

# EUGENE CITY COUNCIL

## AGENDA ITEM SUMMARY



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Work Session: Ordinance Concerning Single Family Code Amendments for Accessory Buildings, Alley Access Lots and Secondary Dwellings; Amending Sections 9.0500, 9.1245, 9.2740, 9.2741, 9.2750, 9.2751, 9.6775, and 9.8030; and Providing an Effective Date. (City File CA 13-3)

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Meeting Date: July 14, 2014  
Department: Planning and Development  
[www.eugene-or.gov](http://www.eugene-or.gov)

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

The City Council will provide direction on land use code amendments related to single family housing in the R-1 Low Density Residential zone. The proposed amendments would revise development standards for secondary dwellings, dwellings on existing alley access lots, and accessory buildings citywide (except within Amazon, Fairmount and South University neighborhoods).

### **BACKGROUND**

As part of Envision Eugene, the City Council initiated land use code amendments to promote secondary dwellings and allow for the creation of new alley access lots. As initiated, these amendments were intended to create additional capacity within the urban growth boundary and implement several Envision Eugene strategies under the housing affordability, neighborhood livability and climate change/energy resiliency pillars related to smaller homes.

### **Planning Commission Process**

Following two work sessions and a September 2013 public hearing, the Planning Commission conducted extensive deliberations on the entire package of single family code amendments (the citywide compatibility standards and the university area protection measures) over the course of three meetings. While the Planning Commission was split on a couple of issues, they were supportive of the entire package and voted (7-0) to forward to the City Council a recommendation to approve the entire package of code amendments.

### **City Council Process**

The City Council held a work session on October 30, 2013, and a public hearing on November 18, 2013, on the entire package of amendments. At the February 12, 2014, work session, the City Council directed staff to return with a separate ordinance which on its own would accomplish the interim protection measures. Subsequently, on March 12, 2014, the City Council adopted the university area interim protection measures, which became effective on April 12, 2014. Those code amendments apply to 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 adopted, they prohibit certain dwelling types and land divisions, and limit certain uses until more comprehensive planning of these areas can be completed, as committed to through Envision Eugene.

At the May 14, 2014, work session on the remaining single family amendments, the City Council directed staff to return with a revised ordinance incorporating an alternative proposal provided to City Council by neighborhood leaders, and to schedule a June 2014 public hearing. A revised ordinance reflecting City Council's direction is provided as Attachment A.

On June 16, 2014, a public hearing was held on the revised ordinance. Testimony was received from 12 individuals. Four speakers, including one resident from Jefferson-Westside and three from South University, voiced support for the revised ordinance. Eight speakers, including property owners of lots that would no longer be eligible for secondary dwellings, a representative from 1,000 Friends of Oregon, an advocate for micro-housing, the Planning Commission chair, a resident of Amazon, and a representative from the Lane County Home Builders Association, expressed opposition to the revised ordinance.

Following the public hearing, the City Council voted to hold the public hearing record open for one week for additional testimony. The record was left open, in response to a request from Paul Conte to give time to develop alternative standards that would address the concerns raised about secondary dwellings on larger flag lots. Written testimony received during the open record period will be provided to the City Council under separate cover. The testimony is also available for review via the project website at: <http://www.eugene-or.gov/index.aspx?NID=2088>.

Included in the testimony received during the open record period is a set of concepts and tentative proposed standards received by Mr. Conte that would allow secondary dwellings on some larger flag lots, included as Attachment B. According to the testimony, these were developed through discussions with several flag lot property owners who submitted testimony and neighborhood leaders involved in the process. Staff has reviewed the proposed standards submitted by Mr. Conte and has conducted some preliminary analysis on how they would impact existing flag lots. Some concerns have been identified, and also communicated with Mr. Conte, that need further refinement prior to being incorporated into code. At the work session, staff will present the findings from this analysis. Based on feedback and direction at council, staff can revise the code and incorporate the standards into the final ordinance which council can take action on at the July 28 regular meeting.

## **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**

No council options provided at this time, the work session is for general discussion and feedback on new testimony and information. Action is scheduled for July 28, 2014

**CITY MANAGER'S RECOMMENDATION**

No city manager recommendation at this time

**ATTACHMENTS**

- A. Ordinance and Findings (Alternative Proposal)
- B. Flag Lot Concepts and Proposed Standards (Submitted by Paul Conte)

**FOR MORE INFORMATION**

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