

## MINUTES

### Eugene City Council Virtual Work Session Eugene, Oregon 97401

July 12, 2021  
7:30 p.m.

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

Mayor Vinis opened the July 12, 2021, work session of the Eugene City Council in virtual format.

- 1. WORK SESSION: Program Review and Proposed Use of Affordable Housing Trust Fund Resources**  
Co-Community Development Director AIC Amanda Nobel Flannery and Housing Finance Analyst Ellen Meyi-Galloway gave a PowerPoint presentation on the Affordable Housing Trust Fund and proposed FY22 allocations.

#### Council Discussion:

- Councilor Keating – asked if it was possible to explore using the funds for rental application fee assistance; discussed implementing a one-time application fee into a system that is accessible by landlords looking to fill a vacancy.
- Councilor Semple – asked questions about using the entire 25 percent for rental assistance and increasing the allocation for housing development.
- Councilor Clark – asked if multi-family construction was differentiated from single-family housing development; acknowledged skyrocketing cost in the construction industry and said hundreds of units must be built to achieve housing goals; requested details on what types of housing are actually being built; asked about impacts of the Construction Excise Tax on construction; supported doing as much as possible to incentivize housing development.
- Councilor Zelenka – asked about the status of recommendations from the Housing Policy Board and the Renters Protection Committee, the timeline for council consideration of the HPB proposals, and the intersection of this work with the reparations discussions.
- Councilor Syrett – suggested revising the percentages and postponing allocation decisions until the HPB recommendations are available.

**MOTION:** Councilor Yeh, seconded by Councilor Syrett, moved to direct the City Manager to allocate Affordable Housing Trust Fund resources consistent with the Advisory Committee recommendation and as outlined in Attachment D.

**MOTION TO AMEND AND VOTE:** Councilor Syrett, seconded by Councilor Zelenka, moved to increase the housing development portion to \$1 million and decrease the direct assistance for renters' and homeowners' portion by the same amount. **PASSED 8:0**

**VOTE ON MAIN MOTION AS AMENDED: PASSED 8:0**

**2. WORK SESSION AND POSSIBLE ACTION: An Ordinance Concerning Accessory Dwellings; Replacing the Term “Secondary Dwelling” with “Accessory Dwelling” Throughout the Eugene Code 1971; Making Additional Amendments to Sections 9.0500, 9.2010, 9.2011, 9.2740, 9.2741, 9.2750, 9.2751, 9.2775, 9.3060, 9.3065, 9.3115, 9.3125, 9.3126, 9.3210, 9.3215, 9.3310, 9.3510, 9.3615, 9.3625, 9.3626, 9.3810, 9.3811, 9.3815, 9.3910, 9.3915, 9.3970, 9.6410 And 9.8030 of that Code; Addressing the Oregon Land Use Board of Appeals’ Remand of Ordinance Nos. 20594, 20595, and 20625; and Providing an Effective Date**

Senior Planner Jeff Gepper gave a PowerPoint presentation on Finalizing Compliance for Accessory Dwelling Units, outlining the ADU Code Amendment history and options for Council action. Deputy City Attorney Emily Jerome was available for questions.

Council Discussion:

- Councilor Clark – requested help with motions to postpone Council action to consider proposed revisions from Jefferson Westside Neighborhood Association and motions from Councilor Syrett.

**MOTION:** Councilor Yeh, seconded by Councilor Syrett, moved to adopt the ordinance in Attachment H, an Ordinance Concerning Accessory Dwellings; Replacing the Term “Secondary Dwelling” with “Accessory Dwelling” Throughout the Eugene Code 1971; Making Additional Amendments to Sections 9.0500, 9.2010, 9.2011, 9.2740, 9.2741, 9.2750, 9.2751, 9.2775, 9.3065, 9.3115, 9.3125, 9.3126, 9.3210, 9.3215, 9.3310, 9.3510, 9.3625, 9.3626, 9.3810, 9.3811, 9.3815, 9.3910, 9.3915, 9.3970, 9.6410 and 9.8030 of that Code; Addressing the Oregon Land Use Board of Appeals’ Remand of Ordinance Nos. 20594, 20595, and 20625; and Providing an Effective Date.

**MOTION TO AMEND:** Councilor Syrett, seconded by Councilor Yeh, moved to revise the draft ordinance to eliminate the current code’s requirement that ADUs screen their garbage areas, by striking current sections EC 9.2751(17)(b)4., EC 9.2751(17)(c)19., and 9.3811(1)(e)4.

Council Discussion

- Councilor Semple – appreciated the idea of making the code equal among all types of residences but said this wasn’t an equity issue; opposed the motion to amend.

**MOTION:** Councilor Clark, seconded by Councilor Semple, moved to postpone Council action on Amendment 1 until after the summer break.

- Councilor Groves – supported giving people adequate opportunity to provide input and suggested a friendly amendment to schedule action before Council break. The friendly was not accepted by the makers of the motion.
- Councilor Syrett – reminded the councilors that amendments can be made after the public hearing; said that action on this issue has been delayed enough and it is time to discuss the ordinance’s merits.
- Councilor Zelenka – suggested that the council receive input at the September 13 meeting and then vote on the motions.
- Councilor Semple – supported scheduling action after Council break.
- Councilor Yeh – reported that testimony about how silly the garbage screening requirement was already received.
- Councilor Syrett – requested clarification of the timeline for issuing motions.

**VOTE ON MOTION TO POSTPONE** (*clarification that postponement would be to date-certain of September 15*): **PASSED 5:3, councilors Syrett, Yeh, and Keating opposed.**

**MOTION TO AMEND:** Councilor Syrett, seconded by Councilor Yeh, moved to revise the draft ordinance's proposed building height/interior setback requirements and maximum building height pertaining to ADUs that are not above a garage or on a sloped lot to change the proposed 10-foot and 18-foot height measurements to, instead, 15-foot and 25-foot height measurements by:

- revising the second sentence in the proposed ordinance's 9.2751(17)(a)2.b.(1) and EC 9.2751(17)(b)5.a. to state as follows:  
"In addition, at a point that is 15 feet above finished grade, the setback shall slope at the rate of 10 inches vertically for every 12 inches horizontally away from the property line until a point not to exceed a maximum building height of 25 feet."  
- AND -
- revising the second sentence in the proposed ordinance's EC 9.2775(5)(e)1.a. to state as follows:  
"In addition, at a point that is 15 feet above finished grade, the setback shall slope at the rate of 10 inches vertically for every 12 inches horizontally away from the property line until a point not to exceed a maximum building height of 25 feet for detached accessory dwellings and the maximum building height of the primary dwelling for attached accessory dwellings."  
- AND -
- revising EC Figure 9.2751(16)(b)3 to change the 10-foot and 18-foot height measurements to 15-foot and 25-foot height measurements, respectively. [See Exhibit A – Page 1 for what that figure would look like if the motion passed]

**MOTION TO POSTPONE AND VOTE:** Councilor Clark, seconded by Councilor Semple, moved to postpone Council action on Amendment 2 until September 15, 2021. **PASSED 5:3, councilors Syrett, Yeh, and Keating opposed.**

**MOTION TO AMEND:** Councilor Syrett, seconded by Councilor Yeh, moved to revise the draft ordinance's proposed building height/interior setback requirements pertaining to a backyard ADU that is above a garage or on a sloped lot to increase the proposed height at which the roofline may begin to slope upwards from 18 feet to 22 feet, by:

- revising the text in the proposed ordinance's EC 9.2751(17)(a)2.b.(2)(B) so that the second sentence of that subsection states as follows: "In addition, at a point that is 22 feet above finished grade, the setback shall slope at the rate of 10 inches vertically for every 12 inches horizontally away from the property line to a maximum building height of 25 feet."  
- AND -
- revising EC Figures EC 9.2751(17)(a)2.b.(2)(A) and EC 9.2751(17)(a)2.b.(2)(B) to change the 18-foot height measurement to a 22-foot height measurement. [See Exhibit A – Pages 2 and 3 for what that figure would look like if the motion passed]

**MOTION TO POSTPONE AND VOTE:** Councilor Clark, seconded by Councilor Semple, moved to postpone Council action on Amendment 3 until September 15, 2021. **PASSED 5:3, councilors Syrett, Yeh, and Keating opposed.**

**MOTION TO AMEND:** Councilor Syrett, seconded by Councilor Yeh, moved to revise the draft ordinance to eliminate the current code's "maximum wall length" for detached ADUs by striking current sections EC 9.2751(17)(b)(6) and EC 9.2571(17)(c)(20).

**MOTION TO POSTPONE AND VOTE:** Councilor Clark, seconded by Councilor Semple, moved to postpone Council action on Amendment 4 until September 15, 2021. **PASSED 5:3**, councilors Syrett, Yeh, and Keating opposed.

**MOTION TO AMEND:** Councilor Syrett, seconded by Councilor Yeh, moved to revise the draft ordinance's proposed building height/interior setback requirements for ADUs to make the sloped setback requirements inapplicable where a property line abuts a public right-of-way or private street, by:

Adding a phrase to EC 9.2751(17)(a)2.b.(1), 9.2751(17)(a)2.b.(2)(B), 9.2751(17)(b)5.a., 9.2775(5)(e)1.a., 9.2775(5)(e)1.b.(2) so that the text that currently provides "In addition, at a point that is . . ." is changed to: "In addition, except where the setback is from a property line abutting a public right-of-way or private street, at a point that is . . ."

**MOTION TO POSTPONE AND VOTE:** Councilor Clark, seconded by Councilor Semple, moved to postpone Council action on Amendment 5 until September 15, 2021. **PASSED 5:3**, councilors Syrett, Yeh, and Keating opposed.

**MOTION TO POSTPONE AND VOTE:** Councilor Clark, seconded by Councilor Semple, moved to postpone Council action on the main motion until September 15, 2021. **PASSED 5:3**, councilors Syrett, Yeh, and Keating opposed.

Mayor Vinis adjourned the meeting at 7:15 p.m.

Respectfully submitted,



Beth Forrest  
City Recorder

Link to the webcast of this City Council meeting [here](#).