

MINUTES

**Eugene City Council
Harris Hall, 125 East 8th Avenue
Eugene, Oregon 97401**

**February 20, 2019
12:00 p.m.**

Councilors Present: Emily Semple, Betty Taylor, Alan Zelenka, Jennifer Yeh, Mike Clark, Claire Syrett, Chris Pryor

Councilors Absent: Greg Evans

Mayor Vinis opened the February 20, 2019, work session of the Eugene City Council.

1. WORK SESSION: Regulation of Secondary (Accessory) Dwelling Units and Consideration of Remand Issues (Ordinance Nos. 20594 and 20595)

Deputy City Attorney Emily Jerome gave an overview of the topic and its history, and explained that the purpose of the meeting was to obtain council's guidance for drafting a new ordinance that would be reviewed by the public at a future public hearing.

Council Discussion:

- Councilor Clark – expressed concerns about the process outlined by Mayor Vinis.
- Councilor Zelenka – requested clarification on whether the ADU provisions needed to be applied to all other zones or simply R1.
- Councilor Clark – asked whether the Jefferson Westside Special Area Zone preamble on additional single family dwellings could be used in R2, R3 and R4.
- Mayor Vinis – requested that council begin making their way through each siting and design standard raised in the LUBA appeals outlined in the agenda item summary (Attachment A). She outlined the process for reviewing each siting and design standard.
- Councilor Syrett – requested requirements 4 and 7 (Outdoor Storage/Trash and Prohibition on Alley Access Lots) be pulled from the green list for discussion.
- Councilor Clark – commented that although he had hoped to work with everyone, he regretted that he would have to return with his own motions.
- Councilor Zelenka – asked why all siting and design rules aren't applied to all zones.
- Mayor Vinis – affirmed that council chose to leave in requirements 1, 2, 3, 5 and 6 from the green section, pulling requirements 4 and 7 to move to the yellow category.
- Councilor Syrett – asked Mayor Vinis whether the meeting process allows questions to staff regarding why they placed requirements in the various categories (green, yellow or red). She then asked staff to explain reasoning on requirements 4 and 7.
- Councilor Zelenka – asked whether requirement 7 would apply to the recent Measure 49 claim by Elise Moore.
- Councilor Clark – said reductions in minimum lot size would change the nature of R1 zones, and asked whether it would be more accurate to have findings to justify the relationship to SB 1051.
- Councilor Semple – asked whether retained requirements can be revised later; asked how the requirements work together (e.g. concrete coverage and parking).
- Councilor Zelenka – asked about Attachment C regarding minimum lot sizes in each zone. He also suggested all yellow items be moved to green.

- Councilor Clark – said he would like to see every item moved to the green section.
- Mayor Vinis – asked the councilors to state whether they would like to keep or drop each yellow- and green-category requirement.

Green Requirements

#4 (Outdoor Storage and Trash)

Keep: Councilors Taylor, Clark, Pryor, Zelenka

Remove: Councilors Yeh, Syrett, and Semple

#7 (Prohibition on Alley Access Lots)

Keep: Councilors Taylor, Clark, Yeh and Zelenka

Remove: Councilors Pryor, Syrett, and Semple

Yellow Requirements

#1 (Minimum Lot Size)

Keep: Councilors Taylor, Clark, Pryor, Yeh, Zelenka, and Semple

Remove: Councilor Syrett

#2 (Maximum Density)

Keep: All councilors opted to keep this requirement.

#3 (Lot Dimensions)

Keep: Councilors Taylor, Clark, Pryor, Yeh and Zelenka

Remove: Councilors Syrett and Semple

#4 (Parking Requirement)

Keep: Councilors Taylor, Clark, Pryor, Yeh and Zelenka

Remove: Councilors Syrett and Semple

#5 (Alley Access Parking/Driveway)

Keep: Councilors Taylor, Clark, Pryor, Yeh and Zelenka

Remove: Councilors Syrett and Semple opted to remove.

#6 (Building Height/Sloped Setback)

Keep: Councilors Taylor, Clark, Pryor, Yeh, Zelenka, Syrett and Semple

Remove: Councilor Yeh preferred its removal.

Council Comments

- Councilor Semple - asked about the number of dogs allowed per lot, commenting that the number of dogs was not a siting or design requirement. She also asked whether the prohibition against more than five unrelated individuals living in a single home applies would extend to all homes (i.e., accessory dwellings).
- Councilor Zelenka – asked where the rule about no more than five unrelated people living in a single dwelling is in the City Code. He also asked whether there were parking requirements in addition to those in the red category.
- Councilor Clark – said he would like testimony from the public before making a decision.

Red Requirements

#1 (Prohibition on New Flag Lots)

Keep: Councilors Taylor, Clark, and Zelenka

Remove: Councilors Pryor, Yeh, Syrett, and Semple

#2 (Vehicle Use Area)

Keep: Councilors Taylor, Clark, Pryor, Yeh, Zelenka and Semple

Remove: Councilor Syrett

#3 (Owner Occupancy)

Keep: Councilors Taylor, Clark, and Zelenka

Remove: Councilors Pryor, Yeh, Syrett, Semple

#4 (Maximum Bedroom)

Keep: Councilors Taylor, Clark, and Zelenka

Remove: Councilors Pryor, Yeh, Syrett, Semple

#5 (Maximum Occupancy)

Keep: Councilors Taylor, Clark, and Zelenka

Remove: Councilors Pryor, Yeh, Syrett, Semple

#6 (Dog Keeping)

Keep: Councilors Taylor and Clark

Remove: Councilors Pryor, Yeh, Zelenka, Syrett and Semple

Council Comments

- Councilor Pryor – asked whether the red items would still be included in the draft ordinance.
- Councilor Taylor – asked for clarification on whether the residence requirement would be included in the ordinance for public comment.
- Councilor Semple – asked why council wasn't asked to discuss putting the special area zone standards into the requirements to prevent legal action during the process.
- Councilor Clark – asked for clarification about whether the draft ordinance would include findings for the owner occupancy requirement. He also asked whether inserting the preamble from the special area zones to the ordinance would prevent further appeals. He stated he would prefer no action because secondary dwellings are already allowed in R2, R3 and R4.
- Councilor Taylor – asked whether not taking action would allow the City to keep the residency requirement. She also asked if council would have another opportunity to discuss whether they would like to have findings for the residency requirement.
- Councilor Zelenka – requested language in the draft ordinance detailing why council struck each requirement they did, so the community had a clear rationale.

The meeting adjourned at 1:28 p.m.

Respectfully submitted,

Beth Forrest

Beth Forrest
City Recorder

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

(Recorded by Cas Casados)