

EUGENE CITY COUNCIL

AGENDA ITEM SUMMARY



Action: An 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, 9.2775, 9.6775, and 9.8030; and Providing an Effective Date (City File CA 13-3)

Meeting Date: July 28, 2014
Department: Planning and Development
www.eugene-or.gov

Agenda Item Number: 6
Staff Contact: Alissa Hansen
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ISSUE STATEMENT

The City Council will take action 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.

City Council Process

Following the Planning Commission 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. Accordingly, on

June 16, 2014, a public hearing was held on the revised ordinance. A diversity of testimony was received during the open comment period that reflected the opinions and concerns of individuals who have been very involved in Envision Eugene, as well as individuals who may have first heard about this through a notice delivered to their homes. Some expressed support for the new proposal and felt it more closely aligned with the intent of “protect, repair and enhance” while others expressed concern that the proposal moves away from the other stated priority pillars such as “Provide Housing Affordable to all Income Levels.” Under housing affordability, Envision Eugene directs staff to “expand housing variety and choice by facilitating the building of smaller, clustered and attached housing.”

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. During the open record period, Mr. Conte submitted a set of concepts and tentative proposed standards that would allow secondary dwellings on some larger flag lots. At a work session on June 14, 2014, the City Council requested that these concepts be incorporated into the ordinance for final action. In consultation with Mr. Conte, staff drafted code language to meet the intent of these concepts and incorporated this language into the revised ordinance (Attachment A). As a result, secondary dwellings would be allowed on existing flag lots 12,500 square feet or greater that have an individual or combined access pole of at least 25 feet in width, subject to revised development standards (including building height and sloped setbacks).

Staff previously prepared a matrix that contains a summary comparison of the current land use code provisions, the amendments contained in the Planning Commission’s recommendation and the alternative proposal (as contained in the revised ordinance). At the July 14, 2014, work session, the City Council asked that the matrix be updated to reflect the proposal to allow secondary dwellings on some larger flag lots. The updated matrix is provided as Attachment B. In summary, the revised ordinance includes the following changes from the Planning Commission’s recommendation:

- Increase the minimum lot size required for construction of a secondary dwelling, and include secondary dwellings in density calculations. [As a result, approximately 4,532 lots within the city will no longer be eligible for a secondary dwelling.]
- Limit the building size of secondary dwellings and dwellings on alley access lots to 10 percent of the total lot area, not to exceed 800 square feet.
- Limit secondary dwellings on larger flag lots and add new development standards. [As a result, approximately 40 to 50 percent of the 300 existing larger flag lots within the city would no longer be eligible for a secondary dwelling.]
- Change the maximum building height/interior yard sloped setback for secondary dwellings and for dwellings on existing alley access lots to be identical to those adopted as part of the University Area Interim Protection Measures.
- Not allow the creation of new alley access lots.
- Limit the size of accessory buildings to 10 percent of the total lot area.
- Establish maximum building height of 25 feet for all accessory buildings, and change the interior yard sloped setback to be identical to that adopted as part of the University Area Interim Protection Measures.
- Limit extent of adjustment reviews.

Previously, these code amendments were considered part of the land use efficiency measures to accommodate additional single-family housing within the current urban growth boundary.

However, based on the elimination of new alley access lots, the increase in minimum lot size required for secondary dwellings and the limitation of secondary dwellings on some larger flag lots, these amendments result in a reduction in the number of housing units expected within the current urban growth boundary. The final number assigned will be dependent on the analysis of the final adopted package.

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.

SUGGESTED MOTION

Move to adopt the ordinance concerning single-family code amendments for accessory buildings, alley access lots and secondary dwellings.

ATTACHMENTS

- A. Revised Ordinance and Findings
- B. Summary Comparison Matrix

FOR MORE INFORMATION

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