

MINUTES

Eugene City Council Virtual Special Meeting Eugene, Oregon 97401

May 24, 2022
5:30 p.m.

Councilors Present: Claire Syrett, Matt Keating, Jennifer Yeh, Mike Clark, Randy Groves, Emily Semple, Alan Zelenka, Greg Evans

Mayor Vinis opened the May 24, 2022, special meeting of the Eugene City Council in a virtual format.

1. Action on Motion to Adopt an Ordinance Concerning Middle Housing, Including Exhibits A and B Attached Thereto, as Set Forth in its Entirety as Attachment C to the May 18, 2022, Agenda Item Summary.

Council resumed discussion of the motion postponed in the May 18, 2022, work session.

Council Discussion:

- Mayor Vinis – restated the motion postponed at the May 18, 2022, work session.

MOTION RESTATED: Councilor Syrett, seconded by Councilor Keating, moved to adopt an Ordinance Concerning Middle Housing, including Exhibits A and B attached thereto, as set forth in its entirety as Attachment C to the May 18, 2022, Agenda Item Summary.

MOTION TO AMEND: Councilor Clark, seconded by Councilor Semple, moved to amend Ordinance Section 12, Table 9.2750's maximum lot coverage for lots with duplexes, triplexes or fourplexes, found on page 22 of the ordinance and page 29 of the May 18 council packet, to change the R-1 maximum lot coverage from 75 percent to 50 percent.

- Councilor Clark – stated his preference is to adopt the minimum standard of HB2001 then have scheduled work sessions to discuss specific items such as solar access and tree protections to ensure that tree protections intertwine with the middle housing codes; said he is willing to consider 75 percent lot coverage after tree protections are discussed and decided.
- Councilor Keating – noted Springfield and Bend approved 60 percent lot coverage for their ordinance around HB2001; asked if the maker of the motion would accept a friendly amendment to 60 percent lot coverage instead of 50 percent (*friendly amendment declined*).

MOTION TO SUBSTITUTE: Councilor Keating, seconded by Councilor Syrett, moved to substitute the following motion for Councilor Clark's motion to amend: Move to amend Ordinance Section 12, Table 9.2750's

maximum lot coverage for lots with duplexes, triplexes or fourplexes, found on page 22 of the ordinance and page 29 of the May 18 council packet, to change the R-1 maximum lot coverage from 75 percent to 60 percent.

- Councilor Evans – asked Councilor Keating for clarification on his proposal of 60 percent; said he will not support the motion to amend.
- Councilor Groves – said he has been looking for a compromise; noted he would like to start with minimum lot coverage and move forward in a thoughtful way; said he will consider the motion to substitute and amend.
- Councilor Syrett – made a point of order to remind councilors to direct remarks to the Mayor, not to each other; noted the 60 percent lot coverage number is based on data in a chart provided by staff; stated she does not know the rationale behind Springfield and Bend adopting 60 percent lot coverage; expressed concern over Council ignoring the work staff has done to plan a thoughtful code for HB2001; said it is important for Council to not completely dismiss the work that has been done and public input received; said she believes 60 percent lot coverage is a rational benchmark to set.
- Councilor Yeh – said she is comfortable with 75 percent but acknowledges that there are good arguments to support the 60 percent lot coverage and is willing to support the motion; noted that using 60 percent would create consistency with Springfield; said she shares people’s interest in saving the tree canopy; noted that lot coverage restrictions do not protect the trees and that Council could enact protections for trees if it wants; supported 60 percent coverage but believes that 50 percent lot coverage would be a mistake.
- Councilor Zelenka – stated that the 60 percent number comes from the chart provided by staff and noted 60 percent seems like a reasonable number; stated the tree canopy issue is a separate issue and this does not guarantee tree protection or planting; noted that there is no guarantee people will plant trees; noted that the tree canopy issue and regulation of tree removal and planting will be polarizing; stated his belief that achieving 30 percent overall tree canopy is possible with existing right-of-way and City-owned property without impacting private property; said he believes that 60 percent lot coverage is a fair compromise.
- Councilor Semple – said she is in favor of 50 percent lot coverage to preserve green space; noted 50 percent would impact all lot sizes; said she will support 60 percent proposal.
- Councilor Clark - stated that tree protection is not siloed and all of the ordinances being discussed have an impact on one another; stated his belief that if developers can build to capacity there is no room for tree protection or planting on the lot; said he believes that developers will opt to build to the fullest allowable lot coverage; noted that arguments in favor of middle housing state it will increase affordable housing which he feels is inaccurate; noted the cost per square foot does not change based on the size of the building; asked if amending an amendment is allowed.
- Mayor Vinis - noted that Council strives to reduce barriers to middle housing and the value of allowing more lot coverage is to provide some flexibility in building and development; stated that the Planning Commission and staff worked with local builders and architects to develop reasonable criteria for the middle housing proposal.

VOTE ON MOTION TO SUBSTITUTE: PASSED 7:1 (opposed by Councilor Clark.)

VOTE ON SUBSTITUTED MOTION TO AMEND : PASSED 8:0

- Councilor Keating – clarified that the motion still on the table is the main motion as amended.
- Councilor Clark – stated he believed other councilors had intended to make motions to amend the main motion.
- Councilor Evans – outlined an email sent prior to the meeting to propose two motions to amend, one on infrastructure and one on Goal 15.
- Councilor Clark – noted that the comments in Councilor Evans’ proposed motions about infrastructure are similar to the concerns he has; asked what the impact would be if a motion was made to request more clear and definitive information about existing infrastructure’s ability to support middle housing; stated he does not believe that Council should vote for increased middle housing allowances until the infrastructure issue is vetted and determined sufficient enough to handle increased development.
- Councilor Evans – acknowledged that due to the late submission of the proposed motions it may be more appropriate to submit them at a later date; said he has concern about Goal 11, specifically infrastructure and its ability to support middle housing development; noted the topic of infrastructure may require more time than Council has in this meeting.
- Councilor Zelenka – noted that concern over infrastructure is unnecessary because vetting of proper infrastructure is a part of the existing planning and permitting process; stated that he feels additional requirements for analysis of infrastructure is not necessary; stated that the issues around Goal 15 in the suggested motion are already a standard process; noted that Council and staff have been looking at middle housing and code for HB2001 and he believes it is too late in this process to raise the suggested motions.
- Councilor Syrett – asked if middle housing will be discussed at a future time if Council passes the motion on the table; said she is sympathetic to Councilor Zelenka’s comments; noted that Springfield has passed their middle housing code and she feels that the City of Eugene is late to the game; said she does not feel the need to embed references to Goal 15 and infrastructure into the middle housing code; noted that if infrastructure is a serious concern, a work session should be scheduled for a future date.
- Councilor Clark – noted this is the last chance to change the middle housing ordinance prior to action and reminded Councilor Evans that he has the right to make motions at any time; stated that he often asks tough questions but it is never intended to insult or discount work done by staff or Council; said he does not believe that sufficient study has been done to show infrastructure is able to support the increased need for middle housing.
- Councilor Evans - noted his belief that if he made suggested motions they would fail; said he would like to have later work sessions to address infrastructure concerns; noted that Council can revisit and amend the code in the future if it chose to; asked that Council be given the opportunity to discuss Goal 11 and 15; stated that staff has done a good job and worked hard on the proposal, however he feels that the infrastructure

issue was not properly vetted; noted there are public concerns surrounding infrastructure that Council should address.

- Councilor Zelenka – said he is in favor of a public session to inform and educate the public about the processes in place for planning and permitting land use.
- Councilor Clark – asked when the ordinance would go into effect if approved in this meeting; asked if Council could amend to add an immediate effective date.

VOTE ON MAIN MOTION AS AMENDED: PASSED 8:0

Mayor Vinis adjourned the meeting at 6:13 p.m.

Respectfully submitted,

A handwritten signature in blue ink, appearing to read "Katie LaSala". The signature is fluid and cursive, with the first name "Katie" written in a larger, more prominent script than the last name "LaSala".

Katie LaSala
City Recorder

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