

EUGENE CITY COUNCIL

AGENDA ITEM SUMMARY



Action: An Ordinance Concerning University Area Protection Measures; Amending Sections 9.0500, 9.2735, 9.2740, 9.2741, 9.2750, 9.2751, 9.2761, 9.3125, 9.3626, 9.6105, 9.6410, 9.6745, 9.8030 and 9.8415 of the Eugene Code, 1971; Adding Sections 9.1245 and 9.2737 to that Code; and Providing an Effective Date (City File CA 13-3)

Meeting Date: March 10, 2014
Department: Planning and Development
www.eugene-or.gov

Agenda Item Number: 4
Staff Contact: Alissa Hansen
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ISSUE STATEMENT

The City Council will take action on land use code amendments that are intended to provide interim protection measures in the Amazon, Fairmount and South University neighborhoods to prohibit certain dwelling types and land divisions, and limit certain uses in the R-1 Low Density Residential zone 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 in single-family neighborhoods. These amendments directly implement several Envision Eugene strategies under the housing affordability and neighborhood livability pillars. During the crafting of the actual language for these amendments, staff worked with a community advisory group as well as other individuals and determined that special consideration was warranted for the single-family neighborhoods surrounding the University of Oregon, specifically Amazon, Fairmount and South University. To that end, interim protection measures for these neighborhoods were incorporated into the package of city-wide single-family code amendments.

University Area Interim Protection Measures

These code amendments consist of 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 (including a Eugene-specific urban growth boundary). 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.

These code amendments achieve the following in the R-1 zoned areas of the Amazon, Fairmount and South University neighborhoods:

- Prohibit new rowhouses, duplexes, triplexes and fourplexes
- Prohibit new rezonings to the R-1.5 Rowhouse zone
- Prohibit the creation of new flag lots
- Limit the extent of property line adjustments
- Limit the number of bedrooms in single-family residences (new and remodels)
- Limit the size and number of accessory buildings
- Limit the location and extent of parking allowed in front yards
- Increase minimum lot size required for a secondary dwelling (which reduces the number of eligible lots) and add area specific development standards for secondary dwellings
- Add area specific development standards for existing alley access lots

City Council Process

Following a unanimous recommendation for approval by the Eugene Planning Commission in October 2013 for the entire package of single-family code amendments, the City Council held a work session and a public hearing. 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 was provided previously to the City Council under separate cover.

At the February 12, 2014, work session on the entire package of single-family code amendments, the City Council voted 7 to 0, directing staff to return with a separate ordinance which on its own will accomplish the interim protection measures. Consistent with City Council's direction, staff worked with the City Attorney's office to extract only those portions pertaining to the university area interim protection measures and isolate them in a separate ordinance. This resulted in changes to the organization and format of the code sections in the ordinance, as well as code citation reference changes; however, no changes were made to the actual protection measures (the proposed limitations, prohibitions and specific development standards). Additionally, the findings and other exhibits were revised as necessary to reflect the creation of a separate ordinance. The revised ordinance and exhibits are provided as Attachment A.

As mentioned in the agenda item summary and staff's presentation for the February 12, 2014, City Council meeting, as a result of the public testimony, staff recommends a specific modification to the ordinance related to the maximum bedroom count for new dwellings. The information regarding this proposed modification provided for the previous meeting (including proposed code language) is repeated in Attachment B. This specific modification is not included in the attached ordinance; however, it is recommended for inclusion as noted in the City Manager's recommendation below.

The remaining single-family code amendments will be returning to City Council at a future date for further conversation. These proposed amendments, which were initiated as part of Envision Eugene, will improve compatibility standards citywide (for all R-1 neighborhoods except the three covered by the university area protection measures) for structures that are already allowed, including secondary dwellings, dwellings on existing alley access lots and accessory buildings, and will allow for new alley access lots in limited areas, subject to compatibility standards.

RELATED CITY POLICIES

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

COUNCIL OPTIONS

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

1. Approve the ordinance
2. Approve 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 A, with the specific modification contained in Attachment B.

SUGGESTED MOTION

Move to approve Council Bill 5110, an ordinance concerning University area protection measures as provided in Attachment A, with the specific modification contained in Attachment B.

ATTACHMENTS

- A. Proposed Ordinance and Findings
- B. Recommended Modification to Ordinance - Maximum Bedroom Limitation

FOR MORE INFORMATION

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