



Eugene City Council

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EUGENE CITY COUNCIL AGENDA

January 25, 2021

5:30 p.m. CITY COUNCIL WORK SESSION

Due to Governor Brown's Stay Home, Save Lives Executive Order to combat the spread of Covid-19, this meeting will be held remotely using virtual meeting technology. Information about online or other options for access and participation will be available at <https://www.eugene-or.gov/3360/Webcasts-and-Meeting-Materials>

**Meeting of January 25, 2021;
Her Honor Mayor Lucy Vinis Presiding**

Councilors

Jennifer Yeh, President
Mike Clark
Randy Groves
Emily Semple

Claire Syrett, Vice President
Greg Evans
Matt Keating
Alan Zelenka

5:30 p.m. CITY COUNCIL WORK SESSION

1. WORK SESSION: Middle Housing Code Amendments (Implementation of HB 2001)

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.

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EUGENE CITY COUNCIL AGENDA ITEM SUMMARY



Work Session: Middle Housing Code Amendments (Implementation of HB 2001)

Meeting Date: January 25, 2021
Department: Planning and Development
www.eugene-or.gov

Agenda Item Number: 1
Staff Contact: Terri Harding
Contact Telephone Number: 541-682-5635

ISSUE STATEMENT

The City Council will be provided with a project update on the Middle Housing Code Amendments, including an overview of the first phase of public involvement, a summary of the recently adopted state administrative rules, and next steps in implementing House Bill 2001 for middle housing. No action is needed at this work session.

BACKGROUND

The City of Eugene is experiencing a housing crisis and is identified as a severely rent-burdened community. Low vacancy rates, rising housing prices and lower than state average wages are creating a dynamic that leaves both existing and new community members struggling to find local housing that meets their basic needs. A lack of housing affordability and availability is a statewide problem not unique to Eugene. In recognition of this statewide issue, the Oregon legislature passed House Bill (HB) 2001 in 2019, with the goal of increasing housing choice and supply in residential neighborhoods. Implementation of HB 2001 is an important component in the City's ongoing work related to housing.

HB 2001 requires Eugene and other cities with a population of more than 25,000 to allow duplexes on all residentially zoned lots or parcels where detached single-family dwellings are allowed and to allow triplexes, fourplexes, cottage clusters and townhouses in areas zoned for residential use where detached single-family dwellings are allowed. HB 2001 allows cities to regulate siting and design of the various middle housing types as long as the regulations related to siting and design for middle housing do not discourage the development of these housing types through unreasonable costs or delay.

A summary of the requirements of HB 2001 is provided on the [Middle Housing Code Amendments website](https://www.eugene-or.gov/4244/Middle-Housing) (<https://www.eugene-or.gov/4244/Middle-Housing>). The City must adopt the required land use code and plan amendments to implement HB 2001 by June 30, 2022 or the City will be required to implement the State's adopted model code for middle housing.

PUBLIC OUTREACH

The project's [Public Involvement Plan](https://www.eugene-or.gov/DocumentCenter/View/56623/Middle-Housing-Public-Involvement-Plan-?bidId=) (PI Plan) (<https://www.eugene-or.gov/DocumentCenter/View/56623/Middle-Housing-Public-Involvement-Plan-?bidId=>)

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outlines the outreach process from concept development through adoption of land use code and policy amendments. The PI Plan includes opportunities for the community to engage in the planning process and information on how individuals and organizations can effectively participate and is consistent with the City's Public Participation Guidelines and Statewide Planning Goal 1. The City Council provided feedback on the PI Plan at their [July 22, 2020](#) meeting.

Given the COVID-19 pandemic, an emphasis is being placed on online methods that comply with current health guidelines and engage a broad spectrum of the community to learn about the state law and gather feedback on the design and code concepts, code framework, and draft land use code and policy language.

Planning projects affect the entire community; however, traditional engagement efforts face challenges in reaching certain parts of the community, including lower income people, renters, and Black, Indigenous, and people of color. This structure has created disproportionate representation in the planning process and has resulted in exclusion of some people and groups who are directly impacted by plans and policies.

In support of inclusive public engagement, staff is collaborating with the Portland-based group Healthy Democracy. Healthy Democracy is a nonpartisan nonprofit that designs and coordinates innovative deliberative democracy programs. Their purpose is to involve community members who are representative of the community and compensate them for their time engaging in public policy issues. The creation of an advisory group designed to reflect the broad needs and interests of the community provides perspectives that otherwise would not be included in project implementation.

In addition, staff is using an Equity RoundTable to specifically bring an equity lens to the project from representatives of local groups doing equity- based work with marginalized communities. This work builds on the contributions of the Equity Panel for the Climate Action Plan.

To round out the first phase of public engagement, staff are also working with a Boards and Commissions RoundTable and a Local Partners RoundTable, as well as continuing to provide information to the general public. The role of the four key stakeholder groups is to advise staff.

The first phase of the public engagement has been focused on collecting fears and hopes about allowing more housing in more places, as well as general education about the House Bill. Attached is a summary of the key stakeholder groups work to-date (Attachment A).

Values and Principles

The feedback from the key stakeholder groups in the fall was used to form values and principles to inform staff work on code writing. Staff has synthesized the stakeholder input gathered in the fall and developed a draft set of values and principles (Attachment B) that staff will consult during the project's upcoming design and code concept and code writing phases. It is important to note that the values and principles are not approval criteria. The draft values and principles bring together themes staff heard from the stakeholder groups. While the values and principles are derived from stakeholder input on the Middle Housing Code Amendments project specifically, they also relate to a bigger picture of housing generally and the various housing projects and programs at the City.

General Public Engagement

Because the rules from the state to comply with HB 2001 did not become effective until December 31, 2020, general public engagement in this first phase of the project focused on introductory and background materials such as Fact Sheets, Frequently Asked Questions, and links to more information, which are available on the [Middle Housing project webpage](https://www.eugene-or.gov/4244/Middle-Housing) (<https://www.eugene-or.gov/4244/Middle-Housing>). We also maintain an [Engage Eugene](#) page, monthly EUG Planning newsletter, and social media presence on the [EUG Planning Facebook page](#) and [Instagram](#).

Upcoming Public Engagement

There will be continued and expanded public engagement on the choices Eugene has for complying with the law, including for the general public. The public will be asked to provide feedback on whether Middle Housing Code Amendments should simply do what is required for compliance with House Bill 2001 or whether the code amendments should instead go beyond the minimum requirements to foster more development of middle housing in Eugene.

The project's [Engage Eugene](#) and web [page](#) will be updated with opportunities to engage and with information about the minimum standards. The Boards and Commissions, Local Partners and Equity RoundTables and the Healthy Democracy panel will meet additional times. Additionally, community-wide requests for input will launch with a survey along with "Meetings in a Box" materials. These materials will be designed to be printed and interacted with for use by community members, neighborhood associations, classes, and organizations.

Rulemaking, Minimum Compliance Standards, and Policy Choices

At the [December 9, 2020](#) Land Conservation and Development Commission (LCDC) meeting, LCDC voted to adopt administrative rules, including a model code and minimum standards for compliance with House Bill 2001. These rules took effect on December 31, 2020. The City intends to follow the minimum compliance standards and adopt a Eugene-specific code rather than adopt the state's model code. As noted previously, if code amendments that comply with the minimum compliance standards are not adopted by June 30, 2022, the state's model code will apply directly for middle housing development within the City.

The administrative rules implementing the requirements of House Bill 2001 (Middle Housing in Medium and Large Cities, [Oregon Administrative Rules Chapter 660, Division 46](#)) establish, at minimum, code standards cities need to implement to comply with the requirements of House Bill 2001. The rules generally require that middle housing is allowed in as many places as possible, with areas excluded for a limited set of reasons, such as infrastructure constraints or natural hazard areas. While Eugene is required to meet the minimum standards across the community and allow housing types broadly in residentially zoned areas that allow for single family homes, we are also required to "consider ways to increase the affordability of middle housing by considering ordinances and policies." The City can also go beyond the requirements of the rules and encourage or incentivize additional middle housing in the community.

Requirements of the minimum standards include:

- Duplexes must be subject to the same development standards and procedures as detached single-family dwellings
- Triplexes and fourplexes are allowed in areas based on lot size

- Parking requirements for triplexes and quadplexes are tied to lot size
- Design standards for middle housing (other than duplexes) cannot exceed those in the State's adopted Model Code
- Density minimums and maximums do not apply to duplexes, triplexes, or quadplexes

Next Steps

In addition to the upcoming public engagement noted above, Planning staff and consultants will use the minimum standards and values and principles document to create code concepts for compliance with HB 2001 and the accompanying rules. Final grant funded code and policy drafts are due from the consultant to the City in June 2021. Then, city staff will prepare an adoption package including land use code and plan amendments, and schedule public hearings before the Planning Commission and City Council. The deadline for adoption of a Eugene-specific code is June 30, 2022.

ATTACHMENTS

- A. Summary of Stakeholder Public Outreach
- B. Values and Principles

FOR MORE INFORMATION

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Middle Housing Code Amendments Summary of Stakeholder Input

Healthy Democracy Panel

Over the late summer of 2020 staff worked to launch the process with Healthy Democracy to convene a panel to advise staff on implementation of HB 2001. Letters were mailed to 7,500 random Eugene households in October to solicit a broadly diverse panel across seven demographic categories. Several of the demographic categories, include race and ethnicity, were based on the makeup of the school aged population in the 4-J and Bethel school districts, in an effort to reflect the greater diversity of our future generations. The panelists were selected in early November and shortly thereafter began meeting and hearing background information from experts in land use, planning, and housing. The panelists will meet a total of 14 times through spring 2021 and will provide a truly democratic lens to the project. All large-group sessions are broadcast live and can be watched on the [Healthy Democracy YouTube](#) channel.

A Steering Committee is also in place to guide the panel's process. The Steering Committee includes City Councilor Jennifer Yeh, Planning Commissioners Lisa Fragala and Ken Beeson, stakeholders Carolyn Jacobs (Neighborhood Leaders Council), Heather Sielicki (Human Rights Commission), Kaarin Knudson (Better Housing Together), Ed McMahon (Home Builders Association of Lane County), City staff Terri Harding and Sophie McGinley, Healthy Democracy staff Linn Davis, and two rotating panelists from the project's process task group. The Steering Committee meetings are all publicly accessible from links on the project webpage.

For more information about our partnership with Healthy Democracy, like panelist demographics and presenter's slides, visit the [Middle Housing project webpage](#) and the [Healthy Democracy Eugene page](#).

Boards and Commissions RoundTable

The Boards and Commissions Roundtable held their first meeting on October 28, 2020. The Roundtable consists of representatives from the Planning Commission, Sustainability Commission, Human Rights Commission, Historic Preservation Board, and the Housing Policy Board and serves to provide a city-wide policy lens. During the first meeting participants were asked about worst outcomes and best outcomes of allowing more housing types in more places. Themes and highlights include planning for equity, affordability, and sustainability for all residents as we implement the House Bill, as well as going beyond the regulatory requirements to consider incentives and programs that could help more people achieve housing stability.

Local Partners RoundTable

The Local Partners Roundtable held their first meeting on October 29, 2020. The Local Partners Roundtable includes a variety of local stakeholders including Better Housing

Together, the Eugene Chamber of Commerce, Better Eugene-Springfield Transportation, 1000 Friends of Oregon, Walkable Eugene Citizens Advisory Network (WECAN), Lane County Homebuilders, AARP, and the Neighborhood Leaders Council and serves to provide a community stakeholder lens. During the first meeting participants were asked about worst outcomes and best outcomes of allowing more housing types in more places. Themes and highlights included equity, affordability, and sustainability, along with a desire to innovate and communicate the benefits of more housing options to the broader community. This group also expressed a hope to go further than the requirements of the House Bill in responding to the housing crisis.

Equity RoundTable

The Equity Roundtable held their first two meetings on November 19, 2020 and December 8, 2020. The Roundtable includes participants from organizations representing underserved communities and serves to provide an equity lens to the project. During the first meeting participants were asked about worst outcomes and best outcomes of allowing more housing types in more places, and during the second meeting, participants brainstormed values and principles. Themes and highlights from this group include participants' experiences with housing discrimination, racial profiling, accessibility concerns, needs for multigenerational households, and giving renters more housing options they can afford.

Real World Eugene: Student Outreach to Young Adults

The Planning Team has partnered with University of Oregon's Real World Eugene class to work on public engagement of young adults. Real World Eugene is a class offered to undergraduate students that pairs students with City staff to work on actual City projects. This year, the class worked on four projects, including shaping Eugene's housing outreach strategy: middle housing public engagement. Planning staff worked with four students as they conducted focus groups, sent out a survey, and developed a proposal for how the City can better reach young adults in the community. The students received a total of 137 survey responses from young adults living in Eugene – a relatively high number for a short period of time. The survey results highlighted themes of environmental conservation and safety as housing solutions are considered by the City. The students' recommendations for reaching young adults will inform outreach methods for the next phase of the project.

Middle Housing Code Amendments

Draft Values and Principles

These principles were written by city staff using words, phrases and themes suggested by public outreach groups in the fall of 2020. They serve to inform development of land use code and policy drafts that allow middle housing in more areas in Eugene as required by House Bill 2001.

Equity and Access to Housing

Create more ways for renters and owners of all incomes and identities to live across Eugene's neighborhoods.

Broad Dispersal of Middle Housing

Encourage the creation of a land use code that facilitates the broadest possible dispersal of housing types to create accessible neighborhoods and avoid disproportionate impacts.

Housing Options of All Shapes and Sizes

Develop a land use code that allows the creation of quality housing in all neighborhoods that varies in size, type, and total cost.

Compact, Efficient Housing

View housing policy by using a sustainability lens; consider energy efficient building, encourage development that does not rely on cars, and allow more density to preserve our natural environment and surrounding farm and forest land.

Sense of Belonging

Treat existing and future neighbors living in homes of all shapes and sizes with respect and use language that champions safe, welcoming neighborhoods and public forums.

Opportunities to Build Wealth

Create opportunities for home ownership and economic vitality.

Interconnectedness of Housing Solutions

Go beyond the requirements of the legislation; see the minimum standards as a floor, not a ceiling, in order to meet more community needs.

Vibrant Neighborhoods

Reimagine areas zoned low density residential and encourage creation of vibrant neighborhoods with pedestrian and bicycle access to parks, shops, and gathering places.