

MINUTES

Eugene City Council Work Session Eugene, Oregon 97401

March 8, 2023
12:00 p.m.

Councilors Present: Matt Keating, Jennifer Yeh, Mike Clark, Randy Groves, Alan Zelenka, Emily Semple, Greg Evans and Lyndsie Leech

Councilor Groves opened the March 8, 2023, work session of the Eugene City Council in a hybrid format at 101 W 10th Avenue, Eugene OR 97401.

1. **WORK SESSION and POSSIBLE ACTION: An Ordinance Concerning Flood Hazard Areas; Amending Sections 9.0500, 9.6705, 9.6706, 9.6707, 9.6708 and 9.6709 of the Eugene Code, 1971; and Providing an Effective Date.**

City Manager, Sarah Medary, introduced Permitting & Floodplain Manager, Jack Blackham, who provided information An Ordinance Concerning Flood Hazard Areas; Amending Sections 9.0500, 9.6705, 9.6706, 9.6707, 9.6708 and 9.6709 of the Eugene Code, 1971; and Providing an Effective Date.

Councilor Discussion:

- Councilor Zelenka – asked if Council can object to parts of the Federal Emergency Management Agency recommendations; asked if the flood maps are accessible on the website; asked when the updated maps will be completed; asked if there are substantive changes expected in the updated maps.
- Councilor Clark – asked if the ordinance is a requirement from Federal Emergency Management Agency; asked to clarify that the vote today would not change the flood map or place new properties into the flood zone; asked if the ordinance changes assessed height for flood insurance.
- Councilor Zelenka – asked to clarify that this ordinance is required to ensure residents of Eugene can keep or obtain flood insurance.
- Councilor Groves – asked the City Manager if municipalities can obtain flood insurance; asked if flood insurance is part of the proposed new City Hall location near the river; would like more information regarding flood protection for that location; would like a future work session on the upstream dams and their seismic resiliency.

MOTION AND VOTE: Councilor Keating, seconded by Councilor Zelenka, moved to adopt An Ordinance Concerning Flood Hazard Areas; Amending sections 9.0500, 9.6705, 9.6706, 9.6707, 9.6708 and 9.6709 of the Eugene Code, 1971; and Providing an Effective Date” as included at Attachment A. **VOTE: PASSED 8:0**

2. **WORK SESSION: HB 3115 - Next Steps**

City Manager, Sarah Medary, introduced City Attorney, Kathryn Brotherton, who provided updates on HB3115 Next Steps for the City.

Councilor Discussion:

- Councilor Semple – believes that allowing camping five feet from waterways is too close and dangerous; is concerned that there is a list of prohibitions and not a list of what is allowed; asked about the potential impact on the areas where camping is allowed.
- Councilor Clark – asked if HB 3115 only applies to City owned property; asked if this would apply to county, state or privately owned properties; asked if Lane County has the capacity to create ordinances that would apply to city-owned properties; asked if there is a situation in which Lane County would not have jurisdiction to make rules about health related ordinances; asked if Lane County relies on the Oregon Health Authority rules for creating or enforcing public health concerns; asked City Attorney what manner of enforcement Lane County has as the public health authority for the area.
- Councilor Zelenka – is unsure about the changes and what they would accomplish; would like clarity on the camping restrictions and allowances; asked if the park closed hours would still apply; asked about broader application of restrictions for parking lots and on street parking spaces; noted that setbacks of 75-feet have been applied to many sections of the Willamette Greenway; asked about the enforcement plan for the proposed items.
- Councilor Evans – asked for clarity about the proposed changes related to multiple people in one vehicle; asked about enforcement of limits; asked if this would expand the number of Rest Stops available; asked if Council should codify the Dusk to Dawn program to cover the gap between the Eugene Code and what HB 3115 covers.
- Councilor Yeh – believes that five feet is not enough of a buffer from waterways; asked if staff know how high the Willamette River swells on average; would support codifying the Dusk to Dawn program.
- Councilor Keating – feels that a five-foot camping buffer to waterways is inadequate; would support changing the five-foot buffer to 75-feet; intends to make a motion to include a 75-foot buffer to waterways.
- Councilor Semple – noted that some private lands are addressed in the proposed changes; asked if planting strips are excluded due to the proximity to roadways; noted concern that storage of items, like bicycles, outside of tents would be prohibited; is concerned that this will overwhelm the system with enforcement efforts; expressed concerns about how a map to show where camping is prohibited would be used; asked about capacity limits on camping sites.
- Councilor Leech – is concerned about the impact on unhoused individuals; asked if this will prevent campsite and property removals; would like more information about expected outcomes; asked how debris and waste will be addressed; would like to see a list of existing policies around this topic to review at another work session; is concerned with the allowable camping distance to waterways.
- Councilor Groves – noted that anything that Council implements must be enforceable; is concerned about the impact on the entire community; is concerned that the five-foot buffer is insufficient and a danger to the camper and the

waterways; would like to see intergovernmental collaboration on enforcement; asked if there are timelines for length of established campsite.

- Councilor Zelenka – noted that he would like to modify the motion to schedule another work session; believes that camping proximity to waterways is a potential environmental and health impact; asked if section five of the materials is designed to fix a loophole.
- Councilor Clark – would be in favor of another work session on this topic; asked staff to summarize the proposed changes; asked if staff anticipates that this will lead to more or less camping throughout the City; noted that he would prefer the minimum of the high water mark for allowable camping proximity to waterways; would prefer a buffer of ten feet from travel lanes; is not in favor of codifying the Dusk to Dawn program.
- Councilor Semple – would be in favor of codifying the Dusk to Dawn program; wants to ensure that plenty of time is allowed for public input; asked how information will be disseminated to the public; is concerned about campsites blocking sidewalks; asked if the buffer would apply to all waterways; asked if someone laying down to sleep would be considered a camper or campsite; asked how American with Disabilities Act protections would be applied and enforced.
- Councilor Evans – would like to see the cost of code enforcement for Eugene Police Department and Public Works; asked staff if there is a list for violations that are addressed or not based on budget constraints.
- Councilor Groves – would like a future discussion about willful violators and determining overnight versus homestead; is concerned about camping near roadways.
- Councilor Zelenka – asked for clarification on the timeline and Council’s ability to schedule another work session and hearing; would prefer to have another work session before the public hearing.
- Councilor Keating – noted that he will advance option three in the AIS as a motion; prefers that the minimum for waterway buffer zones be at least 75 feet; would like a report of the services available to unhoused individuals; is in support of codifying the Dusk to Dawn program.
- Councilor Semple – asked about current enforcement of code in downtown related to people sleeping on sidewalks.

MOTION AND VOTE: Councilor Keating, seconded by Councilor Zelenka, moved to direct the City Manager to schedule another work session to provide the Council additional time to discuss potential code amendments prior to holding a public hearing.

VOTE: PASSED 8:0

Councilor Groves adjourned the meeting at 1:30 p.m.

Respectfully submitted,



Katie LaSala
City Recorder

(Recorded by Sara McKinney)
Webcast of meeting available [here](#).