



**Eugene City Council**

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# EUGENE CITY COUNCIL AGENDA

January 17, 2018

**12:00 p.m. CITY COUNCIL WORK SESSION**

**Harris Hall**

**125 East 8<sup>th</sup> Avenue**

**Eugene, Oregon 97401**

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**Meeting of January 17, 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

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**12:00 p.m. CITY COUNCIL WORK SESSION**

**Harris Hall, 125 East 8<sup>th</sup> Avenue**

*The Mayor calls the January 17, 2018, City Council work session to order.*

**A. WORK SESSION:**

**Follow-Up to City Council January 10 Motion on Performance Auditor**

**B. WORK SESSION:**

**Local Implementation of Legislation Related to Secondary Dwellings**

*Adjourn.*

The Eugene City Council welcomes your interest in these agenda items. This meeting location is wheelchair-accessible. For the hearing impaired, an interpreter can be provided with 48 hours' notice prior to the meeting. Spanish-language interpretation will also be provided with 48 hours' notice. To arrange for these services, contact the receptionist at 541-682-5010. City Council meetings are telecast live on Metro Television, Comcast channel 21, and rebroadcast later in the week.

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.

For more information, contact the Council Coordinator at 541-682-5010,  
or visit us online at ***[www.eugene-or.gov](http://www.eugene-or.gov)***.

# EUGENE CITY COUNCIL AGENDA ITEM SUMMARY



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Work Session: Follow-Up to City Council January 10 Motion on  
Performance Auditor

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Meeting Date: January 17, 2018  
[www.eugene-or.gov](http://www.eugene-or.gov)

Agenda Item Number: A  
Staff Contact: Glenn Klein

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This is a follow-up to the council motion made on January 10, 2018:

*I move to direct staff to craft a proposed Charter Amendment for an independent performance auditor based on the objectives and provisions contained in the Citizens for Sensible Oversight January 8 memo presented to Mayor and Council, in sufficient time to allow for referral to the May 2018 special election ballot.*

# EUGENE CITY COUNCIL AGENDA ITEM SUMMARY



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Work Session: Local Implementation of Legislation Related to Secondary Dwellings

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Meeting Date: January 17, 2018  
Department: Planning and Development  
[www.eugene-or.gov](http://www.eugene-or.gov)

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

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## **ISSUE STATEMENT**

The focus of this work session will be recent legislation related to housing affordability. Specifically, the City Council will be provided with an overview of a new provision in state law related to the allowance of secondary dwellings that will require changes to Eugene's land use code.

## **BACKGROUND**

To address housing affordability, the Oregon State Legislature adopted Senate Bill (SB) 1051 during the 2017 legislative session. This bill, which became effective August 15, 2017, had support at the state level from both 1000 Friends of Oregon and the Oregon Home Builders Association. It contains a number of new provisions in state law intended to facilitate housing affordability, including requirements for expediting affordable housing permits, defining "needed housing" as all housing, allowing religious institutions to use their property to develop affordable housing, and requiring cities to allow for accessory dwelling units in single-family neighborhoods.

Pertinent to this work session is the provision in SB 1051 related to accessory dwelling units (known as secondary dwelling units or SDUs in Eugene), which requires:

"A city with a population greater than 2,500 or a county with a population greater than 15,000 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."

An accessory dwelling unit as defined by the bill means an interior, attached or detached residential structure that is used in connection with or that is accessory to a single-family dwelling. The bill further requires that the above provision apply to permit applications for accessory dwelling units submitted for review on or after July 1, 2018.

Although the general intent of the new law is evident (cities must allow accessory dwellings), the direction provided within the text is vague. As written, it does not provide clear direction as to which

zones accessory dwelling should be allowed in, nor does it provide any guidance as to what “reasonable regulations relating to siting and design” might be or not be. This lack of clarity is problematic for all cities working to implement the new law by the July 1, 2018, deadline.

Eugene has long allowed for secondary dwellings in the R-1 Low Density Residential zone subject to development standards such as height, setbacks, building size and parking. Secondary dwellings are also allowed in certain special area zones (including Chambers, Chase Node, Downtown Westside, Royal Node, Whitetaker and Walnut Station) subject to development standards. The standards that apply to secondary dwellings in the R-1 Low Density Residential zone were most recently changed in 2014 as part of the Single Family Code Amendments with the intent of providing greater protections for neighborhood livability.

Since the adoption of SB 1051, staff have been monitoring how other jurisdictions are interpreting and considering implementation of the requirement related to accessory/secondary dwellings. We’ve also had informal conversations with several interested parties, including Housing Policy Board and Sustainability Commission members on subcommittees looking at alternative housing types, members of Walkable Eugene Citizen’s Advisory Network, and neighborhood advocates. The City Council has also been hearing from numerous interested parties at public forums and via email and letters. From these communications, we’ve heard a range of perspectives, including:

- Cities across the state are struggling with the vague language of the bill.
- Housing affordability has been identified by many as a major issue in our community.
- Missing middle housing types, including secondary dwellings, have been identified as a potential tool for addressing housing affordability.
- There is interest in re-evaluating our land use code and permit processes to identify and remove barriers to secondary dwellings.
- There is concern that any changes to the existing secondary dwelling standards will result in loss of protection of livability to neighborhoods.
- Maintaining neighborhood livability while providing for housing affordability is a widely shared value.

We’ve also had conversations with the Oregon Department of Land Conservation and Development (DLCD), which is considering proposing legislation at the upcoming legislative session beginning in early February, to provide more clarity about how the new law applies and potentially extending the July 1, 2018, deadline.

Based on our analysis, we believe it is prudent for the City to take some action to implement SB 1051 before the legislative deadline. At the same time, we are also aware that our community highly values both housing affordability and neighborhood livability, and that community conversations around these topics are evolving.

### **Next Steps**

To implement SB 1051 in a way that is both responsible and responsive to diverse interests, staff recommends a phased approach. This approach would allow the land use changes to be completed

in two phases, as further described below. At the work session, staff will cover this approach in more detail.

Phase 1: The first phase would begin immediately following City Council initiation and consist of limited changes solely aimed at compliance with the bill's requirement to allow secondary dwellings in areas zoned for detached single family homes by the July 1, 2018, deadline. The existing development standards (height, setback, etc) would remain in effect for all zones.

Phase 2: This phase would begin following adoption of Phase 1 and consist of a review and potential update of our existing development standards for secondary dwellings through an inclusive community process. This would allow for the emerging community conversations around housing affordability and neighborhood livability to inform potential changes.

Any updates to the City's land use code require City Council to initiate the process. Council initiation only begins the public process through which the Planning Commission and City Council will consider the merits of the changes, and does not infer support for any proposed changes. The formal adoption process for an amendment to the land use code includes notice to DLCD and interested parties, a public hearing before the Planning Commission which provides a recommendation to City Council, a public hearing before the City Council, and action by the City Council. Staff will return on January 22, 2018, to request City Council initiation.

## **RELATED POLICIES**

### **Envision Eugene Pillars**

The two most pertinent pillars from Envision Eugene are "Provide Housing Affordable to all Income Levels" and "Protect, Repair and Enhance Neighborhood Livability." Both will be important considerations in this effort.

## **COUNCIL OPTIONS**

No action is required at this time. The City Manager will provide a recommendation for initiation of land use code changes on January 22, 2018.

## **CITY MANAGER'S RECOMMENDATION**

No action is required at this time. The City Manager will provide a recommendation for initiation of land use code changes on January 22, 2018.

## **FOR MORE INFORMATION**

Staff Contact: Alissa Hansen  
Telephone: 541-682-5508  
Staff E-Mail: [alissa.h.hansen@ci.eugene.or.us](mailto:alissa.h.hansen@ci.eugene.or.us)

## **ATTACHMENTS**

None.