



Eugene City Council

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EUGENE CITY COUNCIL AGENDA

June 11, 2018

5:30 p.m. CITY COUNCIL WORK SESSION
Harris Hall, 125 East 8th Avenue
Eugene, Oregon 97401

Meeting of June 11, 2018;
Her Honor Mayor Lucy Vinis Presiding

Councilors

Mike Clark, President
Greg Evans
Emily Semple
Jennifer Yeh

Betty Taylor, Vice President
Chris Pryor
Claire Syrett
Alan Zelenka

5:30 p.m. CITY COUNCIL WORK SESSION
Harris Hall, 125 East 8th Avenue

Mayor: I call the June 11, 2018, meeting of the Eugene City Council to order.

- 1. Committee Reports and Items of Interest**
- 2. WORK SESSION: Urban Reserves Planning**
- 3. WORK SESSION: Ordinance #1: An Ordinance Concerning Secondary / Accessory Dwellings and Amending Sections 4.330, 7.010, 9.0500, 9.1245, 9.2010, 9.2011, 9.2740, 9.2741, 9.2750, 9.2751, 9.2775, 9.3060, 9.3065, 9.3115, 9.3125, 9.3210, 9.3215, 9.3510, 9.3615, 9.3810, 9.3811, 9.3815, 9.3910, 9.3915, 9.6105, 9.6410, 9.6420, 9.6745, 9.6775, 9.6885 and 9.8030 of the Eugene Code, 1971. Ordinance #2: An Ordinance Concerning Secondary / Accessory Dwellings and Amending Section 9.0500 of the Eugene Code, 1971. (City File CA 18-1)**

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El consejo de la Ciudad de Eugene agradece su interés en estos asuntos de la agenda. El lugar de la reunión tiene acceso para sillas de ruedas. Se puede proveer a un intérprete para las personas con discapacidad auditiva si avisa con 48 horas de anticipación. También se puede proveer interpretación para español si avisa con 48 horas de anticipación. Para reservar estos servicios llame al 541-682-5010. Las reuniones del consejo de la ciudad se transmiten en vivo por Metro Television, Canal 21 de Comcast y son retransmitidas durante la semana.

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EUGENE CITY COUNCIL AGENDA ITEM SUMMARY



Work Session: Urban Reserves Planning

Meeting Date: June 11, 2018
Department: Planning and Development
www.eugene-or.gov

Agenda Item Number: 2
Staff Contact: Rebecca Gershow
Contact Telephone Number: 541-682-8816

ISSUE STATEMENT

Staff will provide the City Council with an overview of the Urban Reserves Project, including the Draft Project Charter and Draft Public Involvement Plan. The work session is informational and no action is requested.

BACKGROUND

On July 20, 2015, as part of the City Council's direction on the urban growth boundary, council directed staff to begin urban reserves planning, and to bring a proposed urban reserve area back for City and County consideration within two years of UGB acknowledgement (Attachment A). As the UGB was acknowledged by the state of Oregon in January 2018, staff is planning to bring forward an urban reserves proposal for City Council and Board of Commissioners consideration by January 2020. If directed by decision makers to begin the formal adoption process, staff will prepare a complete adoption package and schedule the first formal public hearing by fall 2020.

This timeline presumes that we will complete the urban reserves adoption process before the City Council reviews the first growth monitoring report and considers revisiting the UGB three years after state acknowledgement, in January 2021. The intent is to provide council with better options for expansion if they choose to do so at the three-year review. This timeline, including council's direction on Clear and Objective Housing Standards and the Growth Monitoring Program, are shown graphically as Envision Eugene Project Timelines (Attachment B).

Why Plan for Urban Reserves?

Eugene is growing, but our future rate of population growth is uncertain and our best predictions are likely to be wrong. If we grow faster than anticipated, we want to be prepared with a plan to grow in the best places and in the ways that best align with our community values. Without urban reserves in place, future UGB expansions would likely be limited by state law to county "exception areas" and "non-resource" land, and much of the land that falls within these two categories is already developed to some degree, with a low likelihood of redevelopment if brought into the UGB (and significant owner opposition to inclusion in the UGB). Our studies have shown that most of these exception areas and non-resource lands do not meet our community's needs for growth. For

example, many are smaller, non-contiguous or partially-developed parcels. Many are also unaffordable to build on due to the high cost of providing services such as water and sewer, or offer poor transportation access, connections to neighborhood amenities and public services such as transit.

This is an urgent problem because we believe that when we re-examine the need to expand our UGB in less than three years, the most recent population forecast will show a higher 20-year population for Eugene^a than was used in the UGB analysis. If urban reserves are not in place, and it turns out we have a need to expand, our only option would most likely be to expand onto these exception and non-resource lands.

Another important problem we face in planning for our future is land speculation. Without urban reserves in place, rural property owners outside Eugene's UGB don't know whether or not their property may become an option for future expansion. Our state planning goals say we should support farm and forest uses, however some owners are unsure if they should continue investing in those uses (for example new farm infrastructure) if their property may be urbanized. Or, the price of land outside the UGB may go up if investors buy the land hoping it will be urbanized someday. Similarly, local government agencies such as Eugene, Lane County and other service providers like water and fire districts are faced with uncertainty about how this land outside of the UGB will be used in the future.

State law provides a possible solution by allowing cities to designate lands as "urban reserves." This is a special designation for lands outside the UGB that can be considered a first priority if and when a city needs to expand its UGB for a growing population. State law allows cities to plan for up to 50 years of projected population growth through urban reserves, meaning up to 30 years beyond the adopted (20-year) UGB. Similar to a UGB, urban reserves are supposed to include land needed for housing and jobs, as well as public lands such as parks, schools and other services. Land designated as urban reserves remains rural land, and cannot be urbanized, unless it is brought into a city's UGB through the formal process for UGB expansion.

Based on the most recent (2015) Portland State University forecast, Eugene would be allowed to designate urban reserves needed to serve up to an additional 50,000 people (the projected population growth between 2032 and 2062). With urban reserves in place, our community could work within those reserves – according to state law – to identify lands for UGB expansion that best meet our community's long-term needs and values.

It is for this reason that in 2015 council directed staff to prepare an urban reserves proposal for City and County consideration within two years of state acknowledgement of the UGB, or by January 2020. This timeline presumes that we will complete the urban reserves adoption process before the City Council considers the first growth monitoring report and any potential changes to the UGB three years after state acknowledgement (January 2021).

^a The 2009 Lane County-adopted population forecast used in Eugene's current UGB adoption process shows about 34,000 new residents in the 20 year period of 2012-2032; the 2015 PSU population forecast shows about 40,000 new residents in the 20-year period of 2015-2035.

Designating urban reserves in advance of future UGB expansions will allow the City to more effectively and efficiently consider growing into areas that best serve our community's needs. Urban reserves can help land owners surrounding our city plan for the future by clarifying which properties will be reserved for possible urban use and which ones will not. With urban reserves in place, we can consider the full range of desired outcomes in our future expansion areas, such as building new 20-minute neighborhoods with a mix of housing types affordable to all income levels. Eugene's future neighborhoods can be located and designed so that transportation facilities and public utilities are provided in a cost-efficient manner that aligns with the seven pillars of Envision Eugene.

Any future UGB expansions onto urban reserve lands will still be guided by state law, requiring a rigorous study of 20-year land needs responding to up-to-date population forecasts and growth monitoring reports produced by the City's new growth monitoring program.

Failure to Reach Resolution

Failure to reach an agreed-upon urban reserve proposal would leave our community with fewer options for planning for future growth of our city. Property owners and residents would face continued uncertainty about where future growth may occur, with potential impacts to private investments in farming, forestry and other uses. In addition, failure could mean more expensive and less effective provision of critical public services such as fire protection, transportation, electricity and water resources with higher costs for local residents and jurisdictions when land is brought into the UGB. Higher costs for services and development also reduce our community's ability to produce future housing and jobs, and may increase the cost of future housing.

How Will We Get There?

The urban reserves project will be completed in five phases as described in the Draft Project Charter and Draft Public Involvement Plan. Each phase is designed to build on the previous one, including: project initiation, technical analysis, development of options, proposed urban reserves, and formal adoption process. We are currently in Phase 1, project initiation. A key component of project initiation is the development of these project planning tools and the initial project feedback from agency decision-makers. This is shown graphically in the Draft Urban Reserves Outreach Process (Attachment C).

We can't prepare for growth and change without alignment with our County partners, surrounding rural residents, and a myriad of utility and special district service providers. The City is committed to the deep involvement of our community and a collaborative approach to solving challenging public policy issues. As part of urban reserve planning, state law requires the City to develop formal agreements with the County and service providers, specifying which agency is responsible for providing services such as land use and building permit review, as well as sewer, water, fire protection, parks, transportation and stormwater. Effective collaboration with our partners will be critical to reach resolution on the necessary agreements.

PROJECT CHARTER

A project charter is a project management and planning tool that is used to clearly define all aspects of a project and to create understanding and buy-in among those implementing the

project, including partners and agency leadership. It is a consolidated source of project information as well as an agreement between project partners. The Urban Reserves Planning Draft Project Charter (Attachment D) is based on national best practices and adapted to our local needs to boost our community's success in making important decisions about complex issues.

Project Assumptions

From a technical standpoint, the Charter outlines major work products and how these will be created. It also provides assumptions, or sideboards, that are essential to delivering the project on time. For example, the urban reserves project *will carry forward the development density and housing mix assumptions from the recent UGB analysis*. These will be revisited when the first growth monitoring report is complete in 2021, per council direction. Also as directed by council in 2015, the urban reserves project *will use the most current population forecast in place*, which is the 2015 Portland State University forecast for Eugene and Lane County. A new forecast is expected in 2019, and those latest projections will be used in our growth monitoring reports and any future UGB expansion analysis.

State law allows communities to set aside land for urban reserves anywhere between 10 and 30 years beyond the UGB (in our case, between 2042 and 2062). Determining the preferred time frame or planning period will be a key policy choice that will affect the size and location of our urban reserves.

City Council Decision-Making

The Charter describes the different roles and responsibilities of participants in the planning process. The Eugene City Council and Lane County Board of Commissioners have joint decision-making authority in the urban reserves project, including the following:

- Review and provide input on the Public Involvement Plan and Project Charter
- Receive updates and provide direction to the Project Management Team throughout the planning process
- Provide direction on a proposed urban reserve option (by January 2020)
- Convene public hearings, consider the Planning Commission recommendations, and act to adopt by Ordinance the urban reserves proposal as spelled out in state statute (Fall 2020).

In addition to its formal role, the City Council will be asked to designate a representative to participate on the Envision Eugene Technical Advisory Committee. The EETAC was established through policy with the recent adoption of our UGB to provide technical advice to staff on growth management issues. The draft EETAC bylaws created with the Envision Eugene Technical Resource Group call for at least one member to be a sitting City Councilor.

Other project committees include the Triple Bottom Line Sounding Board, which will be tasked with advising staff on balancing the City's diverse policies on economic prosperity, social equity, and environmental health; and the Service Provider Working Group, which will be comprised of technical staff from affected service providers. The composition and role of each committee is described in the Charter and Public Involvement Plan.

Regarding timing, as directed by council in 2015, the Charter calls for delivering a proposal for the City Council and Lane County Board of Commissioners to consider within two years of state acknowledgement of the UGB, or by January 2020. Once direction is given, staff will proceed with the formal adoption process to achieve the goal of having urban reserves adopted before council considers the first growth monitoring report and any potential changes to the UGB.

PUBLIC INVOLVEMENT PLAN

The Public Involvement Plan is included as Attachment E. It includes a summarized work plan focusing on the public engagement strategies at each milestone in urban reserves planning. The PIP:

- describes multiple opportunities and different ways people can engage in the planning process;
- details how individuals and organizations with a stake in the outcome of Urban Reserves can effectively participate and help shape the plan; and
- is consistent with the City's Public Participation Guidelines and State Planning Goal 1.

The urban reserves project team is committed to a public engagement process that is meaningful, accountable, inclusive, transparent, realistic and outcome-oriented.

While the Project Charter outlines the work program and timeline for the planning process, the Public Involvement Plan describes the outreach strategies for each phase of the planning process. As shown in the planning process timeline, there are five major phases in the project and community engagement takes place during all phases. The PIP includes a detailed outreach process graphic that illustrates when key engagement opportunities take place, how they are sequenced, and how they help shape the project.

The project's timeline includes holding community meetings (or groups of meetings) up to four times. The bulk of the engagement will occur prior to delivering a proposal to council, although there will also be engagement to communicate and refine the proposal, as necessary, through the formal adoption process. In-person engagement opportunities will be coordinated with online engagement to allow us to hear from a wide-range of participants including those not interested or able to attend public meetings. The first meeting will be large drop-in open house in a central location in coordination with other planning projects, while others may be smaller meetings near different neighborhoods in the study area.

We will also send out regular project updates through a variety of methods, including email, city newsletters and social media. A draft list of project stakeholders is included in the PIP; this list will be added to and refined during project initiation.

AGENCY INPUT

The City Council's role in this early stage of project development includes reviewing and providing input on the Project Charter and Public Involvement Plan. Staff met with the Eugene Planning Commission on May 8 and the Lane County Planning Commission on May 15 and June 5. The Eugene Planning Commission had questions and input on the planning horizon, rural reserves, and the project's interface with the Comprehensive Plan update. One commissioner suggested

further highlighting the project assumptions and approach, especially regarding density and housing mix, to ensure it is understood and agreed to by council. The Lane County Planning Commission had questions about whether the Board of Commissioners was supportive of the urban reserves concept; how the urban reserves process relates to future urban growth boundary analysis work; and how the urban reserves area will be managed and regulated.

NEXT STEPS

After the City Council work session, staff will discuss the project with the Lane County Board of Commissioners on June 19. The Eugene Planning Commission, serving as the City's Citizen Involvement Committee, will consider approval of the Public Involvement Plan on June 25.

At the same time, staff will continue to move the project forward, as documented in Phase 1: Project Initiation, in the Project Charter and Public Involvement Plan. We will continue to refine the project budget and timeline, and begin consultant contract work. We are also establishing project committees and groups that will begin meeting in phase 2, developing a communications plan and building our interested parties list and [project website](#).

RELATED CITY POLICIES

The Envision Eugene pillar *Provide for Adaptable, Flexible, and Collaborative Implementation* provides direction and guidance for this project. More specifically, on July 20, 2015, as part of the City Council's direction on the urban growth boundary, council directed staff to move forward on urban reserves planning. In addition, the City's triple bottom line framework for achieving our sustainability goals will be used to prepare and evaluate urban reserve work products.

COUNCIL OPTIONS

None; informational only.

CITY MANAGER'S RECOMMENDATION

None; informational only.

SUGGESTED MOTION

None; informational only.

ATTACHMENTS

- A. Envision Eugene Housing Update AIS (July 20, 2015)
- B. Envision Eugene Project Timelines
- C. Urban Reserves Draft Outreach Process Graphic
- D. Urban Reserves Planning Draft Project Charter
- E. Urban Reserves Planning Draft Public Involvement Plan

FOR MORE INFORMATION

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EUGENE CITY COUNCIL

AGENDA ITEM SUMMARY



Work Session: Envision Eugene Housing Update

Meeting Date: July 20, 2015
 Department: Planning and Development
www.eugene-or.gov

Agenda Item Number: A
 Staff Contact: Robin Hostick
 Contact Telephone Number: 541-682-5507

ISSUE STATEMENT

Portland State University recently issued a new population forecast for cities in Lane County. The City Council is now asked to decide how to move forward with establishing the residential urban growth boundary (UGB).

BACKGROUND

On January 28, 2015, the council directed staff to proceed with a UGB expansion for jobs, parks and schools. At the council's last work session regarding the housing component of the Envision Eugene project (April 27, 2015), the council discussed two options for using the new State population forecasts and directed staff to return for direction after the new forecasts were finalized. Those forecasts were finalized at the end of June.

"Option A," presented at the April 27 council work session, was to simply finish the UGB work already underway using the 2009 population forecast. "Option B" was to extend the timeline for UGB adoption to update the data based on the new (2015) population forecast. Since the April 27 work session, City staff has continued to talk with interested parties. There now appears to be broad stake-holder support for a third hybrid option.

Hybrid Option

This hybrid option presents the most effective use of the new population forecast to address the community's need for a buildable land supply that is financially accessible to Eugene's workforce population as expeditiously as possible. For reasons rooted in Oregon's complicated land use laws, these community interests are best met by a hybrid option that includes all of the following components:

Establish a Baseline UGB

- Establish a "baseline" UGB for a 2012-2032 planning period to separate Eugene from Springfield. This baseline UGB will be based on the data and analysis gathered and vetted through the Envision Eugene project (including the population forecast adopted by Lane County in 2009).

- Target for City and County consideration of the proposed baseline UGB: 2016. This will require immediate, intense staff work on the residential land UGB analysis to put it back on the same time line as for employment, parks and schools.

Update Needed Housing Regulations

- Update the City's procedures and approval criteria for needed housing applications (applications to develop housing in areas identified for housing in the City's BLI and HNA).
- Target for City consideration of proposed updates: within one year of State acknowledgement of the baseline UGB.

Establish Urban Reserves

- Establish urban reserves that identify the land surrounding Eugene that can be used for UGB expansions as needed to meet the City's land needs based on growth from 2012-2062, based on the PSU population forecast finalized in 2015 (a forecasted 2062 population of 267,947).
- Target to initiate City work on urban reserve planning: immediately, beginning with identification of resources to make the establishment of urban reserves a highest priority.
- Target for City and County consideration of the proposed urban reserves: within two years of State acknowledgment of the baseline UGB.

Monitor / Report on Residential Growth

- Provide the City Council with a monitoring report that updates the supply of buildable residential land and the community's need based on the most recently finalized PSU population forecast.
- Target for delivery of report to City Council: three years after State acknowledgment of baseline UGB (instead of the five-year monitoring interval indicated in the TRG's draft monitoring program).

Action to Address Results of Monitoring

- Expand the UGB to the extent indicated by the monitoring report, to add urban reserve land to the UGB as needed to meet the City's residential land needs for a new 20-year planning period, based on the PSU population forecast in place at the time this UGB work is initiated.
- Target for initiation of work on a proposal to expand the UGB onto urban reserve land (to the extent indicated by the monitoring report): immediately upon State acknowledgment of Eugene's urban reserves.
- Target for City and County consideration of the proposal to expand the UGB (to the extent indicated by the monitoring report): within three years of State acknowledgment of urban reserves.

Allocate Funds

- Allocate \$750,000 to enable the City to hire consultants and/or staff to conduct the analysis required to create and implement a growth-monitoring program and to establish urban reserves while ensuring that long-awaited neighborhood planning can still take place.

COUNCIL OPTIONS

- A. Direct the City Manager to finish the UGB work already underway using the 2009 population forecast (Option A).
- B. Direct the City Manager to use the new population numbers in new analysis in order to establish the UGB (Option B).
- C. Direct the City Manager to move forward with the “Hybrid Option” described in this agenda item summary (AIS).

CITY MANAGER’S RECOMMENDATION

The City Manager recommends moving forward with the “Hybrid Option” described in this AIS.

SUGGESTED MOTION

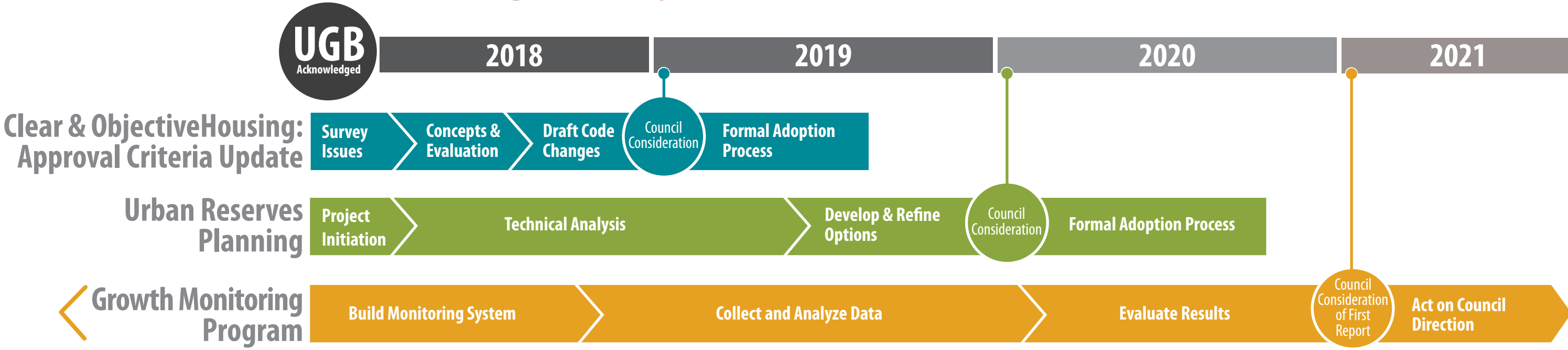
Move to direct the City Manager to prepare an urban growth boundary adoption package and to take the other actions that are part of the “Hybrid Option” as described in this AIS.

FOR MORE INFORMATION

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Staff E-Mail: Robin.A.Hostick@ci.eugene.or.us

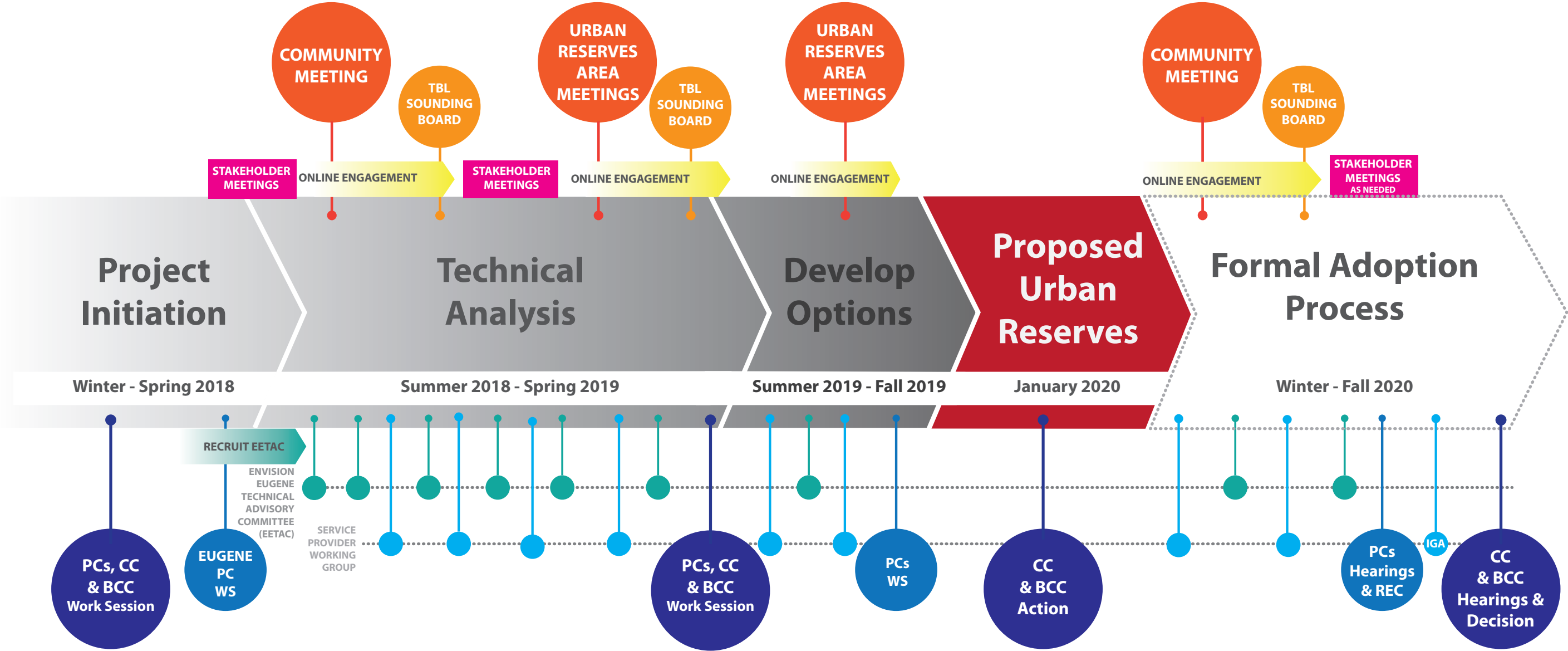
Envision Eugene **Project Timelines**

DRAFT



DRAFT

URBAN RESERVES OUTREACH PROCESS



Urban Reserves Planning

Draft Project Charter

May 2018



Project Title: Urban Reserves Planning

Project Charter Author: Rebecca Gershow

Creation Date: add when signed

Last Revision Date: May 8, 2018

Project Origin: Council direction 7/20/2015, Envision Eugene strategy

Project Sponsors: Robin Hostick (City of Eugene Planning Director), Lydia Kaye (Lane County Director of Land Management)

Project Manager: Rebecca Gershow, Senior Planner

Project Team Members: Included herein

Project Charter Status: Pending

Proposed Project Start and End Date: Winter 2018-Winter 2021 (approx. 3 years)

Overview/Purpose

Project Background

The Envision Eugene community vision identified seven pillars or community values to guide long range planning in our community. Direction on how to set the urban growth boundary (UGB) for 2032 was provided by the City Council in 2015 and 2016. As part of the Council's 2015 direction on planning for housing, they specifically directed staff to begin longer term urban reserves planning, and to bring a proposed urban reserve area back to Council for their consideration within two years of UGB acknowledgement. Since the UGB was acknowledged by the state of Oregon in January 2018, staff is targeting a deadline of January 2020 to provide the City Council and Board of Commissioners with an urban reserves proposal to consider. After receiving direction, staff will move forward with the formal adoption process. This project charter details the process envisioned for successful delivery of the project.

What are Urban Reserves?

State law allows cities to designate lands outside the adopted UGB as urban reserves. This is a special designation for lands outside the UGB that can be considered a first priority if and when a city needs to expand its UGB for a growing population. State law allows cities to plan for up to 50 years of projected population growth through urban reserves, meaning up to 30 years beyond the adopted (20-year) UGB. Similar to a UGB, urban reserves are supposed to include land needed for housing and jobs, as well as public lands such as parks, schools and other services. Land designated as urban reserves remains rural land, and cannot be urbanized, unless it is brought into a city's UGB through the formal process for UGB expansion.

Eugene's urban growth boundary, adopted by Eugene and Lane County, is planned to accommodate Eugene's land needs for 20 years, during the planning period of 2012-2032. Based on the UGB horizon of 2032, urban reserves will identify the additional land that Eugene is likely to need between the minimum (10) and maximum (30) years after 2032, or as late as 2062, as allowable under state law.

Why Plan for Urban Reserves?

Eugene's future rate of population growth is uncertain, and our best predictions are likely to be wrong. If we do grow faster than anticipated, we need to be prepared with a plan to grow in the best places and in the ways that best align with our community values. Currently, future UGB expansions in Eugene would likely be limited by state law to "exception areas," or lands that are already developed to some degree. Studies show that most of these lands fall short of important goals and may not meet our community's needs. For example, they may be unaffordable due to the high cost of providing utilities such as water and sewer, and offer poor access to neighborhood amenities and public services such as transit.

This is an urgent problem because our City Council has directed us to re-examine our UGB three years after our UGB is acknowledged by the state. This direction says we should use the most recent population forecast available at the time, which we anticipate will show a significantly higher 20-year population for Eugene¹ than we are currently considering. If it turns out we have a need to expand at that time and Council chooses to do so, we would most likely have no choice but to expand onto the above-described exception lands. Having an urban reserves designation in place at that time will allow the City to more effectively and efficiently consider a UGB expansion onto urban reserve land that will meet our community's needs and values.

In addition, urban reserves can help land owners surrounding the urban growth boundary plan for the future by clarifying which properties will be reserved for possible urban use and which ones will not. Similarly, once urban reserves are established, Eugene and Lane County and service providers like EWEB, LTD, and others will be better able to plan for the costs and coordination needed to serve future neighborhoods with public facilities and services.

Any future UGB expansions onto urban reserve lands will still be guided by state law, requiring a rigorous study of 20 year land needs responding to up-to-date population forecasts and growth monitoring reports produced by the City's new growth monitoring program.

Building on Recent Efforts

Because of the tremendous amount of work that went into determining the need for and location of the 2032 urban growth boundary, a great deal of information has been gathered regarding the City's surrounding land. The project will need to identify lands for the housing, parks, schools, and jobs needed by Eugene's population in the long term future, while achieving the area's high expectations for regional open space and preservation of significant farmland, waterways, natural resources and landscapes. The City and County are now well equipped to build off of recent work to determine future urban reserves.

Process

The urban reserves process is enabled by state law. The planning process will be a collaborative effort among community members, property owners, stakeholder groups, the City of Eugene, Lane County, and regional utility and service providers.

The planning process will answer the following questions:

How much land will Eugene need to house and employ new residents between 2032 and 2062?

¹ The 2009 Lane County-adopted population forecast used in Eugene's current UGB adoption process shows about 34,000 new residents in the 20 year period of 2012-2032; the 2015 PSU population forecast shows about 40,000 new residents in the 20-year period of 2015-2035.

Portland State University forecasts a 2062 population of 267,947 for Eugene. We will update our land supply projections using these 2015 PSU certified population projections, adopted housing mix assumptions and updated employment growth rate numbers, and project them out 10-30 years beyond the UGB horizon of 2032, as allowable by state law.

Which lands around Eugene are best suited to meet our community's needs and values for urban uses in the future?

Building off of recent work, we will develop a study area and analyze land suitable for inclusion in an urban reserve. This is a multistep process; we will follow the steps in OAR 660-021-0010 and build off of the expansion analysis used for determining land suitable for inclusion in the UGB.

What are the community's preferences in planning for urban reserves that meet the long term vision and needs of Eugene's future population?

We will engage community members, service providers, public agencies and community groups at key decision-points throughout the process to determine the preferred planning period, location and size of an urban reserve.

Staff will provide the City Council and Lane County Board of Commissioners an opportunity to act on a proposal for urban reserves by January 2020. Once direction is given on a preferred urban reserves area, staff will prepare documents for formal adoption with the goal of scheduling the first Planning Commission public hearing within six months, and providing an opportunity for local action by December 2020.

Urban reserves must be established cooperatively through intergovernmental agreements between the City, County and special districts serving or projected to serve the urban reserve area. Each jurisdiction will need to adopt agreements at or before the time of Urban Reserve designation. The final Urban Reserve ordinance will be adopted by both the City of Eugene and Lane County, and must be acknowledged by the State Division of Land Conservation and Development.

Failure to Reach Resolution

Failure to reach an agreed upon urban reserve proposal would leave our community with fewer options for future growth of our city and prevent us from realizing our values and vision. The City would be less prepared to respond to uncertainties in population growth, resulting in impacts to current and future residents. Property owners and residents would face continued uncertainty about where future growth may occur, with impacts to private investments in farming, forestry, and other uses. In addition, failure could mean more expensive and less effective provision of critical public services such as fire protection, transportation, electricity, and water resources, with higher costs for local residents and jurisdictions. Higher costs for services and development also reduce our community's ability to produce future housing and jobs, and may increase the cost of future housing.

Goals

The goal of the project is to designate Urban Reserves for long term growth (up to 30 years beyond the 2032 UGB) in Eugene that:

1. Supports the pillars of Envision Eugene and advances the community vision beyond the 2032 UGB.

2. Reflects deep collaboration among the City, County, community, and service providers through both technical/agency-based and community-based planning activities.
3. Establishes a clear vision for Eugene's growth beyond the 2032 UGB, and provides strategies necessary to enable development in the urban reserve area in line with the community's long term vision.
4. Identifies tools and strategies to implement the area's regional open space vision, including preservation of significant farmland, waterways, natural resources and landscapes.

Objectives

The following objectives are specific, measurable outcomes of success for this project.

1. The urban reserve proposal will be consistent with the Envision Eugene community vision, statewide planning goals, guidelines, rules and statutes, and local policies and codes, as demonstrated through findings at the time of urban reserve adoption.
2. The proposal will receive recommendations of approval from both Eugene and Lane County Planning Commissions.
3. Intergovernmental agreements between Eugene, Lane County, and special districts serving or projected to serve the designated urban reserves, such as water and electricity, wastewater, transportation and fire protection, will be completed.
4. Urban Reserves will be adopted by the Eugene City Council and Lane County Board of Commissioners.
5. Eugene's Urban Reserves will be acknowledged by the state Department of Land Conservation and Development.

Milestones/Timeline

Urban Reserves Planning Process Summary Timeline											
2018				2019				2020			
Winter	Spring	Summer	Fall	Winter	Spring	Summer	Fall	Winter	Spring	Summer	Fall
Project Initiation											
		Technical Analysis									
						Develop Options					
								*UR Proposal			
									IGA & Adoption Process		
	Community Engagement										

*The target for City and County consideration of proposed urban reserves is within 2 years of UGB acknowledgement, or January 2020.

Project Scope

The Urban Reserves Project is a process to adopt an urban reserves area in coordination with the development of our growth monitoring program, so as to strategically position the city of Eugene for smart growth consistent with our needs and values into the future. Five main phases of work are anticipated, as described below. There will be extensive public involvement throughout the project, as described in the Public Involvement Plan.

1. Project Initiation, winter-spring 2018

Development of a Project Charter and Public Involvement Plan (PIP) are the first steps of the project. Staff will take these deliverables to the City and County Planning Commissions, City Council and Board of County Commissioners for their review, discussion and input. The documents will be refined, and the Eugene Planning Commission will approve the PIP. City and County staff will jointly sign the Project Charter.

Following this initial input, we will introduce the broader public to the project and build a strong base of participation. The major communication methods for the project will be implemented during project initiation, and used throughout the planning process.

In this phase, we will also establish the three inter-jurisdictional committees comprised of community volunteers, leaders and staff who will contribute to project decision-making. They will have specific roles related to technical review, policy review, and service provision.

2. Technical Analysis, summer 2018-spring 2019

The purpose of the technical analysis is to determine how much the city will need to grow between 2032 and 2062, and to inform and assist the City and County in evaluating potential urban reserve areas to meet these identified growth needs. The information in the technical analysis will help the City and County determine which areas within the selected study area merit further consideration as candidates for inclusion in the urban reserves. The approach has three steps; the third step being the most lengthy:

- a) Update the Envision Eugene Land Sufficiency Model to determine land need projections for population growth between 10 and 30 years beyond our 2032 UGB;
- b) Determine the study area size necessary for evaluation of land for possible inclusion in urban reserves, based on the land need projections;
- c) Evaluate the study area land for inclusion in urban reserves consistent with the priorities listed in OAR 660-021-0030, and the locational factors of Statewide Land Use Goal 14.² As part of this work, we will develop a preliminary analysis of how much, and where, future growth can best be accommodated within the study area. The analysis will include factors such as:
 - i. study area characteristics;

² According to OAR 660-021-0030, the process used for determining urban reserves is similar to determining an urban growth boundary. Land is prioritized using the same categorization methodology as shown in the UGB Study Area map's priority land categories.

Deleted b/c urban reserves are actually 1st priority, Exception lands 2nd, marginal lands 3rd, farm & forest 4th. But I don't think we need to include this detail.

- ii. planned and existing land uses;
- iii. surrounding land uses;
- iv. constraints (factors that reduce the amount of developable land), including protected lands and committed public lands;
- v. public facility serviceability (including wastewater, water, transportation and stormwater);
- vi. other existing and potential services to the study area (including transit, fire, electric, schools);
- vii. capacity analysis for future housing, parks, schools and jobs; and
- viii. consideration of locational factors described in Goal 14, which include:
 - 1) Efficient accommodation of identified land needs;
 - 2) Orderly and economic provision of public facilities and services;
 - 3) Comparative environmental, energy, economic and social consequences; and
 - 4) Compatibility of the proposed urban uses with nearby agricultural and forest activities occurring on farm and forest land outside of the UGB.

3. Develop Urban Reserve Area Options, summer-fall 2019

In phase 3, we will refine draft options for urban reserves based on the technical analysis of phase 2, and begin developing intergovernmental agreements with area service providers. We will develop two or more growth scenario alternatives within the study area that will identify areas for the additional land that Eugene is likely to need between 10 and 30 years after 2032, or as late as 2062. We will engage community members, service providers, public agencies, community groups and our elected and appointed leaders to determine the preferred planning period, location and size of an urban reserve and develop preliminary intergovernmental agreement content.

4. Urban Reserve Area Proposal, January 2020

By January 2020, an urban reserve proposal incorporating the above input will be brought forward to the Eugene City Council and Lane County Board of Commissioners for their consideration. The decision makers will have the opportunity to direct staff on the urban reserve timeframe, area, and preparation of an adoption package.

5. Formal Adoption Process and IGA development, February-December 2020

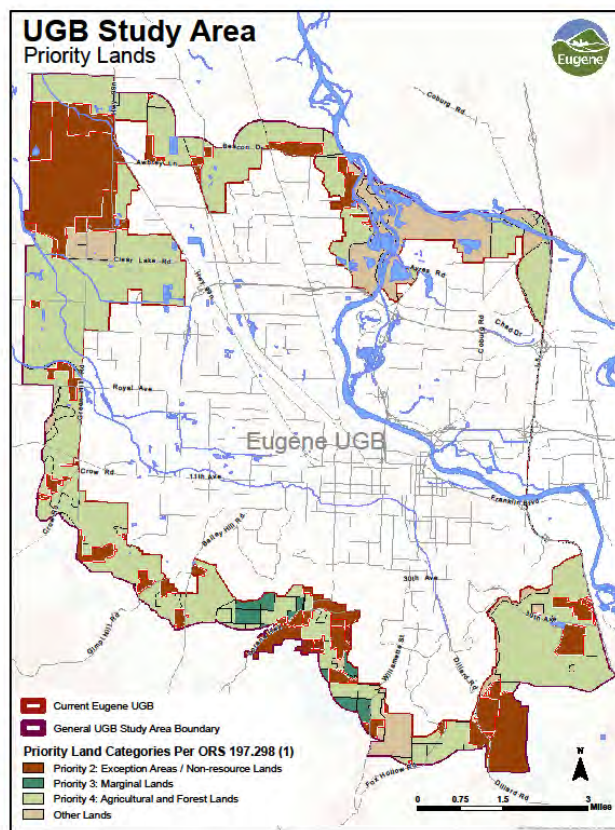
The final phase of the project includes the development of urban reserve agreements (or intergovernmental agreements/IGAs) among Eugene, Lane County, and the special districts serving or projected to serve the proposed urban reserve area. These agreements will need to be signed by each jurisdiction at or prior to the time of urban reserve designation. Other work in this phase includes refining the urban reserve proposal based on Council and Board of Commissioners input, ordinance development, metro plan and comprehensive plan amendments (including metro plan boundary review), and the development of a complete Urban Reserves adoption package with findings, for recommendations by City and County Planning Commissions, and adoption consideration by the City Council and Board of County Commissioners in a formal public hearing process. Public engagement in this phase will focus on communicating the City and County direction on urban reserves to the community in order to ensure that it meets community-wide goals and objectives.

Geographic Area

OAR 660-021-0030 directs cities to study lands adjacent to, or nearby, the urban growth boundary for suitability for inclusion within urban reserves, according to established priorities. “Nearby” land is defined as land that lies wholly or partially within a quarter mile of an urban growth boundary.

The urban reserves process will start with the UGB expansion study area established for Envision Eugene, which is at a minimum one half mile from the UGB. All potential expansion areas studied from 2012-2016 will be included, such as the Russel Creek basin (LCC basin), Bailey Hill/Gimpl Hill area, Crest/Chambers area, and Greenhill/Willow Creek (DAG Trust) area, in addition to lands in-between these previously studied areas.

Without further study, it is unclear if this initially-proposed area will be adequate to provide enough land to meet Eugene’s future needs. The Project Management Team (PMT) may recommend changing the study area boundary to include more or less land, based on the land need projections and consultant or DLCD recommendations.



Deliverables

Below is a list of summarized project deliverables. Project deliverables correspond with public engagement opportunities as described in the Public Involvement Plan and in the Outreach Process graphic.

Deliverable	Target	Description	Lead/Support
PREPARATORY DELIVERABLES			
Project Charter	June 2018	Clear articulation of Project goals and objectives, scope of work and decision making process	Gershow/PMT
Public Involvement Plan	June 2018	The Public Involvement Plan will establish the best means to reach the diverse constituencies across the community during key engagement opportunities or decision-making events	Gershow/PMT
Working timeline and budget	ongoing	More details added as project scope is refined	Gershow/PMT

INTERMEDIATE PROJECT DELIVERABLES			
Public Engagement Materials, Activities and Summaries	ongoing	Implementation of public engagement plan and documentation of results, compiled as a series of public engagement summaries	Gershow/ Stuart/PMT
Land Need Projections Report	July 2018	Update of the Envision Eugene Land Sufficiency Model to determine land need projections for 10-30 years beyond the 2032 UGB	Gershow/ O'Donnell/ Consultants/ PMT
Urban Reserve Study Area Map	August 2018	Determination of study area size necessary for evaluation of land for possible inclusion in urban reserves, based on land need projections	Gershow/ Evans/PMT
Study Area Data Bank	Summer-Fall 2018	Collect/update and refine relevant study area data, including but not limited to GIS layers, wetland determination, infrastructure costs and serviceability	Gershow/ Consultants/ Evans/PMT
Urban Reserve Study Area Evaluation Report	Draft Winter 2019; Refinement Spring 2019	Develop a preliminary analysis of how much, and where, future growth can best be accommodated within the study area. Evaluate the study area for inclusion in urban reserves consistent with the OAR and Goal 14	Gershow/ Consultants/ Evans/PMT
Urban Reserve Options	Draft Sum. 2019; refinement Fall 2019	Develop two or more growth scenario alternatives for urban reserves based on between 10 and 30 years of land needs from 2032	Gershow/ Evans PMT
Draft Urban Reserve Proposal	Nov 2019	Draft proposal for Urban Reserve Area based on above analysis and input to Eugene and County Planning Commissions	Gershow/ PMT
Draft Service Provider Agreement Points	Nov 2019	Draft service provider agreement points re: sewer, water, fire protection, parks, transportation and storm water	Gershow/ County staff/Service Providers/PMT
FINAL DELIVERABLES			
Urban Reserve Proposal	January 2020	Provide materials necessary for Eugene City Council and Lane County Board of Commissioners direction to staff on a preferred urban reserve timeframe and area, and preparation of an adoption package.	Gershow/ Stuart/ County Staff/PMT
Urban Reserve IGAs	Fall 2020	Final service provider intergovernmental agreement(s)	Gershow/ County /Service Providers/PMT
Urban Reserve Adoption Package	Fall 2020	Provide materials necessary for adoption of Urban Reserves Ordinance and by the Eugene City Council and Lane County Board of Commissioners	Gershow/ Stuart/Jerome / County Staff/ PMT
Delivery of materials for DLCDC Acknowledgement	After local action is taken	Provide materials necessary for acknowledgement of Urban Reserve Area by the state	Gershow/ Jerome

Key Stakeholders

The list of urban reserves stakeholders is lengthy and iterative, and will build off of the list used for Envision Eugene. Pro-active outreach to a diverse array of stakeholders—from the general public to area service providers—is essential in order for the project to succeed. Broad participation will be critical for meeting project goals and objectives and building trust within the community.

Project stakeholders include study area and near-by property owners, residents, housing interests, business owners and employees, farmers, organizations and advocacy groups, institutions, local public agencies and service providers, and state agencies, among others.

The project will reach out to under-represented populations by collaborating with other planning processes, organizations, and agencies that have established communication networks. Materials, meetings, and input methods will strive to meet the needs of the entire community. More information can be found in the Public Involvement Plan, including a draft stakeholder list, which will be updated throughout the project.

Public Involvement Plan

The Public Involvement Plan (PIP) includes a menu of best practices for public engagement at project milestones. The PIP will be consistent with the City's recognized *Principles for Public Participation*. People will be given multiple opportunities and different ways to engage the planning process, reflecting that each individual has different levels of interest in involvement.

The Eugene Planning Commission and City Council and Lane County Planning Commission and Board of Commissioners will review the PIP, and the Eugene Planning Commission will approve the plan in their capacity as the City's Citizen Involvement Committee. Please refer to the Draft Public Involvement Plan for complete information.

Decision Making Process

Urban Reserves Planning Process Structure

The foundation for Urban Reserves planning is the Envision Eugene community vision, which is the result of intensive work with the community over many years. A successful urban reserves planning process will depend on a strong City-County collaboration, including robust participation and deep engagement from community residents, stakeholders, Lane County, and other service providers within the potential urban reserves area. Below are the different roles and responsibilities of participants in the planning process:

General Public and Key Stakeholders:

Most members of the *general public* are anticipated to engage in the process passively or occasionally (e.g., reading stories in the media, newsletter articles, taking online surveys, and/or attending workshops, neighborhood meetings or larger public events). *Key stakeholders* are likely to engage more actively or consistently; they will take time to get more deeply involved because the project affects them significantly. In addition to the examples above, they may also participate in interviews or small group meetings. Both groups may generate ideas and offer solutions to address concerns; they may also provide feedback on proposed urban reserves options.

Subject-Area Experts and Organizations:

Individuals, organizations or groups representing a specific interest or specialty area will be engaged in the urban reserves process through meetings, phone calls, the Technical Analysis Committee, or the Service Provider Working Group (see below). Examples of interest areas include:

- Parks, Open Space, and Natural Resources
- Climate and Hazard Resiliency
- Agriculture, Forest Resources
- Utilities and Infrastructure (water and electricity, transportation, wastewater, stormwater, fire and police)
- Schools
- Housing
- Economic Development/Jobs
- Fiscal Analysis

Service Provider Working Group:

City and County staff, along with technical staff and boards of directors of urban reserve area service providers will collaboratively develop intergovernmental agreements pertaining to the provision of land use regulations, building code administration, wastewater, water, fire protection, parks, transportation and stormwater. Different agreements will be needed at the time of urban reserve designation and upon inclusion of part or all of the reserves within Eugene's urban growth boundary. The Service Provider Working Group will be developed to discuss service provision in the urban reserve area, develop the IGAs, and act as liaisons to their agency leadership. A preliminary list of service providers is included in the Public Involvement Plan stakeholders list.

Envision Eugene Technical Advisory Committee (EETAC):

Originally designed to specifically serve the Growth Monitoring Program, the scope of the EETAC will be expanded to include City-wide growth management initiatives related to growth monitoring, including Urban Reserve Planning. The EETAC will review project assumptions, technical analysis, and development of options. They will provide feedback to staff on technical-related issues, maintain institutional memory regarding assumptions and analysis related to long-term growth management-related efforts (monitoring, urban reserves, expansion), and will review technical information used to inform policy decisions. EETAC members will be asked to think about long-term community-wide growth implications, and will represent their areas of interest and/or organizations around Eugene as well as the interests of the community as a whole. EETAC members will be appointed by the City Manager. They will represent varied voices from across the community with diverse interests and areas of expertise, and will include Planning Commission, Sustainability Commission and City Council representation. County representation will be encouraged.

Triple Bottom Line Sounding Board:

The Triple Bottom Line, or TBL, is a framework the City of Eugene is using to reach its sustainability goals. It's designed to help us think about and explore the environmental, equity and economic impacts, benefits and trade-offs of our decisions. In addition to the technical work described in this project charter, there are numerous city- and county-wide policy directives that impact project-level actions. To ensure consistency among the diverse directives and ensure representation of broader community perspectives in the Urban Reserves project, a Triple Bottom Line Sounding Board will be convened from

existing boards, committees and commissions. The sounding board will be comprised of representatives of at least the following:

- City of Eugene Human Rights Commission
- City of Eugene Planning Commission
- City of Eugene Sustainability Commission
- Eugene Area Chamber of Commerce Local Government Affairs Council
- Eugene Water and Electric Board
- Housing Policy Board
- Lane County Planning Commission
- Lane County Transportation Advisory Committee
- Lane Transit District Strategic Planning Committee

The Sounding Board is charged with communicating with the Project Management Team to:

- Employ a metro area-wide perspective;
- Provide advice, feedback, and critical review of policies and project ideas;
- Provide advice and input on how best to reach community members and their topic-specific constituencies;
- Act as liaisons to the groups they represent, providing information and soliciting feedback to keep them informed and engaged in the project.

Eugene Planning Commission and Lane County Planning Commission:

- Review and provide input on the Public Involvement Plan and Project Charter
- Eugene Planning Commission will approve the Public Involvement Plan
- Receive updates and provide input on draft documents throughout the approximately 3-year planning process
- Make final recommendations to adopting bodies, Eugene City Council and Lane County Board of Commissioners.

Eugene City Council & Lane County Board of Commissioners:

- Review and provide input on the Public Involvement Plan and Project Charter
- Receive updates and provide direction to the PMT throughout the 3-year planning process
- Convene public hearings, consider the Planning Commission recommendations, and act to adopt by the Ordinance the Urban Reserves proposal as spelled out in state statute.

Formal Adoption Process

Once the planning process runs its course, the draft proposal must be taken through the formal adoption process. This engages the City Council, Lane County Board, and both the City and County Planning Commissions. The following list includes those decision-making steps where a specific action must be taken by a particular party:

1. Public Involvement Plan

FINAL ACTION: Eugene and Lane County Planning Commissions, Eugene City Council and Lane County Board of Commissioners review, and Eugene Planning Commission, serving as the Citizen Involvement Committee, approves plan.

2. Project Charter

FINAL ACTION: Eugene and Lane County Planning Commissions, Eugene City Council and Lane County Board of Commissioners review, and City and County staff finalize and sign the Charter.

3. Direction on Urban Reserve Options

INTERIM ACTION: Eugene and Lane County Planning Commissions review and provide input on urban reserve options. Staff will bring a proposed urban reserve option to the City Council and Lane County Board of Commissioners for their consideration and action.

4. Intergovernmental Agreements

FINAL ACTION: Eugene, Lane County, and other service providers in the proposed urban reserves area approve and sign IGAs prior to final urban reserves designation.

5. Final Urban Reserve Proposal

FINAL ACTION: Eugene and Lane County Planning Commissions will hold public hearings on the proposed urban reserve designation and provide a recommendation to the Eugene City Council and Lane County Board of Commissioners. The Council and Board of Commissioners will hold public hearings, deliberate, and consider adoption of urban reserves by separate Ordinance. Staff will attempt to convene Joint Work Sessions and Public Hearings to maximize interjurisdictional coordination and public involvement.

6. Acknowledgement by DLCD

FINAL ACTION: Acknowledgement of the Urban Reserve area by the state.

Coordination Protocol

This section addresses the internal decision-making process, and establishes a structure that keeps all necessary players involved in creating, reviewing, or approving products so the project reaches a successful outcome. Specific individuals may change during the life of the project. This section also outlines the process for making amendments to this charter.

INTERNAL COORDINATION

Project Policy Team:

PPT members are agency leaders and staff liaisons to the participating TBL Sounding Board groups. They act as liaisons, providing project information to elected and appointed officials and agency leadership. They also provide high-level policy direction and allocate staff resources to the project. There are no standing meetings of the PPT; members will be consulted with individually and will receive regular email updates from the Project Manager.

Name	Title / Area of Expertise	Department
Sarah Medary	Executive Director	Eugene Public Works
Denny Braud	Executive Director	Eugene Planning & Development
Kristie Hammitt	Assistant City Manager	Eugene City Manager's Office
Dan Hurley	Executive Director	Lane County Public Works

Lydia Kaye	Division Manager	Lane County Land Management
Aurora Jackson	General Manager	Lane Transit District
Frank Lawson	General Manager	Eugene Water and Electric Board
Robin Hostick	Planning Director	Eugene Planning and Development
Jennifer Van Der Haeghen	Manager	Eugene Office of Human Rights & Neighborhood Involvement
Stephanie Jennings	Manager, Housing Programs	Eugene Community Development Division
Chelsea Clinton	Sustainability Analyst	Eugene City Manager's Office
David Reesor	Transportation Planning Manager	Lane County Public Works

Project Management Team (PMT):

A small core team of City and County staff tasked with carrying out the project in accordance with the Project Charter. The PMT will make crucial decisions in a timely manner, handle day-to-day operations, and be the face of the project with community members and groups, committees, and decision-making bodies. The PMT meets regularly to make crucial decisions in a timely manner. At this point, the PMT is comprised of the following:

City of Eugene		
Name	Title / Area of Expertise	Department
Rebecca Gershow, Project Manager	Senior Planner	City PDD/ Planning
Lindsey Eichner/Keir Miller	Senior Planner	Lane County Land Management
Terri Harding	Principal Planner	City PDD/Planning
Robin Hostick	Planning Director	City PDD/ Planning
Emily Jerome	Land Use Attorney	City Attorney's Office
Heather O'Donnell	Senior Planner	City PDD/Planning
Philip Richardson	Parks Planning	City Public Works/POS Planning
Audrey Stuart	Planning Analyst	City PDD/Planning

Technical Analysis Committee (TAC):

Technical Analysis Committee members provide technical support as needed to the Project Management Team and the Service Provider Working Group. Responsibilities may range from significant work on project components to periodic assistance; taking lead staff roles in developing intergovernmental agreements; assigning other staff project tasks; and vetting ideas and policies for feasibility in balance with budgets and other City/County/agency priorities.

The Technical Analysis Committee is comprised of City, County and partner agency staff. Additional agencies will participate in the Service Provider Working Group. The list here reflects current thoughts; staff may not have committed to participating in the project yet. These seats may be filled by designees or a permanent replacement without formal amendment to the Charter.

City of Eugene		
Name	Title / Area of Expertise	Department
Matt Rodrigues	Traffic Engineer	City PW/ Traffic Operations
Rob Inerfeld	Transportation Planning Manager	City PW/ Engineering

Therese Walch	Engineer/ Stormwater management	City PW/ Engineering
Carolyn Burke	Parks Planning/ Open Space visioning	City PW/ POS
Anne Fifield	Economic Development planning, fiscal analysis	City PDD/ Comm Dev
Rene Kane	Neighborhood Planner	Office of Human Rights & Neighborhood Involvement
TBD	Land Use Code	City PDD/ Planning
Jen Knapp	Graphic design	City PDD/ Planning
Thea Evans	GIS Analyst/Planner	City PDD/ Planning
TBD	Police captain or other	Eugene Police Department
Teri Higgins	Wastewater	PW Engineering
Michael Wisth	Recycling and Solid Waste	PDD Green Team
TBD	Building code administration	PDD/Building Permit Services
Lindsey Selser	Communications	City PDD
TBD	Fire Department staff	Eugene-Springfield Fire Dept.
Other partner agencies (partial list)³		
Name	Title / Area of Expertise	Organization/Department
Becky Taylor	Sr. Transportation Planner	Lane County PW
Sasha Luftig	Sr. Project Manager	Lane Transit District
Laura Farthing	Project Manager	EWEB Water
Jeannine Parisi	Government Affairs Manager	EWEB Government Affairs
David Richey	GIS	LCOG
Ellen Currier	GIS/Growth Modelling	LCOG

CHARTER AMENDMENTS

Charter amendments are occasionally necessary to ensure the Charter remains current and relevant throughout the project. City and County members are signatory to the charter.

- For major amendments, such as a change to the timeline or removal of a previously agreed upon deliverable, the *Project Management Team* must review and recommend the change by a super-majority. The signatories of the Charter will review and confirm any major amendments.
- For minor amendments, such as changing members of the Technical Advisory Committee, the PMT is empowered to make those amendments administratively.

Project Budget

The following explains the funding amount, sources of funding, and the status of those funds. It is very general at this point. Project and budget tracking tools are being developed to manage the project and monitor funding. Cost estimates are being developed and refined in coordination with detailed tasks. A detailed budget will be developed that is beyond the scope of the charter.

City of Eugene funds allocated by City Council in June 2015: \$750,000

At this point in the project, costs include:

- Full-time Senior Planner/Project Manager; hired for a 3 year limited duration position

³ For additional partner agencies, see the list of “Service Providers and Local Governments in or Adjacent to the Potential Urban Reserves Area” in the Public Involvement Plan (p. 7).

- Half-time Planning Assistant; in the process of being hired for a limited duration position
- Planning staff time in support of the Economic Cartography project currently under contract with Urban 3 consultants
- Consultant work to develop the land need analysis (contract forthcoming)

Additional costs may include:

- Growth scenario modeling software
- Consultant work to assist with targeted public engagement activities
- Consultant work to update data in the urban reserve study area
- Consultant or staff work to evaluate land for inclusion in urban reserves

Other direct costs:

- Mailings, printing, postage for public noticing, workshop materials, venue rental, food, advertising

Assumptions & Policy Background

This section explores the potential unspoken factors that affect a project, its validity, execution or acceptance in the community.

Envision Eugene Process

There is a long history of planning for urban growth across Oregon, as every city is required by State law to plan for a 20-year land supply within its urban growth boundary. During Envision Eugene, there was intense interest in residential growth and opposing views about the need to expand the UGB for housing. The preliminary UGB proposal (in 2014) included a small expansion for low density housing, and the proposal was limited to ‘exception areas’ – places zoned by the County for rural residential, commercial, or industrial uses. These areas would be costly to serve, unlikely to develop at urban densities given existing development patterns, and did not meet a variety of other policy goals such as creating walkable neighborhoods and access to transit. During public review of the expansion proposal, an error was discovered in the way the capacity assumptions had been applied to the land supply. Correcting the error erased the need to expand. The Homebuilders Association questioned the conclusion that no expansion was needed, and also questioned earlier assumptions about the adequacy of the residential land supply.

One of the outcomes of discussions with the Homebuilders and others concerned about the adequacy of Eugene’s residential land supply was the proposal to begin work on urban reserves once a baseline UGB was acknowledged by the state. Urban Reserves affords our community a way to consider all of the land surrounding Eugene and weigh and balance the best places for growth beyond the 20 year Envision Eugene planning horizon. This process would enable options for property owners interested in coming into the UGB but who currently have land that is not exception land (e.g. their land is farm, forest, or Goal 5 constrained land), if the City’s need is bigger than exception lands can accommodate.

Participation by Lane County

County residents, elected and appointed officials, and administrative staff are all affected by urban reserves directly. Lane County has delegated to the City through an intergovernmental agreement all responsibility for planning, zoning, and permitting within the UGB, but questions and issues still remain

with regard to jurisdictional roles within the Metro Plan Boundary and any future Urban Reserve area. These include the ability of land owners to request plan amendments if they are included in an urban reserve, and how agencies should provide services in urban reserve areas. In addition, some County Planning Commission members have expressed concerns and raised questions about the urban reserve process, and the benefits or drawbacks of engaging in it.

A Lane County Planning Commission work session on urban reserves was held in September 2017 to begin the process of understanding the issues and potential impacts on County interests. Ongoing updates and work sessions will continue throughout the life of the project. In order to achieve urban reserves, issues and questions will ultimately need to be resolved, with specific service questions addressed in intergovernmental agreements.

Constraints

The following are potential factors that may limit our ability to carry out the project or to fully achieve the project goals.

City's relationship with County residents

Past issues related to jurisdictional authority, representation, UGB expansion and annexation have strained relationships between the City and some County residents, both inside the UGB (for example in River Road and Santa Clara) and outside (for example in the expansion study areas in the Russel Creek/LCC basin, Bailey Hill/Gimpl Hill area, and Crest/Chambers area). Planning staff is continually striving to build trust and lay the foundation for collaboration with residents and County officials, most recently through the UGB expansion study process and the River Road Santa Clara planning process.

City relationship to neighborhood residents, neighborhood associations, and Homebuilders Association

Envision Eugene engaged thousands of Eugene residents, and the resulting community vision is widely supported. But as the vision begins to be implemented, and in this case applied to a longer time frame and bigger population and geographic study area, it will be tested. All of the issues that were surfaced during the early Community Resource Group process may come up again, such as how to accomplish compatible infill housing in existing neighborhoods, how to design and fund development along key corridors, and how to increase good paying jobs and affordable housing options. It will be critical to clarify the project scope and what is or is not included in urban reserves planning. For the most part, assumptions made about future growth during Envision Eugene will need to be kept constant for urban reserves to complete the project in the allotted timeframe. Thorough analysis and updating, if necessary, of growth assumptions and trends will occur once we have the first growth monitoring report. Neighborhood associations, residents, and the Homebuilders Association are examples of groups that have a stake in the outcome and will be critical to nurture relationships with for a good project outcome.

Adequate staffing and funding

The project has an ambitious timeline and substantial funding, but there are many unknowns in this new-to-Eugene process and many other priorities on the Planning Division's work plan. Urban Reserves planning will require rigorous and lengthy analysis. It will also require attention from city staff across the organization, as well as inter-agency partners. These staff will have competing demands on their time

within their own organizations. Therefore, the project management team must be judicious in involving key partners in an efficient and productive manner, and use project management tools such as this charter, a timeline and budget, and project communications structure to keep the work on track.

Dependencies

The urban reserves work is tied to the UGB adoption package, ongoing city wide comprehensive planning, and rules and laws set by the state of Oregon. In addition, agencies other than the City of Eugene have big roles, including Lane County as a joint decision maker and EWEB as a major service provider. Coordination protocols, milestones and decision points will need to be established with sufficient detail at the beginning of the work so problems (see risks below) can be avoided to the degree possible.

Risks

This final section describes special risks that may interfere with project delivery, and provides mitigation options to avoid foreseeable risks.

50 Years is a Long Time

It will be difficult for some stakeholders to grapple with the long term planning involved with urban reserves, while growing pains are still occurring inside the UGB. It is hard to get people to care about up to 50 years in the future when new development is proposed around the corner. In addition, urban reserves will not address all questions that community members may have about how our community will look in 50 years. The project will need clear, consistent messages that speak to the value of longer term planning and clearly explain what the project is doing and *not* doing, and why.

Mitigation

- Project updates to Planning Commissions and decision makers in spring 2018 work sessions will cover the goals and benefits of the project and its relationship to other work.
- Project management tools like a timeline and budget, public involvement plan, and communications plan will help lay a clear path to the desired outcome for the project.
- Members of the Envision Eugene Technical Advisory Committee, Triple Bottom Line Sounding Board and Service Provider Working Group will help communicate about the project with their varied constituencies.

Public Participation Fatigue or Confusion

There will be several long range city-wide projects going on at the same time, in particular urban reserves may be confused with future growth monitoring or recently completed UGB expansion planning. Getting the public, and also agency staff and public officials to pay attention to multiple projects at once is always challenging.

Mitigation

- The Project Management Team and other staff will coordinate regularly in order to maintain open lines of communication, ensure consistent messaging about our related projects, and coordinate staffing.

- The project initiation phase in spring 2018 will develop a communications strategy, including a project website, fact sheets to address FAQs, and information about other projects that include project summaries and how to find more information.
- Members of the Envision Eugene Technical Advisory Committee, Triple Bottom Line Sounding Board and Service Provider Working Group will help communicate about the project with their varied constituencies.

DRAFT

Approvals (sign/date)

Robin Hostick, Project Sponsor
Planning Director, City of Eugene Planning Division

Lydia Kaye, Project Sponsor
Division Manager, Lane County Land Management

Rebecca Gershow, Project Manager
Senior Planner, City of Eugene Planning Division

DRAFT

Urban Reserves Planning

Draft Public Involvement Plan

May 2018



The Public Involvement Plan (PIP) includes a summarized work plan focusing on the public engagement strategies at each milestone in the Urban Reserves project. The PIP:

- describes multiple opportunities and different ways people can engage in the planning process;
- details how individuals and organizations with a stake in the outcome of Urban Reserves can effectively participate and help shape the plan; and
- is consistent with the City's Public Participation Guidelines and Statewide Planning Goal 1.

The best plans adapt to new information and opportunities, so at key points in the process, the Public Involvement Plan should be reviewed and updated as needed. Along with the Project Charter, staff will take the Public Involvement Plan to the City and County Planning Commissions, City Council and Board of County Commissioners for their review, discussion and input. Both documents will be refined, and the Eugene Planning Commission, as the City's public involvement committee, will approve the Public Involvement Plan.

Goals of the Public Involvement Plan

The Project Management Team, made up of City and County staff, is committed to a public engagement process that is:

- **Meaningful:** We will use the input received to help craft the urban reserves proposal
- **Accountable:** We will respond to ideas, critique, comments, and praise
- **Inclusive:** We will strive to communicate with all stakeholders, including under-represented groups, in ways that people understand and can relate to
- **Transparent:** We will make decisions public and share information in a variety of ways
- **Realistic:** We will inform people about the project's constraints, scope and timeline
- **Outcome-oriented:** We will create a community-supported and City/County-adopted Urban Reserve

The City of Eugene's [Public Participation Guidelines](#) will guide the project from start to finish, including the Values for Public Engagement:

- Careful Planning and Preparation
- Inclusion and Demographic Diversity
- Collaboration and Shared Purpose
- Transparency and Trust
- Impact and Action
- Sustained Engagement and Participatory Culture

Public Involvement Process

The Project Charter outlines the work program and timeline for the planning process; the Public Involvement Plan describes in more detail the outreach strategies for each phase of the planning process. As shown in the graphic below, there are five major phases in the project, and community engagement takes place during all phases.

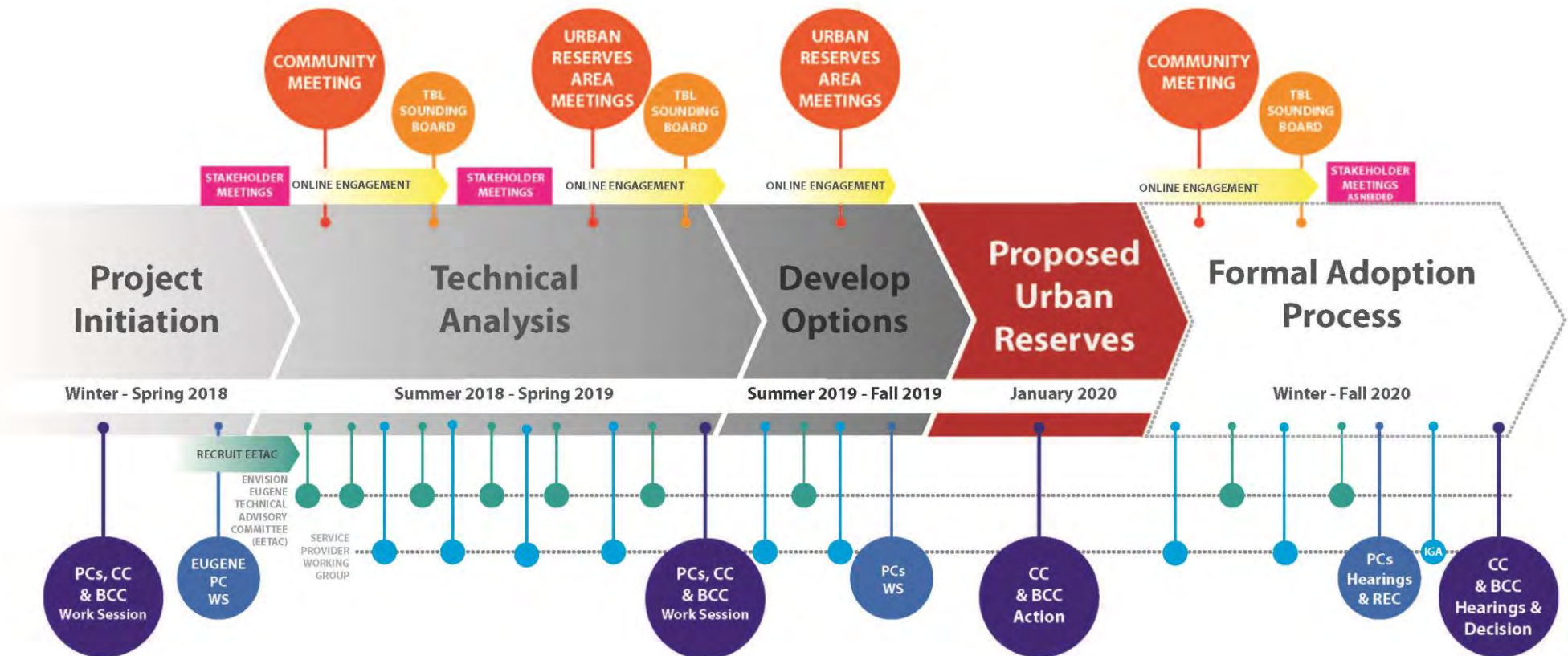
Urban Reserves Planning Process Summary Timeline											
2018				2019				2020			
Winter	Spring	Summer	Fall	Winter	Spring	Summer	Fall	Winter	Spring	Summer	Fall
Project Initiation											
		Technical Analysis									
						Develop Options					
								*UR Proposal			
									IGA & Adoption Process		
	Community Engagement										

*The target for City and County consideration of proposed urban reserves is within 2 years of UGB acknowledgement, or January 2020.

Another way of looking at this is with the **Urban Reserve Outreach Process** illustrated and described on the following pages.

URBAN RESERVES OUTREACH PROCESS

DRAFT



ABBREVIATION KEY:

- TBL = Triple Bottom Line
- PCs = Lane County and City of Eugene Planning Commissions
- CC = City of Eugene City Council
- BCC = Lane County Board of Commissioners
- EETAC = Envision Eugene Technical Advisory Committee
- IGA = Intergovernmental Agreements
- WS = Work Session
- REC = Recommendation

1. **PROJECT INITIATION, WINTER-SPRING 2018**

In the first phase, we will develop the Project Charter, Public Involvement Plan, detailed work plan and project budget. We will also receive input on the planning process from decision makers: City and County Planning Commissions and City Council and County Board of Commissioners.

Following this initial input, we will introduce the broader public to the project and build a strong base of participation. We will use images, graphics, and words to describe the vision, goals and benefits of Urban Reserves. Following is an overview of major communication methods for the project, which will be implemented during project initiation, and used throughout the planning process:

Communications Plan: Working with the PDD Public Information Officer, the project will develop a plan that includes guidelines for communicating with the media and other key communications outlets, and intra-departmental and inter-agency project coordination.

Interested Parties List: The project will build off of the Envision Eugene interested parties list, and it will be added to throughout the project. It will contain information including people's contact information, preferred communication method, and relevant project interests.

Project Website: The website will be simple, accurate, up-to-date and uncluttered. It will include regularly updated project updates and frequently asked questions. It will be interactive as much as possible, using mapping and survey tools. The website will link to other communication methods, such as the e-updates, Envision Eugene Facebook page, and project and community events.

We will send out regular **project updates** through a variety of methods:

- **Email Updates:** The project will communicate regularly with a wide variety of individuals about upcoming events and project outcomes. Email will be a major method of communication.
- **City Newsletters:** The project will use existing City E-Newsletters to provide regular project updates and add to the interested parties list, including: Envision Eugene, City Council Newsletter, Neighborly News and others.
- **Social Media:** The project will use existing City accounts on Nextdoor.com, Facebook, Twitter and YouTube to get messages out and advertise engagement opportunities. We will evaluate the effectiveness of different methods and adapt as we proceed.

Establish Project Committees and Groups: We will begin establishing three inter-jurisdictional committees comprised of community volunteers, leaders and staff that will advise staff. The three committees will have specific roles related to technical review, policy review, and service provision. They will begin meeting in Phase 2.

Envision Eugene Technical Advisory Committee (EETAC)--The scope of the EETAC will include City-wide growth management initiatives related to growth monitoring, including Urban Reserve Planning. The EETAC will review project assumptions, technical analysis, and development of options. They will provide feedback to staff on technical-related issues, maintain institutional memory regarding assumptions and analysis related to long-term growth management-related efforts (monitoring, urban reserves, expansion), and will review technical information used to inform policy decisions. EETAC members will be asked to think about long-term community-wide growth implications, and will represent their areas of interest and/or organizations around Eugene as well as the interests of the community as a whole. EETAC members will be appointed by the City Manager. They will represent varied voices from across the community with diverse

interests and areas of expertise, and will include Planning Commission, Sustainability Commission and City Council representation. County representation will be encouraged.

Triple Bottom Line (TBL) Sounding Board--To promote consistency among diverse policy directives and ensure representation of broader community perspectives in the Urban Reserves project, a Triple Bottom Line Sounding Board will be charged with employing a metro area-wide perspective to provide advice, feedback, and critical review of policies and project ideas; provide input on how best to reach community members and their topic-specific constituencies; and act as liaisons to the boards, committees and commissions they represent. The TBL Sounding Board will be comprised of representatives of at least the following:

- City of Eugene Human Rights Commission
- City of Eugene Planning Commission
- City of Eugene Sustainability Commission
- Eugene Area Chamber of Commerce Local Government Affairs Council
- Eugene Water and Electric Board
- Housing Policy Board
- Lane County Planning Commission
- Lane County Transportation Advisory Committee
- Lane Transit District Strategic Planning Committee

Service Provider Working Group--Technical staff and leadership of urban reserve-area service providers will work together on development of cost analysis and service provision agreements, while acting as liaisons to their agency leadership. They will be tasked with collaboratively developing Intergovernmental Agreements pertaining to the provision of land use regulations, building code administration, sewer, water, fire protection, parks, transportation and stormwater within the urban reserve area.

2. **TECHNICAL ANALYSIS: SUMMER 2018-SPRING 2019**

In phase 2, work gets underway to answer the question, *how much will we need to grow?* The approach has three steps, with associated public involvement activities following each step:

- i. *Update the Envision Eugene Land Sufficiency Model to determine land need projections between 10 and 30 years after 2032 (Eugene's UGB horizon year), or as late as 2062:*
 - Continue building stakeholder list; project updates to stakeholders through e-newsletters, project website, social media, calls and meetings.
 - After the Eugene Planning Commission approves the PIP, the City manager appoints the EETAC.
- ii. *Determine the study area size necessary for evaluation of land for possible inclusion in urban reserves, based on land need projections:*
 - First project meetings will be held with the EETAC, TBL Sounding Board, and Service Provider Working Group.
 - Urban Reserve Study Area residents will be mailed information on the project, with links to the project page, contact information, and meeting notification.

- Community Meeting #1 – At this first meeting, community members and project stakeholders will review the proposed project study area. Materials will include things such as a project overview, FAQ's, study area maps, project timeline, contact information, and a project video.

iii. Perform technical analysis of lands within the urban reserve study area for potential inclusion in urban reserves, as described in the project charter:

We will incorporate input and continue reporting out on work progress during this phase. A wide-range of topic-related stakeholders will assist with the study area evaluation. Public input will help develop and refine the urban reserve study area evaluation report findings. Actions include:

- Website updates and online engagement, including an online interactive map for place-based comments
- E-newsletters and social media
- Meetings with stakeholders on different urban reserve-related topic areas , such as:
 - Parks, Open Space, and Natural Resources
 - Climate and Hazard Resiliency
 - Agriculture and Forest Resources
 - Utilities and Infrastructure (water and electricity, transportation, wastewater, stormwater)
 - Fire and public safety
 - Schools
 - Housing
 - Economic development/Jobs
- Service Provider Working Group meetings to discuss the cost of servicing potential urban reserve areas, and providing background materials for agency leadership (approx. 3)
- EETAC meetings to review technical analysis (approximately bi-monthly)
- Urban Reserve area-specific meetings targeted to neighbors and property owners (1-3)
- Triple Bottom Line Sounding Board meeting
- City and County Planning Commission work sessions
- City Council and Board of Commissioners works sessions

3. DEVELOP URBAN RESERVE AREA OPTIONS: SUMMER-FALL 2019

Using the results of the technical analysis, we will develop two or more growth scenario alternatives within the study area that will identify the additional land that Eugene is likely to need between 10 and 30 years after 2032, or as late as 2062. We will engage community members, service providers, public agencies, community groups and our elected and appointed officials to determine the preferred planning period, location and size of an urban reserve and preliminary intergovernmental agreement content. We will refine draft urban reserve options with broad community engagement, including:

- New project video explaining growth scenario alternatives

- Urban Reserve area-specific workshops targeted to neighbors and property owners (1-3)¹
- Meetings with interested stakeholder groups, as identified
- Online questionnaire, giving people an at-home way to provide input
- Service Provider Working Group meetings (approximately 3)
- Envision Eugene Technical Advisory Committee meeting
- Ongoing web updates, social media updates, e-newsletters
- City and County Planning Commission input sessions on their preferred urban reserve planning period, location and size

4. **URBAN RESERVE PROPOSAL: JANUARY 2020**

In this phase, an urban reserve proposal incorporating the above input will be brought forward to the Eugene City Council and Lane County Board of Commissioners for their consideration. The decision makers will have the opportunity to take action on one or more options by giving direction to staff on the urban reserve timeframe, area, and preparation of an adoption package. Public involvement will include:

- Web updates, social media updates, e-newsletters, and interested party emails in addition to required public meeting noticing

5. **FORMAL ADOPTION PROCESS AND IGA DEVELOPMENT: FEBRUARY-DECEMBER 2020**

In the final phase, the project will wrap up with development of service provider intergovernmental agreements, proposal refinement, ordinance development, metro plan and comprehensive plan amendments (including metro plan boundary review), and a complete Urban Reserves adoption package with findings. Intergovernmental agreements are required to be finalized prior to urban reserve adoption. Public engagement in this phase will focus on communicating the City and County direction on urban reserves to the community. Engagement activities include:

- New project video explaining direction from the City Council and Board of Commissioners
- Ongoing web, e-newsletter, social media updates
- Community meeting to communicate the Council and County direction and answer questions, as needed
- Triple Bottom Line Sounding Board meeting
- Service Provider Working Group (approximately 3 meetings to develop IGAs)
- Envision Eugene Technical Advisory Committee (approximately 2 meetings to review technical findings)
- Meetings with interested stakeholder groups, as requested
- City and County Planning Commission public hearings with recommendations
- City Council and County Board of Commissioners public hearing on adoption of Urban Reserves

¹ Meetings or other engagement activities will be added to the PIP as needed. Any interested person can request a meeting, and we will work to adjust our engagement strategies to respond to how well they are working.

Decision Making

In all public communications, it is important to be clear who is making decisions for the project and how public input will be considered and incorporated. Prior to each major decision point, the project team will communicate with stakeholders about:

- Who will make the decisions,
- How stakeholders can influence the decisions,
- When stakeholders will have opportunities to participate, and
- How stakeholder input will be considered

The decision-making process is described more fully in the Project Charter (pgs. 9-12).

The International Association of Public Participation (IAP2)'s spectrum of public participation, Figure 1, shows varying levels of engagement based on the level of public impact. Because the level of public impact of the Plan is high, the public and stakeholders will be engaged at the "inform", "consult", "involve", and "collaborate" levels. It is important to note that members of the public will be encouraged to be as active in the project as they wish, and given a variety of different opportunities and ways of doing so.

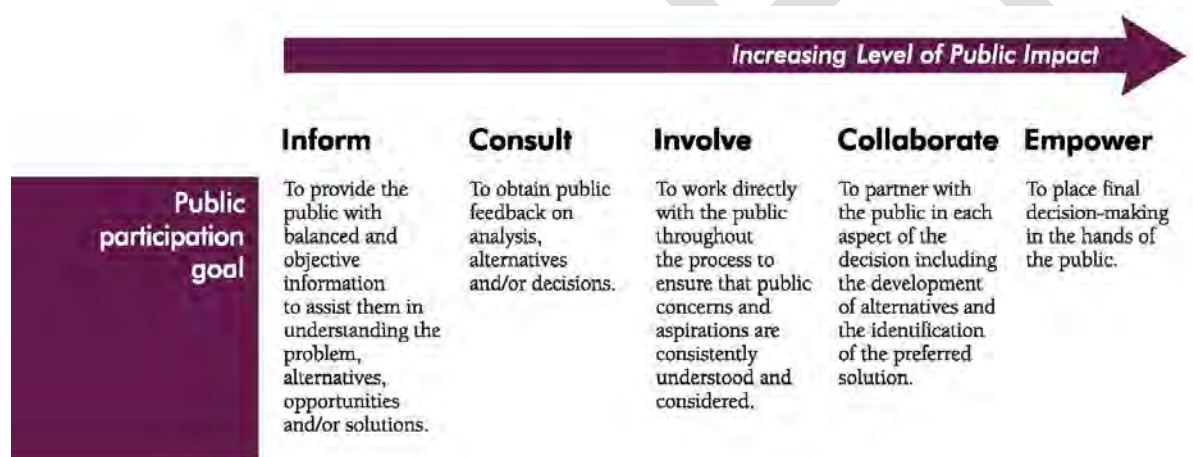


Figure 1. IAP2 Spectrum of Public Participation (source: www.iap2.org)

How this translates to Urban Reserves planning:

Empower:	Eugene City Council and Lane County Board of Commissioners (elected to decide) and Planning Commission (appointed by elected officials to review and recommend)
Collaborate:	Envision Eugene Technical Advisory Committee, Service Provider Working Group
Involve:	Property owners and neighbors, active community members, Triple Bottom Line Sounding Board, subject-area experts, other key stakeholders
Inform and Consult:	Interested Public

Coordination with other Projects

The Project Team will coordinate with other projects underway for project efficiencies, workload overlap, and contact lists. Existing projects identified to date include:

- River Road Santa Clara Neighborhood Plan
- Climate and Energy Action Plan Update
- Comprehensive Plan development
- Clear and Objective Standards for Housing
- Growth Monitoring Program Development
- Cost Analysis of Serving Different Development Patterns/Economic Cartography
- Moving Ahead

Public Involvement Documentation

The project team will prepare a public involvement summary of all activities after each key milestone in the project. Project summaries will be published online, and all participants and interested parties will be notified and invited to review the documents and provide comment.

Project Stakeholders

Pro-active outreach to a diverse array of stakeholders is essential. Materials will be easy to understand, with clear methods for input. See the following pages for a beginning list of project stakeholders:

PROJECT STAKEHOLDERS

Neighborhoods:

- City of Eugene-recognized neighborhood organizations abutting the UGB:
 - Active Bethel Citizens
 - West Eugene Community Organization
 - Churchill Area Neighbors
 - Southwest Hills Neighborhood Association
 - Southeast Neighbors
 - Laurel Hill Valley Citizens
 - Northeast Neighbors
 - Santa Clara Community Organization
 - Industrial Corridor Community Organization
- Neighborhood Leaders Council & land use subcommittee
- Other City neighborhood groups as interested
- County neighborhood groups
- Nextdoor.com
- Neighborhood Watch Groups

Residents and Property Owners, General:

- Property owners (large and small, residential and commercial, City/ annexed and County/ un-annexed)
- Renters

Youth/Families, Libraries, Community Centers & Granges:

- Kidsports
- YMCA
- Head Start
- Safe Routes to School
- School Districts – Bethel, 4J Eugene, Junction City (some Santa Clara students)
- Amazon Community Center
- Eugene Public Library-Downtown; Sheldon and Bethel branch libraries
- River Road-Santa Clara Volunteer Library
- Petersen Barn Community Center
- Granges (for holding meetings and membership communication): Spencer Creek, Mohawk-McKenzie, Santa Clara, Irving

Seniors and Persons with Disabilities:

- AARP Oregon
- Reality Kitchen

- Goodwill
- Campbell Senior Center
- Hilyard Community Center
- Lane Independent Living Alliance

Low-Income Housing and Food Assistance:

- St Vincent De Paul
- Food for Lane County:
 - Family Resource Coordinator at each school
 - Maxwell Road Food Pantry
 - Summer food distribution locations
- Cornerstone Community Housing
- Homes for Good Housing Agency (formerly HACSA)
- Neighborhood Economic Development Corporation (NEDCO)

Multicultural Outreach:

- Huerto De La Familia garden at St. Matthews in Santa Clara
- Food for Lane County Multicultural Outreach Coordinator
- NAACP
- League of United Latin American Citizens of Lane County
- Centro Latino Americano

Service Clubs:

- Rotary
- Lions
- Kiwanis
- Soroptomist
- League of Women Voters
- Veterans of Foreign Wars (VFW)

Churches:

- Church bulletins: Trinity, RR Baptist, Our Redeemer Lutheran
- Develop a complete list of churches

Eugene & Lane County-Area Organizations:

- 1000 Friends of Oregon
- 350 Eugene
- AIA Southwestern Oregon
- Better Eugene-Springfield Transportation (BEST)
- Better Housing Together
- Eugene Association of Realtors

- Eugene Chamber of Commerce
- Friends of Eugene
- Greater Eugene Area Riders (GEARS)
- Habitat for Humanity
- Homebuilders Association of Lane County
- Land Watch Lane County
- Lane County Farm Bureau
- McKenzie River Trust
- Oregon Trucking Association
- OSU Extension Service, Master Gardeners
- The Nature Conservancy
- Our Children's Trust/YouCAN Eugene
- Union Pacific Railroad
- United Way of Lane County
- Walkable Eugene Citizen's Advisory Network (WE CAN)
- WeBikeEugene
- Willamette Farm and Food Coalition
- Willamette Riverkeepers

E-Newsletter lists:

- Envision Eugene
- InMotion
- Neighborly News
- News to Build On
- AIA Thursdays @ Three
- Hult Center
- Library
- City Council

City and County Committees and Commissions:

- Eugene and Lane County Planning Commissions
- Lane County Parks Advisory Committee
- Lane County Transportation Advisory Committee
- City of Eugene Human Rights Commission
- City of Eugene Sustainability Commission
- City of Eugene Budget Committee
- Housing Policy Board

Major Institutions Outside of the UGB:

- Lane Community College
- Eugene Airport

Service Providers and Local Governments in or Adjacent to the Potential Urban Reserves Area:

Staff and leadership from service providers in the urban reserves study area will be active participants, collaborating on the technical analysis and intergovernmental agreement development. Potential agencies include:

Utilities:

- Blachly Lane Electric
- Comcast
- Emerald People's Utility District
- Eugene Water and Electric Board
- Glenwood Water District
- Junction City Water Control District
- Lane Electric Cooperative
- Metropolitan Wastewater Management Commission
- Northwest Natural Gas
- Qwest
- Rainbow Water District
- River Road Water District
- Santa Clara Water District
- Springfield Utility Board
- Willamette Water Company
- Williams Natural Gas

Emergency:

- Bailey-Spencer Rural Fire Protection District
- Eugene Rural Fire Protection District #1
- Eugene Airport
- Eugene-Springfield Fire and EMS
- Goshen Pleasant Hill Fire Districts
- Junction City Rural Fire Protection District
- Lane Fire Authority
- Lane Rural Fire Rescue
- Santa Clara Rural Fire Protection District
- Willakenzie/Eugene Rural Fire Protection District
- Zumwalt Rural Fire Protection District

Other:

- Lane Community College
- Lane Education Service District
- Lane Council of Governments/ Central Lane Metropolitan Planning Organization

- Lane Transit District, Board and Strategic Planning Committee
- Lane Regional Air Protection Agency
- River Road Park and Recreation District
- School Districts (4j, Bethel, Junction City, Springfield Public Schools, Creswell)
- Upper Willamette Soil and Water Conservation District
- Willamalane Park and Recreation District

Neighboring Jurisdictions:

- Springfield
- Coburg
- Junction City
- Creswell

State Agencies:

Besides the Department of Land Conservation and Development, which will be consulted with throughout the project, and will need to acknowledge the adopted Urban Reserve area before it is finalized, other state agencies may be consulted with, including:

- Oregon Department of Transportation
- Oregon Department of Environmental Quality
- Oregon Department of Fish and Wildlife
- Oregon Department of Forestry
- Oregon Department of State Lands
- Oregon Parks and Recreation Department
- Oregon Economic and Community Development Department
- Oregon Department of Energy
- Oregon Department of Agriculture
- Oregon Housing and Community Services
- Oregon Sustainability Board

EUGENE CITY COUNCIL AGENDA ITEM SUMMARY



Work Session/Action:

Ordinance #1: An Ordinance Concerning Secondary / Accessory Dwellings and Amending Sections 4.330, 7.010, 9.0500, 9.1245, 9.2010, 9.2011, 9.2740, 9.2741, 9.2750, 9.2751, 9.2775, 9.3060, 9.3065, 9.3115, 9.3125, 9.3210, 9.3215, 9.3510, 9.3615, 9.3810, 9.3811, 9.3815, 9.3910, 9.3915, 9.6105, 9.6410, 9.6420, 9.6745, 9.6775, 9.6885 and 9.8030 of the Eugene Code, 1971.

Ordinance #2: An Ordinance Concerning Secondary / Accessory Dwellings and Amending Section 9.0500 of the Eugene Code, 1971.

(City File CA 18-1)

Meeting Date: June 11, 2018
Department: Planning & Development
www.eugene-or.gov

Agenda Item: 3
Staff Contact: Alissa Hansen
Contact Telephone Number: 541-682-5508

ISSUE STATEMENT

The City Council is scheduled to hold a work session on two ordinances pertaining to secondary (accessory) dwellings and implementation of recent state legislation (Senate Bill 1051). As proposed, Ordinance #1 will increase the number of zones for which the land use code calls out secondary (accessory) dwellings as an explicitly permitted use. At the May 23, 2018 work session, the City Council passed three motions to revise Ordinance #1. The first motion revised the proposed ordinance to change the term “secondary dwelling” to “accessory dwelling” throughout the Eugene Code. The other two motions revised the proposed ordinance to retain the status quo for the S-JW Jefferson Westside and S-C Chambers Special Area Zones by making it clear that, in those zones, a second residential structure that is used in connection with or that is accessory to a single family dwelling may continue to be permitted as an additional “One-Family Dwelling,” instead of the more specific “Accessory Dwelling.”

As proposed, Ordinance #2 will align the definition of secondary (accessory) dwelling with the definition of accessory dwelling provided in Senate Bill 1051.

BACKGROUND

In an effort to address housing affordability, the Oregon State Legislature adopted Senate Bill 1051 during the 2017 legislative session (now codified at ORS 197.312(5)). This bill, which became effective in August 2017, contains a number of new provisions in state law intended to facilitate

housing affordability. Pertinent to this public hearing is the portion related to accessory dwelling units (known as secondary dwellings in Eugene), which requires:

“A city with a population greater than 2,500 . . . shall allow in areas zoned for detached single-family dwellings the development of at least one accessory dwelling unit for each detached single-family dwelling, subject to reasonable local regulations relating to siting and design.”

The bill also requires that the above provision apply to permit applications for accessory dwelling units submitted for review on or after July 1, 2018.

To allow for emerging community conversations around housing affordability and neighborhood livability to evolve, in January 2018, the City Council initiated a phased approach for land use code changes to implement Senate Bill 1051 related to secondary dwellings. The current phase (Phase 1) addresses *where* secondary dwellings are permitted in the City. The existing development standards for density, height, setbacks, building size, etc., are proposed to remain in place at this time. As mentioned as a recent council work session, the second phase will be incorporated into a broader effort that will evaluate the tools and strategies available to address housing availability, affordability and diversity of type. For background on this, see the agenda item summary for the May 30, 2018, work session on Housing Tools and Strategies.

Planning Commission Process/Recommendation

Notice of Planning Commission public hearing was sent to all neighborhood organizations in Eugene, the Oregon Department of Land Conservation and Development, Lane County, City of Springfield and community groups and individuals who requested notice. Notice was also published in the Register Guard.

In addition to the notices required by the land use code, current information regarding this and other land use code updates is available on the City's [Land Use Code Amendments](#) web page. Information about the public hearing and how to participate was also included in the Planning Division's Envision Eugene e-newsletter (which was reposted on the Envision Eugene Facebook page) and the Building and Permit Services Division's News to Build On e-newsletter. Notice of the project and public hearing was also shared by others outside the City organization on Nextdoor (a private social networking service for neighborhoods) and via other Facebook pages (including Eugene Neighborhood Leaders Council and Walkable Eugene Citizens Advisory Network).

The Planning Commission held a public hearing on March 6, 2018, to consider the proposed land use code amendments. The webcast of the public hearing is available [here](#). A total of 20 people testified at the public hearing, and provided a broad range of perspectives. A significant majority of those present expressed support for removing barriers to secondary dwellings and for the provision of more affordable housing. Some expressed concerns that Eugene is not doing enough to comply with the intent of Senate Bill 1051, i.e. that other measures are needed to remove barriers to secondary dwellings. The Planning Commission also heard and considered testimony that actions could undermine existing neighborhood protections, and that no action should be

taken. Following the close of the public hearing, the record was left open for one week for additional testimony.

The Planning Commission met on March 26, 2018, to consider the public testimony, deliberate and provide a recommendation to City Council. The meeting webcast is available [here](#). The Planning Commission voted unanimously (6 to 0) to recommend approval of the land use code amendments that address where secondary dwellings are permitted. The Planning Commission also voted to recommend a change to the definition of secondary dwelling, and a provision to allow for affordable housing on church property. Finally, the Planning Commission voted to recommend that City Council allocate resources and prioritize Phase 2 immediately after adoption of Phase 1.

The Planning Commission's recommendation pertaining to secondary dwellings to City Council was reflected in the two ordinances provided to the City Council and public for the City Council's public hearing on April 16, 2018, and work sessions on May 14 and May 23, 2018.

City Council Public Hearing

Notice of the City Council public hearing was mailed on April 6, 2018, to all persons who provided oral or written testimony, or requested notice of the Planning Commission's decision, and to all neighborhood associations. In addition to the notices required by the land use code, current information regarding this and other land use code updates is available on the City's [Land Use Code Amendments](#) web page. Information about the public hearing and how to participate was also included in the Planning Division's Envision Eugene e-newsletter.

The City Council held a public hearing on April 16, 2018, to consider the proposed land use code amendments. The webcast of the public hearing is available [here](#). A total of 54 people testified at the public hearing, and provided a broad range of perspectives. A significant majority of those present expressed support for removing barriers to secondary dwellings and for the provision of more affordable housing. Similar to the Planning Commission hearing, concern was expressed by some that Eugene is not doing enough to comply with the intent of Senate Bill 1051, i.e. that other measures are needed to remove barriers to secondary dwellings. Testimony from others expressed concern that the actions could undermine existing neighborhood protections, and that no action should be taken.

Following the public hearing, the City Council left the hearing record open for two weeks for additional testimony. Testimony received between April 16, 2018 (following the close of the City Council's public hearing record), and April 30, 2018, at 5:00pm is available [online](#) and for review in a binder in the City Council's office.

City Council met on May 14, 2018 to discuss the proposed ordinances and consider action. At the meeting, Ordinance #3 pertaining to housing on church property, was passed unanimously by council. In addition, council voted to postpone discussion of the two ordinances related to secondary dwellings until May 23, 2018, and asked questions related to relevant definitions, the difference between a secondary dwelling and an additional dwelling on a lot, and the timing and scope of Phase 2. Staff responded to these questions in a memo emailed to council on May 21, 2018.

At City Council's May 23, 2018, work session, council voted in favor of three motions to modify Ordinance #1. First, the council voted in favor of changing the term "secondary dwelling" to "accessory dwelling" throughout the code. The other two motions revised the proposed ordinance to retain the status quo for the S-JW Jefferson Westside and S-C Chambers Special Area Zones by making it clear that, in those zones, a second residential structure that is used in connection with or that is accessory to a single family dwelling may continue to be permitted as an additional "One-Family Dwelling," instead of the more specific "Accessory Dwelling."

The City Attorney's Office has determined that the phrasing used in the motions passed related to the S-JW Jefferson Westside and S-C Chambers Special Area Zones are likely to be interpreted by a court as a new prohibition on accessory dwellings in those zones. We understand that such a court interpretation would be contrary to council's intent. The council was clear in its discussion of the motions that it intends simply to continue to permit homes that meet the State's definition an "accessory dwelling," under the more general allowance for a second "one-family dwellings" in those specific zones, instead a more specific "accessory dwelling unit" category. The Council's discussion shows that the council did not intend to prohibit such second dwellings where they are currently allowed. To better ensure that the City Council's intent is reflected in the City Code, the City Attorney's office has prepared a modified version of Ordinance #1 labeled "Ordinance 1 / Substitute Ordinance" (see Attachment B).

Each of the Ordinances attached to the AIS includes a July 1, 2018, effective date that would be enacted if at least six councilors vote in the affirmative for the ordinance. An ordinance that is approved by the City Council with less than six affirmative votes will take effect in the usual 30 days.

RELATED CITY POLICIES

Findings addressing consistency with related City policies, including provisions of the Metro Plan and applicable refinement plans, are included as an exhibit to each proposed ordinance.

COUNCIL OPTIONS

The City Council may consider the following options:

1. Approve the ordinances.
2. Approve the ordinances with specific modifications as determined by the City Council.
3. Deny the ordinances.

CITY MANAGER'S RECOMMENDATION

The City Manager recommends approval of the ordinances as provided in Attachments B and C.

SUGGESTED MOTIONS

Move to substitute Attachment B to the AIS, which is labeled "Ordinance 1 / Substitute Ordinance," in place of the Ordinance #1 now on the table.

Move to adopt Ordinance #2, Attachment C to the AIS.

ATTACHMENTS

- A. Draft Ordinance #1 (Council Bill 5184) (Ordinance on the table)
- B. Draft Ordinance #1 (Council Bill 5184) (Substitute Ordinance)
- C. Draft Ordinance #2 (Council Bill 5185)

FOR MORE INFORMATION

Staff Contact: Alissa Hansen

Telephone: 541-682-6508

Staff E-Mail: alissa.h.hansen@ci.eugene.or.us

A complete set of record materials are available for review in a binder located at the City Council Office, or at Planning and Development Department at 99 W. 10th Avenue. As a courtesy, most of the materials are also available for review online [here](#).

Council Bill No. 5184

ORDINANCE NO. _____

**AN ORDINANCE CONCERNING SECONDARY / ACCESSORY DWELLINGS
AND AMENDING SECTIONS 4.330, 7.010, 9.0500, 9.1245, 9.2010, 9.2011,
9.2740, 9.2741, 9.2750, 9.2751, 9.2775, 9.3060, 9.3065, 9.3115, 9.3125, 9.3210,
9.3215, 9.3510, 9.3615, 9.3810, 9.3811, 9.3815, 9.3910, 9.3915, 9.6105, 9.6410,
9.6420, 9.6745, 9.6775, 9.6885 AND 9.8030 OF THE EUGENE CODE, 1971.**

THE CITY OF EUGENE DOES ORDAIN AS FOLLOWS:

Section 1. The term “secondary dwelling” is replaced with “accessory dwelling” (including grammatical revisions for plural and a/an agreement) throughout the Eugene Code, 1971, and including the following Sections of that Code: 4.330 (definition of “Noncommercial dog kennel”); 7.010 (definition of “Duplex”); 9.0500 (definitions of “Dwelling, Duplex,” “Dwelling, Secondary,” “Dwelling, One-Family” and “Kennel”); Table 9.1245; Table 9.2740; 9.2741(2); Table 9.2750; 9.2751(1); 9.2751(3); 9.2751(17); 9.2751(18); 9.2775(1); 9.2775(4); 9.2775(5); 9.3065(2); Table 9.3125(3)(g); Table 9.3210; Table 9.3810; 9.3811(1); Table 9.3815(3)(n); Table 9.3910; Table 9.6105(5); Table 9.6410; 9.6420(3); 9.6745(7); 9.6775(1); 9.6885(1); and 9.8030(34). To the extent this change in terminology occurs in code sections that are further amended, below, the changes made by this Section 1 are also shown below.

Section 2. The definition of “Accessory Building” in Section 9.0500 of the Eugene Code, 1971, is amended to provide as follows:

9.0500 **Definitions.** As used in this land use code, unless the context requires otherwise, the following words and phrases mean:

Accessory Building. Any authorized, detached building subordinate to the main building on the same development site. In addition, for the purposes of EC 9.2700 through 9.2751, in the R-1 zone, an accessory building that shares a common wall with the primary dwelling for less than 8 feet is considered a detached accessory building. ***An accessory dwelling is not an accessory building.***

Section 3. The “Dwellings” subsection in the “Residential” section in Table 9.2010 of Section 9.2010 of the Eugene Code, 1971, is amended to provide as follows:

Table 9.2010 Agricultural Zone Uses and Permit Requirements	
	AG
Residential Dwellings	
One-Family Dwelling, 1 Per Lot	P
Accessory Dwelling (1 Per Detached One-Family Dwelling on Same Lot)	P(2)

Section 4. Section 9.2011 of the Eugene Code, 1971, is amended to provide as follows:

9.2011 Special Use Limitations for Table 9.2010.

- (1) Permitted in the AG zone, subject to the PRO zone standards in EC 9.2640.
- (2) **Permitted in the AG zone, subject to the standards for accessory dwellings at EC 9.2751(17).**

Section 5. The following entries under the “Residential” section in Table 9.2740 of the Eugene Code, 1971, is amended to provide as follows:

Table 9.2740 Residential Zone Land Uses and Permit Requirements					
	R-1	R-1.5	R-2	R-3	R-4
Residential					
Dwellings. (All dwellings, including [secondary] accessory dwellings, shall meet minimum and maximum density requirements in accordance with Table 9.2750 Residential Zone Development Standards unless specifically exempted elsewhere in this land use code. All dwelling types are permitted if approved through the Planned Unit Development process.)					
[Secondary] Accessory Dwelling (Either Attached or Detached from Primary One-Family Dwelling) 1 Per Detached One-Family Dwelling on Same Lot)	P(2)		P(2)	P(2)	P(2)

Section 6. Subsection (2) of Section 9.2741 of the Eugene Code, 1971, is amended to provide as follows:

9.2741 Special Use Limitations for Table 9.2740.

- (2) **[Secondary] Accessory Dwellings.** [Secondary] **accessory** dwellings are [only permitted in R-1 and] subject to the standards [beginning] at EC 9.2750

and EC 9.2751, except that new ~~[secondary]~~ **accessory** dwellings are prohibited on alley access lots.

Section 7. The following entries under the “Maximum Building Height,” “Minimum Building Setbacks,” “Maximum Lot Coverage” and “Secondary Dwellings” sections in Table 9.2750 of Section 9.2750 of the Eugene Code, 1971, are amended to provide as follows:

Table 9.2750 Residential Zone Development Standards (See EC 9.2751 Special Development Standards for Table 9.2750.)					
	R-1	R-1.5	R-2	R-3	R-4
Maximum Building Height (2), (3), (4), (5), (16), (17), (18)					
[Secondary] Accessory Dwelling	See (17)	--	–See (17)	–See (17)	–See (17)
Minimum Building Setbacks (2), (4), (6), (9), (10), (11), (16), (17), (18)					
Interior Yard Setback for [Secondary] Accessory Dwellings	See (17)	--	–See (17)	–See (17)	–See (17)
Maximum Lot Coverage (17), (18)					
Lots with [Secondary] Accessory Dwellings (Area-Specific)	See (17)(c)	--	–See (17)(c)	–See (17)(c)	–See (17)(c)
[Secondary] Accessory Dwellings (17)					
General Standards	See (17)(a) and (b)	--	–See (17)(a) and (b)	–See (17)(a) and (b)	–See (17)(a) and (b)
Area-Specific	See (17)(c)	--	– See (17)(c)	– See (17)(c)	– See (17)(c)

Section 8. Subsection (2) of Section 9.3060 of the Eugene Code, 1971, is amended to provide as follows:

- 9.3060 S-C Chambers Special Area Zone – Land Use and Permit Requirements and Special Use Limitations.** Except where the standards in EC 9.3065 S-C Chambers Special Area Zone Development Standards specifically provide otherwise:
- (2) The land use and permit requirements and special use limitations applicable in the S-C/R-2 subarea shall be those set out at EC 9.2740 and EC 9.2741 for uses in the R-2 zone, ***except that accessory dwellings shall not be allowed.***

Section 9. The “Dwellings” subsection in the “Residential” section in Table 9.3115 of Section 9.3115 of the Eugene Code, 1971, is amended to provide as follows:

Table 9.3115 S-CN Chase Node Special Area Zone Land Uses and Permit Requirements			
Land Use Type	C	HDR/MU	HDR
Residential			
Dwellings (All dwellings shall meet minimum and maximum density requirements for development within the Chase Gardens Plan area.)			
One Family Dwelling per lot (Includes zero lot line dwellings)		P	P
<i>Accessory Dwelling (1 Per Detached One-Family Dwelling on Same Lot)</i>		<i>P</i>	<i>P</i>
Controlled Income and Rent Housing where density is above that normally required in the zoning district but does not exceed 150% of the maximum permitted density. (Shall comply with multiple-family standards in EC 9.5500.		S	S
Rowhouse (One-family on own lot attached to adjacent residence on separate lot)	P(3)(4)	P(3)(4)	P(3)(4)
Duplex (Two-family attached on the same lot)		P	P
Tri-plex (Three family attached on the same lot) (See EC 9.5500)		P	P
Four-plex (Four-family attached on the same lot) (See EC 9.5500)		S	S
Multiple Family (3 or more dwellings on the same lot) (See 9.5500)	S	S	S
Manufactured Home Park (See 9.5400)			P(5)

Section 10. The “Maximum Building Height” section in Table 9.3125(3)(g) of Section 9.3125 of the Eugene Code, 1971, is amended to provide as follows:

Table 9.3125(3)(g) S-CN Chase Garden Node Special Zone Development Standards (See EC 9.3126 Special Development Standards for Table 9.3125(3)(g).)			
	C	HDR/MU	HDR
Maximum Building Height (3)			
Main Building	50' commercial, 120' residential or residential above commercial	120' except (3); 35' or 2 stories within 50' of Garden Way	120'
Accessory Building. [Includes Secondary Dwellings Detached from Main Building]		30'	30'
<i>Accessory Dwellings Detached from Main Building</i>		<i>30'</i>	<i>30'</i>

Section 11. The “Dwellings” subsection in the “Residential” section in Table 9.3210 of Section 9.3210 of the Eugene Code, 1971, is amended to provide as follows:

Table 9.3210 S-DW Downtown Westside Special Area Zone Uses and Permit Requirements	
	S-DW
Residential	
Dwellings (All dwellings types are permitted if approved through the Planned Unit Development process.)	
One-Family Dwelling (1 Per Lot)	P
[Secondary] Accessory Dwelling ([Either Attached or Detached from Primary One-Family Dwelling] 1 Per Detached One-Family Dwelling on Same Lot)	P
Rowhouse (One-Family on Own Lot Attached to Adjacent Residence on Separate Lot with Garage or Carport Access to the Rear of the Lot)	P
Duplex	P
Tri-plex (Three-Family Attached on Same Lot)	P
Four-plex (Four Family Attached on Same Lot)	P
Multiple-Family (3 or More Dwellings on Same Lot) (See EC 9.5500)	P

Section 12. Subsection (2) of Section 9.3215 of the Eugene Code, 1971, is amended to provide as follows:

- 9.3215 S-DW Downtown Westside Special Area Zone Development Standards.**
- (2) **Residential Standards.** Except as provided in this section or EC 9.3216 Special Development Standards for Table 9.3215, all residential development shall be subject to the standards established for the R-4 zone. ***Accessory dwellings shall be subject to the R-4 standards, except EC 9.2751(17).***

Section 13. The “Dwellings” subsection in the “Residential” section in Table 9.3310 of Section 9.3310 of the Eugene Code, 1971, is amended to provide as follows:

Table 9.3310 S-E Elmira Road Special Area Zone Uses and Permit Requirements	
	S-E
Residential	
Dwellings	
One-Family Dwelling (1 Per Lot)	P
Accessory Dwelling (1 Per Detached One-Family Dwelling on Same Lot)	P
Rowhouse (One-Family on Own Lot Attached to Adjacent Residence on Separate Lot with Garage or Carport Access to the Rear of the Lot)	P
Duplex (Two-Family Attached on Same Lot)	P
Multiple Family (3 or More Dwellings on Same Lot) (See EC 9.5500)	PUD

Section 14. Subsection (1) of Section 9.3510 of the Eugene Code, 1971, is amended to provide as follows:

9.3510 S-HB Blair Boulevard Historic Commercial Special Area Zone Uses. The S-HB zone designation is based on the area's association with the city's working class and the mix of residential, commercial and light industrial uses within the zone. The S-HB zone is the commercial core of the residential districts located to the east and west of the zone. The Whiteaker Plan Land Use Diagram reflects four underlying land use designations for this zone of residential, commercial, mixed use, and parks. Uses permitted within the S-HB zone are as follows:

- (1) **Areas Designated for Low and Medium Density Residential.** Allowable uses are:
- (a) One-family dwellings.
 - (b) **Accessory Dwelling (1 Per Detached One-Family Dwelling on Same Lot).**
 - (~~b~~c) Duplexes.
 - (~~e~~d) Triplexes.
 - (~~d~~e) Four-plexes.
 - (e~~f~~) Multiple-family dwellings.
 - (~~f~~g) Home occupations.
 - (~~g~~h) Bed and breakfast facilities.

Section 15. A new subsection (2) is added to Section 9.3615 of the Eugene Code, 1971, and the following subsection is renumbered, to provide as follows:

9.3615 S-JW Jefferson Westside Special Area Zone Land Use and Permit Requirements and Special Use Limitations. The land use and permit requirements and special use limitations applicable in the S-JW Jefferson Westside Special Area Zone shall be those set out at EC 9.2740 and EC 9.2741 for uses in the R-2 zone, except the following uses listed on Table EC 9.2740 are prohibited in the S-JW Jefferson Westside Special Area Zone:

- (1) Correctional Facilities.
- (2) **Accessory Dwellings.**
- (~~2~~3) C-1 Neighborhood Commercial Zone permitted uses, unless such a use is specifically listed in another row on Table 9.2740 as an allowable use under the "R-2" column.

Section 16. The "Dwellings" subsection in the "Residential" section in Table 9.3810 of Section 9.3810 of the Eugene Code, 1971, is amended to provide as follows:

Table 9.3810 S-RN Royal Node Special Area Zone Land Uses and Permit Requirements					
	LDR	MDR	RMU	CMU	MSC
Residential					

Table 9.3810 S-RN Royal Node Special Area Zone Land Uses and Permit Requirements					
	LDR	MDR	RMU	CMU	MSC
Dwellings. (All dwellings shall meet minimum and maximum density requirements for development within the Royal Specific Plan area. All dwelling types are permitted.)					
One-Family Dwelling (1 Per Lot, includes zero lot line dwellings)	P	P	P		
[Secondary] Accessory Dwelling (Either Attached or Detached from Primary One-Family Dwelling) 1 Per Detached One-Family Dwelling on Same Lot)	P(1)	P(1)	P(1)		
Rowhouse (One-Family on Own Lot Attached to Adjacent Residence on Separate Lot with Garage or Carport Access to the Rear of the Lot)	P(2) (3)	P(2) (3)	P(2) (3)	P(2) (3)	P(2) (3)
Duplex (Two-Family Attached on Same Lot)	P	P	P		
Tri-plex (Three family attached on the same lot) See EC 9.5500	P	P	P	P	
Four-plex (Four-Family Attached on Same Lot) See EC 9.5500	P	P	P		
Multiple-Family (3 or More Dwellings on Same Lot) See EC 9.5500	S(3) (9)	S(3) (9)	S(3) (9)	S(3) (9)	S(3) (9)
Manufactured Home Park. Shall comply with EC 9.5400 or site review.	S - SR (4)	S - SR (4)			
Controlled Income and Rent Housing where density is above that normally permitted in the zoning district but does not exceed 150% of the maximum permitted density. (Shall comply with multiple-family standards in EC 9.5500.)	S (9)	S (9)			

Section 17. The “Maximum Building Height” section in Table 9.3815(3)(n) of Section 9.3815 of the Eugene Code, 1971, is amended to provide as follows:

Table 9.3815(3)(n) S-RN Royal Node Special Zone Development Standards (See EC 9.3816 Special Development Standards for Table 9.3815(3)(n).)					
	LDR	MDR	RMU	CMU	MSC
Maximum Building Height					
Main Building	35 feet	35 feet	50'	50'	50'
Accessory Building. [Includes Secondary Dwellings Detached from Main Building]	25 feet	25 feet	50'	50'	50'
Accessory Dwellings Detached from Main Building	25 feet	25 feet	25 feet		

Section 18. The “Accessory Uses” section, and the “Dwellings” subsection of the “Residential” section in Table 9.3910 of Section 9.3910 of the Eugene Code, 1971, are amended to provide as follows:

Table 9.3910 S-W Whiteaker Special Area Zone Uses and Permit Requirements	
	S-W
Accessory Uses	
Accessory Uses. <u>Examples</u> related to residential uses include a garage, storage shed, bed and breakfast facility (see EC 9.5100)[,] and home occupations (see EC 9.5350)[,] and secondary dwellings (see EC 9.2741(2)) . <u>Examples</u> relating to commercial and employment and industrial uses include security work, administration activity and sales related to industrial uses manufactured on the same development site, and storage and distribution incidental to the primary use of the site.	P
Residential	
Dwellings	
One-Family Dwelling	P(2)
<i>Accessory Dwelling (1 Per Detached One-Family Dwelling on Same Lot)</i>	<i>P(2)</i>
Rowhouse (One-Family on Own Lot Attached to Adjacent Residence on Separate Lot with Garage or Carport Access to the Rear of the Lot)	P(2)
Duplex (Two-Family Attached on Same Lot)	P(2)
Tri-plex (Three-Family Attached on Same Lot)	P(2)
Multiple Family (3 or More Dwellings on Same Lot) (See EC 9.5500)	P(2)

Section 19. The first paragraph and subsection (1) of Section 9.3915 of the Eugene Code, 1971, are amended, and a new subsection (13) is added, to provide as follows:

- 9.3915 S-W Whiteaker Special Area Zone Development and Lot Standards.** Except as provided in subsections (5) to [(12)] **(13)** of this section, sections 9.6000 to 9.6885 General Standards for All Development in this land use code shall apply within this S-W zone. In the event of a conflict between the general development standards of this land use code and the standards set forth in this section, the specific provisions of this section shall control.
- (1) Residential Standards.** Except as provided in subsections (5) to [(12)] **(13)** of this section, all residential development shall be subject to the standards established for the C-2 zone.
 - (13) Accessory dwellings shall be subject to the standards established at EC 9.2750 and EC 9.2751(17).**

Section 20. The findings set forth in Exhibit A attached to this Ordinance are adopted as findings in support of this Ordinance.

Section 21. The City Recorder, at the request of, or with the concurrence of the City Attorney, is authorized to administratively correct any reference errors contained herein or in

other provisions of the Eugene Code, 1971, to the provisions added, amended or repealed herein.

Section 22. If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held invalid or unconstitutional by a court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions hereof.

Section 23. Pursuant to the provisions of Section 32(2) of the Eugene Charter of 2002, with the affirmative vote of two-thirds of the members of the City Council, this Ordinance shall become effective on July 1, 2018. An effective date of less than 30 days is necessary to conform to State Law. If a lesser majority votes affirmatively, the effective date shall be as provided at Section 32(1) of the Eugene Charter of 2002.

Passed by the City Council this

___ day of _____, 2018

City Recorder

Approved by the Mayor this

___ day of _____, 2018

Mayor

Preliminary Findings

Secondary (Accessory) Dwellings (Phase 1 Implementation of Senate Bill 1051) (City File CA 18-1)

Findings

Eugene Code Section 9.8065 requires that the following approval criteria (in ***bold italics***) be applied to a land use code amendment:

(1) The amendment is consistent with applicable statewide planning goals adopted by the Land Conservation and Development Commission.

Goal 1 - Citizen Involvement. *To develop a citizen involvement program that insures the opportunity for citizens to be involved in all phases of the planning process.*

The City has acknowledged provisions for community involvement which ensure the opportunity for citizens to be involved in all phases of the planning process and set out requirements for such involvement. The land use code amendments do not amend the citizen involvement program. The process for adopting these amendments complied with Goal 1 because it is consistent with the City's acknowledged citizen involvement provisions.

A Notice of Proposed Amendment was filed with the Oregon Department of Land Conservation and Development on January 30, 2018. A public hearing was held before the Planning Commission on March 6, 2018. On March 26, 2018, the Planning Commission recommended that the City Council approve the proposed amendments to expand the areas in which accessory dwellings are allowed in the city. On March 27, 2018, a Revised Notice of Proposed Amendment was filed with the Oregon Department of Land Conservation and Development, incorporating the Planning Commission's recommended amendments. A public hearing was held before the City Council on April 16, 2018. Consistent with land use code requirements, the Planning Commission public hearing on the proposal was duly noticed to all neighborhood organizations in Eugene, as well as community groups and individuals who requested notice. In addition, notice of the public hearing was published in the Register Guard. Information concerning the amendments, including the dates of the public hearings, were posted on the City of Eugene website.

These processes afford ample opportunity for citizen involvement consistent with Goal 1. Therefore, the ordinance is consistent with Statewide Planning Goal 1.

Goal 2 - Land Use Planning. *To establish a land use planning process and policy framework as a basis for all decisions and actions related to use of land and to assure an adequate factual basis for such decisions and actions.*

Eugene's land use code specifies the procedure and criteria that were used in considering these amendments. The record shows that there is an adequate factual basis for the amendments. The

Exhibit A

Goal 2 coordination requirement is met when the City engages in an exchange, or invites such an exchange, between the City and any affected governmental unit and when the City uses the information obtained in the exchange to balance the needs of the citizens.

To comply with the Goal 2 coordination requirement, the City engaged in an exchange about the subject of these amendments with all of the affected governmental units. Specifically, the City provided notice of the proposed action and opportunity to comment to the Oregon Department of Land Conservation and Development, as well as to Lane County and the City of Springfield. There are no exceptions to Statewide Planning Goal 2 required for these amendments. Therefore, the amendments are consistent with Statewide Planning Goal 2.

Goal 3 - Agricultural Lands. *To preserve agricultural lands.*

The amendments are for property located within the urban growth boundary and do not affect any land designated for agricultural use. Therefore, Statewide Planning Goal 3 does not apply.

Goal 4 - Forest Lands. *To conserve forest lands.*

The amendments are for property located within the urban growth boundary and do not affect any land designated for forest use. Therefore, Statewide Planning Goal 4 does not apply.

Goal 5 - Open Spaces, Scenic and Historic Areas, and Natural Resources. *To conserve open space and protect natural and scenic resources.*

OAR 660-023-0250(3) provides: Local governments are not required to apply Goal 5 in consideration of a PAPA unless the PAPA affects a Goal 5 resource. For purposes of this section, a PAPA would affect a Goal 5 resource only if:

- (a) The PAPA creates or amends a resource list or a portion of an acknowledged plan or land use regulation adopted in order to protect a significant Goal 5 resource or to address specific requirements of Goal 5;*
- (b) The PAPA allows new uses that could be conflicting uses with a particular significant Goal 5 resource site on an acknowledged resource list; or*
- (c) The PAPA amends an acknowledged UGB and factual information is submitted demonstrating that a resource site, or the impact areas of such a site, is included in the amended UGB area.*

These amendments do not create or amend the City's list of Goal 5 resources, do not amend a code provision adopted in order to protect a significant Goal 5 resource or to address specific requirements of Goal 5, do not allow new uses that could be conflicting uses with a significant Goal 5 resource site and do not amend the acknowledged urban growth boundary. Therefore, Statewide Planning Goal 5 does not apply.

Goal 6 - Air, Water and land Resource Quality. *To maintain and improve the quality of the air, water and land resources of the state.*

Goal 6 addresses waste and process discharges from development, and is aimed at protecting air,

Exhibit A

water and land from impacts from those discharges. The amendments do not affect the City's ability to provide for clean air, water or land resources. Therefore, Statewide Planning Goal 6 does not apply.

Goal 7 - Areas Subject to Natural Disasters and Hazards. *To protect life and property from natural disasters and hazards.*

Goal 7 requires that local government planning programs include provisions to protect people and property from natural hazards such as floods, landslides, earthquakes and related hazards, tsunamis and wildfires. The Goal prohibits a development in natural hazard areas without appropriate safeguards. The amendments do not affect the City's restrictions on development in areas subject to natural disasters and hazards. Further, the amendments do not allow for new development that could result in a natural hazard. Therefore, Statewide Planning Goal 7 does not apply.

Goal 8 - Recreational Needs. *To satisfy the recreational needs of the citizens of the state and visitors, and where appropriate, to provide for the siting of necessary recreational facilities including destination resorts.*

Goal 8 ensures the provision of recreational facilities to Oregon citizens and is primarily concerned with the provision of those facilities in non-urban areas of the state. The amendments do not affect the City's provisions for or access to recreation areas, facilities or recreational opportunities. Therefore, Statewide Planning Goal 8 does not apply.

Goal 9 - Economic Development. *To provide adequate opportunities throughout the state for a variety of economic activities vital to the health, welfare, and prosperity of Oregon's citizens.*

Goal 9 requires cities to evaluate the supply and demand of commercial land relative to community economic objectives. The amendments do not impact the supply of industrial or commercial lands. Therefore, the amendments are consistent with Statewide Planning Goal 9.

Goal 10 - Housing. *To provide for the housing needs of citizens of the state.*

Goal 10 requires communities to provide an adequate supply of residential buildable land to accommodate estimated housing needs for a 20-year planning period. The Residential Lands Supply Study (2017) was adopted by the City of Eugene as a refinement of the Envision Eugene Comprehensive Plan, and complies with the requirements of Goal 10 and the corresponding Administrative Rule. According to the Residential Lands Supply Study, there is sufficient buildable residential land to meet the identified land need.

The amendments do not impact the supply of residential buildable land. No land is being re-designated from residential use to a nonresidential use, and the amendments do not otherwise diminish the amount of lands available for residential use. Rather, the amendments increase the capacity of existing residential land, by increasing the potential number of dwelling units that could be built without adversely impacting the residential land inventory.

Exhibit A

The provisions specific to the S-JW Jefferson Westside and the S-C Chambers Special Area Zones recognize that those zones already allow for a second one-family dwellings that can be an interior, attached or detached residential structure that is used in connection with or that is accessory to a single family dwelling, and are therefore already in compliance with state law.

Accordingly, the amendments do not impact the supply or availability of residential lands included in the documented supply of “buildable land” that is available for residential development as inventoried in the acknowledged Residential Lands Supply Study. Therefore, the amendments are consistent with Statewide Planning Goal 10.

Goal 11- Public Facilities and Services. *To plan and develop a timely, orderly and efficient arrangement of public facilities and services to serve as a framework for urban and rural development.*

The amendments do not affect the City’s provision of public facilities and services. Therefore, Statewide Planning Goal 11 does not apply.

Goal 12- Transportation. *To provide and encourage a safe, convenient and economic transportation system.*

The Transportation Planning Rule (OAR 660-012-0060) contains the following requirement:

- (1) If an amendment to a functional plan, an acknowledged comprehensive plan, or a land use regulation (including a zoning map) would significantly affect an existing or planned transportation facility, then the local government must put in place measures as provided in section (2) of this rule, unless the amendment is allowed under section (3), (9) or (10) of this rule. A plan or land use regulation amendment significantly affects a transportation facility if it would:*
 - (a) Change the functional classification of an existing or planned transportation facility (exclusive of correction of map errors in an adopted plan);*
 - (b) Change standards implementing a functional classification system; or*
 - (c) Result in any of the effects listed in paragraphs (A) through (C) of this subsection based on projected conditions measured at the end of the planning period identified in the adopted TSP. As part of evaluating projected conditions, the amount of traffic projected to be generated within the area of the amendment may be reduced if the amendment includes an enforceable, ongoing requirement that would demonstrably limit traffic generation, including, but not limited to, transportation demand management. This reduction may diminish or completely eliminate the significant effect of the amendment.*
 - (A) Types or levels of travel or access that are inconsistent with the functional classification of an existing or planned transportation facility;*
 - (B) Degrade the performance of an existing or planned transportation facility such that it would not meet the performance standards identified in the TSP or comprehensive plan; or*
 - (C) Degrade the performance of an existing or planned transportation facility that is otherwise projected to not meet the performance standards identified in the TSP*

Exhibit A

or comprehensive plan.

The amendments do not change the functional classification of a transportation facility, change the standards implementing a functional classification system or degrade the performance of a facility otherwise projected to not meet performance standards. Therefore, the amendments do not have a significant effect under (A) or (B). In regards to (C), the relatively small number of homes that are expected to be developed as a result of the accessory dwelling provisions will have a negligible impact on any transportation facility. Therefore, the amendments do not significantly affect any existing or future transportation facilities. Based on the above findings, the amendment is consistent with Statewide Planning Goal 12.

Goal 13 - Energy Conservation. *To conserve energy.*

The amendments do not impact energy conservation. Therefore, Statewide Planning Goal 13 does not apply.

Goal 14 - Urbanization. *To provide for an orderly and efficient transition from rural to urban land use.*

The amendments do not affect the City's provisions regarding the transition of land from rural to urban uses. Therefore, Statewide Planning Goal 14 does not apply.

Goal 15 - Willamette River Greenway. *To protect, conserve, enhance and maintain the natural, scenic, historical, agricultural, economic and recreational qualities of lands along the Willamette River as the Willamette River Greenway.*

The amendments do not contain any changes that affect the Willamette River Greenway regulations, therefore, Statewide Planning Goal 15 does not apply.

Goal 16 through 19 - Estuarine Resources, Coastal Shorelands, Beaches and Dunes, and Ocean Resources.

There are no coastal, ocean, estuarine, or beach and dune resources related to the property effected by these amendments. Therefore, these goals are not relevant and the amendments will not affect compliance with Statewide Planning Goals 16 through 19.

(2) *The amendment is consistent with applicable provisions of the comprehensive plan and applicable adopted refinement plans.*

Applicable Metro Plan Policies

The following policies from the *Metro Plan* (identified below in *italics*) are applicable to these amendments. To the extent that the following policies constitute mandatory approval criteria, based on the findings provided below, the amendments are consistent with and supported by the applicable provisions of the *Metro Plan*.

Exhibit A

Residential Land Use and Housing Element

- A.13 Increase overall residential density in the metropolitan area by creating more opportunities for effectively designed in-fill, redevelopment, and mixed use while considering impacts of increased residential density on historic, existing and future neighborhoods.*

The intent of the amendments is to create more opportunities citywide for accessory dwellings in areas designed for residential use, consistent with this policy. The standards currently in place for accessory dwellings will continue to apply at this time which will ensure minimal impact on surrounding properties in historic, existing and future neighborhoods.

- A.17 Provide opportunities for a full range of choice in housing type, density, size, cost and location.*

- A.18 Encourage a mix of structure types and densities within residential designations by reviewing and, if necessary, amending local zoning and development regulations.*

Consistent with these policies, the amendments provide for more opportunities for smaller housing types within existing and future residential neighborhoods.

Envision Eugene Comprehensive Plan

The Envision Eugene Comprehensive Plan does not contain any policies relevant to this amendment.

Applicable Refinement Plans

Given the broad applicability of this amendment, all adopted refinement plans were reviewed for consistency. No relevant policies were found in the following adopted refinement plans:

- Bethel-Danebo Refinement Plan (1982)
- Bethel-Danebo Refinement Plan Phase II (1977)
- Eugene Downtown Plan (2004)
- Eugene (EWEB) Downtown Riverfront Specific Area Plan (2013)
- Fairmount/U of O Special Area Study (1982)
- Laurel Hill Neighborhood Plan (1982)
- 19th and Agate Special Area Study (1988)
- South Hills Study (1974)
- South Willamette Subarea Study (1987)
- Walnut Station Specific Area Plan (2010)
- Westside Neighborhood Plan (1987)
- West University Refinement Plan (1982)
- Whiteaker Plan (1994)
- Willow Creek Special Area Study (1982)

Findings addressing relevant provisions of applicable refinement plans are provided below.

Exhibit A

Jefferson Far West Refinement Plan (1983)

The following residential policies in the Land Use Element of the plan lend general support for the amendment:

- 3.0 Encourage a mixture of housing densities and types to allow a diverse population group to live in the area.*

The amendments are consistent with these policies in that they will continue to provide the opportunity for smaller single family housing types.

River Road-Santa Clara Urban Facilities Plan (1987)

The following policies from the Residential Land Use section are relevant:

- 1.0 Recognize and maintain the predominately low-density residential character of the area consistent with the Metro Plan.*
- 2.0 Provide a diversity of housing types in the area. Available techniques include encouraging reinvestment and rehabilitation of existing housing stock and the use of development standards that provide for clustering or planned unit development.*

Consistent with these policies, the amendments allow for accessory dwellings (a smaller type of single family housing) in additional areas within these neighborhoods.

Willakenzie Area Plan (1992)

Although there are no policies in this refinement plan that directly address the amendment or constitute mandatory approval criteria, the following land use policies lends general support for the amendment:

Residential Policies

- 1. Maintain the existing low-density residential character of existing Willakenzie neighborhoods, while recognizing the need to provide housing for all income groups in the city.*
- 4. Encourage a mixture of housing densities and types to address the housing needs of a diverse population.*

The amendment to allow for accessory dwellings in additional residential areas strike a balance between maintaining the character of existing low density neighborhoods and providing housing for all income levels, consistent with this policy.

Based on the above findings, the proposal is consistent with and supported by the applicable provisions of these adopted plans.

(3) The amendment is consistent with EC 9.3020 Criteria for Establishment of an S Special Area

Exhibit A

Zone, in the case of establishment of a special area zone.

The amendments do not establish a special area zone. Therefore, this criterion does not apply.

Council Bill No. 5184

ORDINANCE NO. _____

**AN ORDINANCE CONCERNING SECONDARY / ACCESSORY DWELLINGS
AND AMENDING SECTIONS 4.330, 7.010, 9.0500, 9.1245, 9.2010, 9.2011,
9.2740, 9.2741, 9.2750, 9.2751, 9.2775, 9.3060, 9.3065, 9.3115, 9.3125, 9.3210,
9.3215, 9.3510, 9.3615, 9.3810, 9.3811, 9.3815, 9.3910, 9.3915, 9.6105, 9.6410,
9.6420, 9.6745, 9.6775, 9.6885 AND 9.8030 OF THE EUGENE CODE, 1971.**

THE CITY OF EUGENE DOES ORDAIN AS FOLLOWS:

Section 1. The term “secondary dwelling” is replaced with “accessory dwelling” (including grammatical revisions for plural and a/an agreement) throughout the Eugene Code, 1971, and including the following Sections of that Code: 4.330 (definition of “Noncommercial dog kennel”); 7.010 (definition of “Duplex”); 9.0500 (definitions of “Dwelling, Duplex,” “Dwelling, Secondary,” “Dwelling, One-Family” and “Kennel”); Table 9.1245; Table 9.2740; 9.2741(2); Table 9.2750; 9.2751(1); 9.2751(3); 9.2751(17); 9.2751(18); 9.2775(1); 9.2775(4); 9.2775(5); 9.3065(2); Table 9.3125(3)(g); Table 9.3210; Table 9.3810; 9.3811(1); Table 9.3815(3)(n); Table 9.3910; Table 9.6105(5); Table 9.6410; 9.6420(3); 9.6745(7); 9.6775(1); 9.6885(1); and 9.8030(34). To the extent this change in terminology occurs in code sections that are further amended, below, the changes made by this Section 1 are also shown below.

Section 2. The definition of “Accessory Building” in Section 9.0500 of the Eugene Code, 1971, is amended to provide as follows:

9.0500 **Definitions.** As used in this land use code, unless the context requires otherwise, the following words and phrases mean:

Accessory Building. Any authorized, detached building subordinate to the main building on the same development site. In addition, for the purposes of EC 9.2700 through 9.2751, in the R-1 zone, an accessory building that shares a common wall with the primary dwelling for less than 8 feet is considered a detached accessory building. ***An accessory dwelling is not an accessory building.***

Section 3. The “Dwellings” subsection in the “Residential” section in Table 9.2010 of Section 9.2010 of the Eugene Code, 1971, is amended to provide as follows:

Table 9.2010 Agricultural Zone Uses and Permit Requirements	
	AG
Residential Dwellings	
One-Family Dwelling, 1 Per Lot	P
Accessory Dwelling (1 Per Detached One-Family Dwelling on Same Lot)	P(2)

Section 4. Section 9.2011 of the Eugene Code, 1971, is amended to provide as follows:

9.2011 Special Use Limitations for Table 9.2010.

- (1) Permitted in the AG zone, subject to the PRO zone standards in EC 9.2640.
- (2) **Permitted in the AG zone, subject to the standards for accessory dwellings at EC 9.2751(17).**

Section 5. The following entries under the “Residential” section in Table 9.2740 of the Eugene Code, 1971, is amended to provide as follows:

Table 9.2740 Residential Zone Land Uses and Permit Requirements					
	R-1	R-1.5	R-2	R-3	R-4
Residential					
Dwellings. (All dwellings, including [secondary] accessory dwellings, shall meet minimum and maximum density requirements in accordance with Table 9.2750 Residential Zone Development Standards unless specifically exempted elsewhere in this land use code. All dwelling types are permitted if approved through the Planned Unit Development process.)					
[Secondary] Accessory Dwelling (Either Attached or Detached from Primary One-Family Dwelling) 1 Per Detached One-Family Dwelling on Same Lot)	P(2)		P(2)	P(2)	P(2)

Section 6. Subsection (2) of Section 9.2741 of the Eugene Code, 1971, is amended to provide as follows:

9.2741 Special Use Limitations for Table 9.2740.

- (2) **[Secondary] Accessory Dwellings.** [Secondary] **accessory** dwellings are [only permitted in R-1 and] subject to the standards [beginning] at EC 9.2750 **and EC 9.2751**, except that new [secondary] **accessory** dwellings are

prohibited on alley access lots.

Section 7. The following entries under the “Maximum Building Height,” “Minimum Building Setbacks,” “Maximum Lot Coverage” and “Secondary Dwellings” sections in Table 9.2750 of Section 9.2750 of the Eugene Code, 1971, are amended to provide as follows:

Table 9.2750 Residential Zone Development Standards (See EC 9.2751 Special Development Standards for Table 9.2750.)					
	R-1	R-1.5	R-2	R-3	R-4
Maximum Building Height (2), (3), (4), (5), (16), (17), (18)					
[Secondary] Accessory Dwelling	See (17)	--	=See (17)	=See (17)	=See (17)
Minimum Building Setbacks (2), (4), (6), (9), (10), (11), (16), (17), (18)					
Interior Yard Setback for [Secondary] Accessory Dwellings	See (17)	--	=See (17)	=See (17)	=See (17)
Maximum Lot Coverage (17), (18)					
Lots with [Secondary] Accessory Dwellings (Area-Specific)	See (17)(c)	--	=See (17)(c)	=See (17)(c)	=See (17)(c)
[Secondary] Accessory Dwellings (17)					
General Standards	See (17)(a) and (b)	--	=See (17)(a) and (b)	=See (17)(a) and (b)	=See (17)(a) and (b)
Area-Specific	See (17)(c)	--	= See (17)(c)	= See (17)(c)	= See (17)(c)

Section 8. Subsection (2) of Section 9.3060 of the Eugene Code, 1971, is amended to provide as follows:

9.3060 S-C Chambers Special Area Zone – Land Use and Permit Requirements and Special Use Limitations. Except where the standards in EC 9.3065 S-C Chambers Special Area Zone Development Standards specifically provide otherwise:

- (2) The land use and permit requirements and special use limitations applicable in the S-C/R-2 subarea shall be those set out at EC 9.2740 and EC 9.2741 for uses in the R-2 zone, ***except that a second (interior, attached or detached) residential structure that is used in connection with or that is accessory to a single family dwelling may be permitted on a lot only as an additional “One-Family Dwelling” and not as an “Accessory Dwelling.”***

Section 9. The “Dwellings” subsection in the “Residential” section in Table 9.3115 of Section 9.3115 of the Eugene Code, 1971, is amended to provide as follows:

Table 9.3115 S-CN Chase Node Special Area Zone Land Uses and Permit Requirements			
Land Use Type	C	HDR/MU	HDR
Residential			
Dwellings (All dwellings shall meet minimum and maximum density requirements for development within the Chase Gardens Plan area.)			
One Family Dwelling per lot (Includes zero lot line dwellings)		P	P
<i>Accessory Dwelling (1 Per Detached One-Family Dwelling on Same Lot)</i>		<i>P</i>	<i>P</i>
Controlled Income and Rent Housing where density is above that normally required in the zoning district but does not exceed 150% of the maximum permitted density. (Shall comply with multiple-family standards in EC 9.5500.		S	S
Rowhouse (One-family on own lot attached to adjacent residence on separate lot)	P(3)(4)	P(3)(4)	P(3)(4)
Duplex (Two-family attached on the same lot)		P	P
Tri-plex (Three family attached on the same lot) (See EC 9.5500)		P	P
Four-plex (Four-family attached on the same lot) (See EC 9.5500)		S	S
Multiple Family (3 or more dwellings on the same lot) (See 9.5500)	S	S	S
Manufactured Home Park (See 9.5400)			P(5)

Section 10. The “Maximum Building Height” section in Table 9.3125(3)(g) of Section 9.3125 of the Eugene Code, 1971, is amended to provide as follows:

Table 9.3125(3)(g) S-CN Chase Garden Node Special Zone Development Standards (See EC 9.3126 Special Development Standards for Table 9.3125(3)(g).)			
	C	HDR/MU	HDR
Maximum Building Height (3)			
Main Building	50' commercial, 120' residential or residential above commercial	120' except (3); 35' or 2 stories within 50' of Garden Way	120'
Accessory Building. [Includes Secondary Dwellings Detached from Main Building]		30'	30'
<i>Accessory Dwellings Detached from Main Building</i>		<i>30'</i>	<i>30'</i>

Section 11. The “Dwellings” subsection in the “Residential” section in Table 9.3210 of Section 9.3210 of the Eugene Code, 1971, is amended to provide as follows:

Table 9.3210 S-DW Downtown Westside Special Area Zone Uses and Permit Requirements	
	S-DW
Residential	
Dwellings (All dwellings types are permitted if approved through the Planned Unit Development process.)	
One-Family Dwelling (1 Per Lot)	P
[Secondary] Accessory Dwelling ([Either Attached or Detached from Primary One-Family Dwelling] 1 Per Detached One-Family Dwelling on Same Lot)	P
Rowhouse (One-Family on Own Lot Attached to Adjacent Residence on Separate Lot with Garage or Carport Access to the Rear of the Lot)	P
Duplex	P
Tri-plex (Three-Family Attached on Same Lot)	P
Four-plex (Four Family Attached on Same Lot)	P
Multiple-Family (3 or More Dwellings on Same Lot) (See EC 9.5500)	P

Section 12. Subsection (2) of Section 9.3215 of the Eugene Code, 1971, is amended to provide as follows:

- 9.3215 S-DW Downtown Westside Special Area Zone Development Standards.**
- (2) **Residential Standards.** Except as provided in this section or EC 9.3216 Special Development Standards for Table 9.3215, all residential development shall be subject to the standards established for the R-4 zone. ***Accessory dwellings shall be subject to the R-4 standards, except EC 9.2751(17).***

Section 13. The “Dwellings” subsection in the “Residential” section in Table 9.3310 of Section 9.3310 of the Eugene Code, 1971, is amended to provide as follows:

Table 9.3310 S-E Elmira Road Special Area Zone Uses and Permit Requirements	
	S-E
Residential	
Dwellings	
One-Family Dwelling (1 Per Lot)	P
Accessory Dwelling (1 Per Detached One-Family Dwelling on Same Lot)	P
Rowhouse (One-Family on Own Lot Attached to Adjacent Residence on Separate Lot with Garage or Carport Access to the Rear of the Lot)	P
Duplex (Two-Family Attached on Same Lot)	P
Multiple Family (3 or More Dwellings on Same Lot) (See EC 9.5500)	PUD

Section 14. Subsection (1) of Section 9.3510 of the Eugene Code, 1971, is amended to provide as follows:

9.3510 S-HB Blair Boulevard Historic Commercial Special Area Zone Uses. The S-HB zone designation is based on the area's association with the city's working class and the mix of residential, commercial and light industrial uses within the zone. The S-HB zone is the commercial core of the residential districts located to the east and west of the zone. The Whiteaker Plan Land Use Diagram reflects four underlying land use designations for this zone of residential, commercial, mixed use, and parks. Uses permitted within the S-HB zone are as follows:

- (1) **Areas Designated for Low and Medium Density Residential.** Allowable uses are:
- (a) One-family dwellings.
 - (b) ***Accessory Dwelling (1 Per Detached One-Family Dwelling on Same Lot).***
 - (~~b~~c) Duplexes.
 - (~~e~~d) Triplexes.
 - (~~d~~e) Four-plexes.
 - (e*f*) Multiple-family dwellings.
 - (~~f~~g) Home occupations.
 - (~~g~~h) Bed and breakfast facilities.

Section 15. A new subsection (2) is added to Section 9.3615 of the Eugene Code, 1971, and the following subsection is renumbered, to provide as follows:

- 9.3615 S-JW Jefferson Westside Special Area Zone Land Use and Permit Requirements and Special Use Limitations.** The land use and permit requirements and special use limitations applicable in the S-JW Jefferson Westside Special Area Zone shall be those set out at EC 9.2740 and EC 9.2741 for uses in the R-2 zone, except:
- (1) ~~[t]~~The following uses listed on Table EC 9.2740 are prohibited in the S-JW Jefferson Westside Special Area Zone:
- (~~1~~a) Correctional Facilities.
 - (~~2~~b) C-1 Neighborhood Commercial Zone permitted uses, unless such a use is specifically listed in another row on Table 9.2740 as an allowable use under the "R-2" column.
- (2) ***A second (interior, attached or detached) residential structure that is used in connection with or that is accessory to a single family dwelling may be permitted on a lot only as an additional "One-Family Dwelling" and not as an "Accessory Dwelling."***

Section 16. The "Dwellings" subsection in the "Residential" section in Table 9.3810 of Section 9.3810 of the Eugene Code, 1971, is amended to provide as follows:

Table 9.3810 S-RN Royal Node Special Area Zone Land Uses and Permit Requirements					
	LDR	MDR	RMU	CMU	MSC
Residential					
Dwellings. (All dwellings shall meet minimum and maximum density requirements for development within the Royal Specific Plan area. All dwelling types are permitted.)					
One-Family Dwelling (1 Per Lot, includes zero lot line dwellings)	P	P	P		
[Secondary] Accessory Dwelling (Either Attached or Detached from Primary One-Family Dwelling) 1 Per Detached One-Family Dwelling on Same Lot)	P(1)	P(1)	P(1)		
Rowhouse (One-Family on Own Lot Attached to Adjacent Residence on Separate Lot with Garage or Carport Access to the Rear of the Lot)	P(2) (3)	P(2) (3)	P(2) (3)	P(2) (3)	P(2) (3)
Duplex (Two-Family Attached on Same Lot)	P	P	P		
Tri-plex (Three family attached on the same lot) See EC 9.5500	P	P	P	P	
Four-plex (Four-Family Attached on Same Lot) See EC 9.5500	P	P	P		
Multiple-Family (3 or More Dwellings on Same Lot) See EC 9.5500	S(3) (9)	S(3) (9)	S(3) (9)	S(3) (9)	S(3) (9)
Manufactured Home Park. Shall comply with EC 9.5400 or site review.	S - SR (4)	S - SR (4)			
Controlled Income and Rent Housing where density is above that normally permitted in the zoning district but does not exceed 150% of the maximum permitted density. (Shall comply with multiple-family standards in EC 9.5500.)	S (9)	S (9)			

Section 17. The “Maximum Building Height” section in Table 9.3815(3)(n) of Section 9.3815 of the Eugene Code, 1971, is amended to provide as follows:

Table 9.3815(3)(n) S-RN Royal Node Special Zone Development Standards (See EC 9.3816 Special Development Standards for Table 9.3815(3)(n).)					
	LDR	MDR	RMU	CMU	MSC
Maximum Building Height					
Main Building	35 feet	35 feet	50'	50'	50'
Accessory Building. [Includes Secondary Dwellings Detached from Main Building]	25 feet	25 feet	50'	50'	50'
Accessory Dwellings Detached from Main Building	25 feet	25 feet	25 feet		

Section 18. The “Accessory Uses” section, and the “Dwellings” subsection of the “Residential” section in Table 9.3910 of Section 9.3910 of the Eugene Code, 1971, are amended to provide as follows:

Table 9.3910 S-W Whiteaker Special Area Zone Uses and Permit Requirements	
	S-W
Accessory Uses	
Accessory Uses. <u>Examples</u> related to residential uses include a garage, storage shed, bed and breakfast facility (see EC 9.5100)[,] and home occupations (see EC 9.5350)[,] and secondary dwellings (see EC 9.2741(2)) . <u>Examples</u> relating to commercial and employment and industrial uses include security work, administration activity and sales related to industrial uses manufactured on the same development site, and storage and distribution incidental to the primary use of the site.	P
Residential	
Dwellings	
One-Family Dwelling	P(2)
<i>Accessory Dwelling (1 Per Detached One-Family Dwelling on Same Lot)</i>	<i>P(2)</i>
Rowhouse (One-Family on Own Lot Attached to Adjacent Residence on Separate Lot with Garage or Carport Access to the Rear of the Lot)	P(2)
Duplex (Two-Family Attached on Same Lot)	P(2)
Tri-plex (Three-Family Attached on Same Lot)	P(2)
Multiple Family (3 or More Dwellings on Same Lot) (See EC 9.5500)	P(2)

Section 19. The first paragraph and subsection (1) of Section 9.3915 of the Eugene Code, 1971, are amended, and a new subsection (13) is added, to provide as follows:

- 9.3915 S-W Whiteaker Special Area Zone Development and Lot Standards.** Except as provided in subsections (5) to [(12)] **(13)** of this section, sections 9.6000 to 9.6885 General Standards for All Development in this land use code shall apply within this S-W zone. In the event of a conflict between the general development standards of this land use code and the standards set forth in this section, the specific provisions of this section shall control.
- (1) **Residential Standards.** Except as provided in subsections (5) to [(12)] **(13)** of this section, all residential development shall be subject to the standards established for the C-2 zone.
 - (13) ***Accessory dwellings shall be subject to the standards established at EC 9.2750 and EC 9.2751(17).***

Section 20. The findings set forth in Exhibit A attached to this Ordinance are adopted as findings in support of this Ordinance.

Section 21. The City Recorder, at the request of, or with the concurrence of the City Attorney, is authorized to administratively correct any reference errors contained herein or in

other provisions of the Eugene Code, 1971, to the provisions added, amended or repealed herein.

Section 22. If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held invalid or unconstitutional by a court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions hereof.

Section 23. Pursuant to the provisions of Section 32(2) of the Eugene Charter of 2002, with the affirmative vote of two-thirds of the members of the City Council, this Ordinance shall become effective on July 1, 2018. An effective date of less than 30 days is necessary to conform to State Law. If a lesser majority votes affirmatively, the effective date shall be as provided at Section 32(1) of the Eugene Charter of 2002.

Passed by the City Council this

___ day of _____, 2018

City Recorder

Approved by the Mayor this

___ day of _____, 2018

Mayor

Preliminary Findings

Secondary (Accessory) Dwellings (Phase 1 Implementation of Senate Bill 1051) (City File CA 18-1)

Findings

Eugene Code Section 9.8065 requires that the following approval criteria (in ***bold italics***) be applied to a land use code amendment:

(1) The amendment is consistent with applicable statewide planning goals adopted by the Land Conservation and Development Commission.

Goal 1 - Citizen Involvement. *To develop a citizen involvement program that insures the opportunity for citizens to be involved in all phases of the planning process.*

The City has acknowledged provisions for community involvement which ensure the opportunity for citizens to be involved in all phases of the planning process and set out requirements for such involvement. The land use code amendments do not amend the citizen involvement program. The process for adopting these amendments complied with Goal 1 because it is consistent with the City's acknowledged citizen involvement provisions.

A Notice of Proposed Amendment was filed with the Oregon Department of Land Conservation and Development on January 30, 2018. A public hearing was held before the Planning Commission on March 6, 2018. On March 26, 2018, the Planning Commission recommended that the City Council approve the proposed amendments to expand the areas in which accessory dwellings are allowed in the city. On March 27, 2018, a Revised Notice of Proposed Amendment was filed with the Oregon Department of Land Conservation and Development, incorporating the Planning Commission's recommended amendments. A public hearing was held before the City Council on April 16, 2018. Consistent with land use code requirements, the Planning Commission public hearing on the proposal was duly noticed to all neighborhood organizations in Eugene, as well as community groups and individuals who requested notice. In addition, notice of the public hearing was published in the Register Guard. Information concerning the amendments, including the dates of the public hearings, were posted on the City of Eugene website.

These processes afford ample opportunity for citizen involvement consistent with Goal 1. Therefore, the ordinance is consistent with Statewide Planning Goal 1.

Goal 2 - Land Use Planning. *To establish a land use planning process and policy framework as a basis for all decisions and actions related to use of land and to assure an adequate factual basis for such decisions and actions.*

Eugene's land use code specifies the procedure and criteria that were used in considering these amendments. The record shows that there is an adequate factual basis for the amendments. The

Exhibit A

Goal 2 coordination requirement is met when the City engages in an exchange, or invites such an exchange, between the City and any affected governmental unit and when the City uses the information obtained in the exchange to balance the needs of the citizens.

To comply with the Goal 2 coordination requirement, the City engaged in an exchange about the subject of these amendments with all of the affected governmental units. Specifically, the City provided notice of the proposed action and opportunity to comment to the Oregon Department of Land Conservation and Development, as well as to Lane County and the City of Springfield. There are no exceptions to Statewide Planning Goal 2 required for these amendments. Therefore, the amendments are consistent with Statewide Planning Goal 2.

Goal 3 - Agricultural Lands. *To preserve agricultural lands.*

The amendments are for property located within the urban growth boundary and do not affect any land designated for agricultural use. Therefore, Statewide Planning Goal 3 does not apply.

Goal 4 - Forest Lands. *To conserve forest lands.*

The amendments are for property located within the urban growth boundary and do not affect any land designated for forest use. Therefore, Statewide Planning Goal 4 does not apply.

Goal 5 - Open Spaces, Scenic and Historic Areas, and Natural Resources. *To conserve open space and protect natural and scenic resources.*

OAR 660-023-0250(3) provides: Local governments are not required to apply Goal 5 in consideration of a PAPA unless the PAPA affects a Goal 5 resource. For purposes of this section, a PAPA would affect a Goal 5 resource only if:

- (a) The PAPA creates or amends a resource list or a portion of an acknowledged plan or land use regulation adopted in order to protect a significant Goal 5 resource or to address specific requirements of Goal 5;*
- (b) The PAPA allows new uses that could be conflicting uses with a particular significant Goal 5 resource site on an acknowledged resource list; or*
- (c) The PAPA amends an acknowledged UGB and factual information is submitted demonstrating that a resource site, or the impact areas of such a site, is included in the amended UGB area.*

These amendments do not create or amend the City's list of Goal 5 resources, do not amend a code provision adopted in order to protect a significant Goal 5 resource or to address specific requirements of Goal 5, do not allow new uses that could be conflicting uses with a significant Goal 5 resource site and do not amend the acknowledged urban growth boundary. Therefore, Statewide Planning Goal 5 does not apply.

Goal 6 - Air, Water and Land Resource Quality. *To maintain and improve the quality of the air, water and land resources of the state.*

Goal 6 addresses waste and process discharges from development, and is aimed at protecting air,

Exhibit A

water and land from impacts from those discharges. The amendments do not affect the City's ability to provide for clean air, water or land resources. Therefore, Statewide Planning Goal 6 does not apply.

Goal 7 - Areas Subject to Natural Disasters and Hazards. *To protect life and property from natural disasters and hazards.*

Goal 7 requires that local government planning programs include provisions to protect people and property from natural hazards such as floods, landslides, earthquakes and related hazards, tsunamis and wildfires. The Goal prohibits a development in natural hazard areas without appropriate safeguards. The amendments do not affect the City's restrictions on development in areas subject to natural disasters and hazards. Further, the amendments do not allow for new development that could result in a natural hazard. Therefore, Statewide Planning Goal 7 does not apply.

Goal 8 - Recreational Needs. *To satisfy the recreational needs of the citizens of the state and visitors, and where appropriate, to provide for the siting of necessary recreational facilities including destination resorts.*

Goal 8 ensures the provision of recreational facilities to Oregon citizens and is primarily concerned with the provision of those facilities in non-urban areas of the state. The amendments do not affect the City's provisions for or access to recreation areas, facilities or recreational opportunities. Therefore, Statewide Planning Goal 8 does not apply.

Goal 9 - Economic Development. *To provide adequate opportunities throughout the state for a variety of economic activities vital to the health, welfare, and prosperity of Oregon's citizens.*

Goal 9 requires cities to evaluate the supply and demand of commercial land relative to community economic objectives. The amendments do not impact the supply of industrial or commercial lands. Therefore, the amendments are consistent with Statewide Planning Goal 9.

Goal 10 - Housing. *To provide for the housing needs of citizens of the state.*

Goal 10 requires communities to provide an adequate supply of residential buildable land to accommodate estimated housing needs for a 20-year planning period. The Residential Lands Supply Study (2017) was adopted by the City of Eugene as a refinement of the Envision Eugene Comprehensive Plan, and complies with the requirements of Goal 10 and the corresponding Administrative Rule. According to the Residential Lands Supply Study, there is sufficient buildable residential land to meet the identified land need.

The amendments do not impact the supply of residential buildable land. No land is being re-designated from residential use to a nonresidential use, and the amendments do not otherwise diminish the amount of lands available for residential use. Rather, the amendments increase the capacity of existing residential land, by increasing the potential number of dwelling units that could be built without adversely impacting the residential land inventory.

Exhibit A

The provisions specific to the S-JW Jefferson Westside and the S-C Chambers Special Area Zones recognize that those zones already allow for a second one-family dwellings that can be an interior, attached or detached residential structure that is used in connection with or that is accessory to a single family dwelling, and are therefore already in compliance with state law.

Accordingly, the amendments do not impact the supply or availability of residential lands included in the documented supply of “buildable land” that is available for residential development as inventoried in the acknowledged Residential Lands Supply Study. Therefore, the amendments are consistent with Statewide Planning Goal 10.

Goal 11- Public Facilities and Services. *To plan and develop a timely, orderly and efficient arrangement of public facilities and services to serve as a framework for urban and rural development.*

The amendments do not affect the City’s provision of public facilities and services. Therefore, Statewide Planning Goal 11 does not apply.

Goal 12- Transportation. *To provide and encourage a safe, convenient and economic transportation system.*

The Transportation Planning Rule (OAR 660-012-0060) contains the following requirement:

- (1) If an amendment to a functional plan, an acknowledged comprehensive plan, or a land use regulation (including a zoning map) would significantly affect an existing or planned transportation facility, then the local government must put in place measures as provided in section (2) of this rule, unless the amendment is allowed under section (3), (9) or (10) of this rule. A plan or land use regulation amendment significantly affects a transportation facility if it would:*
 - (a) Change the functional classification of an existing or planned transportation facility (exclusive of correction of map errors in an adopted plan);*
 - (b) Change standards implementing a functional classification system; or*
 - (c) Result in any of the effects listed in paragraphs (A) through (C) of this subsection based on projected conditions measured at the end of the planning period identified in the adopted TSP. As part of evaluating projected conditions, the amount of traffic projected to be generated within the area of the amendment may be reduced if the amendment includes an enforceable, ongoing requirement that would demonstrably limit traffic generation, including, but not limited to, transportation demand management. This reduction may diminish or completely eliminate the significant effect of the amendment.*
 - (A) Types or levels of travel or access that are inconsistent with the functional classification of an existing or planned transportation facility;*
 - (B) Degrade the performance of an existing or planned transportation facility such that it would not meet the performance standards identified in the TSP or comprehensive plan; or*
 - (C) Degrade the performance of an existing or planned transportation facility that is otherwise projected to not meet the performance standards identified in the TSP*

Exhibit A

or comprehensive plan.

The amendments do not change the functional classification of a transportation facility, change the standards implementing a functional classification system or degrade the performance of a facility otherwise projected to not meet performance standards. Therefore, the amendments do not have a significant effect under (A) or (B). In regards to (C), the relatively small number of homes that are expected to be developed as a result of the accessory dwelling provisions will have a negligible impact on any transportation facility. Therefore, the amendments do not significantly affect any existing or future transportation facilities. Based on the above findings, the amendment is consistent with Statewide Planning Goal 12.

Goal 13 - Energy Conservation. *To conserve energy.*

The amendments do not impact energy conservation. Therefore, Statewide Planning Goal 13 does not apply.

Goal 14 - Urbanization. *To provide for an orderly and efficient transition from rural to urban land use.*

The amendments do not affect the City's provisions regarding the transition of land from rural to urban uses. Therefore, Statewide Planning Goal 14 does not apply.

Goal 15 - Willamette River Greenway. *To protect, conserve, enhance and maintain the natural, scenic, historical, agricultural, economic and recreational qualities of lands along the Willamette River as the Willamette River Greenway.*

The amendments do not contain any changes that affect the Willamette River Greenway regulations, therefore, Statewide Planning Goal 15 does not apply.

Goal 16 through 19 - Estuarine Resources, Coastal Shorelands, Beaches and Dunes, and Ocean Resources.

There are no coastal, ocean, estuarine, or beach and dune resources related to the property effected by these amendments. Therefore, these goals are not relevant and the amendments will not affect compliance with Statewide Planning Goals 16 through 19.

(2) *The amendment is consistent with applicable provisions of the comprehensive plan and applicable adopted refinement plans.*

Applicable Metro Plan Policies

The following policies from the *Metro Plan* (identified below in *italics*) are applicable to these amendments. To the extent that the following policies constitute mandatory approval criteria, based on the findings provided below, the amendments are consistent with and supported by the applicable provisions of the *Metro Plan*.

Exhibit A

Residential Land Use and Housing Element

- A.13 Increase overall residential density in the metropolitan area by creating more opportunities for effectively designed in-fill, redevelopment, and mixed use while considering impacts of increased residential density on historic, existing and future neighborhoods.*

The intent of the amendments is to create more opportunities citywide for accessory dwellings in areas designed for residential use, consistent with this policy. The standards currently in place for accessory dwellings will continue to apply at this time which will ensure minimal impact on surrounding properties in historic, existing and future neighborhoods.

- A.17 Provide opportunities for a full range of choice in housing type, density, size, cost and location.*

- A.18 Encourage a mix of structure types and densities within residential designations by reviewing and, if necessary, amending local zoning and development regulations.*

Consistent with these policies, the amendments provide for more opportunities for smaller housing types within existing and future residential neighborhoods.

Envision Eugene Comprehensive Plan

The Envision Eugene Comprehensive Plan does not contain any policies relevant to this amendment.

Applicable Refinement Plans

Given the broad applicability of this amendment, all adopted refinement plans were reviewed for consistency. No relevant policies were found in the following adopted refinement plans:

- Bethel-Danebo Refinement Plan (1982)
- Bethel-Danebo Refinement Plan Phase II (1977)
- Eugene Downtown Plan (2004)
- Eugene (EWEB) Downtown Riverfront Specific Area Plan (2013)
- Fairmount/U of O Special Area Study (1982)
- Laurel Hill Neighborhood Plan (1982)
- 19th and Agate Special Area Study (1988)
- South Hills Study (1974)
- South Willamette Subarea Study (1987)
- Walnut Station Specific Area Plan (2010)
- Westside Neighborhood Plan (1987)
- West University Refinement Plan (1982)
- Whiteaker Plan (1994)
- Willow Creek Special Area Study (1982)

Findings addressing relevant provisions of applicable refinement plans are provided below.

Exhibit A

Jefferson Far West Refinement Plan (1983)

The following residential policies in the Land Use Element of the plan lend general support for the amendment:

- 3.0 Encourage a mixture of housing densities and types to allow a diverse population group to live in the area.*

The amendments are consistent with these policies in that they will continue to provide the opportunity for smaller single family housing types.

River Road-Santa Clara Urban Facilities Plan (1987)

The following policies from the Residential Land Use section are relevant:

- 1.0 Recognize and maintain the predominately low-density residential character of the area consistent with the Metro Plan.*
- 2.0 Provide a diversity of housing types in the area. Available techniques include encouraging reinvestment and rehabilitation of existing housing stock and the use of development standards that provide for clustering or planned unit development.*

Consistent with these policies, the amendments allow for accessory dwellings (a smaller type of single family housing) in additional areas within these neighborhoods.

Willakenzie Area Plan (1992)

Although there are no policies in this refinement plan that directly address the amendment or constitute mandatory approval criteria, the following land use policies lends general support for the amendment:

Residential Policies

- 1. Maintain the existing low-density residential character of existing Willakenzie neighborhoods, while recognizing the need to provide housing for all income groups in the city.*
- 4. Encourage a mixture of housing densities and types to address the housing needs of a diverse population.*

The amendment to allow for accessory dwellings in additional residential areas strike a balance between maintaining the character of existing low density neighborhoods and providing housing for all income levels, consistent with this policy.

Based on the above findings, the proposal is consistent with and supported by the applicable provisions of these adopted plans.

(3) The amendment is consistent with EC 9.3020 Criteria for Establishment of an S Special Area

Exhibit A

Zone, in the case of establishment of a special area zone.

The amendments do not establish a special area zone. Therefore, this criterion does not apply.

Council Bill No. 5185

ORDINANCE NO. _____

**AN ORDINANCE CONCERNING SECONDARY / ACCESSORY DWELLINGS
AND AMENDING SECTION 9.0500 OF THE EUGENE CODE, 1971.**

THE CITY OF EUGENE DOES ORDAIN AS FOLLOWS:

Section 1. The definition of “Dwelling, Secondary” in Section 9.0500 of the Eugene Code, 1971, is amended to provide as follows:

9.0500 **Definitions.** As used in this land use code, unless the context requires otherwise, the following words and phrases mean:

Dwelling, Accessory. ~~[A dwelling unit that is located on the same lot as a primary one family dwelling that is clearly subordinate to the primary one family dwelling, whether a part of the same structure as the primary one family dwelling or a detached dwelling unit on the same lot. Either the secondary dwelling or the primary dwelling must be occupied by the property owner.]~~ ***An interior, attached or detached residential structure that is used in connection with or that is accessory to a single-family dwelling.***

Section 2. The findings set forth in Exhibit A attached to this Ordinance are adopted as findings in support of this Ordinance.

Section 3. The City Recorder, at the request of, or with the concurrence of the City Attorney, is authorized to administratively correct any reference errors contained herein or in other provisions of the Eugene Code, 1971, to the provisions added, amended or repealed herein.

Section 4. Pursuant to the provisions of Section 32(2) of the Eugene Charter of 2002, with the affirmative vote of two-thirds of the members of the City Council, this Ordinance shall become effective on July 1, 2018. An effective date of less than 30 days is necessary to

conform to State Law. If a lesser majority votes affirmatively, the effective date shall be as provided at Section 32(1) of the Eugene Charter of 2002.

Passed by the City Council this

___ day of _____, 2018

City Recorder

Approved by the Mayor this

___ day of _____, 2018

Mayor

Findings

Secondary (Accessory) Dwellings (Phase 1 Implementation of Senate Bill 1051) (City File CA 18-1)

Overview

The goal of this proposed land use code amendment is to align the definition of accessory dwelling with the definition provided in Senate Bill 1051 (now codified at ORS 197.312(5)(b)).

Findings

Eugene Code Section 9.8065 requires that the following approval criteria (in ***bold italics***) be applied to a land use code amendment:

(1) The amendment is consistent with applicable statewide planning goals adopted by the Land Conservation and Development Commission.

Goal 1 - Citizen Involvement. *To develop a citizen involvement program that insures the opportunity for citizens to be involved in all phases of the planning process.*

The City has acknowledged provisions for community involvement which insure the opportunity for citizens to be involved in all phases of the planning process and set out requirements for such involvement. The land use code amendment does not amend the citizen involvement program. The process for adopting this amendment complied with Goal 1 because it is consistent with the City's acknowledged citizen involvement provisions.

A Notice of Proposed Amendment was filed with the Oregon Department of Land Conservation and Development on January 30, 2018. A public hearing was held by the Planning Commission on March 6, 2018. On March 26, 2018, the Planning Commission recommended that the City Council approve the proposed change to the definition of "accessory dwelling." On March 27, 2018, a Revised Notice of Proposed Amendment was filed with the Oregon Department of Land Conservation and Development, incorporating the Planning Commission's recommended amendments. A public hearing before the City Council was held April 16, 2018. Consistent with land use code requirements, the Planning Commission public hearing on the proposal was duly noticed to all neighborhood organizations in Eugene, as well as community groups and individuals who requested notice. In addition, notice of the public hearing was published in the Register Guard. Information concerning the proposed amendment, including the dates of the public hearings, were posted on the City of Eugene website.

These processes afford ample opportunity for citizen involvement consistent with Goal 1. Therefore, the ordinance is consistent with Statewide Planning Goal 1.

Goal 2 - Land Use Planning. *To establish a land use planning process and policy framework as a basis for all decisions and actions related to use of land and to assure an adequate factual basis for such*

Exhibit A

decisions and actions.

Eugene's land use code specifies the procedure and criteria that were used in considering this amendment. The record shows that there is an adequate factual basis for the amendment. The Goal 2 coordination requirement is met when the City engages in an exchange, or invites such an exchange, between the City and any affected governmental unit and when the City uses the information obtained in the exchange to balance the needs of the citizens.

To comply with the Goal 2 coordination requirement, the City engaged in an exchange about the subject of this amendment with all of the affected governmental units. Specifically, the City provided notice of the proposed action and opportunity to comment to the Oregon Department of Land Conservation and Development, as well as to Lane County and the City of Springfield. There are no exceptions to Statewide Planning Goal 2 required for this amendment. Therefore, the amendment is consistent with Statewide Planning Goal 2.

Goal 3 - Agricultural Lands. To preserve agricultural lands.

The amendment is for property located within the urban growth boundary and do not affect any land designated for agricultural use. Therefore, Statewide Planning Goal 3 does not apply.

Goal 4 - Forest Lands. To conserve forest lands.

The amendment is for property located within the urban growth boundary and do not affect any land designated for forest use. Therefore, Statewide Planning Goal 4 does not apply.

Goal 5 - Open Spaces, Scenic and Historic Areas, and Natural Resources. To conserve open space and protect natural and scenic resources.

OAR 660-023-0250(3) provides: Local governments are not required to apply Goal 5 in consideration of a PAPA unless the PAPA affects a Goal 5 resource. For purposes of this section, a PAPA would affect a Goal 5 resource only if:

- (a) The PAPA creates or amends a resource list or a portion of an acknowledged plan or land use regulation adopted in order to protect a significant Goal 5 resource or to address specific requirements of Goal 5;*
- (b) The PAPA allows new uses that could be conflicting uses with a particular significant Goal 5 resource site on an acknowledged resource list; or*
- (c) The PAPA amends an acknowledged UGB and factual information is submitted demonstrating that a resource site, or the impact areas of such a site, is included in the amended UGB area.*

These amendment does not create or amend the City's list of Goal 5 resources, do not amend a code provision adopted in order to protect a significant Goal 5 resource or to address specific requirements of Goal 5, do not allow new uses that could be conflicting uses with a significant Goal 5 resource site and do not amend the acknowledged urban growth boundary. Therefore, Statewide Planning Goal 5 does not apply.

Goal 6 - Air, Water and land Resource Quality. To maintain and improve the quality of the air, water

Exhibit A

and land resources of the state.

Goal 6 addresses waste and process discharges from development, and is aimed at protecting air, water and land from impacts from those discharges. The amendment does not affect the City's ability to provide for clean air, water or land resources. Therefore, Statewide Planning Goal 6 does not apply.

Goal 7 - Areas Subject to Natural Disasters and Hazards. *To protect life and property from natural disasters and hazards.*

Goal 7 requires that local government planning programs include provisions to protect people and property from natural hazards such as floods, landslides, earthquakes and related hazards, tsunamis and wildfires. The Goal prohibits a development in natural hazard areas without appropriate safeguards. The amendment does not affect the City's restrictions on development in areas subject to natural disasters and hazards. Further, the amendment does not allow for new development that could result in a natural hazard. Therefore, Statewide Planning Goal 7 does not apply.

Goal 8 - Recreational Needs. *To satisfy the recreational needs of the citizens of the state and visitors, and where appropriate, to provide for the siting of necessary recreational facilities including destination resorts.*

Goal 8 ensures the provision of recreational facilities to Oregon citizens and is primarily concerned with the provision of those facilities in non-urban areas of the state. The amendment does not affect the City's provisions for or access to recreation areas, facilities or recreational opportunities. Therefore, Statewide Planning Goal 8 does not apply.

Goal 9 - Economic Development. *To provide adequate opportunities throughout the state for a variety of economic activities vital to the health, welfare, and prosperity of Oregon's citizens.*

Goal 9 requires cities to evaluate the supply and demand of commercial land relative to community economic objectives. The amendment does not impact the supply of industrial or commercial lands. Therefore, the amendment is consistent with Statewide Planning Goal 9.

Goal 10 - Housing. *To provide for the housing needs of citizens of the state.*

Goal 10 requires communities to provide an adequate supply of residential buildable land to accommodate estimated housing needs for a 20-year planning period. The Residential Lands Supply Study (2017) was adopted by the City of Eugene as a refinement of the Envision Eugene Comprehensive Plan, and complies with the requirements of Goal 10 and the corresponding Administrative Rule. According to the Residential Lands Supply Study, there is sufficient buildable residential land to meet the identified land need.

The amendment does not impact the supply of residential buildable land. No land is being re-designated from residential use to a nonresidential use, and the amendment does not otherwise diminish the amount of lands available for residential use.

Exhibit A

Accordingly, the amendment does not impact the supply or availability of residential lands included in the documented supply of “buildable land” that is available for residential development as inventoried in the acknowledged Residential Lands Supply Study. Therefore, the amendment is consistent with Statewide Planning Goal 10.

Goal 11- Public Facilities and Services. *To plan and develop a timely, orderly and efficient arrangement of public facilities and services to serve as a framework for urban and rural development.*

The amendment does not affect the City’s provision of public facilities and services. Therefore, Statewide Planning Goal 11 does not apply.

Goal 12- Transportation. *To provide and encourage a safe, convenient and economic transportation system.*

The Transportation Planning Rule (OAR 660-012-0060) contains the following requirement:

- (1) If an amendment to a functional plan, an acknowledged comprehensive plan, or a land use regulation (including a zoning map) would significantly affect an existing or planned transportation facility, then the local government must put in place measures as provided in section (2) of this rule, unless the amendment is allowed under section (3), (9) or (10) of this rule. A plan or land use regulation amendment significantly affects a transportation facility if it would:*
 - (a) Change the functional classification of an existing or planned transportation facility (exclusive of correction of map errors in an adopted plan);*
 - (b) Change standards implementing a functional classification system; or*
 - (c) Result in any of the effects listed in paragraphs (A) through (C) of this subsection based on projected conditions measured at the end of the planning period identified in the adopted TSP. As part of evaluating projected conditions, the amount of traffic projected to be generated within the area of the amendment may be reduced if the amendment includes an enforceable, ongoing requirement that would demonstrably limit traffic generation, including, but not limited to, transportation demand management. This reduction may diminish or completely eliminate the significant effect of the amendment.*
 - (A) Types or levels of travel or access that are inconsistent with the functional classification of an existing or planned transportation facility;*
 - (B) Degrade the performance of an existing or planned transportation facility such that it would not meet the performance standards identified in the TSP or comprehensive plan; or*
 - (C) Degrade the performance of an existing or planned transportation facility that is otherwise projected to not meet the performance standards identified in the TSP or comprehensive plan.*

The amendment does not change the functional classification of a transportation facility, change the standards implementing a functional classification system or degrade the performance of a facility otherwise projected to not meet performance standards. As such, the amendment does not have a significant effect under (a), (b) or (c). Therefore, the amendment does not significantly affect any

Exhibit A

existing or future transportation facilities. Based on the above findings, the amendment is consistent with Statewide Planning Goal 12.

Goal 13 - Energy Conservation. *To conserve energy.*

The amendment does not impact energy conservation. Therefore, Statewide Planning Goal 13 does not apply.

Goal 14 - Urbanization. *To provide for an orderly and efficient transition from rural to urban land use.*

The amendment does not affect the City's provisions regarding the transition of land from rural to urban uses. Therefore, Statewide Planning Goal 14 does not apply.

Goal 15 - Willamette River Greenway. *To protect, conserve, enhance and maintain the natural, scenic, historical, agricultural, economic and recreational qualities of lands along the Willamette River as the Willamette River Greenway.*

The amendment does not contain any changes that affect the Willamette River Greenway regulations, therefore, Statewide Planning Goal 15 does not apply.

Goal 16 through 19 - Estuarine Resources, Coastal Shorelands, Beaches and Dunes, and Ocean Resources.

There are no coastal, ocean, estuarine, or beach and dune resources related to the property affected by this amendment. Therefore, these goals are not relevant and the amendment will not affect compliance with Statewide Planning Goals 16 through 19.

(2) *The amendment is consistent with applicable provisions of the comprehensive plan and applicable adopted refinement plans.*

Metro Plan

The Metro Plan does not contain any policies relevant to this amendment.

Envision Eugene Comprehensive Plan

The Envision Eugene Comprehensive Plan does not contain any policies relevant to this amendment.

Applicable Refinement Plans

Given the broad applicability of this amendment, all adopted refinement plans were reviewed for consistency. No relevant policies were found in the adopted refinement plans.

Based on the above finding, this criterion is met.

(3) *The amendment is consistent with EC 9.3020 Criteria for Establishment of an S Special Area Zone, in the case of establishment of a special area zone.*

The amendment does not establish a special area zone. Therefore, this criterion does not apply.