



**Eugene City Council**

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# EUGENE CITY COUNCIL AGENDA

October 28, 2015

12:00 PM CITY COUNCIL WORK SESSION

Harris Hall

125 East 8<sup>th</sup> Avenue

Eugene, Oregon 97401

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Meeting of October 28, 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

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**CITY COUNCIL WORK SESSION**

**Harris Hall**

12:00 p.m.    A.    **WORK SESSION:  
Workforce Housing**

12:45 p.m.    B.    **WORK SESSION:  
Cell Towers**

*Mayor: The Eugene City Council will now meet in Executive Session to consult with counsel concerning legal rights and duties regarding current litigation or litigation likely to be filed. The executive Session is held pursuant to ORS 192.660(2)(h).*

*Representatives of the news media and designated staff shall be allowed to attend the*

*executive session. All other members of the audience are asked to leave the room. Representatives of the news media are specifically directed not to report on any of the deliberations during the executive session, except to state the general subject of the session as previously announced. No decision may be made in executive session. At the end of the executive session, we will return to open session and welcome the audience back into the room.*

*\*time approximate*

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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](http://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,**

**or visit us online at [www.eugene-or.gov](http://www.eugene-or.gov)**

# EUGENE CITY COUNCIL

## AGENDA ITEM SUMMARY




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### Work Session: Workforce Housing

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Meeting Date: October 28, 2015  
 Department: Planning & Development  
[www.eugene-or.gov](http://www.eugene-or.gov)

Agenda Item: A  
 Staff Contact: Anne Fifield  
 Contact Telephone Number: 541-682-5451

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#### **ISSUE STATEMENT**

This work session is based on council action in July 2015. The council has requested a discussion of workforce housing with an opportunity to provide direction for next steps.

#### **BACKGROUND**

The council discussed workforce housing at several work sessions over the last year related to the Multi-Unit Property Tax Exemption (MUPTE) program. At the July 13, 2015, work session, the council approved a motion “to schedule a work session as soon as practicable after break to discuss workforce housing and its definition.” Discussion during the work session included the need for workforce housing city-wide, separate from the MUPTE-related workforce housing criteria.

Staff provided a memorandum dated June 12, 2015 at the request of Mayor Kitty Piercy and Councilor George Brown with information on defining workforce housing and Eugene-specific income data (Attachment A).

Workforce housing is a term used to describe housing for households that earn too much to qualify for subsidized affordable housing, but have difficulty finding adequate housing within their budget. The term ‘moderate-income housing’ more accurately describes the housing category, as many households that qualify for subsidized affordable housing are in the workforce.

There are no federal guidelines to define income ranges for moderate-income housing, but many communities and organizations apply it to housing that is affordable to households earning incomes between 60 percent and 120 percent of the Area Median Income (AMI). The AMI percentage range depends on the cost of living in a specific area.

The City of Eugene has focused on affordable housing for households with incomes at 60 percent AMI and below, due to the extensive need and the thresholds for federal subsidies and tax credits. Attachment B summarizes the affordable housing programs currently implemented by the City of Eugene to create a range of stable, safe, and quality housing opportunities.

Housing is considered affordable when an individual/family spends 30 percent or less of income on housing costs. Families who pay more than 30 percent of their income for housing are

considered cost burdened, and they are likely to experience difficulty paying for other basic necessities, such as food, clothing, transportation, and medical care.

Based on analysis conducted for the Eugene-Springfield Consolidated Plan, 76 percent of low-income (i.e., 100 percent AMI and lower) renter households and 64 percent of low-income owner households in Eugene experience housing cost burden.

The ability for moderate-income households to afford adequate housing is an issue for many communities, particularly in regions with high housing costs such as Los Angeles, the San Francisco Bay area, and Seattle. Library research staff conducted preliminary research to identify communities across the U.S. that have policies to address housing affordability for moderate-income households (Attachment C).

### **RELATED CITY POLICIES**

The City of Eugene has policies that address affordable housing for moderate-income households, including:

#### *Envision Eugene Pillars*

- Provide affordable housing for all income levels.

#### *Eugene-Springfield Consolidated Plan—2015*

- Increase the supply of affordable housing.

#### *Regional Prosperity Economic Development Plan*

- Grow local opportunities.

### **COUNCIL OPTIONS**

Discussion only. No options identified.

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

Discussion only. No recommendation identified.

### **SUGGESTED MOTION**

No action requested.

### **ATTACHMENTS**

- A. June 12, 2015 Memorandum to Mayor and City Council, regarding MUPTE and Workforce Housing
- B. Summary of Existing Housing Programs “Creating Stable, Safe Housing Opportunities for Eugene Residents”
- C. Workforce Housing Research

**FOR MORE INFORMATION**

Staff Contact: Anne Fifield  
Telephone: 541-682-5451  
Staff E-Mail: [anne.e.fifield@ci.eugene.or.us](mailto:anne.e.fifield@ci.eugene.or.us)





## Memorandum

**Date:** June 12, 2015  
**To:** Mayor and City Council  
**From:** Denny Braud, Division Manager AIC  
**Subject:** MUPTE & Workforce Housing

At the April 29, 2015 work session, Mayor Piercy and Councilor Brown requested information on workforce housing. Specifically, the Mayor asked for clarity on the definition of workforce housing, while Councilor Brown requested income data.

### Defining Workforce Housing

Workforce housing:

- ✓ Attends to the needs of the essential workers in the community
- ✓ Is priced for people who make too much for *affordable housing*<sup>1</sup> yet cannot afford the average market-rate home.

Nationwide since the Great Recession, essential workers who cannot afford the average market-rate home can include such professions as teachers, nurses, and life/safety personnel, in addition to people employed in retail and hospitality. In terms of Area Median Income (AMI), across the country workforce housing is created for gainfully employed people making from 60% to 120% AMI. The AMI percentage range depends on cost of living in the specific area and on the entity setting the range.

Affordable housing work by the City of Eugene currently and historically has focused on housing for residents earning 60% AMI and below. This rate was set due to the extensive need and the thresholds for federal subsidies and tax credits. The upper end of the workforce housing income range for Eugene could be determined with further market specific research.

As a reminder, families who pay more than 30% of their income for housing are considered cost burdened and may have difficulty affording necessities such as food, clothing, transportation and medical care.<sup>2</sup>

- ✓ Housing is considered affordable when the individual/family spends 30% of income or less on housing costs.

### Income Data

[Attachment A](#) provides incomes for Area Median Income at various percentages, the correlating rents that are affordable for those incomes, and number of households at income levels. The Consolidated Plan 2015, a five year strategic plan for housing and community development, contains additional community data and can be found online at <http://www.eugene-or.gov/hudconplan>. (Council approved the Consolidated Plan summary in April 2015.) Community income data is also in the Equity and Opportunity

<sup>1</sup> Sometimes this is also referred to as “subsidized affordable housing” and is housing developed/benefiting from federal, state, local subsidies and tax credits. In Eugene, this would include housing developed/managed by St Vincent dePaul, Cornerstone, HACSA, and other agencies.

<sup>2</sup> [http://portal.hud.gov/hudportal/HUD?src=/program\\_offices/comm\\_planning/affordablehousing/](http://portal.hud.gov/hudportal/HUD?src=/program_offices/comm_planning/affordablehousing/) [6/9/15]

Assessment (a project of the Lane Livability Consortium), which can be found online at [http://www.livabilitylane.org/projects/equity\\_and\\_opportunity.htm](http://www.livabilitylane.org/projects/equity_and_opportunity.htm).

Within the Downtown Plan Area, the mix of multi-unit housing (5 or more units) types includes 410 affordable units (60% AMI and below), 481 market rate units, and 871 student units. (See [Attachment B](#) for a map.)

Workforce housing, even in its broadest possible definition, is something our community could benefit from and could warrant additional research and potential City assistance to incentivize development to respond to this need. The high cost of new construction for multifamily projects means that those units are often unaffordable to workforce households.

Steps to increase the availability housing that is affordable to workforce households include:

1. Increase the overall supply of housing in the community to help stabilize rents and avoid rapid rent increases resulting from low vacancy rates.
2. Assist with capital investments needed to rehabilitate and update existing multi-unit housing that was built in the 1970s and 1980s, including units previously targeted to students.

MUPTE is a tool that can be used to increase the overall housing supply (step 1). Additional strategies used in other parts of the country to support the development of workforce housing include density bonuses, increasing residential density (up-zoning), and impact-fee waivers for workforce housing construction.

Please feel free to contact me with questions at 541-682-5536 or [denny.braud@ci.eugene.or.us](mailto:denny.braud@ci.eugene.or.us). Thank you.



## Attachment A

## Income and Rents Eugene/Springfield MSA

Area Median Income 2014									
# Persons in Household		1	2	3	4	5	6	7	8
40%	Income Limit	\$ 15,520	\$ 17,720	\$ 19,920	\$ 22,120	\$ 23,920	\$ 25,680	\$ 27,440	\$ 29,200
50%	Income Limit	\$ 19,400	\$ 22,150	\$ 24,900	\$ 27,650	\$ 29,900	\$ 32,100	\$ 34,300	\$ 36,500
60%	Income Limit	\$ 23,280	\$ 26,580	\$ 29,880	\$ 33,180	\$ 35,880	\$ 38,520	\$ 41,160	\$ 43,800
70%	Income Limit	\$ 27,160	\$ 31,010	\$ 34,860	\$ 38,710	\$ 41,860	\$ 44,940	\$ 48,020	\$ 51,100
80%	Income Limit	\$ 31,000	\$ 35,400	\$ 39,850	\$ 44,250	\$ 47,800	\$ 51,350	\$ 54,900	\$ 58,450
90%	Income Limit	\$ 34,920	\$ 39,870	\$ 44,820	\$ 49,770	\$ 53,820	\$ 57,780	\$ 61,740	\$ 65,700
100%	Income Limit	\$ 38,800	\$ 44,300	\$ 49,800	\$ 55,300	\$ 59,800	\$ 64,200	\$ 68,600	\$ 73,000

\* HUD Community Development Block Grant 2014 numbers for 50%, 80%, & household of four 100% AMI. Calculations created the remainder of the amounts.

Max Affordable Monthly Rent (includes tenant paid utility allowance)					
Household Income	Efficiency	1 Bedroom	2 Bedroom	3 Bedroom	4 Bedroom
40% AMI	\$ 388	\$ 443	\$ 498	\$ 553	\$ 598
50% AMI	\$ 485	\$ 554	\$ 623	\$ 691	\$ 748
60% AMI	\$ 582	\$ 665	\$ 747	\$ 830	\$ 897
70% AMI	\$ 679	\$ 775	\$ 872	\$ 968	\$ 1,047
80% AMI	\$ 775	\$ 885	\$ 996	\$ 1,106	\$ 1,195
90% AMI	\$ 873	\$ 997	\$ 1,121	\$ 1,244	\$ 1,346
100% AMI	\$ 970	\$ 1,108	\$ 1,245	\$ 1,383	\$ 1,495

**Factors used in calculation of rents:**

Area Median Income (AMI) for Household Size

Occupancy Standard of 1.5 Persons per Bedroom (similar to Housing Tax Credits) as Noted in Chart Below:

Unit Size	Efficiency	1 Bedroom	2 Bedroom	3 Bedroom	4 Bedroom	5 Bedroom
Occupancy Standard	1	2	3	4	5	6

**Formula used in the calculation of rents:**

AMI for Occupancy Standard Established for Unit Size X Housing Ratio / 12 Months = Max Affordable Rent

Example: 40% AMI for household of 3 (occupancy standard for 2 bedrooms) = \$19,920 \* .30 / 12 = \$498

**Income Distribution by Total Households (HUD Provided Table)***Consolidated Plan, page 52*

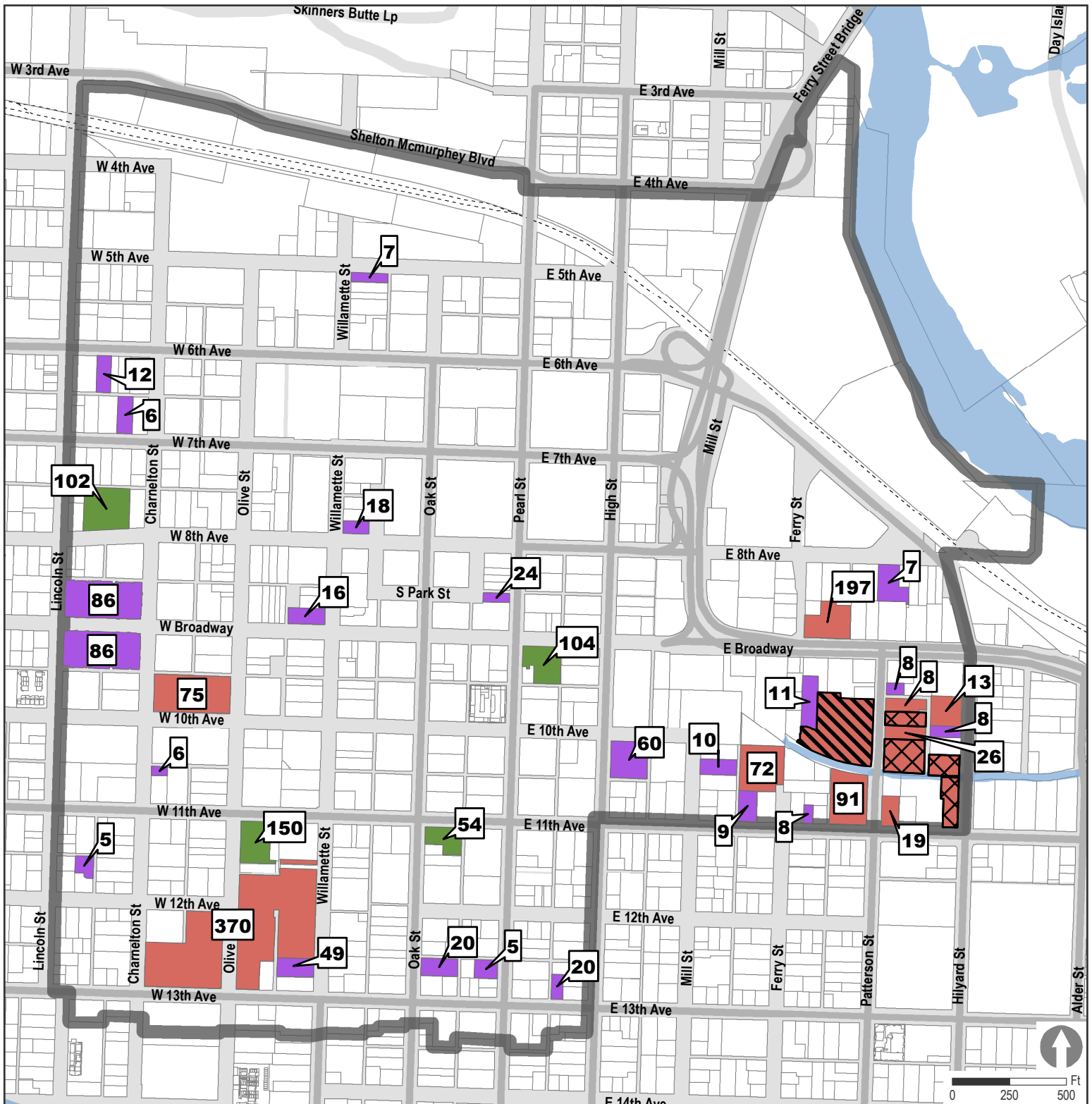
	<b>0-30% HAMFI</b>	<b>&gt;30-50% HAMFI</b>	<b>&gt;50-80% HAMFI</b>	<b>&gt;80-100% HAMFI</b>	<b>&gt;100% HAMFI</b>
Total Households	13,285	11,025	14,780	8,900	41,550
Small Family Households	2,750	3,265	4,900	3,290	20,405
Large Family Households	270	350	680	375	2,465
Household contains at least one person 62-74 years of age	1,365	1,705	2,000	1,260	7,655
Household contains at least one person age 75 or older	905	1,790	2,355	1,045	3,315
Households with one or more children 6 years old or younger	1,494	1,714	2,245	1,340	3,085

Data Source:2007-2011 CHAS

**AMI & HAMFI**

The data in Attachment A came from HUD (except as noted when it derived from the HUD data). HUD uses AMI, HAMFI, and MFI interchangeably and in reference to the same data. All three are the median income for the Eugene/Springfield MSA. HUD calculates incomes differently than other median income calculations, such as census. HUD includes CPI in the calculation and, when income limits are broken out by 30%, 50%, and so on, HUD includes other variables such as housing cost adjustments.

# Downtown Housing



Housing Type	Units	
Affordable	410	23%
Market	481	27%
Student*	871	49%
<b>Total</b>	<b>1,762</b>	<b>100%</b>

\*Group quarters such as fraternities, sororities and dormitories not included

- Downtown Plan Area
- Fraternities and Sororities
- Housing (labeled with units)**
- Affordable
- Market
- Student
- Dormitory



City of Eugene  
 Planning and Development  
 June 11, 2015

This map includes housing in the Downtown Plan area only for: apartments with five or more units, condominiums, townhouses, dormitories, fraternities, sororities, and retirement homes. Data: City of Eugene Affordable Housing Inventory, Regional GIS Site Addresses. Data queried for specific housing type. Some data supplemented. Caution: This map is based on imprecise source data, subject to change, and for general reference.



## Creating Stable, Safe Housing Opportunities for Eugene Residents

The City of Eugene seeks to create a range of stable, safe, and affordable housing opportunities for area residents through a suite of funding, programs, and supportive policies. Eugene programs provide financial and regulatory incentives for the development of permanent, transitional and emergency housing by primary nonprofit partner organizations. City programs are guided through the Eugene-Springfield 2010 Consolidated Plan. Through the investments of the City of Eugene and many other organizations, our community has created over 3,000 units of permanent affordable housing,

**Affordable Housing Development** – Housing Development programs includes funding for acquisitions, new development construction, rehabilitation, and project-related soft costs incurred by the jurisdictions. Eugene awards funds in this category through an annual Housing RFP. Subsidies for development include land, HOME Investment Partnership Program funds, system development charge waivers, and property tax exemptions. Regulatory incentives include density bonuses and reduction of parking requirements. Projects receiving funds include small developments for special need populations as well as medium sized affordable housing development.

*Low-income Rental Housing Property Tax Exemption (LIRPTE) and Low-Income Housing Property Tax Exemption (LITE):* Both the low-income housing property tax exemption (LITE) and the 20 year low-income rental housing property tax exemption (LIRPTE) are enabled by state statute. A LITE provides an annual exemption for properties that are used for the purposes of a nonprofit corporation. This housing is not required to be rental housing. For more information, refer to Eugene City Code 2.910-2.922. The LIRPTE provides a 20-year exemption for properties constructed after February 12, 1990 and is offered for rent or held for the purpose of developing low-income rental housing. An applicant requesting a 20-year exemption is not required to be a nonprofit in certain instances. For more information, refer to Eugene City Code 2.937-2.940. Since 1990, LIRPTE has benefited 1,168 affordable housing units.

**Housing Rehabilitation Fund** – The Housing Rehabilitation Fund (HRF) is a revolving loan fund created with CDBG funds. The HRF generates \$400,000 per year in program income which is made available for low-interest loans for rehabilitation of rental and homeownership units for low-income persons. This is a critical resource for maintain the existing housing units available to low-income persons.

**Emergency Home Repair** – The program offers emergency repair grants and loans of up to \$5,000 to very low-income homeowners for minor repairs and accessibility features. Grants are available for accessibility improvements for rental units occupied by very low-income tenants with disabilities. About 30 repair projects are completed each year.

**Capital Grants for Emergency and Transitional Housing Facilities** – This program provides grants for acquisition or rehabilitation of facilities for nonprofit organizations that provide serves for low-income persons. Such facilities include emergency and transitional housing for people who are homeless or at risk of homelessness.

**Temporary Residences for Persons Experiencing Homelessness** – In addition, the City of Eugene supports programs for homeless persons to find safe spaces through the Homeless Car Camping Program, Opportunity Village, and Rest Stops.

**Condominium and Manufactured Home Park Conversions** – The City of Eugene regulates the conversion of rental units to condominiums and the closure of manufactured home parks in order to provide appropriate supports for the tenants residing in such properties.

**Rental Housing Code** – This code creates minimum standards for habitability of rental properties and establishes a process to help renters and owners resolve concerns.



Attachment C

City of Eugene

# Survey of Cities with Workforce Housing Policies

Adult Services Department, Eugene Public Library  
10-20-2015

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## Survey of Cities with Workforce Housing Policies

### Sonoma County, CA

#### **Sonoma County Workforce Housing Program**

<http://www.sonoma-county.org/prmd/housing/workforcefee.pdf>

The Sonoma County Workforce Housing Program is designed to require new non-exempt, non-residential developers to contribute to the county's workforce housing.

- Developers can contribute via constructing workforce housing, paying a fee, or a county-approved alternative
- Developers would choose their method of contribution during initial proposal phase, contribution would be delivered concurrently with their non-residential project
- Fees and number of units required were developed by a study which analyzed average income levels and land use types

### Loudoun County, VA

#### **Loudoun County, VA Affordable Dwelling Unit**

<http://www.loudoun.gov/index.aspx?NID=1813>

The Affordable Dwelling Unit (ADU) program is designed to support first time homebuyers and renters who work in the county.

- ADU Purchase Program supports first-time homebuyers
  - Participants to the program must meet income requirements of no less than 30% and no more than 70% of the median income of the area with adjusting criteria for family size
  - Participants must be able to qualify for a mortgage and pass a credit check
- ADU Rental Program connects qualified renters/non-home owners with participating apartment complexes
  - Participants to the program must meet income requirements of no less than 30% and no more than 50% of the median income of the area with adjusting criteria for family size
  - Participants cannot own a house and must be able to pass a credit check

### Virginia Beach, VA

#### **Workforce Housing Program**

<http://www.vbgov.com/government/departments/housing-neighborhood-preservation/about-us/Pages/workforce-housing.aspx>

The incentive-based program offers a "bonus density" to developers who voluntarily include workforce housing units in the development of market-rate units. By allowing developers to build more units with no additional land cost, rental units are more affordable and "for-sale" units are sold with special financing that translates to affordable monthly mortgage payments. The city also has first rights to buy back the property at the time of resale, helping to maintain a supply of affordable housing.

**Code: Appendix A – Zoning Ordinance; Article 21. – Workforce Housing**

<http://www.vbgov.com/government/departments/housing-neighborhood-preservation/about-us/Documents/20120124-HNP-Article21ZoningOrdinanceWorkforceHousing-ORD.pdf>

Full text of ordinance.

**Workforce Housing: Report to City Council from the Planning Commission.** City of Virginia Beach, January 2007.

[http://www.tbaonline.org/builderservices/Final\\_Workforce\\_Housing\\_Report\\_1-07.pdf](http://www.tbaonline.org/builderservices/Final_Workforce_Housing_Report_1-07.pdf)

Full report on the planning commission's recommendations for a workforce housing plan.

**Boulder, CO**

**Boulder Housing Choice Program**

[http://www.huduser.gov/portal/casestudies/study\\_01272015\\_1.html](http://www.huduser.gov/portal/casestudies/study_01272015_1.html)

<https://boulderhousing.org/program/housing-choice-program>

Boulder's Housing Choice Program is a lottery to provide vouchers for housing. The participants pay 30-40% of the housing cost and the program pays for the rest.

- Preferential applicants work and/or live within Boulder, have families, have disability, and/or are over 62

**Montgomery County, MD**

**The Moderately Priced Dwelling Unit Program**

<http://montgomerycountymd.gov/DHCA/housing/singlefamily/mpdu/index.html>

This program has options for rental apartments and townhomes/condominiums for first-time homebuyers.

- Rental Program
  - Applicants apply directly to apartment complex which verifies eligibility
  - Minimum household income is 30,000 and the upper limits are determined by household size and apartment type (garden or high-rise)
- Sales Program

- Applicants must meet a household income of at least 35,000 with an upper limit determined by household size
- Applicants must also not currently own a home or have owned in the past 5 years and must be able to afford expenses such as purchase and mortgage fees

## Asheville, NC

Asheville has investigated a land use incentive in the form of tax rebates for new developments fulfilling affordability criteria. At Buncombe County level there are incentive grants for construction, loan funds, and building permit rebates; a new development has to include a certain percentage that qualifies as workforce housing and will rent to families at a designated rate. The Buncombe County website has a page with applications for those seeking to rent workforce housing and those seeking to build it.

<http://www.ashevillenc.gov/Portals/0/city-documents/planning/LandUseIncentiveResolution.pdf>

<http://www.ashevillenc.gov/Portals/0/city-documents/communitydevelopment/Affordable%20Housing%20work%20session%20presentation.pdf>

<http://www.buncombecounty.org/common/planning/WorkforceRentalPolicy.pdf>

<https://www.buncombecounty.org/Governing/Depts/Planning/Housing.aspx>

### **CURS Policy Brief: A Long Way From Home: The Impacts of a Limited Supply of Workforce Housing**

<http://curs.unc.edu/files/2013/05/Wkforce-Housing-Pol-Brf.pdf>

Policy Brief from the Center for Urban and Regional Studies at University of North Carolina, which details the problems with a lack of workforce housing, with recommendations that only slightly overlap with strategies that Asheville and Buncombe County have taken.

### **Land Use Incentive Policy**

[http://www.ashevillenc.gov/Portals/0/city-documents/cityclerk/mayor\\_and\\_citycouncil/council\\_committees/planning\\_and\\_economic\\_development\\_committee/6-16-15%20Land%20Use%20Incentive%20Policy%20proposed%20amendment%20draft%206-11-15.pdf](http://www.ashevillenc.gov/Portals/0/city-documents/cityclerk/mayor_and_citycouncil/council_committees/planning_and_economic_development_committee/6-16-15%20Land%20Use%20Incentive%20Policy%20proposed%20amendment%20draft%206-11-15.pdf)

The land use policy tells the criteria for receiving the Land Use Incentive Grant.

### **The Will and the ‘Workforce’ by David Forbes.** The Asheville Blade, May 31, 2015.

<http://ashevilleblade.com/?p=1205>

This article from an investigative newspaper in Asheville provides some context and commentary on local efforts in workforce housing.

## Seattle, WA

Seattle is an example of a city just beginning to address the issue. The main strategy so far is a “linkage fee” which is two-pronged: developers can avoid it by dedicating a percentage of their units to affordable housing, and the funds from those who do pay would be invested in workforce housing.

**Workforce Housing Recommendations.** Owen Pickford, The Urbanist Blog, June 30, 2014.

<http://www.theurbanist.org/2014/06/30/workforce-housing-recommendations/>

The Urbanist blog gives an overview of the process Seattle has now initiated. The recommendations draw partly on a matrix of measures and incentives which give a (somewhat reductive) picture of what other cities are doing, and they conclude with a more nuanced list of Best Practice Policies.

**Seattle Workforce Housing: Programs and Policies Related to Meeting Workforce Housing Needs in Seattle: A Survey and Analysis of Best Practices in Comparative Jurisdictions** (May 2014)

[http://clerk.seattle.gov/~public/meetingrecords/2014/plus20140625\\_1a.pdf](http://clerk.seattle.gov/~public/meetingrecords/2014/plus20140625_1a.pdf)

Linked to in the article above, this 76-page report examines factors in depth, with detailed summaries of efforts in the examined cities, and discussion of ideas both traditional and innovative.

## Affordable Workforce Housing

<http://www.seattle.gov/council/issues/affordablehousing/default.html>

Here is where Seattle starts to take action. The linked Resolution 31551 sets out the framework for the linkage fee program.

## Affordable Workforce Housing Resources

<http://www.seattle.gov/council/issues/affordablehousing/resources.html>

Background materials and presentations, including (at the bottom) links to presentations of policies and programs in Minneapolis and Denver, and by nongovernmental groups.

## Albuquerque, NM

A prominent part of Albuquerque’s planning is the Workforce Housing Trust Fund, which subsidizes development meeting the proper criteria. The Fund itself is funded by city bonds. Authority emanates from the City of Albuquerque Workforce Housing Opportunity Act, which defined the problem and the remedies.

**Appendix B: City of Albuquerque Workforce Housing Opportunity Act**

[https://www.cabq.gov/council/documents/1appendix\\_b-workforce\\_housing.pdf](https://www.cabq.gov/council/documents/1appendix_b-workforce_housing.pdf)

Text of the Act.

**Article 9: Workforce Housing.** Albuquerque Code of Ordinances, Chapter 14

<https://www.cabq.gov/planning/documents/ExhibitPWorkforceHousingOrdinance.pdf>

Section of the Albuquerque Code of Ordinances which addresses workforce housing.

**Five year Consolidated Plan and Workforce Housing Plan, January 1, 2008-December 30, 2012**

<https://www.cabq.gov/family/documents/ConsolidatedWorkforceHousingPlan20082012final.pdf>

This document provides all the details on background and implementation.

**Fact Sheet: The Workforce Housing Opportunity Act**

<http://ourhouseabq.unm.edu/docs/go.pdf>

Fact sheet on the Act, the Fund and the overseeing committee.

**Developers, nonprofit groups want more money for ABQ housing fund.** Dan Mayfield, Albuquerque Business First, December 11, 2012.

<http://www.bizjournals.com/albuquerque/news/2012/12/11/Money-wanted-for-Albuquerque-housing.html>

A local article discusses a gap in the Fund, and how it might be addressed.

**Critical step needed to impact ABQ's homelessness.** Anita Cordova, Guest Columns, Albuquerque Journal, February 27, 2015.

<http://www.abqjournal.com/547030/opinion/critical-step-needed-to-impact-abqs-homelessness.html>

Another article urges further support of the Fund via "earmarking" a percentage of bond proceeds.

Nantucket, MA

**Workforce Housing Needs Assessment.** Nantucket, Massachusetts, April 2015.

[http://www.housingnantucket.org/2015\\_WorkforceHousingNeedsAssessment.pdf](http://www.housingnantucket.org/2015_WorkforceHousingNeedsAssessment.pdf)

Created for Housing Nantucket by RKG Associates, this 2015 report mostly analyzes the extent of the problem before presenting strategies (p. 35-39). Extraordinarily high home prices combine with the seasonality of much of the housing to create an acute situation for workers. Appendix B gives detailed summaries of initiatives in Key West, Florida; Breckenridge, Colorado; and the Champlain Region, Vermont, where comparable “resort” conditions prevail.

## Park City, UT

### **Park City Affordable Housing**

<http://www.parkcity.org/index.aspx?page=235>

Affordable Housing and workforce housing program information.

### **Workforce Housing Public Policy Awards 2013 Winner - Park City Municipal Corporation**

[http://uli.org/wp-content/uploads/ULI-Documents/ParkCity\\_in-layout\\_FINAL.pdf](http://uli.org/wp-content/uploads/ULI-Documents/ParkCity_in-layout_FINAL.pdf)

- All commercial development must provide affordable units for 20 percent of employees generated
- Residential development must provide 15 percent affordable units
- Affordable housing development projects can qualify for fee waivers up to \$5,000 per unit
- Use a “Workforce Wage” calculation based on data from Utah Division of Workforce Services, rather than AMI (Average Median Income), to determine price points for affordable units
- Rent for affordable units must be targeted for a household earning an annual income equivalent to the Park City Workforce Wage
- The initial price of a for-sale affordable unit is required to be priced for a household earning 150 percent of the Workforce Wage
- Their approach also includes city-sponsored development, financial assistance, modeling employer-assisted housing with city employees (encouraging employees to live within the city/school district, down payment loans and housing allowances, and affordable rentals, especially for seasonal employees)

## Ogden, UT

### **Own in Ogden Program Guidelines**

<http://ogdencityhomes.com/wp-content/uploads/2015/08/OIO-Guidelines-8-2015.pdf>

Link to Information and paperwork related to Own in Ogden Program that has a foundation with HUD. Focus is on home ownership in specific neighborhoods for those whose income does not exceed 80% of

annual median income. Certain Public Officers are granted additional benefits with respect to qualifying loan amount. They are available on a First Come First Served basis.

## Provo, UT

### Home Purchase Plus Program

<http://www.provo.org/departments/redevelopment/services/home-purchase-plus-program>

Down Payment Assistance Program for Low Income Families/Individuals. Works with local non-profits and neighborhoods in administration of private and federal funds. Benefits and Eligibility Guidelines are succinctly available.

## Maui County, HI

### Chapter 2.96 – Residential Workforce Housing Policy.

[https://www.municode.com/library/hi/maui\\_county/codes/code\\_of\\_ordinances?nodeId=TIT2ADPE\\_CH\\_2.96REWOHOPO](https://www.municode.com/library/hi/maui_county/codes/code_of_ordinances?nodeId=TIT2ADPE_CH_2.96REWOHOPO)

- Developers are required to provide a number of residential workforce housing units equivalent to at least twenty-five percent, rounding up to the nearest whole number, of the total number of market rate lots, lodging units, time share units, or dwelling units.
- Before a developer is given approval/issued a building permit, they must sign a residential workforce housing agreement.
- Methods for satisfying the residential workforce housing requirement include directly selling or renting workforce housing units, or by payment of a fee, by providing improved land, or by providing unimproved land.
- Income distribution for residential workforce housing units are specified:
  - Ownership units:
    - 30% of units for "below-moderate income" residents
    - 50% of units for "moderate income" residents
    - 20% of units for "above-moderate income" residents
  - Rental units:
    - One-third of units for "very low income" and "low income" residents
    - One-third of units for "below-moderate income"
    - One-third of units for "moderate income" residents
- Income level breakdowns, by gross annual family income for households:
  - Very low income: 50% or less of the Area Median Income (AMI)
  - Low income: between 50% and 80% of the AMI
  - Below-moderate income: between 80% and 100% of the AMI
  - Moderate income: between 100% and 120% of the AMI
  - Above-moderate income: between 120% and 140% of the AMI

## Honolulu, HI

**Housing Oahu: Islandwide Housing Strategy.** City and County of Honolulu, September 12, 2014.

[http://www.honolulu.gov/rep/site/ohou/ohou\\_docs/HousingOahuDraft091214.pdf](http://www.honolulu.gov/rep/site/ohou/ohou_docs/HousingOahuDraft091214.pdf)

Workforce Housing is included in a Housing Strategy Report. A current affordable housing requirements establishes that 30% of housing (in projects of ten units or more that require rezoning) be affordable at 80% to 140% of annual median income. Future proposals for flexibility require that new construction above ten units include a proportion to be affordable to those determined to be low income and moderate income. Thorough section on workforce housing is within larger detailed housing report.

## Bozeman, MT

### **Current Workforce Housing Ordinance**

<http://www.bozeman.net/Smarty/files/64/642ee29d-bc3d-4318-8fbf-4e1ba9253c26.pdf>

- A development of ten or more residential lots must provide a lot or lots for the construction of 0.4 dwelling units per net acre of development for the workforce housing program.
- Alternatively, the developer can pay a fee to the City of three times the value per lot of the lots required to be provided at reduced prices. Money received as Cash in Lieu option will be used to provide down payment assistance and dwelling units for the priority populations identified.

### **Proposed Replacement Ordinance** (vote is 11/16/15)

[http://www.bozeman.net/Departments-\(1\)/Community-Develop/Workforce-Housing](http://www.bozeman.net/Departments-(1)/Community-Develop/Workforce-Housing)

- Incentive-based plan. Incentives include: impact fee subsidy, down payment assistance, waiver of sub-division pre-application, reduction of parkland, reduced minimum lot sizes, concurrent infrastructure housing construction, expedited building permit review, and reduced parking requirements.
- Some of these incentives are only available for “lower-priced homes” (70% and 80% AMI) and some available also for “moderate-priced homes” (90% AMI).

## Killeen, TX

### **Homebuyer Assistance Program**

<http://www.killeentexas.gov/index.php?section=189>

HUD centered assistance for low to moderate income individuals or families towards ownership of their First Home. Equitable down payment assistance is available provided applicants meet requirements of program that is summarized briefly but to the point.



## Raleigh, NC

### **Buying an Affordable Home in Raleigh: Community Development Home Buyer Programs**

<http://www.raleighnc.gov/community/content/HousingNeighborhoods/Articles/Homeownership.html>

Three Homebuyer programs exist to assist low to moderate income families and individuals. Citywide Home Ownership abides by HUD regulations. OWNER program exist to encourage revitalization in specific neighborhoods. Homebuyer Rehabilitation Program assists those that want to purchase and renovate home that needs repair prior to move in.

## Boston, MA

**Affordable Housing.** Boston Redevelopment Authority.

<http://www.bostonredevelopmentauthority.org/housing>

Boston Redevelopment Authority has well-defined policies, documents, income limits for middle-income residents and artists, though this may be revised: <http://www.constructiondive.com/news/boston-reconsiders-policy-reserving-housing-units-for-moderate-income-tenan/402323/>

## Howard County, MD

### **Moderate Income Housing Unit (MIHU) Program Information**

<http://www.howardcountymd.gov/housingmihu.htm>

MIHU Moderate Income Housing Unit; includes lottery details, applications, income limits, and FAQs.

## San Antonio, TX

**Affordable Housing Policies. City of San Antonio.**

<http://www.renewsa.com/Portals/2/Files/City%20of%20San%20Antonio%20Affordable%20Housing%20Policies.pdf>

Affordable Housing Policies listed in 60 page document.

## Santa Barbara, CA

**Affordable Housing Policies and Procedures.** City of Santa Barbara, September 2014 (Updated per 3/6/15 Area Median Income).

<http://www.santabarbaraca.gov/civicax/filebank/blobdload.aspx?BlobID=17340>

110 page document lists categories of income, requirements, and types of assistance offered.

Richmond, UT

**Moderate Income Housing**

[http://www.richmond-utah.com/pdf/genplan/App\\_2.pdf](http://www.richmond-utah.com/pdf/genplan/App_2.pdf)

Six page plan to address moderate income housing needs, with basic list of policies.

Atascadero, CA

**Affordable Housing**

[http://www.atascadero.org/index.php?option=com\\_content&view=article&id=819&Itemid=1488](http://www.atascadero.org/index.php?option=com_content&view=article&id=819&Itemid=1488)

City of Atascadero and links to San Luis Obispo County's Affordable Housing website, development rules, application policies and procedures.

San Francisco, San Diego and Sacramento, CA

These three have similar "Inclusionary Housing" mandates.

**San Francisco, California**

<http://sf-moh.org/index.aspx?page=263>

**San Diego, California**

<http://www.sandiego.gov/development-services/pdf/industry/infobulletin/ib532.pdf>

**Sacramento, California**

<http://www.shra.org/Housing/MultifamilyHousing/InclusionaryHousing.aspx>

## Additional Resources

**Policy tools and best practices for affordable and workplace housing.** Michelle Winters, ULI Terwilliger Center for Housing. (2013 or later)

<http://www.townofchapelhill.org/home/showdocument?id=26819>

This study from the Urban Land Institute presents no overarching theme but is full of tools and ideas from successes at the “one development” level. The final quarter shows award-winning communities from around the nation.

### **Terwilliger Center for Housing**

<http://uli.org/research/centers-initiatives/terwilliger-center-for-housing/>

Offers research, assistance, and publications supporting the creation and sustaining of housing opportunities in the US, including affordable and workforce.



# Workforce Housing



OCTOBER 28, 2015

# Market Rate Housing





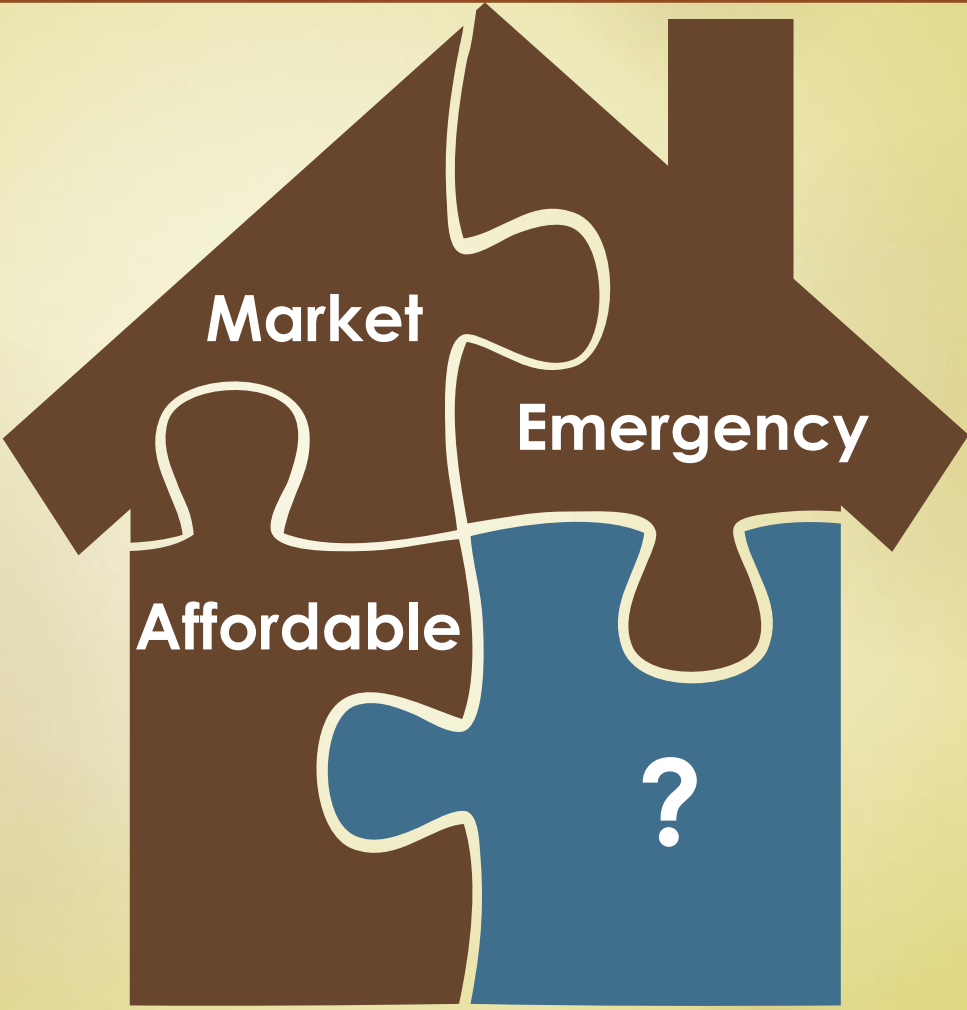
# Affordable Housing



# Emergency/Transitional Housing

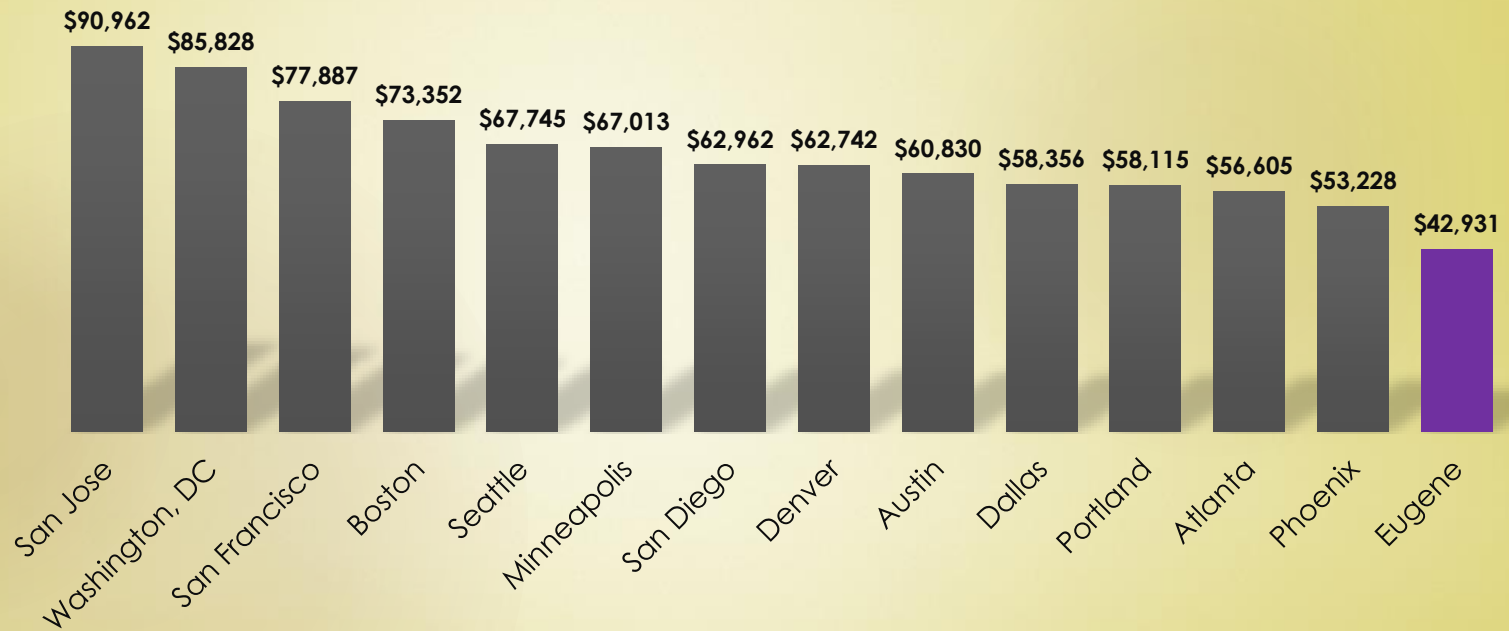








# Income

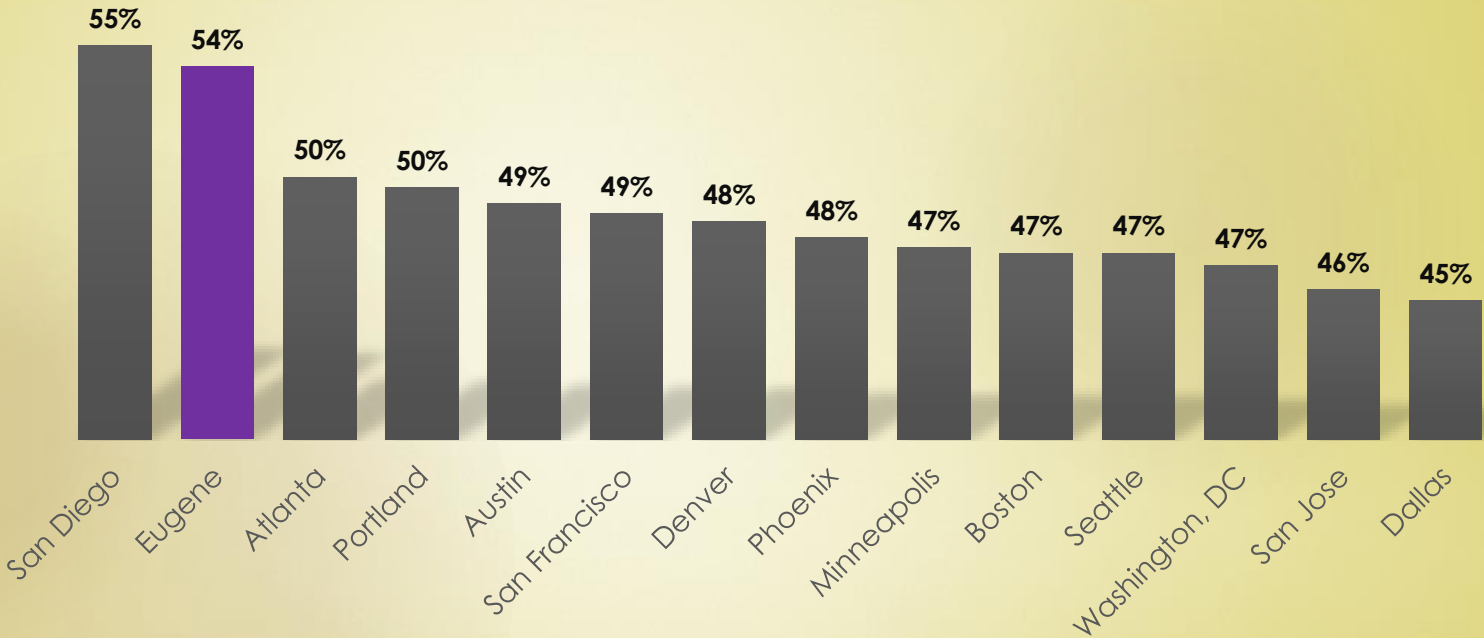


Median Household Income



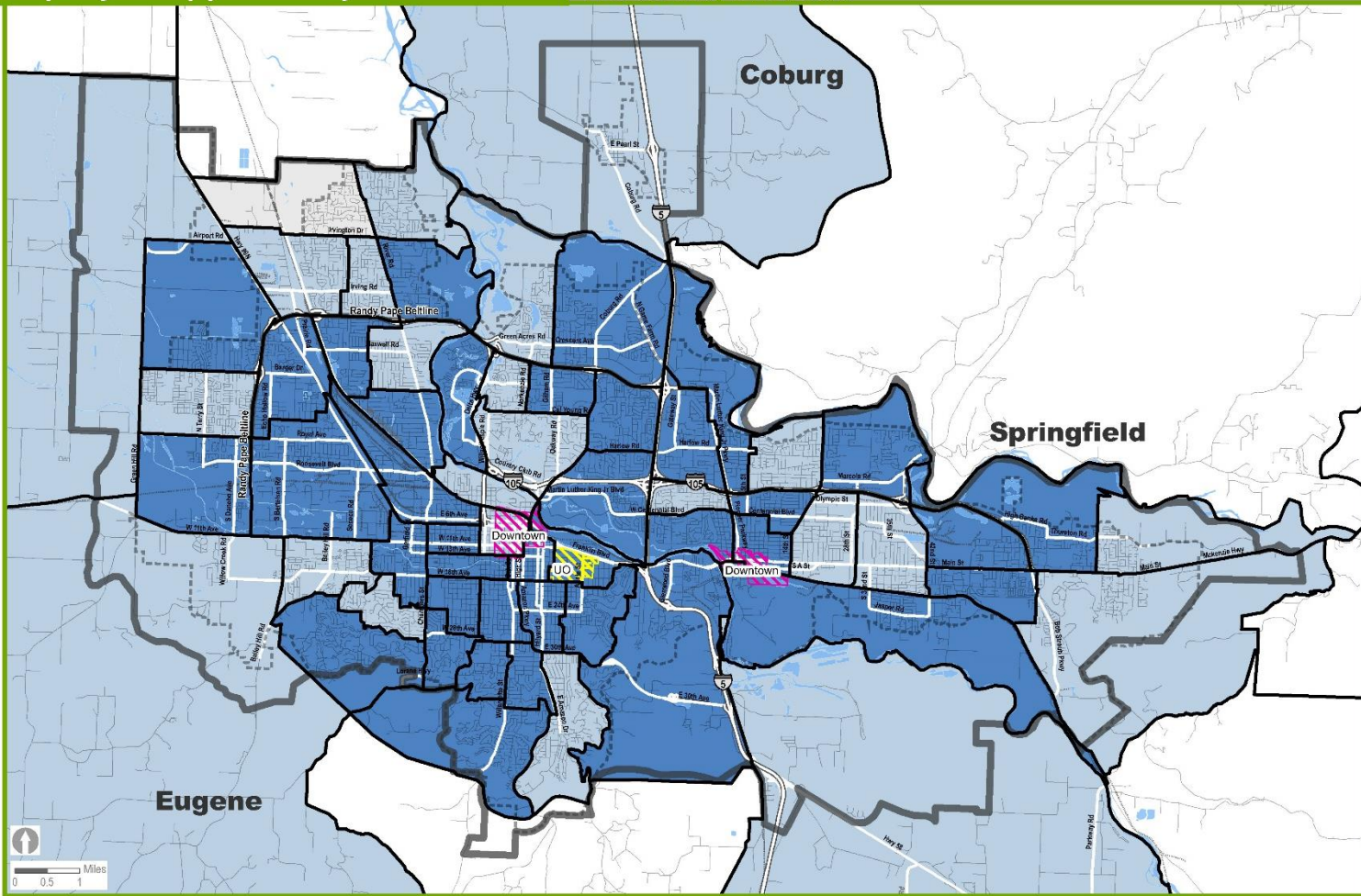
Median Rent, 2-Bedroom Apartment

# Renter Housing Affordability



Percent Cost-Burdened Renter Households

# Equity & Opportunity Assessment Housing Access

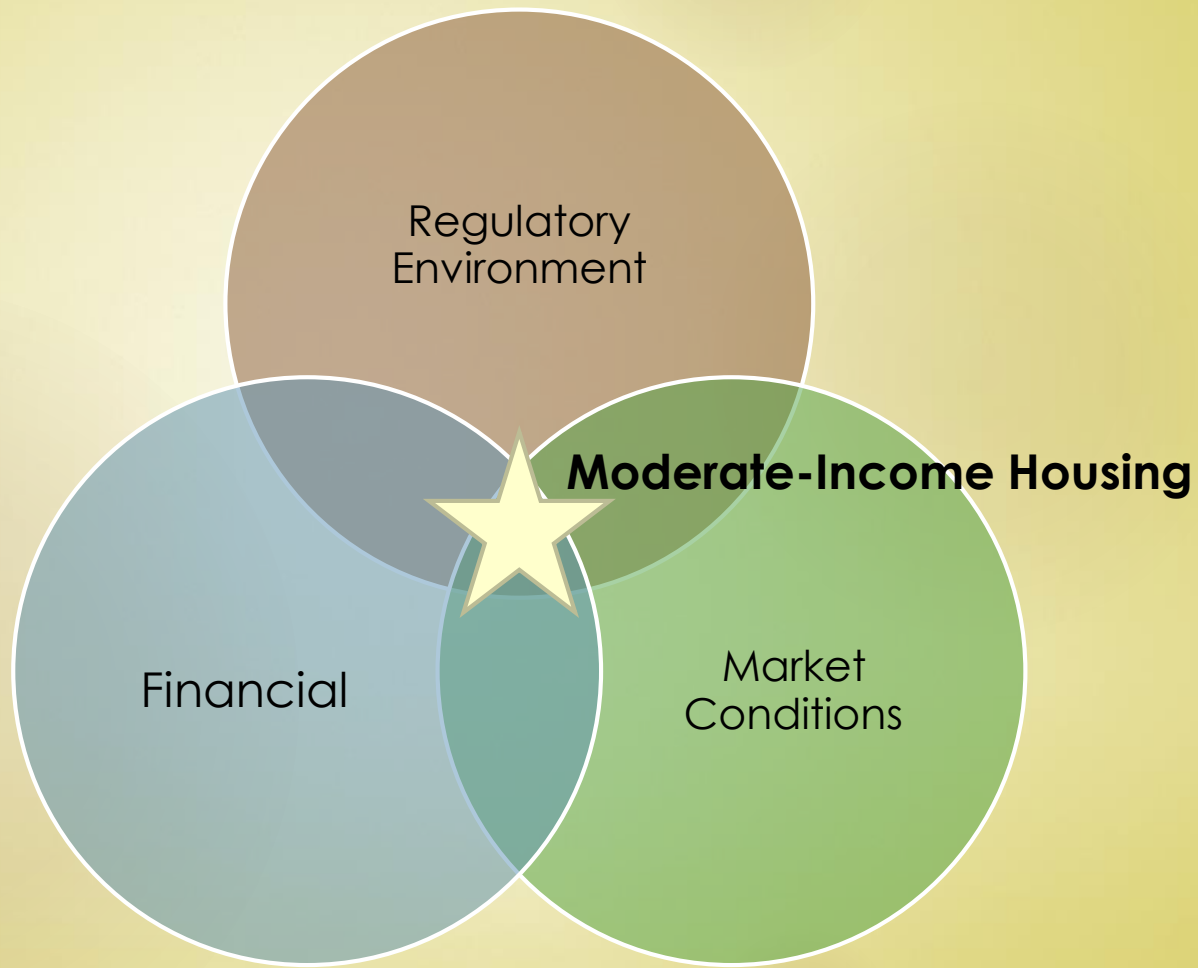


**LIVABILITYLANE**  
building smarter communities together

Map date: 12/26/13 Map data: U.S. Census Bureau, Census 2007-11, Table B25070  
 Caution: This map is based on imprecise source data, subject to change, and for general reference only.  
 The work that provided the basis for this map was supported by funding under an award with the U.S. Department of Housing and Urban Development. The substance and findings of the work are dedicated to the public. The author and publisher are solely responsible for the accuracy of the statements and interpretations contained in this publication. Such interpretations do not necessarily reflect the views of the Government.

- Census 2010 Tracts
- Metropolitan Planning Organization Area boundary
- ▨ Urban Growth Boundaries

- Percent of Renter Occupied Housing Units with a Housing Cost Burden**
- Low: 21.5% - 24.9%
  - Medium: 25% - 49.9%
  - High: 50% - 77.7%







# EUGENE CITY COUNCIL

## AGENDA ITEM SUMMARY




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### Work Session: Cell Towers

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Meeting Date: October 28, 2015  
 Department: Planning and Development  
[www.eugene-or.gov](http://www.eugene-or.gov)

Agenda Item Number: B  
 Staff Contact: Steve Nystrom  
 Contact Telephone Number: 541-682-8385

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#### **ISSUE STATEMENT**

This work session is an opportunity for the City Council to discuss a memo from the City Attorney's office concerning cell tower regulations.

#### **BACKGROUND**

This item is a follow-up to the work session the council previously held to discuss cell towers. That work session focused on the City's regulations, federal telecommunications standards and regulations of other select cities. At the conclusion of that work session, the council asked whether there was anything more the City could do, particularly within residential areas. The City Attorney offered to discuss this matter with the City's telecommunications consultant in Washington D.C. Based on his feedback, the City Attorney's office provided additional research and prepared a memo discussing those findings. Planning staff and legal counsel will be available at the work session to discuss this memo further.

While Eugene's ordinance has generally achieved the primary goal of minimizing the construction of new towers on residential lands (none built to date), there has been more recent interest from a couple of cell providers to locate a few towers in residential areas. As staff understands it, the cell providers have established the majority of their cell tower networks. However, a few pockets of poor service remain. It is this circumstance that has prompted the council to discuss whether there is more the City can do to regulate new towers in residential areas (primarily the R-1, Low-Density Residential zone).

As was discussed at the previous work session, the Federal Telecommunications Act stipulates the extent to which a local government may regulate telecommunication facilities. One of the key provisions of this federal act states that local government regulations may not prohibit, or "have the effect of prohibiting," the provision of personal wireless services. The City was successful in prohibiting cell towers in all residential zones except R-1 when it first adopted its ordinance. Given that the R-1 zoning district comprises the majority of land in the City, it was not legally possible to prohibit new towers in this zone as well.

Given these circumstances, the City Attorney's memo attempts to identify other possible actions

the City could consider. These suggestions generally include measures requiring cell providers to provide further analysis and justification that a proposed tower is necessary in the R-1 zone, and that all reasonable design alternatives have been considered. The memo also discusses other efforts underway by staff to encourage the use of emerging technologies which could help reduce visual impacts to neighborhoods.

Staff would note that while there currently is no capacity to undertake a code amendment process at this time, the City has begun a process of identifying potential amendments such as this which can be prioritized by the council in the future, as staff resources become available.

**COUNCIL OPTIONS**

This matter is before the City Council as a discussion item. No action is required.

**CITY MANAGER'S RECOMMENDATION**

No recommendation is necessary as this is a discussion item.

**SUGGESTED MOTION**

None.

**ATTACHMENTS**

A. Memo from City Attorney

**FOR MORE INFORMATION**

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Telephone: 541-682-8385  
Staff Email: [steven.a.nystrom@ci.eugene.or.us](mailto:steven.a.nystrom@ci.eugene.or.us)



## Memorandum

**Date:** October 21, 2015

**To:** Mayor and City Council

**From:** Anne C. Davies

**Subject:** Cell Tower Update

In December of last year, staff provided council with a brief summary of the City's regulations related to siting cell towers. Staff outlined the limitations that federal law places on the City and what measures are embodied in the current Eugene Code that serve to protect residential neighborhoods from the impacts of cell towers. Councilor Taylor requested that staff outline measures that are not currently in the code that could be added to provide further protections. Interested citizens pointed to the City of Glendale in California for possible guidance.

As suggested in that December 8<sup>th</sup> work session, we contacted the City's consultant in Washington D.C. to inquire whether he was aware of any other local jurisdictions, nationwide, that had regulations that Eugene could adopt that would provide greater protections to residential neighborhoods. The consultant was not aware of any specific local governments that stood out, but commented that generally New York and California were viewed as the states with local governments that had the most protective regulations. We have also reviewed relevant code provisions from Palo Alto and Davis, California.

### Summary of Eugene's existing regulations

Before addressing the possible changes that might be made to Eugene's code, it is worth summarizing briefly the measures that Eugene already has in place to limit impacts from cell towers in residential areas. The Eugene Code currently creates a preference for collocation. Collocation on existing buildings, structures and utilities is favored over citing new cell towers in the code because collocations generally require less restrictive processes and approval criteria. In general, new towers are not allowed if cell service can be accommodated by collocation on existing towers. Where a new tower is necessary, the applicant must demonstrate that the new tower has the ability to accommodate future collocated antenna in order to minimize the need for additional towers.

The Eugene Code also has a strong preference for siting new towers in commercial and industrial zones over residential zones. New towers are not permitted at all in R-2, R-3 and R-4 zones. New towers are permitted outright in E-1, E-2, I-2 and I-3 zones, and are allowed in the R-1 zone with a conditional use permit. New towers are currently not allowed within 2,000 feet

Mayor and City Council

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of an existing tower. Further restrictions, including height limits, required buffering and camouflage, are intended to limit the adverse visual effects of cell towers.

As explained by staff, federal regulations do create some road blocks to the City's attempts to impose significant restrictions on the siting of new cell towers. Most importantly, under federal law, local regulations cannot have the effect of prohibiting the provision of wireless service. The City's current code addresses this federal prohibition – both the site review and conditional use permit criteria require an applicant that is proposing a new tower to demonstrate that collocation is impractical and fails to meet the needs of the service area before a new tower can be added.

### Summary of Glendale's provisions

The City of Glendale's code was mentioned as a potential good example to consider. In reviewing Glendale's recent code revisions, a few points stand out. Glendale sought to strengthen the application requirements and limit new towers as much as possible to those towers and the characteristics of towers that were required to fill a service gap. The following are some elements of Glendale's code that are not present in Eugene's code.

- 1) Stronger application requirements: In Glendale, an applicant proposing to site a new tower must identify the geographic service area for the subject installation, including a map showing all of the applicant's existing sites in the local service network associated with coverage gap that the proposed tower is meant to close. The application must describe how the proposal will close that service gap.
- 2) Least intrusive means: In Glendale, a proposed tower cannot be taller than is necessary to serve the gap. In other jurisdictions, an applicant must demonstrate that the proposed tower is necessary to fill a significant gap in coverage or capacity shortfall and is the "least intrusive means of doing so."
- 3) Maintenance and Monitoring Program: Glendale's monitoring program includes the ability to require maintenance of landscaping and other mitigation measures.
- 4) Alternative Designs: In Eugene, an applicant for a new tower must perform an alternative sites analysis to study alternative locations to ensure there are no other sites more suitable; *i.e.*, available sites with preferable zoning. In Glendale, the alternatives analysis does not only include alternative sites, it requires the applicant to demonstrate that it has considered alternative configurations (*i.e.*, system and tower designs) so that the proposed tower is the least intrusive possible.

### Possible revisions to strengthen Eugene's wireless regulation

- 1) Towers in residential zones: New towers are allowed in the R-1, Low Density Residential zone under Eugene's code, although they are disfavored, as explained above. Davis, California prohibits new towers in residential zones. Given the amount of City land zoned R-1, if Eugene were to prohibit siting new towers in this zone, it would have to

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provide a variance process to allow new towers where necessary to fill a significant gap in service.

- 2) Application requirements: Although an absolute prohibition in residential areas is not possible, the application requirements and approval criteria could be amended to clearly require a demonstration of a significant service gap and how the proposed tower is needed to fill that gap. However, it should be noted that the few recent proposals submitted for residential areas did demonstrate a significant gap in service. Therefore, it's not clear that such an amendment would affect future proposals in residential areas.
- 3) Alternatives analysis: Eugene could add a clearer requirement that the applicant include an alternative configuration analysis.
- 4) Tower Height: In Eugene's code, the height of a tower is merely limited to the maximum height allowed in the particular zone. Both Davis and Glendale require the tower to be no taller than is necessary to fill the service gap.

### Additional Measures

In addition to reviewing the telecommunication regulations of other cities, staff is currently exploring other emerging technologies which may help minimize the need for new towers in the future. "Small Cell" technologies is a newer strategy for accommodating ever increasing data demands. These facilities are much smaller in size and can be collocated on a variety of structures and utilities, with minimal visual impact. While small cell facilities don't completely replace the need for towers, they do help augment telecommunication services which can help minimize the need for future towers. Staff believes these new technologies offer a positive alternative to the typical antenna designs.

### Conclusion

Federal regulations do limit to some degree the steps local governments can take in prohibiting cell towers. However, technologies continue to improve – many carriers now prefer smaller equipment (small cells) that do not completely replace the need for towers, but that do provide an alternative for filling certain gaps in coverage. It is arguable that Eugene's code is adequate to address those changes in technology, but there may be updates and revisions that could be made to strengthen and make the code more clear.

