

# EUGENE CITY COUNCIL

## AGENDA ITEM SUMMARY



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Work Session/Action: Envision Eugene Implementation - An Ordinance Concerning Single Family Code Amendments for Accessory Buildings, Alley Access Lots and Secondary Dwellings, and for Protection Measures Specific to the University Area

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Meeting Date: February 12, 2014  
Department: Planning and Development  
[www.eugene-or.gov](http://www.eugene-or.gov)

Agenda Item Number: A  
Staff Contact: Alissa Hansen  
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### ISSUE STATEMENT

The City Council will deliberate and take action on a package of land use code amendments related to single-family housing in the R-1 Low Density Residential zone. The proposed amendments will:

1. Improve compatibility standards citywide for structures that are already allowed, including secondary dwellings, dwellings on existing alley access lots and accessory buildings;
2. Allow for new alley access lots in limited areas, subject to compatibility standards; and
3. Provide interim protection measures in the Amazon, Fairmount and South University neighborhoods to prohibit certain dwelling types and land divisions, and limit certain uses, until more comprehensive planning of these areas can be completed.

### BACKGROUND

As part of Envision Eugene, the City Council initiated land use code amendments to promote secondary dwelling units and allow for new alley access lots. These amendments directly implement several Envision Eugene strategies under the housing affordability and neighborhood livability pillars. Specifically, these amendments achieve the following Envision Eugene strategies:

- Implement the goals of the Infill Compatibility Standards (ICS) project to prevent negative impacts and promote positive impacts of residential infill by integrating compatibility and design standards. These code amendments also directly support the recommendations developed by the Single-Family Dwelling Infill Committee of ICS pertaining to secondary dwelling units and alley access lots.
- Address housing affordability by expanding housing choice and variety by facilitating smaller housing types.
- Serve as land use efficiency strategies to help accommodate a portion of the city's 20-year need for single-family housing inside the current urban growth boundary (UGB). It is estimated that approximately 125 additional single-family homes (approximately 40 alley access lots and 85 additional secondary dwellings) over 20 years could be accommodated within the current UGB through these strategies.

### **Secondary Dwellings, Accessory Buildings and Alley Access Lots/Homes**

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

### **University Area Interim Protection Measures**

In addition to the code amendments related to secondary dwellings, accessory buildings and alley access lots/homes in the R-1 Low Density Residential zone, this package of code amendments includes interim protection measures for the existing single-family neighborhoods surrounding the University of Oregon (Amazon, Fairmount and South University), which have experienced a substantial increase in unintended housing development associated with the demand for student housing and the proximity of the university.

As part of Envision Eugene, the City is committed to completing area planning for the university neighborhoods, including consideration of specific design standards for housing to address impacts from proximity to the University of Oregon. However, this work is not slated to begin until after the local adoption of Envision Eugene. The interim protection measures are intended to limit further negative impacts until the area planning process is completed. It is expected that these interim measures would be replaced by a more comprehensive set of development and design standards established as part of the area planning effort. This planning effort will include important opportunities for neighbors and residents to weigh in on the types of standards that are important to them. Although the timelines for the area planning have not been fully determined, it is estimated that it will be completed in about two to three years. This means the interim protection measures would be in place for about two to three years, until they are replaced with permanent measures.

### **City Council Process**

Following a unanimous recommendation for approval by the Eugene Planning Commission in October 2013 (see Attachment A for a summary of the Planning Commission's recommendation and deliberations), the City Council held a work session and a public hearing on the package of single-family code amendments.

At the November 18, 2013, City Council public hearing, testimony was received from 12 individuals. The vast majority of that testimony was focused on the interim protection measures for the University neighborhoods. Nine of the 12 individuals who provided testimony are residents of Amazon, Fairmount and South University neighborhoods (the neighborhoods where the University area interim protection measures are proposed to apply). Eight of the nine speakers voiced support for the interim protection measures and recommended that these

amendments be adopted immediately. They also raised concerns regarding the proposed secondary dwelling and alley access lot standards that would apply to the remainder of the city. One of the nine speakers expressed opposition to having the interim measures applied to the Amazon neighborhood.

The remaining three speakers included the Planning Commission chair, who confirmed the Planning Commission's recommendation as provided in the meeting materials was accurate; a representative from the Friendly Area Neighbors board, who conveyed the board's request to the City Council to delay action on the amendments; and a representative from 1,000 Friends of Oregon who suggested that the amendments do not go far enough to protect neighborhoods or to gain enough additional housing units.

Following the public hearing, the City Council voted to hold the public hearing record open for one week for additional testimony. Written testimony received at the public hearing and during the open record period will be provided to the City Council under separate cover. Following the open record period, City Council action on the amendments was postponed to allow for adequate time for review of public testimony. During this time, staff also attended a general meeting of the Friendly Area Neighbors to provide information and answer questions about the proposed code amendments.

Staff response to topics raised in public testimony is provided in a memo (Attachment B). As a result of the public testimony, staff is recommending two specific modifications to the ordinance. These modifications, which pertain to density requirements for secondary dwellings and maximum bedroom count for new dwellings in the university area, are addressed further in the memo.

The proposed ordinance and exhibits are included as Attachment C. As noted in the agenda item summary for the public hearing, the proposed amendment to allow for secondary dwellings in the university area subject to area-specific development standards was not complete in time to meet the City Charter requirement for the posting of the ordinance. Although it was not included in the ordinance, it was provided for the public and council's consideration at the hearing. This amendment has been incorporated into the attached ordinance.

The ordinance and exhibits also contain other minor revisions from the ordinances originally posted for public hearing. The ordinance and exhibits generally contain the following minor revisions:

- Reference corrections
- Updated figures (graphics enlarged and labels moved for clarity)
- Updated findings to address issues raised in testimony

Also, as previously noted in the agenda item summary for the public hearing, the ordinances have been combined into one ordinance, given the interdependence of the interim protection measures with the code amendments pertaining to alley access lots, secondary dwelling units, and accessory units.

A summary of the proposed amendments is provided as Attachment D.  
The full record of materials is available for review in a binder located at the City Council Office and on the City's website at: <http://www.eugene-or.gov/index.aspx?NID=2088>

### **RELATED CITY POLICIES**

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

### **COUNCIL OPTIONS**

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

1. Adopt the ordinance.
2. Adopt the ordinance with specific modifications as determined by the City Council.
3. Deny the ordinance.

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

Following the council's deliberations on this request, the City Manager recommends approval of the ordinance as provided in Attachment C, with the specific modifications contained in Exhibit 1 to Attachment B.

### **SUGGESTED MOTION**

Move to adopt Council Bill **xxxx** the ordinance contained in Attachment C, with the specific modifications contained in Exhibit 1 to Attachment B.

### **ATTACHMENTS**

- A. Summary of Planning Commission Recommendation/Deliberations
- B. Staff Response to Testimony
- C. Proposed Ordinance and Findings
- D. Summary of Single-Family Code Amendments

### **FOR MORE INFORMATION**

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