

MINUTES

Eugene City Council
McNutt Room—City Hall
777 Pearl Street—Eugene, Oregon

June 29, 2011
Noon

COUNCILORS PRESENT: Betty Taylor, George Brown, Andrea Ortiz, George Poling, Mike Clark, Chris Pryor, Alan Zelenka, Pat Farr.

Her Honor Mayor Kitty Piercy called the June 29, 2011, work session of the Eugene City Council to order.

**A. WORK SESSION:
Envision Eugene**

The council was joined by Shawn Boles, Richard Duncan, Mia Nelson, and Sue Prichard of the Technical Resource Group's (TRG) Partially Vacant Lands Committee. Ed McMahon, Barbara Mitchell, and Laura Potter of the TRG were also present.

Planning Director Lisa Gardner and planners Heather O'Donnell, and Jason Dedrick led the council through a PowerPoint presentation entitled *Envision Eugene: Project Update for Eugene City Council, June 29, 2011*. The presentation provided details about the City's plan to accommodate future single-family development, and included information about anticipated growth, community demographic factors, and housing trends that affected how much land the City needed for single-family development.

The presentation also included information about the current housing mix and the housing mix recommendations of consultant EcoNorthwest and the Housing Mix Subgroup, and highlighted key issues related to the amount of single-family housing need that would be monitored by staff in the future as the plan was implemented. The presentation detailed the process used to establish the capacity for single-family development that existed inside the urban growth boundary (UGB) and the assumptions behind the process. The presentation also detailed the process used to identify the capacity for single-family housing that existed on partially vacant lands, specifically the capacity that existed on the 4,500 lots in Eugene that were less than one acre in size. The presentation described efficiency measures that were proposed to help accommodate more single-family houses inside the UGB than were currently allowed and suggested land redesignation as another possible approach toward increasing the amount of single-family land inside the boundary.

The presentation also included data about the range of need and the number of units that could be satisfied through vacant land, partially vacant land, efficiency strategies, and land redesignation, indicating that 4,460 additional single-family houses could be accommodated within the UGB. The presentation detailed a formula used to translate housing demand into acreage need and concluded with a schedule of upcoming open houses and council work sessions on the subject of single-family housing.

Ms. Gardner emphasized the complexity of determining the land need for the anticipated housing mix. She encouraged the council to keep in mind the human scale and how the information in the presentation translated into the community's every day experiences and values.

Mr. Boles reported the TRG anticipated it would complete its work on the housing mix before July 27. He said the Spreadsheet Committee was working on Pillar 7 of Envision Eugene related to implementation and monitoring and would commence that work by considering the consequences of the efficiency measures related to the housing mix.

Ms. Prichard anticipated that the TRG would provide the council with factual and unbiased information that allowed it to make good decisions for the community. She acknowledged there were sometimes conflicts between members' values and the facts, leaving the council with hard decisions to make. She agreed with Ms. Gardner about the complexity of the topic and hoped the quality of the TRG's information helped the council move forward with less controversy.

Ms. Nelson said the Partially Vacant Lands Committee had approached its analysis of partially vacant lots less than one acre from a value-neutral point of view, and considered the task an inventory process. The land in question was not inventoried through ECLA, and there were thousands of acres involved. Ms. Nelson reported that the committee had extrapolated the estimated capacity for development on lands that were dimensionally capable of being divided using existing zoning and the past rate of development. She acknowledged that the committee lacked time to do a thorough analysis and members frequently found such properties were developed in a manner that precluded additional development. Ms. Nelson concluded that further analysis of the existing capacity would require an aerial lot-by-lot examination and recommended the City perform such an inventory.

Mr. Duncan said the committee felt comfortable about its recommendations for lots less than one acre because they were largely located in existing neighborhoods and past rates of development indicated a lesser impact on those neighborhoods.

Mr. Duncan discussed the Partially Vacant Lands Committee's work to determine the capacity that existed on lots over one acre in size. He reported that the committee had approached the issue on the basis of what redevelopment could actually occur on such parcels. The committee had no rate of redevelopment to apply given the few examples of redevelopment that existed. He acknowledged that in some cases, there would be resistance to redevelopment or natural resources that precluded redevelopment of such lots and it might be necessary to adjust the capacity ratio to recognize the fact many would not be redeveloped for various reasons. He estimated the 400 lots encompassed 660 acres of land.

Speaking to the subject of housing unit costs, Mayor Piercy suggested the community had a problem with housing affordability as well as jobs and wage levels and those subjects were intertwined. She also believed that the community needed to accept that student housing was a permanent thing and the questions to ask was how much should be provided and where should it be located to ensure continued neighborhood livability.

Mayor Piercy suggested that staff approach Eugene's neighboring communities to discuss how Eugene's decisions regarding growth impacted them and how they related to the growth decisions made by those communities. She also supported the proposed examination of the possible redesignation of lands zoned for higher density uses to accommodate single-family housing.

Mayor Piercy determined from Mr. Dedrick that schools were included in the land inventory and staff had worked with the two school districts to identify surplus property that would be available for other uses. Mr. Dedrick anticipated that other surplus sites would be added to the inventory over time.

Mr. Farr commended the work of the TRG and on behalf of the community, thanked members for their efforts.

Mr. Clark also thanked the TRG members and staff. He determined from City Attorney Emily Jerome that State law did not specifically identify the type of protections the City was contemplating for swales and drainageways in the River Road/Santa Clara area although it allowed that protection to occur. She anticipated staff would be looking the issue more carefully to determine how State law would allow the City to consider different densities for different areas with the constraints contemplated.

Mr. Clark asked if the City could be faulted for counting such lands toward the inventory while precluding construction on them because of the presence of swales and drainageways. Ms. Jerome said that staff was keeping that issue in mind. The protections applied to such facilities were considered in the densities assigned in those areas. Ms. Gardner suggested that the issues of concern to Mr. Clark would be addressed through the refinement planning proposed for River Road/Santa Clara. She anticipated the City would develop a tool kit that included such things as cluster development to provide protections for natural features.

Speaking to the partially vacant lands issue, Mr. Clark asked why a market analysis was not part of the committee's review. Ms. Nelson said the committee was merely providing an inventory of potentially buildable lands for additional housing. Such an analysis was not a factor in that effort. She acknowledged the committee had some discretion in determining the factors that supported the inclusion of a site in the inventory. Ms. Gardner said State law gave the community that discretion. She said that City staff worked continually to keep the State up to date on what Eugene was contemplating and to determine what flexibility that existed in the project.

Ms. Gardner noted that Ms. Prichard and Ms. Nelson had recently accepted the Land Conservation and Development Commission's Star Award on behalf of Eugene for the public involvement done for Envision Eugene.

Mr. Duncan pointed out to Mr. Clark that the State law required the City to deal with capacity, not the likelihood of development. He emphasized the importance of the monitoring called for in Pillar 7 of Envision Eugene to ensure sufficient capacity existed. He anticipated that the City would be able to predict the effect of new policies and regulations on the supply.

Mr. Farr left the meeting.

Ms. Jerome indicated that State law gave the City considerable latitude in regard to redevelopable land and supported the direction the TRG had taken.

Mr. Clark asked if the monitoring that occurred through Pillar 7 would also include monitoring of regional impact. Ms. Gardner said that City staff had discussed doing so with the Land Conservation and Development Commission.

Responding to a question from Mr. Clark, Ms. Gardner confirmed that the State was comfortable with a range in the housing mix ratio if the City could support it with data. Mr. Clark asked if the City was constrained by the range. Ms. Gardner suggested the constraint lay in how defensible the City's findings were.

Responding to a question from Mr. Brown, Ms. Gardner said staff proposed to examine the potential of redesignation to ensure that land inside the UGB was being used as efficiently as possible. In addition,

the examination could potentially also permit Eugene to encourage multi-family development to be located where it could be served most efficiently by the transportation system. Mr. Brown determined from Ms. Gardner that there the City would have to add more single-family land at either end of the range. Ms. O'Donnell said staff would have a better idea of the need when the partially vacant lands analysis was completed.

Mr. Pryor thanked the TRG members for their work in reconciling the tensions between the different pillars of Envision Eugene, which he attributed to their willingness to work collaboratively. He encouraged the TRG to take the time it needed to do the job right. He expressed confidence in the outcome of the TRG's work.

Mr. Zelenka agreed with Mr. Pryor's remarks. He noted the council's receipt of testimony from the Housing Policy Board arguing for multi-family housing on the basis it was more affordable. Mr. Zelenka expressed his concurrence with the testimony offered by the Sustainability Commission regarding the housing mix.

Mr. Duncan anticipated the TRG would do more examination of the application of mixed-use strategies along transit corridors. He also hoped to present the council with some ideas about affordable housing.

Ms. Nelson suggested that when the Partially Vacant Lands Committee completed its work the City issue maps reflecting its recommendations to the community and collect additional input for the committee to consider before it forwarded its final recommendations to the council. She also recommended the council not confuse the inventory with the policy choices facing it. Redesignation could make some land available for single-family dwelling but could also result in some lands never being developed.

Mayor Piercy expressed appreciation for the process. She hoped the community recognized the collaborative effort that was taking place. She commended the work of the TRG and staff.

B. WORK SESSION:
Number of Dogs Permitted Per Household

The council was joined by Permit Review Manager Mike McKerrow, who provided a brief history of the City's regulatory efforts related to the number of dogs that residents could keep. Land Use Supervisor Katherine Kappa contrasted the City's regulations regarding dogs and dog-related nuisances to the regulations in other communities and emphasized most complaints regarding dog behavior. She noted that the City had received more complaints about dogs when the number of dogs was limited to two than it had now that the number of dogs was limited to three.

Councilors discussed possible changes to the City's dog regulations and agreed that any additional conversation should be about nuisance enforcement and the noise ordinance rather than the number of dogs allowed. Assistant City Manager Sarah Medary said staff would provide the council with a memorandum regarding the current status of enforcement efforts. The council could review that information and determine next steps.

Mayor Piercy adjourned the meeting at 1:20 p.m.

Respectfully submitted,

Beth Forrest

Beth Forrest
City Recorder

(Recorded by Kimberly Young)