

EUGENE CITY COUNCIL

AGENDA ITEM SUMMARY



Initiation of Land Use Code Amendments: Code Maintenance

Meeting Date: April 27, 2015
Department: Planning and Development
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Agenda Item Number: 2D
Staff Contact: Alissa Hansen
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ISSUE STATEMENT

This item is a request for the City Council to initiate amendments to the land use code related to maintenance of the code. City Council initiation is required for any amendment to the land use code. Initiation of such amendments does not infer City Council support for the amendments, but rather begins the public process through which the Planning Commission and City Council will consider the merits of the amendments.

BACKGROUND

Since the adoption of the 2001 comprehensive land use code update, numerous packages of code amendments have been brought forward on a variety of topics. Recent examples of such amendments include those related to employment zones, and downtown and urban animal keeping. While the purpose of these amendments was to improve regulations and bring development and land use into alignment with community desires, there has been no regularity in, or programmatic process for, maintaining or improving the land use code.

In recognition of the need to regularly improve the land use code, one of the strategies in Envision Eugene under Pillar 7 (Provide for adaptable, flexible and collaborative implementation) calls for the City to continually evaluate and regularly adjust regulations through a collaborative, ongoing code improvement program. The goal of this strategy is to create an ongoing program to improve the land use code through a collaborative process. Amendments are intended to range from discreet legal or corrective revisions that improve the administration of the code to broader changes to ensure that regulations remain in alignment with the community's vision described in Envision Eugene.

Code Maintenance

As a pilot to the code improvement program, a package of land use code amendments that focus on code maintenance is being prepared. To ensure that the code maintenance amendments remain manageable within existing resources, the amendments will not address policy issues or topics associated with other Planning Division work program items. This package will only include a small number of discreet amendments that address corrective or legal issues which, if left unaddressed, pose a challenge in the administration of the land use code.

Corrective amendments are intended to fix errors or conflicts by removing obsolete language, adding language that was inadvertently omitted or correcting code references without changing policy or intent. Proposed amendments will include correction of a map boundary that was incorrectly changed during adoption of another set of code amendments, correction of a code citation reference, and inclusion of omitted procedural requirements.

Legal amendments respond to changes in state law (such as revisions to Oregon Revised Statutes) to remove conflicts between provisions in the code and with newer state regulations. Proposed amendments will include references to the new process for recognizing lots not lawfully established, changes to day care allowances in residential and commercial zones, changes to requirements for sending notice to the State Department of Land Conservation and Development, and an update to applicability requirements for property line adjustment.

Additional information regarding the code maintenance amendments will be provided in the agenda packets for future public hearings on this item. This includes a Planning Commission public hearing and recommendation, as well as a public hearing and deliberation by the City Council to consider the merits of the request, before making a decision on the matter.

Staff intends to bring forward code maintenance amendments on an annual basis. Future amendments as part of the code improvement program, including those addressing policy issues or other Planning Division work program items, will be brought forward following adoption of Envision Eugene, specifically a Eugene specific urban growth boundary and comprehensive plan. Staff will engage the Planning Commission to help prioritize the topics and return to the City Council to seek initiation before proceeding with future amendments under the code improvement program.

RELATED CITY POLICIES

This item is a request to initiate land use code amendments only, and not to consider the merits of the proposal. Any relevant policy analysis will be provided in conjunction with the public review process, which will include future public hearings before the Planning Commission and City Council.

COUNCIL OPTIONS

- A. Initiate the land use code amendments
- B. Decline to initiate the land use code amendments

CITY MANAGER'S RECOMMENDATION

The City Manager recommends the City Council initiate a land use code amendments related to code maintenance to enable Planning Commission and City Council consideration.

SUGGESTED MOTION

Move to initiate land use code amendments related to code maintenance to enable Planning Commission and City Council consideration.

ATTACHMENTS

None.

FOR MORE INFORMATION

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