

## Recommended Modification to Ordinance

### Maximum Bedroom Limitation

Testimony raised the issue that the proposed limit of three bedrooms for new homes in the university area would place an undue burden on property owners proposing to build new single family homes for themselves, especially those with large families (such as multiple children or multi-generational living situations), or those wanting a guest room or home office (which would meet the definition of bedroom). To provide flexibility for such situations, it was recommended to allow for more than three bedrooms when the number of unrelated individuals in the dwelling is limited to three (as is proposed to be allowed for additions and remodels of existing homes in the university area).

As noted in the Summary of the Planning Commission Recommendation (provided as Attachment A to the February 12, 2014 Agenda Item Summary), the Planning Commission discussed and voted 7 to 0 in a straw vote to recommend supporting the three bedroom limit for new dwellings/remodels, with following exception: For any remodel that adds a bedroom or bedrooms beyond three bedrooms, the maximum number of unrelated individuals living in dwelling would be limited to three (instead of five) as long as interim protection measures are in effect, and property owner would be required to record deed restriction stating such. The Planning Commission's recommendation is included in the ordinance.

Based on testimony, staff recommends incorporating the same exception for new dwellings into the ordinance. The proposed code language (below) is provided for the City Council's consideration.

#### Proposed Code Language:

***Underline*** = Text to be inserted

~~***Underline***~~ = Text to be removed

#### 9.2751 Special Development Standards for Table 9.2750.

- (17) ***Maximum Bedroom Count. In the R-1 zone within the city-recognized boundaries of Amazon Neighbors, Fairmount Neighbors and South University Neighborhood Association, the maximum allowable number of bedrooms in a dwelling shall be ~~as follows:~~***
- ~~(a) ***New dwellings approved after \_\_\_\_\_ [effective date of ordinance] shall be limited to 3 bedrooms; or***~~
- ~~(b) ***Additions, expansions or alterations that add bedroom(s) to a dwelling in existence on \_\_\_\_\_ [effective date of ordinance] shall be limited to 3 bedrooms total, except that additional bedroom(s) may be added beyond 3 if, prior to the city's issuance of a building permit for a new dwelling or for an ~~the~~ addition, expansion or alteration that adds bedroom(s), the owner records a deed restriction with the Lane County Clerk, on a form approved by the city, that includes the following provisions:***~~
1. ***The maximum number of unrelated individuals living in the dwelling shall be limited to 3.***
  2. ***The deed restriction runs with the land and binds the property owner(s), heirs, successors and assigns.***
  3. ***The deed restriction may be terminated, upon approval by the city, when bedrooms are removed so that there are 3 bedrooms, or at such time as the city code no longer requires a bedroom/occupancy limit in accordance with this section.***