

MINUTES

Eugene City Council
Council Chamber—City Hall
777 Pearl Street—Eugene, Oregon

May 14, 2012
7:30 p.m.

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

Her Honor Mayor Kitty Piercy called the May 14, 2012, regular meeting of the Eugene City Council to order.

1. PUBLIC FORUM

Mayor Piercy reviewed the rules of the Public Forum. She limited speakers to two minutes.

Mark Robinowitz, Ward 1, recommended the City adopt the recommendations of Richard Heinberg and his institute. He said exponential growth could no longer continue as the planet had reached its finite ability to grow. He noted the current price of oil and contrasted that to local government predictions, which served as the basis for transportation projections. Oil production in Alaska had peaked and if dropped 20 to 30 percent it would no longer flow in the winter. He recommended the community think about the energy limits that transcended political partisanship and recognize the finite limits of the planet.

Mary Salinas, a Springfield resident, spoke of the plight of the homeless. Their circumstance was extreme but they were human. She shared an article from *The Register-Guard* entitled *Building Hope in the Barrio*, which detailed the efforts of a local resident to build houses for low-income residents in South America. She contrasted the costs of those houses to the costs of the proposed Capstone development and suggested that 22,000 homes could be built for the same amount.

Wendy Butler Boyeson, Ward 1, advocated for the West Eugene EmX route. She averred buses were currently full and the route was needed, particularly for the disabled who were dependent on public transit.

Michael Todd, homeless, averred he had been harassed because an officer passed him five times while he was eating. He further averred that the homeless were given a death sentence because they had no place to sleep. He questioned how the City could be short of money when it was giving out tax breaks. He discussed his experience in the Municipal Court while dealing with an exclusion order. He said he was barred from the bus and the mission and questioned what the world was coming to.

Devin Gates, Ward 7, called on the City to outsource the Rental Housing Code for greater impartiality. He believed the added element of energy efficiency went beyond the original scope of the code and would harm tenants in the long-term. Most landlords were not wealthy and it took time to recover one's costs. The costs would cause many landlords to leave the business and prices would rise substantially.

Louisa Hammechek, Ward 1, noted it was National Police Week and she expressed her appreciation for the police and for finding the youth who stole her truck. She was happy to have friendly relations with the police after hearing about the police crackdown on youth camping. She had served on the Opportunity Eugene Task Force and had felt good about the outcome as the task force agreed that the homeless would not be treated roughly by the police. She was disappointed to hear that after that effort, the City allowed the police to crack down on homeless camping. She asked the council to stop that practice. Ms. Hammechek then discussed her concerns about a timber sale in the McKenzie Basin and said it would be foolish of the council not to protect the watershed.

Mayor Piercy closed the Public Forum. She called on the council for questions or comments.

Councilor Taylor thanked all those who spoke, particularly Mr. Robinowitz.

2. CONSENT CALENDAR

- A. Approval of City Council Minutes**
 - February 15, 2012, Work Session
 - February 21, 2012, Regular Meeting
 - February 22, 2012, Work Session
 - February 27, 2012, Work Session
 - February 29, 2012, Work Session
 - March 12, 2012, Work Session
 - March 12, 2012, Regular Meeting
 - May 2, 2012, Boards and Commissions Interviews
 - May 7, 2012, Boards and Commissions Interviews
- B. Approval of Tentative Working Agenda**

Councilor Brown, seconded by Councilor Farr, moved to approve the items on the Consent Calendar. Roll call vote: The motion passed unanimously, 7:0 (Councilor Ortiz had not yet arrived at the meeting).

3. ACTION:
Ratification of the Metropolitan Wastewater Management Commission FY13 Regional Wastewater Program Budget and Capital Improvements Program

Assistant City Manager Sarah Medary introduced the item. She said the Metropolitan Wastewater Management Commission (MWMC) approved the budget and Capital Improvement Program (CIP) and the documents must be ratified by the partners in the MWMC before the budget was finally ratified.

Councilor Brown, seconded by Councilor Farr, moved to ratify the FY13 MWMC budget. Roll call vote: The motion passed unanimously, 7:0.

4. PUBLIC HEARING:
Envision Eugene Recommendations

Assistant City Manager Medary introduced the item, a public hearing on the City Manager's recommendations for Envision Eugene.

Mayor Piercy opened the public hearing. Councilor Ortiz arrived during the public hearing.

Mark Robinowitz, Ward 3, called for protection of farmland to ensure food supplies when oil ran out. He called on the council to involve energy experts in the planning process. He said the community had “passed the limits of growth.”

Shawn Boles, Ward 7, spoke to Pillars 3 (climate change) and 7 (adaptive implementation). He emphasized the reality of global warming. He believed Envision Eugene should be implemented in the context of the City’s Climate & Energy Action Plan. He argued for a 45:55 single-family/multi-family housing ratio and opposed expansion of the urban growth boundary (UGB). He would accept a 50:50 housing ratio but expansion should only be onto exception lands.

Mia Nelson, 1,000 Friends of Oregon, supported the City’s industrial lands analysis but added that if the County moved forward to provide industrial land in Goshen she hoped the City would consider a compensating adjustment. She believed the Clear Lake residential expansion would meet state requirements and would conflict with adjacent industrial uses. She called for a 50:50 single-family/multi-family ratio and suggested that demographic changes meant more people would seek multi-family housing. She believed the community was under-planning for multi-family. Ms. Nelson submitted written testimony on behalf of her organization.

Rob Zako, Ward 3, suggested that the community did not need 20 years of land to build, but rather enough to support a fluid land market. A 20-year supply that practically equated to a three-year supply was acceptable. He did not believe the planning process had ended because he did not think the community had all the information it needed, such as the results of transportation planning.

Scott Coleman, Lane County, a property owner in the Clear Lake Road area, said he was okay with his land being inside the UGB but questioned the suitability of the land for residential uses given its proximity to industrial uses. He recommended the City consider locating the Lane County Fairgrounds to the Clear Lake area so the fairgrounds could be redeveloped with residential uses. He commended the City for its holistic approach to planning and believed that the chosen approach could result in useful multi-use areas.

Alma Hesus, Ward 4, supported the manager’s recommendation for expansion of the UGB for industrial uses because it would give Eugene a competitive edge in attracting employees. She had collected the business cards of 100 community members in support of her remarks and shared a map that showed their residential locations.

Brent McLean, Ward 5, said the council needed to ensure there was enough land for growth. If Eugene did not grow, small bedroom communities would continue to grow toward Eugene. He supported the manager’s recommendation for industrial expansion and recommended the council consider adding more acres. He said the mitigation of brownfields and formation of an industrial land bank was costly and took years to produce results.

Ralph Parcell, Ward 4, expressed concern that two of his three children had to leave the community to find employment in their fields. He said the council should be concerned about the lack of living wage jobs for families. If the council did not show foresight in the identification of additional industrial lands he thought the community would have failed.

Phil Farrington, Ward 1, considered the manager's recommendations to be exceedingly modest and asked the council to support and build on them. He said UGB expansion for job growth was essential. He could envision a need for both land in Eugene and land in Goshen because the land in Goshen was served by rail and was of a different type than that found in Eugene.

Clayton Walker, Ward 5, supported the manager's recommendations, particularly as they related to industrial expansion. He believed code flexibility was as important as adding more land to the inventory.

Gary Wildish, Santa Clara, supported the City Manager's recommendations. He believed the Seven Pillars had the support of the majority of Community Resource Group members. He also supported the proposed housing mix as reasonable and suggested the council would be wrong no matter what it chose because it could not predict the future. He supported the manager's recommendation for commercial lands and questioned where the land would come from as it would come from industrial and residential lands. He reported that the Industrial Lands Committee examined every parcel of 20 acres or more and found them amazingly constrained. Due to that information he was convinced the City's few parcels were inadequate for the future.

Laura Potter, Ward 1, Eugene Area Chamber of Commerce, expressed support for the manager's recommendations. She said job growth was a chamber priority and was the foundation for a healthy growing community. The recommendation addressed job needs both through expansion and by calling for aggressive land redevelopment. It supported the needs of a vibrant and growing community.

Rob Bennett, Ward 5, expressed support for the manager's recommendations, particularly those related to industrial expansion. He believed that the community would only attract employers to provide jobs by providing more available land. The community had many small noncontiguous parcels and a handful of parcels larger than 25 acres. Wetlands, some protected, affected every single parcel, and were cost-prohibitive to mitigate. He believed companies would look to other communities that had land that did not require costly mitigation. Mr. Bennett supported the modest three percent expansion proposed.

John Lawless, Ward 3, representing the Bennett Family, supported the manager's recommendations related to commercial land and for flexibility in the implementation strategies to allow for the use of small nonindustrial parcels. He recommended that language be added to allow the evaluation of those parcels.

Sue Prichard, Ward 3, supported the manager's recommendations. She did not think the community was being visionary enough in its industrial land projections. She believed existing projections were overly modest and would not result in enough choice of land for industries that would bring the highest paid jobs to the community. Businesses needed options to thrive. They needed to be able to select from more than one or two sites. She cited several businesses that left the community due to a lack of sites. The City had 176 acres and was proposing adding 475 acres for a total of 651 acres, which was just more than half of the land the City used in the last 20 years. She considered the manager's recommendation in that regard conservative, although she acknowledged it was a compromise.

Ed MaMahon, Ward 7, encouraged the council to support the manager's recommendations and allow staff to move forward with implementation. He believed they recommended a community balance that allowed Eugene to move forward. He believed all Seven Pillars would be honored and stressed the importance of Pillar 7, which spoke to flexible implementation.

Steve Goldman, Ward 7, asked the council to direct staff to prepare a recommendation that did not expand the UGB for residential uses. He maintained the current concept was in conflict with several of the Seven Pillars and the 20-minute neighborhood concept. He thought Eugene could do better. He

averred that data provided by the Planning Division showed a dramatic shift away from single-family development. He called for the development of several “paper alternatives” on which the community could vote.

Robert Cattoche, Lane County, shared a petition signed by 14 residents of McCourt Lane and urged the council to reject the inclusion of the Gimpl Hill/Bailey Hill area because the area had hydrologic connections to nearby wetlands and contained many wetlands. He hoped an environmental impact study was planned. He believed the area had many constraints that made it challenging to develop and serve. He recommended a 50:50 housing ratio.

Susan Tavakolian, Ward X, expressed the Women’s League of Voters’ support for the manager’s recommendations related to commercial lands and industrial expansion. She urged the council to take steps to ensure the added industrial parcels were not further divided. The league also recommended that the City investigate the feasibility of including the Eugene Airport inside UGB. She said the league also supported the proposed housing ratio and the manager’s recommendation to accommodate future multi-family development inside the UGB. She encouraged flexible and efficient infill on land designated for residential uses. She commended the flexible implementation proposed.

John Winqvist, Lane County, acknowledged that the City was obliged to look to the exception areas first for expansion because they were already impacted. However, he opposed inclusion of the Gimpl Hill/Bailey Hill area inside the UGB because of the impact of residential development on the nearby wetlands. Existing residential development patterns did not lend themselves to functional planning. He recommended that the City restrict development to those areas that could be fed with gravity sewers.

Richard Herman, Ward 7, Metropolitan Affordable Housing, expressed support for the manager’s recommendations, particularly those related to the provision of affordable housing. He said that adding housing at all levels helped to keep rents low. He appreciated the City’s commitment to affordable housing for all.

Tamara Underwood, Ward 1, supported the manager’s recommendations. She noted the UGB would be expanded by only three percent when the population was expected to grow by 20 percent. She spoke of the challenge her business faced looking for land in Eugene and advocated for more mixed used zoning to allow for more flexibility. She said that it was that Eugene had an adequate transportation infrastructure and expressed support for expansion of the EmX system in west Eugene.

Dave Hauser, Eugene Area Chamber of Commerce, also supported the City Manager’s recommendations. He believed they helped move the community forward with economic development in a measured way. He believed that having adequate land for local companies to grow onto an important part of the JEO Regional Prosperity Plan.

Lisa Arkin, Beyond Toxics, asked the council to address a gap in the assumptions and principles shaping the recommendations as they related to expansion in the West Eugene area. Beyond Toxics recommended that the City incorporate air toxics data and environmental health research into all land use decisions. She submitted written materials.

Mayor Piercy closed the public hearing. She thanked those who offered testimony. She thanked all the citizens who put many hours into the planning process, as well as staff and the Sustainability Commission.

Councilor Poling also thanked those who participated in the planning process as well as City staff and City Manager Jon Ruiz. He referred to Pillar 7 and asked the current trigger for re-examining the land supply. City Manager Emily Jerome said cities were required to examine the land supply every time they went through State-mandated periodic review. Pillar 7 currently included five- and ten-year triggers for review of the plan's performance when compared to the assumptions. Planning Director Lisa Gardner said staff was discussing the types of triggers, including land consumption, part of our future discussion with the council. Councilor Poling asked about the possibility of earlier triggers. City Attorney Jerome said the council could do earlier reviews and did not have to have a trigger to do that.

Councilor Farr noted the diverse membership of the CRG and commended the manager and staff for the process.

Councilor Clark recognized the hard work of staff, the Community Resource Group, and thanked those who offered testimony. He wanted to see some "teeth" in Pillar 7 so it gave the council the capacity to change the things that should be changed within five years.

Councilor Taylor preferred a housing ratio of 45:55 single-family/multi-family. She agreed with testimony suggesting that alternatives to expanding the UGB were needed and that the public should decide. The City did not know if it would need that much land and should consider what kind of community it wanted to be rather than the economic interests of individuals.

Councilor Ortiz believed the market would drive the housing mix. She considered the ratio a suggestion. While she did not agree with all Ms. Arkin's remarks, she appreciated her mention of the Environmental Justice Tour and expressed appreciation for the work done by Beyond Toxics. She expressed an interest in including businesses now outside the city limits inside the city limits so the City could require them to report their toxics use.

Mayor Piercy expressed appreciation that residents were listening to each and working together to create a better community.

5. ACTION:

An Ordinance Concerning Infill Compatibility Standards Related to Multi-Family Developments, Multi-Family Zoning, Garage and Recycling, Screening, and Bicycle Parking; and Amending Sections 9.0500, 9.2750, 9.2751, 9.3125, 9.3626, 9.5500, 9.6105, 9.6410, 9.6740, 9.6745, and 9.8030 of the Eugene Code, 1971 (City File CA 11-2)

Assistant City Manager Medary introduced the item, amendments related to infill compatibility for multi-family housing. She recalled the council held a public hearing on April 16.

Councilor Brown, seconded by Councilor Farr, moved to approve Council Bill 5069, the proposed ordinance concerning infill compatibility standards related to multi-family developments, multi-family zoning, garage and recycling screening, and bicycle parking, as contained in Attachment B, as modified by Option A contained in revised Attachment C.

Ms. Hansen referred the council to revised Attachment C, May 14, 2012, distributed at council places.

Roll call vote: The motion passed unanimously, 8:0.

Mayor Piercy adjourned the meeting at 9:07 p.m.

Respectfully submitted,

Beth Forrest

Beth Forrest
City Recorder

(Recorded by Kimberly Young)