5508

ISSUE STATEMENT

The City Council will hold a public hearing to consider land use code amendments related to maintenance of the code

BACKGROUND

In April, the City Council initiated amendments related to maintenance of the land use code. Since the adoption of the 2001 comprehensive land use code update, numerous packages of code amendments have been brought forward on a variety of topics. Recent examples of such amendments include those related to employment zones, downtown, and urban animal keeping. While the purpose of these amendments was to improve regulations and bring development and land use into alignment with community desires, there has been no regularity in, or programmatic process for, maintaining or improving the land use code.

In recognition of the need to regularly improve the land use code, one of the strategies in Envision Eugene under Pillar 7 (Provide for adaptable, flexible and collaborative implementation) calls for the City to continually evaluate and regularly adjust regulations through a collaborative, ongoing code improvement program. The goal of this strategy is to create an ongoing program to improve the land use code through a collaborative process. Amendments are intended to range from discreet legal or corrective revisions that improve the administration of the code to broader or more comprehensive changes to ensure that regulations remain in alignment with the community's vision described in Envision Eugene.

Code Maintenance

As a pilot to the code improvement program, a set of land use code amendments that focus on code maintenance has been prepared. This set includes a small number of discreet amendments that address corrective or legal issues which, if left unaddressed, pose a challenge in the administration of the land use code. To ensure that the code maintenance amendments remain manageable within existing resources, the amendments do not address policy issues or topics associated with other Planning Division work program items.

Corrective amendments are intended to fix errors or conflicts by removing obsolete language, adding language that was inadvertently omitted or correcting code references without changing policy or intent. Legal amendments respond to changes in state law (such as revisions to Oregon Revised Statutes) to remove conflicts between provisions in the code and newer state regulations.

A summary of the amendments is provided in Attachment A, and the proposed ordinance is provided as Attachment B.

Planning Commission Process

The Planning Commission held a public hearing on June 2, 2015, to consider the code maintenance amendments. No testimony regarding the amendments was provided at, or prior to, the public hearing. Immediately following the hearing, the Planning Commission voted unanimously (6-0) to recommend approval of the land use code amendments as proposed.

A complete set of record materials are available for review on line at www.eugene-or.gov/codeamendments.

RELATED CITY POLICIES

Findings addressing consistency with related City policies, including provisions of the Metro Plan, are included as an exhibit to the proposed ordinance (Exhibit B of Attachment B).

COUNCIL OPTIONS

No action is required at this time; however, options will be provided at the time of City Council deliberations and action scheduled for July 27, 2015.

CITY MANAGER'S RECOMMENDATION

This item is scheduled for a public hearing only. Following the City's receipt of any testimony, the City Manager will make a recommendation to be included in the council packet for action on July 27, 2015.

SUGGESTED MOTION

No motion is proposed as this item is scheduled for a public hearing only. Following the City's receipt of any testimony, the City Manager will make a recommendation and associated motion to be included in the council packet for action on July 27, 2015.

ATTACHMENTS

- A. Summary of Code Maintenance Amendments
- B. Draft Ordinance

FOR MORE INFORMATION

Staff Contact: Alissa Hansen
Telephone: 541-682-6508
Staff E-Mail: alissa.h.hansen@ci.eugene.or.us

Land Use Code Maintenance 2015

Summary of Amendments - July 2015

-68-

Issue		Proposed Amendment (additions in <i>bold italic</i> and deletions in strikethrough)													
Corrective	1	<p><i>Parking Exempt Map:</i> The boundary of the West University Automobile Parking Exempt Area was inadvertently changed during approval of the package of code amendments to adopt the Downtown Riverfront Special Area zone for the EWEB property (which included a change to the Downtown Automobile Parking Exempt Area). The West University Automobile Parking Exempt Area boundary should be corrected to reflect the originally adopted boundary.</p>													
	2	<p>9.6610 Exemptions to Sign Standards.</p> <p>(2) Except as provided in subsection (3) of this section, the following signs are exempt from the requirements of EC 9.6600 through 9.6680, and are exempt from the requirement to obtain a sign permit if they are located on private property outside of vision clearance areas:</p> <p><u>Addresses.</u> Number and street name of any size. (Addresses are regulated per EC 8.005(21) <u>Numbering of Structures and Premises</u> and Fire Code 901.4.4 <u>Premise Identification.</u> 505.1 <u>Address Identification</u>)</p>													
	3	<p>9.7655 Filing of Appeal of Hearings Official or Historic Review Board Initial Decision.</p> <p>(1) Within 12 days of the date of the mailing of the decision of the hearings official or historic review board, the decision may be appealed to the planning commission as specified in Table 9.7055 Applications and Review Authorities by the following:</p> <ul style="list-style-type: none"> (a) Applicant. (b) Owner of the subject property. (c) Neighborhood group officially recognized by the city that includes the area of the subject property. (d) Any person who submitted written comments in regard to the original application. (e) <i>Any person who provided oral testimony in regard to the original application at the public hearing.</i> 													
	4	<p>9.1060 Changes in Zone Boundaries and Overlay Zone Boundaries. Changes in zone boundaries or overlay zone boundaries shall be processed pursuant to the Type III Application Procedures (EC 9.7300 - 9.7340) or, if processed concurrently with a refinement plan, or code amendment, Type IV Application Procedures (EC 9.7400 - 9.7455). or Metro Plan amendment shall follow the applicable procedure for each type of amendment. Decisions shall be based on the criteria contained in EC 9.8865 <u>Zone Change Approval Criteria</u></p> <p>9.4260 Procedure for Applying the /ND Nodal Development Overlay Zone. Rezoning to apply the /ND overlay zone concurrent with a Metro Plan diagram amendment to apply the /ND Nodal Development designation shall be processed as a Type V application as provided in EC 9.7500 through EC 9.7560 Type V Application Procedures consistent with the Metro Plan Amendment Procedures as provided in EC 9.7700 through 9.7730. Except as provided in EC 9.7840 EC 9.7820(3), rezoning to apply the /ND overlay zone to property shown as ND Nodal Development on the Metro Plan diagram shall be processed as a Type III application as provided in EC 9.7300 through EC 9.7340 Type III Application Procedures. Proceedings to apply the /ND overlay zone may be initiated only by the city council.</p> <table border="1" style="margin-left: auto; margin-right: auto;"> <caption style="text-align: center;">Table 9.7505 Type V Application Requirements and Criteria</caption> <thead> <tr> <th style="text-align: left;">Type V Applications</th> <th style="text-align: left;">Beginning Reference</th> </tr> </thead> <tbody> <tr> <td>Land Use Code Amendments</td> <td>EC 9.8060</td> </tr> <tr> <td>Refinement Plan Amendments to policies and/or maps that are not limited to a specific site</td> <td>EC 9.8421</td> </tr> <tr> <td>Refinement Plan Adoption or Update</td> <td>EC 9.8421</td> </tr> <tr> <td>Zone Change concurrent with a Code Amendment</td> <td>EC 9.8850</td> </tr> <tr> <td>Special Area Zone Establishment or Amendment</td> <td>EC 9.3000</td> </tr> <tr> <td>Zone Change to apply the /ND Overlay Zone to Nodal Development Areas concurrent with a Metro Plan diagram amendment to apply the ND Nodal Development designation</td> <td>EC 9.4260</td> </tr> </tbody> </table>	Type V Applications	Beginning Reference	Land Use Code Amendments	EC 9.8060	Refinement Plan Amendments to policies and/or maps that are not limited to a specific site	EC 9.8421	Refinement Plan Adoption or Update	EC 9.8421	Zone Change concurrent with a Code Amendment	EC 9.8850	Special Area Zone Establishment or Amendment	EC 9.3000	Zone Change to apply the /ND Overlay Zone to Nodal Development Areas concurrent with a Metro Plan diagram amendment to apply the ND Nodal Development designation
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		<p>9.8855 Applicability. Changes in zoning, including the application of or change of an overlay zone or special area zone shall be processed as a Type III application as provided in EC 9.7300 through EC 9.7340 Type III Application Procedures, with the following exceptions:</p> <p>(3) The proposed zone change involves a concurrent amendment to the Metro Plan or a refinement plan, or the adoption of a new refinement plan, in which case the zone change shall be processed as a Type IV or Type V application as provided in EC 9.7400 through EC 9.7455 Type IV Application Procedures and EC 9.7500 through 9.7560 Type V Application Procedures.</p> <p>(4) The proposed zone change involves a concurrent amendment to the Metro Plan, in which case the zone change shall be processed consistent with the Metro Plan Amendment Procedures as provided in EC 9.7700 through 9.7730.</p> <p>(4)(5) [Renumber remaining subsections . . .]</p>		
<p>5</p>	<p><i>Definition of a Legal Lot:</i> The definition of legal lot needs to be updated consistent with state law to include lots that were not lawfully established (for lots created prior to 2007) but could have complied with applicable land division time in effect when the land was sold, as provided for in state law. [ORS 92.176]</p>	<p>9.0500 Definitions Legal Lot. A lot of record that has boundary lines that were established:</p> <p>(A) Through a partition or subdivision procedure, or (B) By a deed that was signed before April 2, 1962, or (C) Through approval of an application to validate a unit of land consistent with ORS 92.176.</p>		
<p>6</p>	<p><i>Day Care Allowances:</i> Day cares are allowed in residential and commercial zones. For day cares serving between 3 and 12 people, the use is listed in the land use code as permitted. For day cares serving 13 or more, a conditional use permit is required. State law was changed to establish a minimum number of 4 people to qualify as a day care and to require that certified day cares with up to 16 people must be allowed as permitted uses in residential and commercial zones. To resolve this inconsistency with state law, the threshold must be raised from 3 -12 people to 4-16 people in all residential and commercial zones where day care is listed as a permitted use, and from 13 to 17 people where day care is listed as a conditional use. The corresponding provisions for bicycle and motor vehicle parking standards that reference day care uses must also be revised for consistency. [ORS 329A.250(4), ORS 329A.280 and ORS 329A.440]</p>	<p>9.0500 Definitions Day Care. Care or supervision of 3 four or more persons by a paid caregiver who is not the parent, guardian, or related by blood or marriage to the persons being served. Day care does not include boarding or temporary care or other support services for adult transitory persons.</p> <p>Table 9.2740 Residential Zone Land Uses and Permit Requirements Table 9.2160 Commercial Zone Land Uses and Permit Requirements Table 9.3115 S-CN Chase Node Special Area Zone Land Uses and Permit Requirements Table 9.3210 S-DW Downtown Westside Special Area Zone Uses and Permit Requirements Table 9.3310 S-E Elmira Road Special Area Zone Uses and Permit Requirements EC 9.3510 S-HB Blair Boulevard Historic Commercial Special Area Zone Uses (2) Areas Designated for Neighborhood Commercial. Table 9.3810 S-RN Royal Node Special Area Zone Land Uses and Permit Requirements Table 9.3910 S-W Whiteaker Special Area Zone Uses and Permit Requirements Table 9.6105(5) Minimum Required Bicycle Parking Spaces Table 9.6410 Required Off-Street Motor Vehicle Parking</p> <p><i>In each of the above referenced tables (which identify permitted and conditionally allowed uses), reference to the use of Day Care to be revised as follows:</i></p> <table border="1" data-bbox="1044 1211 1631 1276"> <tr> <td>Day Care (3 to 12 4 to 16 people served)</td> </tr> <tr> <td>Day Care (13-17 or more people served)</td> </tr> </table> <p>9.5200 Day Care, Small (3-12 4 to 16 people served) Standards. These standards apply to small, (3-12 4 to 16 people served) day care operations in residential zones where the Land Uses and Permit Requirements Table for the applicable zone indicates that the use(s) “permitted subject to zone verification and EC 9.5000 to 9.5850.”</p> <p>(1) In addition to the standard required parking for other uses on the property, 1 off-street parking space is required per each outside employee. (2) Education programs offered as a primary activity or specialized training in activities such as dance, drama, music or religion shall be limited to preschool children. (3) At least 1 of the business owners of a day care service serving 3-12 4 to 16 people in R-1 and R-2 zones shall reside in the building. (4) No overnight care permitted without a conditional use permit.</p>	Day Care (3 to 12 4 to 16 people served)	Day Care (13-17 or more people served)
Day Care (3 to 12 4 to 16 people served)				
Day Care (13-17 or more people served)				
<p>7</p>	<p><i>Notice Requirements:</i> The public hearing notice procedures for Type III, IV and V applications require notice to be mailed to the State Department of Land Conservation and Development at least 45 days prior to the planning commission public hearing and describes what must be included in that notice. Notice of decision is required to be mailed 5 days after a decision is rendered.</p> <p>State law recently changed to require a 35 day notice for</p>	<p>Type III Application Procedures 9.7315 Public Hearing Notice. (1) When required by state law, at least 45 35 days prior to the public hearing, the city shall mail submit notice to the state Oregon Department of Land Conservation and Development that includes the proposed map change and the date of the hearing information required by state law.</p> <p>9.7335 Notice of Decision. (1) Within 5 days after the hearings official or historic review board renders a decision, notice of the decision shall be mailed to the following: (a) Applicant. (b) Owner of the subject property.</p>		

the initial notice and 20 days for the notice of decision, to allow for electronic submittal (in addition to mail submittal) and to clarify submittal requirements. The applicable code sections need to be updated accordingly. [ORS 197.610 and OAR 660-018-0020]

- (c) Neighborhood group or community organization officially recognized by the city that includes the area of the subject property.
- (d) Any group or individual who provided written or oral testimony prior to the close of the public comment period.
- (e) For Willamette Greenway permits, to the Oregon Department of Transportation.
- (2) The notice shall include the following:
 - (a) A summary of the decision.
 - (b) An explanation of the appeal rights.
- (3) **Within 20 days of the decision, when required by state law, the city shall submit written notice to the Oregon Department of Land Conservation and Development that includes the information required by state law.**
[Renumber remaining subsections]

Type IV Application Procedures

9.7415 Public Hearing Notice.

- (1) In the case of a refinement plan amendment, at least ~~45~~ **35** days prior to the planning commission public hearing the city shall ~~mail~~ **submit** written notice to the State **Oregon** Department of Land Conservation and Development that includes the ~~text of the proposed amendment, any proposed change to the zoning map to be considered concurrently with a refinement plan amendment (unless notice is not required by state law), and the date of the planning commission hearing~~ **information required by state law.**

9.7455 Notice of Decision.

- (1) Within 5 days of the decision, written notice of the decision shall be mailed to all of the following:
 - (a) Applicant.
 - (b) Any person who has submitted written or oral testimony in a timely manner during the city council hearing procedures.
 - (c) Any person who requested notice of the city council's decision.
 - ~~(d) In the case of a refinement plan amendment, the Oregon Department of Land Conservation and Development.~~
- (2) The notice shall:
 - (a) Summarize the decision of the city council.
 - (b) Explain the appeal rights.
 - ~~(c) In case of a notice being provided to the Oregon Department of Land Conservation and Development, the notice shall also contain the text of the amendment and findings, and it must specify any substantial changes from the proposed text previously sent under EC 9.7440(1), state the date of the decision, include a certificate of mailing containing a statement signed by the person mailing the notice indicating the date the notice was deposited in the mail, and list the place where and the time when the adopted text may be reviewed.~~
- (3) **Within 20 days of the decision, the city shall submit written notice of a refinement plan amendment to the Oregon Department of Land Conservation and Development that includes the information required by state law.**
- (4) Responsibility and procedures for mailing the notice described in this section may be established by administrative rule of the city manager pursuant to section 2.019 of this code.

Type V Application Procedures

9.7520 Public Hearing Notice.

- (1) At least ~~45~~ **35** days prior to the planning commission public hearing, the city shall ~~mail~~ **submit** written notice to the State **Oregon** Department of Land Conservation and Development that includes the ~~text of the proposed amendment, any proposed change to the zoning map to be considered concurrently with a code amendment (unless notice is not required by state law), and the date of the planning commission hearing~~ **information required by state law.**

9.7560 Notice of Decision.

- (1) Within 5 days of the decision, written notice of the decision shall be mailed to all of the following:
 - (a) Any person who provided oral or written testimony in a timely manner during the city council hearing procedures.
 - (b) Any person who requested notice of the city council's decision.
 - ~~(c) The Oregon Department of Land Conservation and Development.~~
- (2) The notice shall summarize the decision of the city council and state the date of the decision.
- (3) **Within 20 days of the decision, the city shall submit written notice** ~~The notice to the Oregon Department of Land Conservation and Development must contain the text of the amendment and findings, and it must specify any substantial changes from the proposed text, if any, previously sent under EC 9.7520(1), state the date of the decision, include a certificate of mailing containing a statement signed by the person mailing the notice indicating the date the notice was deposited in the mail, and list the place where and the time when the adopted text may be reviewed~~ **that includes the information required by state law.**

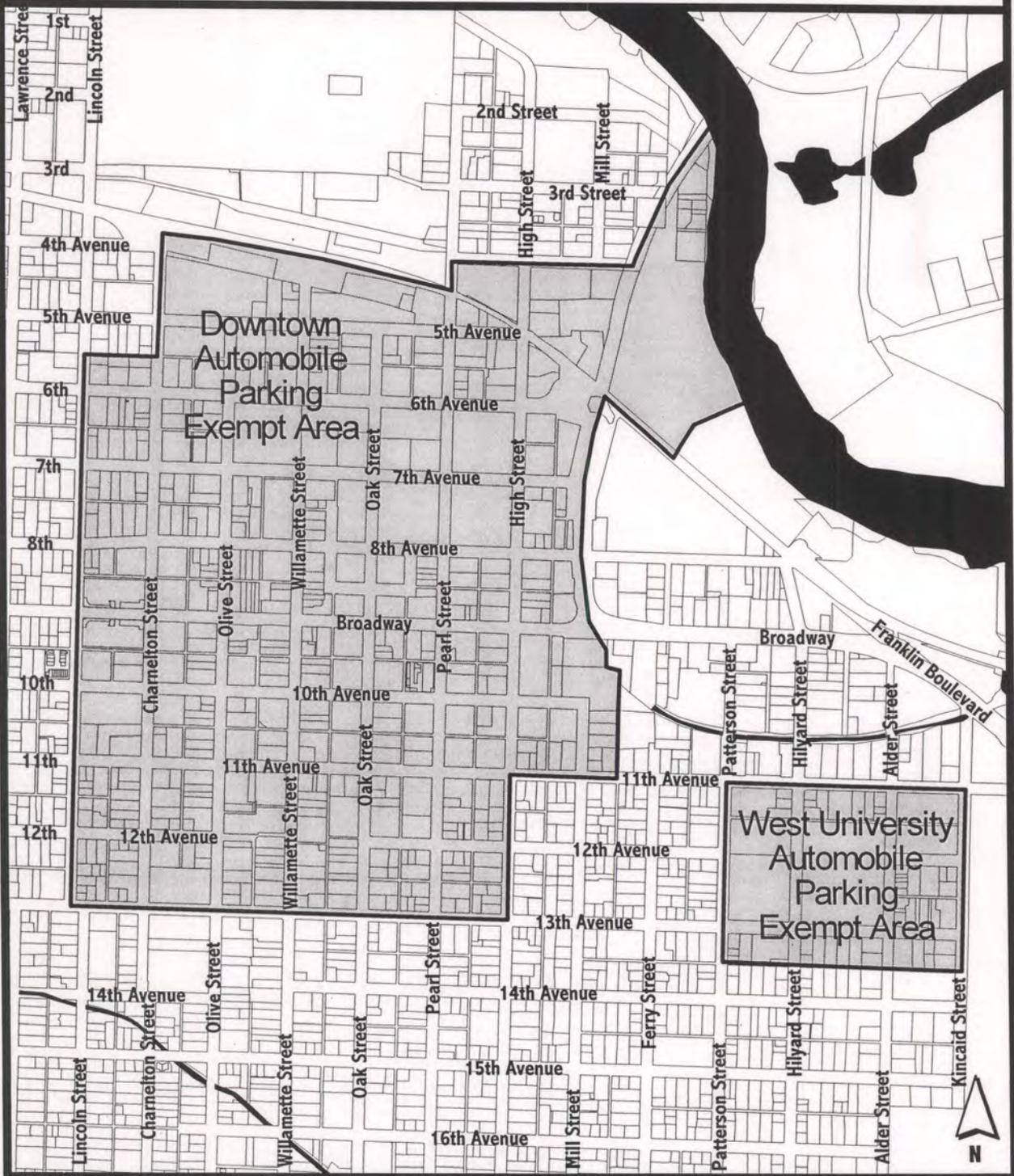
8 Property Line Adjustments: The code provides that

9.8400 Purpose of Property Line Adjustment. Sections 9.8400 through 9.8420 provide an expedited process for the review of property line

	<p>removal of a line that was platted through a partition or subdivision cannot be processed through a property line adjustment; removal of such a line would require a replat. State law has changed to allow removal of a property line without requiring a replat. For consistency with state law, the code needs to be revised to remove this provision. [ORS 92.010(12) and ORS 92.190(3)]</p>	<p>adjustments. A property line adjustment is the relocation of a single boundary line or the removal of non-platted boundary lines between two legal lots. Property line adjustments shall be considered in accordance with the Type I application procedures contained in EC 9.7100 <u>General Overview of Type I Application Procedures</u>.</p> <p>9.8405 <u>Applicability of Property Line Adjustment Applications.</u></p> <p>(1) A property line adjustment application is applicable to changes to the property lines of adjoining properties when all of the following exist:</p> <p>(a) A property line proposed for removal is not platted in a partition or subdivision plat. <i>[Renumber remaining subsections . . .]</i></p>
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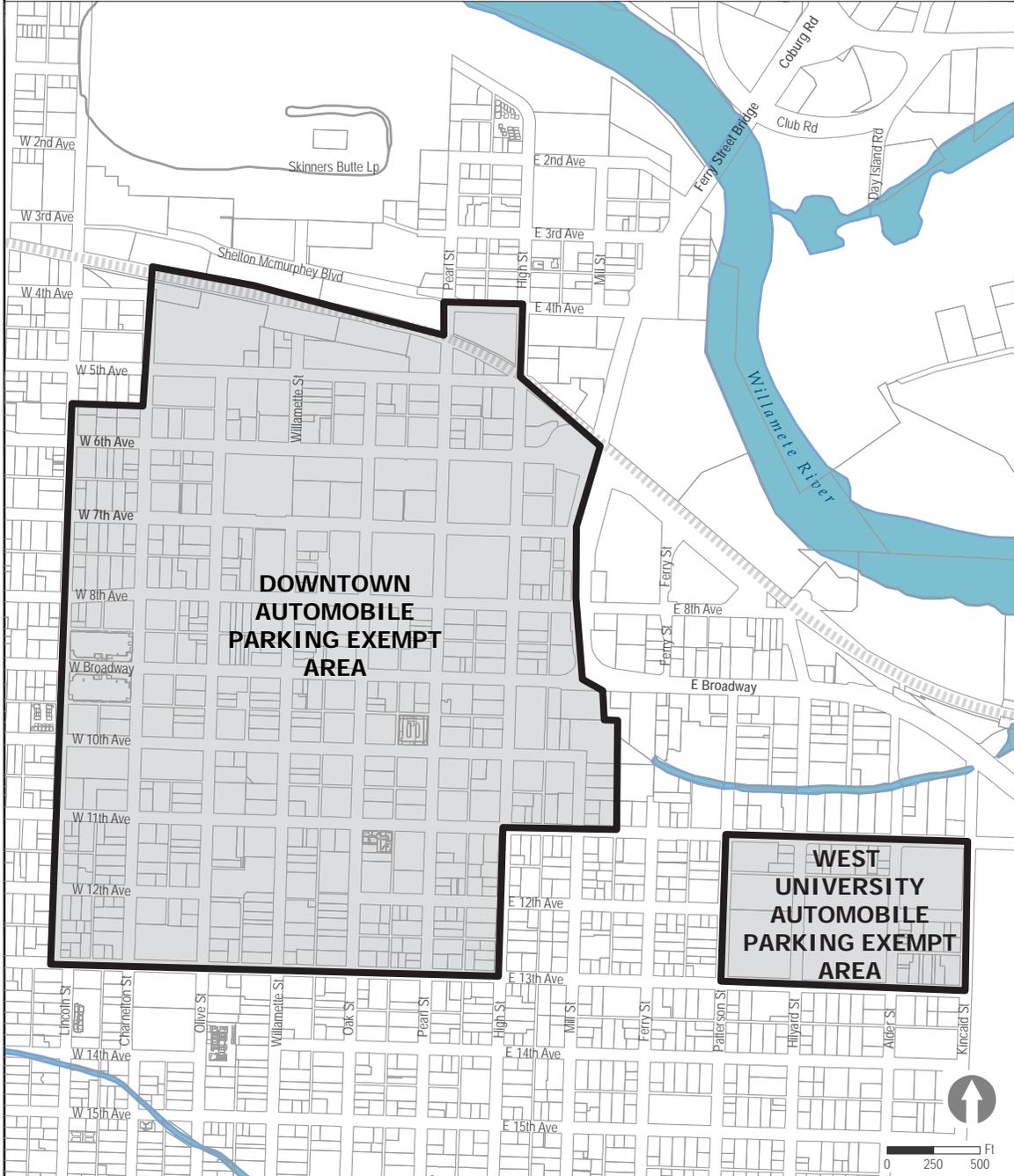
Map 9.6410(4)(a)

Downtown And West University Automobile Parking Exempt Areas



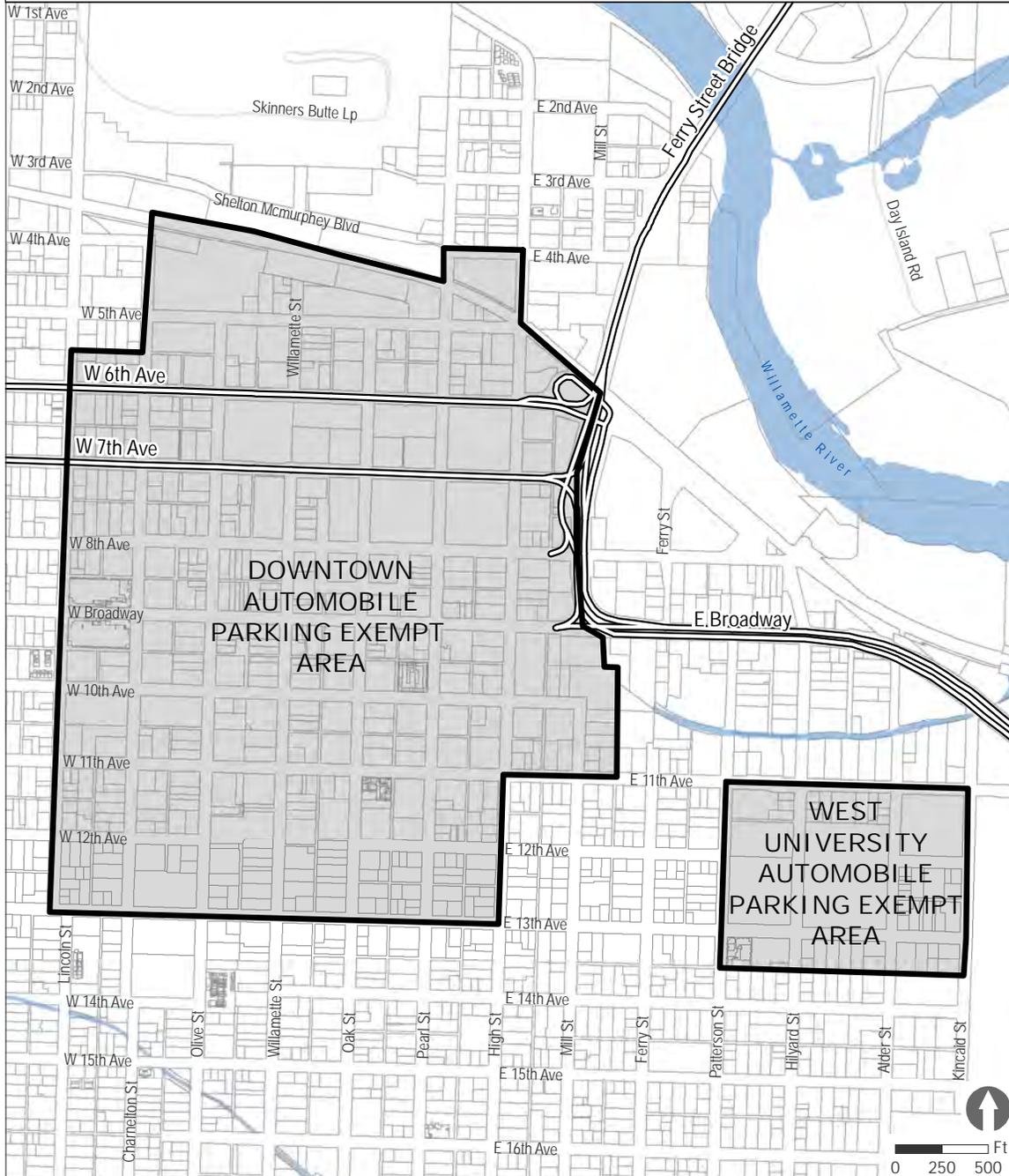
Map 9.6410(4)(a)

Downtown and West University Automobile Parking Exempt Areas



map date: 4/9/13

Map 9.6410(4)(a) Downtown and West University Automobile Parking Exempt Areas



4/17/15

ORDINANCE NO. _____

AN ORDINANCE CONCERNING LAND USE CODE MAINTENANCE AND AMENDING SECTIONS 9.0500, 9.1060, 9.2160, 9.2740, 9.3115, 9.3210, 9.3310, 9.3510, 9.3810, 9.3910, 9.4260, 9.5200, 9.6105, 9.6410, 9.6610, 9.7315, 9.7335, 9.7415, 9.7455, 9.7505, 9.7520, 9.7560, 9.7655, 9.8400, 9.8405, AND 9.8855 OF THE EUGENE CODE, 1971.

THE CITY OF EUGENE DOES ORDAIN AS FOLLOWS:

Section 1. The definitions of “Day Care” and “Legal Lot” in Section 9.0500 of the Eugene Code, 1971, are amended to provide as follows:

9.0500 **Definitions.** As used in this land use code, unless the context requires otherwise, the following words and phrases mean:

Day Care. Care or supervision of [3] **four** or more persons by a paid caregiver who is not the parent, guardian, or related by blood or marriage to the persons being served. Day care does not include boarding or temporary care or other support services for adult transitory persons.

Legal Lot. A lot of record that has boundary lines that were established:

- (A) Through a partition or subdivision procedure, [or]
- (B) By a deed that was signed before April 2, 1962[;], **or**
- (C) ***Through approval of an application to validate a unit of land consistent with ORS 92.176.***

Section 2. Section 9.1060 of the Eugene Code, 1971, is amended to provide as follows:

9.1060 **Changes in Zone Boundaries and Overlay Zone Boundaries.** Changes in zone boundaries or overlay zone boundaries shall be processed pursuant to the Type III Application Procedures (EC 9.7300 - 9.7340) or, if processed concurrently with a refinement plan, [or] code [amendment, Type IV Application Procedures (EC 9.7400 – 9.7455)] ***or Metro Plan amendment shall follow the applicable procedure for each type of amendment.*** Decisions shall be based on the criteria contained in EC 9.8865 Zone Change Approval Criteria.

Section 3. The “Day Care” entries in the Residential section of Table 9.2160 of the Eugene Code, 1971, are amended to provide as follows:

Table 9.2160 Commercial Zone Land Uses and Permit Requirements				
	C-1	C-2	C-3	GO
Residential				
Assisted Care & Day Care (Residences Providing Special Services, Treatment or Supervision)				
Day Care ([3 to 12] 4 to 16 people served)	P	P	P	P
Day Care ([13] 17 or more people served)	C	P	P	P

Section 4. The “Day Care” entries in the Residential section of Table 9.2740 of the Eugene Code, 1971, are amended to provide as follows:

Table 9.2740 Residential Zone Land Uses and Permit Requirements					
	R-1	R-1.5	R-2	R-3	R-4
Residential					
Assisted Care & Day Care (Residences Providing Special Services, Treatment or Supervision)					
Day Care ([3 to 12] 4 to 16 people served) (See EC 9.5200)	S		S	S	S
Day Care ([13] 17 or more people served)	C		C	C	C

Section 5. The “Day Care” entries in the Residential section of Table 9.3115 of the Eugene Code, 1971, are amended to provide as follows:

Table 9.3115 S-CN Chase Node Special Area Zone Land Uses and Permit Requirements			
Land Use Type	C	HDR/MU	HDR
Residential			
Assisted Living & Day Care (Residences Providing Special Services, Treatment or Supervision)			
Day Care ([3 to 12] 4 to 16 people served) (See EC 9.5200)	S	S	S
Day Care ([13] 17 or more people served)	C	C	C

Section 6. The “Day Care” entries in the Residential section of Table 9.3210 of the Eugene Code, 1971, are amended to provide as follows:

Table 9.3210 S-DW Downtown Westside Special Area Zone Uses and Permit Requirements	
	S-DW
Residential	
Assisted Care and Day Care	
Day Care ([3 to 12] 4 to 16 people served) (See EC 9.5200)	S
Day Care ([13] 17 or more people served)	C

Section 7. The “Day Care” entries in the Residential section of Table 9.3310 of the Eugene Code, 1971, are amended to provide as follows:

Table 9.3310 S-E Elmira Road Special Area Zone Uses and Permit Requirements	
	S-E
Residential	
Assisted Care & Day Care (Residences Providing Special Services, Treatment or Supervision)	
Day Care ([3 to 12] 4 to 16 people served) (See EC 9.5200)	P
Day Care ([13] 17 or more people served)	C

Section 8. Subsection (2)(b)19. of Section 9.3510 of the Eugene Code, 1971, is

amended to provide as follows:

9.3510 S-HB Blair Boulevard Historic Commercial Special Area Zone Uses. The S-HB zone designation is based on the area’s association with the city’s working class and the mix of residential, commercial and light industrial uses within the zone. The S-HB zone is the commercial core of the residential districts located to the east and west of the zone. The Whiteaker Plan Land Use Diagram reflects four underlying land use designations for this zone of residential, commercial, mixed use, and parks. Uses permitted within the S-HB zone are as follows:

(2) Areas Designated for Neighborhood Commercial.

(b) Notwithstanding subparagraph (a) of this subsection, the following uses are permitted:

- 19. Day care(~~[3 to 12]~~ **4 to 16** people served).

Section 9. The “Day Care” entries in the Residential section of Table 9.3810 of the

Eugene Code, 1971, are amended to provide as follows:

Table 9.3810 S-RN Royal Node Special Area Zone Land Uses and Permit Requirements					
	LDR	MDR	RMU	CMU	MSC
Residential					
Assisted Living & Day Care (Residences Providing Special Services, Treatment or Supervision)					
Day Care ([3 to 12] 4 to 16 people served) (See EC 9.5200)	S	S	P	P	P
Day Care ([13] 17 or more people served)	C	C	C	C	C

Section 10. The “Day Care” entries in the Residential section of Table 9.3910 of the

Eugene Code, 1971, are amended to provide as follows:

Table 9.3910 S-W Whiteaker Special Area Zone Uses and Permit Requirements	
	S-W
Residential	
Assisted Care & Day Care (Residences Providing Special Services, Treatment or Supervision)	
Day Care ([3 to 12] 4 to 16 people served) (See EC 9.5200)	S
Day Care ([13] 17 or more people served)	P

Section 11. Section 9.4260 of the Eugene Code, 1971, is amended to provide as follows:

9.4260 Procedure for Applying the /ND Nodal Development Overlay Zone. Rezoning to apply the /ND overlay zone concurrent with a Metro Plan diagram amendment to apply the /ND Nodal Development designation shall be processed ~~[as a Type V application as provided in EC 9.7500 through EC 9.7560 Type V Application Procedures]~~ **consistent with the Metro Plan Amendment Procedures as provided in EC 9.7700 through 9.7730.** Except as provided in EC ~~[9.7810]~~ **9.7820(3)**, rezoning to apply the /ND overlay zone to property shown as ND Nodal Development on the Metro Plan diagram shall be processed as a Type III application as provided in EC 9.7300 through EC 9.7340 Type III Application Procedures. Proceedings to apply the /ND overlay zone may be initiated only by the city council.

Section 12. Section 9.5200 of the Eugene Code, 1971, is amended to provide as follows:

9.5200 Day Care, Small (~~[3-12]~~ **4 to 16 people served) Standards.** These standards apply to small, (~~[3 to 12]~~ **4 to 16** people served) day care operations in residential zones where the Land Uses and Permit Requirements Table for the applicable zone indicates that the use(s) “permitted subject to zone verification and EC 9.5000 to 9.5850.

- (1) In addition to the standard required parking for other uses on the property, 1 off-street parking space is required per each outside employee.
- (2) Education programs offered as a primary activity or specialized training in activities such as dance, drama, music or religion shall be limited to preschool children.
- (3) At least 1 of the business owners of a day care service serving ~~[3-12]~~ **4 to 16** people in R-1 and R-2 zones shall reside in the building.
- (4) No overnight care permitted without a conditional use permit.

Section 13. The “Day Care” entries in the Residential section of Table 9.6105(5) of the Eugene Code, 1971, are amended to provide as follows:

Table 9.6105(5) Minimum Required Bicycle Parking Spaces		
Uses	Required Bicycle Parking (Minimum 4 bicycle spaces required unless -0- is indicated.)	Type and % of Bicycle Parking
Residential		
Assisted Care & Day Care		
-- Day Care ([3 to 12] 4 to 16 people served)	-0-	NA
-- Day Care ([13] 17 or more people served)	1 per 10 employees	100% long term

Section 14. The “Day Care” entries in the Residential section of Table 9.6410 of the Eugene Code, 1971, are amended to provide as follows:

Table 9.6410 Required Off-Street Motor Vehicle Parking	
Uses	Minimum Number of Required Off-Street Parking Spaces
Residential	
Assisted Care & Day Care	
-- Day Care ([3 to 12] 4 to 16 people served)	.9 for each employee not living in home on site at the same time.
-- Day Care ([13] 17 or more people served)	.9 for each employee not living in home on site at the same time.

Section 15. Map 9.6410(4)(a) is amended as shown on Exhibit A attached to this Ordinance.

Section 16. The entry for “Addresses” in subsection (2) of Section 9.6610 of the Eugene Code, 1971, is amended to provide as follows:

9.6610 Exemptions to Sign Standards.

(2) Except as provided in subsection (3) of this section, the following signs are exempt from the requirements of EC 9.6600 through 9.6680, and are exempt from the requirement to obtain a sign permit if they are located on private property outside of vision clearance areas:

Addresses. Number and street name of any size. (Addresses are regulated per EC 8.005(21) Numbering of Structures and Premises and Fire Code ~~[901.4.4 Premise Identification]~~ **505.1 Address Identification.**)

Section 17. Subsection (1) of Section 9.7315 of the Eugene Code, 1971, is amended to provide as follows:

9.7315 Public Hearing Notice.

- (1) When required by state law, at least [45] **35** days prior to the public hearing, the city shall [mail] **submit written** notice to the [state] **Oregon** Department of Land Conservation and Development that includes the [proposed map change and the date of the hearing] **information required by state law.**

Section 18. Section 9.7335 of the Eugene Code, 1971, is amended to provide as follows:

9.7335 Notice of Decision.

- (1) Within 5 days after the hearings official or historic review board renders a decision, notice of the decision shall be mailed to the following:
- (a) Applicant.
 - (b) Owner of the subject property.
 - (c) Neighborhood group or community organization officially recognized by the city that includes the area of the subject property.
 - (d) Any group or individual who provided written or oral testimony prior to the close of the public comment period.
 - (e) For Willamette Greenway permits, to the Oregon Department of Transportation.
- (2) The notice shall include the following:
- (a) A summary of the decision.
 - (b) An explanation of the appeal rights.
- (3) ***Within 20 days of the decision, when required by state law, the city shall submit written notice to the Oregon Department of Land Conservation and Development that includes the information required by state law.***
- (34) Responsibility and procedures for mailing the notice described in this section may be established by administrative rule of the city manager pursuant to section 2.019 of this code.
- (45) Unless appealed pursuant to EC 9.7655 Filing of Appeal of Hearings Official or Historic Review Board Initial Decision, the decision is final on the 13th day after notice of the decision is mailed.

Section 19. Subsection (1) of Section 9.7415 of the Eugene Code, 1971, is amended to provide as follows:

9.7415 Public Hearing Notice.

- (1) In the case of a refinement plan amendment, at least [45] **35** days prior to the planning commission public hearing the city shall [mail] **submit** written notice to the [State] **Oregon** Department of Land Conservation and Development that includes the [text of the proposed amendment, any proposed change to the zoning map to be considered concurrently with a refinement plan amendment (unless notice is not required by state law), and the date of the planning commission hearing] **information required by state law.**

Section 20. Section 9.7455 of the Eugene Code, 1971, is amended to provide as follows:

9.7455 Notice of Decision.

- (1) Within 5 days of the decision, written notice of the decision shall be mailed to all of the following:
 - (a) Applicant.
 - (b) Any person who has submitted written or oral testimony in a timely manner during the city council hearing procedures.
 - (c) Any person who requested notice of the city council's decision.
 - ~~[(d) In the case of a refinement plan amendment, the Oregon Department of Land Conservation and Development.]~~
- (2) The notice shall:
 - (a) Summarize the decision of the city council.
 - (b) Explain the appeal rights.
 - ~~[(c) In case of a notice being provided to the Oregon Department of Land Conservation and Development, the notice shall also contain the text of the amendment and findings, and it must specify any substantial changes from the proposed text previously sent under EC 9.7440(1), state the date of the decision, include a certificate of mailing containing a statement signed by the person mailing the notice indicating the date the notice was deposited in the mail, and list the place where and the time when the adopted text may be reviewed.]~~
- (3) ***Within 20 days of the decision, the city shall submit written notice of a refinement plan amendment to the Oregon Department of Land Conservation and Development that includes the information required by state law.***
- (34) Responsibility and procedures for mailing the notice described in this section may be established by administrative rule of the city manager pursuant to section 2.019 of this code.

Section 21. Table 9.7505 of the Eugene Code, 1971, is amended to provide as follows:

9.7505 Type V Application Requirements and Criteria Reference. The following applications are reviewed under the Type V review process according to the requirements and criteria set forth for each application as reflected in the beginning reference column in Table 9.7505:

Table 9.7505 Type V Application Requirements and Criteria	
Type V Applications	Beginning Reference
Land Use Code Amendments	EC 9.8060
Refinement Plan Amendments to policies and/or maps that are not limited to a specific site	EC 9.8421
Refinement Plan Adoption or Update	EC 9.8421
Zone Change concurrent with a Code Amendment	EC 9.8850
Special Area Zone Establishment or Amendment	EC 9.3000
[Zone Change to apply the ND Overlay Zone to Nodal Development Areas concurrent with a Metro Plan diagram amendment to apply the ND Nodal Development designation]	[EC 9.4260]

Section 22. Subsection (1) of Section 9.7520 of the Eugene Code, 1971, is amended to provide as follows:

9.7520 Public Hearing Notice.

- (1) At least ~~[45]~~ **35** days prior to the planning commission public hearing, the city shall ~~[mail]~~ **submit** written notice to the ~~[State]~~ **Oregon** Department of Land Conservation and Development that includes the ~~[text of the proposed amendment, any proposed change to the zoning map to be considered concurrently with a code amendment (unless notice is not required by state law), and the date of the planning commission hearing]~~ **information required by state law.**

Section 23. Section 9.7560 of the Eugene Code, 1971, is amended to provide as follows:

9.7560 Notice of Decision.

- (1) Within 5 days of the decision, written notice of the decision shall be mailed to all of the following:
 - (a) Any person who provided oral or written testimony in a timely manner during the city council hearing procedures.
 - (b) Any person who requested notice of the city council's decision.
 - ~~[(c) The Oregon Department of Land Conservation and Development.]~~
- (2) The notice shall summarize the decision of the city council and state the date of the decision.
- (3) ~~[The notice]~~ **Within 20 days of the decision, the city shall submit written notice** to the Oregon Department of Land Conservation and Development ~~[must contain the text of the amendment and findings, and it must specify any substantial changes from the proposed text, if any, previously sent under EC 9.7520(1), state the date of the decision, include a certificate of mailing containing a statement signed by the person mailing the notice indicating the date the notice was deposited in the mail, and list the place where and the time when the adopted text may be reviewed]~~ **that includes the information required by state law.**
- (4) Responsibility and procedures for mailing the notice described in this section may be established by administrative rule of the city manager pursuant to section 2.019 of this code.

Section 24. Subsection (1) of Section 9.7655 of the Eugene Code, 1971, is amended to provide as follows:

9.7655 Filing of Appeal of Hearings Official or Historic Review Board Initial Decision.

- (1) Within 12 days of the date of the mailing of the decision of the hearings official or historic review board, the decision may be appealed to the planning commission as specified in Table 9.7055 Applications and Review Authorities by the following:
 - (a) Applicant.
 - (b) Owner of the subject property.
 - (c) Neighborhood group officially recognized by the city that includes the

- area of the subject property.
- (d) Any person who submitted written comments in regard to the original application.
 - (e) ***Any person who provided oral testimony in regard to the original application at the public hearing.***

Section 25. Section 9.8400 of the Eugene Code, 1971, is amended to provide as follows:

- 9.8400** **Purpose of Property Line Adjustment.** Sections 9.8400 through 9.8420 provide an expedited process for the review of property line adjustments. A property line adjustment is the relocation of a single boundary line or the removal of ~~[non-platted]~~ ***boundary*** lines between two legal lots. Property line adjustments shall be considered in accordance with the Type I application procedures contained in EC 9.7100 General Overview of Type I Application Procedures.

Section 26. Subsection (1) of Section 9.8405 of the Eugene Code, 1971, is amended to provide as follows:

- 9.8405** **Applicability of Property Line Adjustment Applications.**
- (1) A property line adjustment application is applicable to changes to the property lines of adjoining properties when all of the following exist:
 - ~~[(a) A property line proposed for removal is not platted in a partition or subdivision plat.]~~
 - (ba) A property line proposed for adjustment will not result in an increase in the number of parcels or lots.
 - (eb) A property line proposed for adjustment will not create more than 2 property line adjustments to any of the boundaries of an individual lot or parcel within a calendar year. This subsection does not apply to proposed property line adjustments undertaken by or on behalf of a governmental entity that affect the ability to preserve, manage, or expand park, open space, or natural resource areas.
 - (dc) The adjustment will result in less than a 200% change in the size of the lot or parcel. This subsection does not apply to proposed property line adjustments undertaken by or on behalf of a governmental entity that affect the ability to preserve, manage, or expand park, open space, or natural resource areas.

Section 27. Section 9.8855 of the Eugene Code, 1971, is amended to provide as follows:

- 9.8855** **Applicability.** Changes in zoning, including the application of or change of an overlay zone or special area zone shall be processed as a Type III application as provided in EC 9.7300 through EC 9.7340 Type III Application Procedures, with the following exceptions:
- (1) The proposed zone change would apply the /ND Nodal Development Overlay Zone, in which case the zone change shall be processed as described in EC 9.4260.
 - (2) The proposed zone change involves an annexation request that qualifies for

- an automatic change in zoning, as provided in EC 9.7810 Changes in Zoning.
- (3) The proposed zone change involves a concurrent amendment to [~~the Metro Plan or~~] a refinement plan[;] or the adoption of a new refinement plan[;], in which case the zone change shall be processed as a Type IV or Type V application as provided in EC 9.7400 through EC 9.7455 Type IV Application Procedures and EC 9.7500 through 9.7560 Type V Application Procedures.
 - (4) ***The proposed zone change involves a concurrent amendment of the Metro Plan, in which case the zone change shall be processed consistent with the Metro Plan Amendment Procedures as provided in EC 9.7700 through 9.7730.***
 - (45) The proposed zone change is processed concurrently with an amendment to this land use code; in which case, the zone change shall be processed as a Type V application as provided for in EC 9.7500 through EC 9.7560 Type V Application Procedures.
 - (56) The proposed zone change is to remove the *MWR* Water Resources Conservation Overlay Zone, in which case the zone change shall be processed as described in EC 9.4960.
 - (67) The proposed zone change is to remove the *MWQ* Water Quality Overlay Zone, in which case the zone change shall be processed as described in EC 9.4786.

Section 28. The findings set forth in Exhibit B attached to this Ordinance are adopted as findings in support of this Ordinance.

Section 29. The City Recorder, at the request of, or with the concurrence 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 30. If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held invalid or unconstitutional by a court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions hereof.

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Section 31. This Ordinance shall take effect pursuant to Section 32 of the Eugene Charter 2002, or on the date of its acknowledgement as provided in ORS 197.625, whichever is later.

Passed by the City Council this

Approved by the Mayor this

___ day of July, 2015

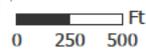
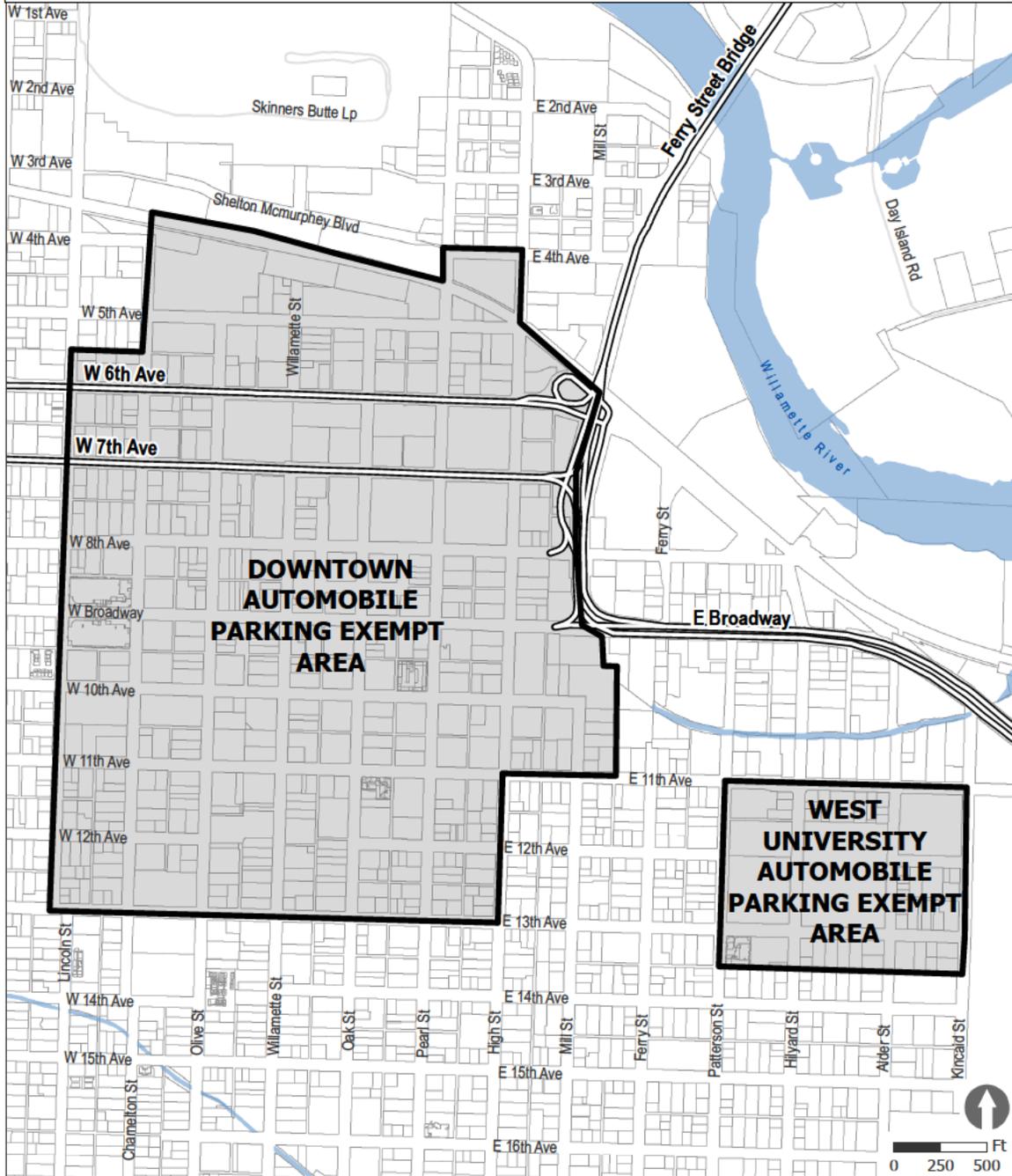
___ day of July, 2015

City Recorder

Mayor

Map 9.6410(4)(a)

Downtown and West University Automobile Parking Exempt Areas



4/17/15

Exhibit B

Findings

**Land Use Code Maintenance
(City File CA 15-2)**

Findings

Eugene Code Section 9.8065 requires that the following approval criteria (in ***bold italics***) be applied to a code amendment:

(1) *The amendment is consistent with applicable statewide planning goals adopted by the Land Conservation and Development Commission.*

Goal 1 - Citizen Involvement. To develop a citizen involvement program that insures the opportunity for citizens to be involved in all phases of the planning process.

The City has acknowledged provisions for citizen involvement which insure the opportunity for citizens to be involved in all phases of the planning process and set out requirements for such involvement. The amendments do not amend the citizen involvement program. The process for adopting these amendments complied with Goal 1 because it is consistent with the citizen involvement provisions.

A Notice of Proposed Amendment was filed with the Oregon Department of Land Conservation and Development on April 28, 2015. A public hearing was held before the Planning Commission on June 2, 2015. Consistent with code requirements, the Planning Commission public hearing on the proposal was duly noticed to all neighborhood organizations in Eugene, community groups and individuals who have requested notice. In addition, notice of the public hearing was also published in the Register Guard. A public hearing is scheduled before the City Council for July 13, 2015. Public notice of the City Council hearing was mailed and posted consistent with Eugene Code requirements. Information concerning the proposed amendments and the dates of the public hearings were posted on the City of Eugene websites.

These processes afford ample opportunity for citizen involvement consistent with Goal 1. Therefore, the ordinance is consistent with Statewide Planning Goal 1.

Goal 2 - Land Use Planning. To establish a land use planning process and policy framework as a basis for all decisions and actions related to use of land and to assure an adequate factual basis for such decisions and actions.

Eugene's land use code specifies the procedure and criteria that were used in considering these amendments. The record shows that there is an adequate factual base for the amendments. The Goal 2 coordination requirement is met when the City engages in an exchange, or invites such an exchange, between the City and any affected governmental unit and when the City uses the information obtained in the exchange to balance the needs of the citizens.

To comply with the Goal 2 coordination requirement, the City engaged in an exchange about the subject of these amendments with all of the affected governmental units. Specifically, the City provided notice of the proposed action and opportunity to comment to the Oregon Department of Land Conservation and Development. There are no exceptions to Statewide Planning Goal 2 required for these amendments. Therefore, the amendments are consistent with Statewide Planning Goal 2.

Exhibit B

Goal 3 - Agricultural Lands. *To preserve agricultural lands.*

The amendments are for property located within the urban growth boundary and do not affect any land designated for agricultural use. Therefore, Statewide Planning Goal 3 does not apply.

Goal 4 - Forest Lands. *To conserve forest lands.*

The amendments are for property located within the urban growth boundary and do not affect any land designated for forest use. Therefore, Statewide Planning Goal 4 does not apply.

Goal 5 - Open Spaces, Scenic and Historic Areas, and Natural Resources. *To conserve open space and protect natural and scenic resources.*

OAR 660-023-0250(3) provides: Local governments are not required to apply Goal 5 in consideration of a PAPA unless the PAPA affects a Goal 5 resource. For purposes of this section, a PAPA would affect a Goal 5 resource only if:

- (a) The PAPA creates or amends a resource list or a portion of an acknowledged plan or land use regulation adopted in order to protect a significant Goal 5 resource or to address specific requirements of Goal 5;*
- (b) The PAPA allows new uses that could be conflicting uses with a particular significant Goal 5 resource site on an acknowledged resource list; or*
- (c) The PAPA amends an acknowledged UGB and factual information is submitted demonstrating that a resource site, or the impact areas of such a site, is included in the amended UGB area.*

These amendments do not create or amend the City's list of Goal 5 resources, do not amend a code provision adopted in order to protect a significant Goal 5 resource or to address specific requirements of Goal 5, do not allow new uses that could be conflicting uses with a significant Goal 5 resource site and do not amend the acknowledged urban growth boundary. Therefore, Statewide Planning Goal 5 does not apply.

Goal 6 - Air, Water and Land Resource Quality. *To maintain and improve the quality of the air, water and land resources of the state.*

Goal 6 addresses waste and process discharges from development, and is aimed at protecting air, water and land from impacts from those discharges. The amendments do not affect the City's ability to provide for clean air, water or land resources. Therefore, Statewide Planning Goal 6 does not apply.

Goal 7 - Areas Subject to Natural Disasters and Hazards. *To protect life and property from natural disasters and hazards.*

Goal 7 requires that local government planning programs include provisions to protect people and property from natural hazards such as floods, landslides, earthquakes and related hazards, tsunamis and wildfires. The Goal prohibits a development in natural hazard areas without appropriate safeguards. The amendments do not affect the City's restrictions on development in areas subject to natural disasters and hazards. Further, the amendments do not allow for new development that could result in a natural hazard. Therefore, Statewide Planning Goal 7 does not apply.

Goal 8 - Recreational Needs. *To satisfy the recreational needs of the citizens of the state and visitors, and where appropriate, to provide for the siting of necessary recreational facilities including destination resorts.*

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Goal 8 ensures the provision of recreational facilities to Oregon citizens and is primarily concerned with the provision of those facilities in non-urban areas of the state. The amendments do not affect the City's provisions for or access to recreation areas, facilities or recreational opportunities. Therefore, Statewide Planning Goal 8 does not apply.

Goal 9 - Economic Development. To provide adequate opportunities throughout the state for a variety of economic activities vital to the health, welfare, and prosperity of Oregon's citizens.

Goal 9 requires cities to evaluate the supply and demand of commercial land relative to community economic objectives. The Eugene Commercial Lands Study (1992) was adopted by the City of Eugene as a refinement of the Metro Plan, and complies with the requirements of Goal 9 and the corresponding Administrative Rule. The amendments do not impact the supply of industrial or commercial lands. Therefore, the amendments are consistent with Statewide Planning Goal 9.

Goal 10 - Housing. To provide for the housing needs of citizens of the state.

Goal 10 requires communities to provide an adequate supply of residential buildable land to accommodate estimated housing needs for a 20-year planning period. The Residential Lands Study (1999) was adopted by the City of Eugene as a refinement of the Metro Plan, and complies with the requirements of Goal 10 and the corresponding Administrative Rule. According to the Residential Lands Study, there is sufficient buildable residential land to meet the identified land need.

The amendments do not impact the supply of residential buildable land. No land is being re-designated from residential use to a nonresidential use, and the amendments do not otherwise diminish the lands available for residential use. Therefore, the amendments are consistent with Statewide Planning Goal 10.

Goal 11- Public Facilities and Services. To plan and develop a timely, orderly and efficient arrangement of public facilities and services to serve as a framework for urban and rural development.

The amendments do not affect the City's provision of public facilities and services. Therefore, Statewide Planning Goal 11 does not apply.

Goal 12- Transportation. To provide and encourage a safe, convenient and economic transportation system.

The Transportation Planning Rule (OAR 660-012-0060) contains the following requirement:

- (1) *If an amendment to a functional plan, an acknowledged comprehensive plan, or a land use regulation (including a zoning map) would significantly affect an existing or planned transportation facility, then the local government must put in place measures as provided in section (2) of this rule, unless the amendment is allowed under section (3), (9) or (10) of this rule. A plan or land use regulation amendment significantly affects a transportation facility if it would:

 - (a) *Change the functional classification of an existing or planned transportation facility (exclusive of correction of map errors in an adopted plan);*
 - (b) *Change standards implementing a functional classification system; or*
 - (c) *Result in any of the effects listed in paragraphs (A) through (C) of this subsection based on projected conditions measured at the end of the planning period identified in the adopted TSP. As part of evaluating projected conditions, the amount of traffic projected to be generated within the area of the amendment may be reduced if the amendment includes an enforceable, ongoing**

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requirement that would demonstrably limit traffic generation, including, but not limited to, transportation demand management. This reduction may diminish or completely eliminate the significant effect of the amendment.

- (A) Types or levels of travel or access that are inconsistent with the functional classification of an existing or planned transportation facility;*
- (B) Degrade the performance of an existing or planned transportation facility such that it would not meet the performance standards identified in the TSP or comprehensive plan; or*
- (C) Degrade the performance of an existing or planned transportation facility that is otherwise projected to not meet the performance standards identified in the TSP or comprehensive plan.*

The amendments do not change the functional classification of a transportation facility, change the standards implementing a functional classification system or degrade the performance of a facility otherwise projected to not meet performance standards. Therefore, the amendments do not have a significant effect under (a), (b) or (c). Therefore, the amendments do not significantly affect any existing or future transportation facilities. Based on the above findings, the amendment is consistent with Statewide Planning Goal 12.

Goal 13 - Energy Conservation. *To conserve energy.*

The amendments do not impact energy conservation. Therefore, Statewide Planning Goal 13 does not apply.

Goal 14 - Urbanization. *To provide for an orderly and efficient transition from rural to urban land use.*

The amendments do not affect the City's provisions regarding the transition of land from rural to urban uses. Therefore, Statewide Planning Goal 14 does not apply.

Goal 15 - Willamette River Greenway. *To protect, conserve, enhance and maintain the natural, scenic, historical, agricultural, economic and recreational qualities of lands along the Willamette River as the Willamette River Greenway.*

The amendments do not contain any changes that affect the Willamette River Greenway regulations, therefore, Statewide Planning Goal 15 does not apply.

Goal 16 through 19 - Estuarine Resources, Coastal Shorelands, Beaches and Dunes, and Ocean Resources.

There are no coastal, ocean, estuarine, or beach and dune resources related to the property effected by these amendments. Therefore, these goals are not relevant and the amendments will not affect compliance with Statewide Planning Goals 16 through 19.

(2) *The amendment is consistent with applicable provisions of the Metro Plan and applicable adopted refinement plans.*

The amendments do not include any change in adopted land use designations or policy, nor does it change any requirements in the City's land use code concerning compliance with the Metro Plan and applicable refinement plans. There are no policies or other applicable provisions in the Metro Plan or adopted refinement plans that specifically serve as mandatory approval criteria in this instance or otherwise limit the expiration period for approved land use applications. Therefore, the amendments comply with the above criterion.

(3) *The amendment is consistent with EC 9.3020 Criteria for Establishment of an S Special Area Zone, in*

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the case of establishment of a special area zone.

The amendments do not establish a special area zone. Therefore, this criterion does not apply.

EUGENE CITY COUNCIL

AGENDA ITEM SUMMARY



Work Session: City Hall Update

Meeting Date: July 13, 2015
 Department: Central Services
www.eugene-or.gov

Agenda Item Number: 6
 Staff Contact: Mike Penwell
 Contact Telephone Number: 541-682-5547

ISSUE STATEMENT

The purpose of this work session is to present to the council the completed schematic design for Phase 1 of the new Eugene City Hall in order to elicit input for the design team and the staff project team before completing the remainder of the design work and construction documents for the building and site.

BACKGROUND

At the January 23, 2013, work session, the council directed the City Manager to develop a City Hall design on the current site based on a \$15 million project budget which was subsequently approved through supplemental budget action. Later that year, Rowell Brokaw Architects of Eugene was chosen to lead the design team for this project which also includes The Miller Hull Partnership, a Seattle-based architectural firm that has earned numerous regional and national design awards. Rounding out the project team is Eugene-based McKenzie Commercial Contractors as the construction manager/general contractor (CM/GC) for the project, providing construction consulting and cost-estimating during the design process, and acting as the general contractor during construction.

At the February 10, 2014, work session, the council considered design options for City Hall that focused on the feasibility of incorporating the existing council chamber into the design concept and how parking should be considered as a valuable resource for the site and its immediate surroundings. Public art was also identified as an important issue in discussions with community members, both with the existing artwork as a means of connecting to history and with new art opportunities as a means of reinforcing community connection and cultural accessibility. The goal was to remake City Hall into a welcoming place that reaches out to the community and honors both the community's history and future.

At the October 27, 2014, work session, the council voted to add a fourth floor to the Phase 1 building and \$2.85 million to the project budget. The primary benefits of this approach are to piggyback on the current project to reduce the cost of adding additional square footage compared to what it would cost in a future phase, to establish a more prominent civic presence on site, provide a more appropriate urban scale to the building for its downtown site, consolidate more functions at the site, and provide more flexibility for what functions could be included in the

building during the initial and future phases. The fourth floor will add approximately 9,500 square feet of building area and will consist of shelled space ready to be finished for occupancy at a future time and with future funding.

The final schematic design for City Hall to be presented at the July 13 work session responds to input previously received from the council and from community stakeholder groups, and reflects the results of the design team's exploration of a site framework that would support the option of building a County Courthouse on the eastern half of the City Hall site.

RELATED CITY POLICIES

The City Hall planning process relates to the council goals of an effective, accountable municipal government, a safe community, and sustainable community growth and change.

COUNCIL OPTIONS

The council is asked to provide feedback on the information presented at this work session.

CITY MANAGER'S RECOMMENDATION

There are no specific recommendations at this time.

SUGGESTED MOTION

None at this time.

ATTACHMENTS

There are no attachments to this agenda item summary.

FOR MORE INFORMATION

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