

ORDINANCE NO. _____

AN ORDINANCE ESTABLISHING THE SUFFICIENCY OF THE EUGENE URBAN GROWTH BOUNDARY FOR PURPOSES OF RESIDENTIAL LAND NEEDS BY MAKING A TEXT AMENDMENT TO THE EUGENE-SPRINGFIELD METROPOLITAN AREA GENERAL PLAN; AMENDING TEXT AND ADOPTING AN APPENDIX TO THE ENVISION EUGENE COMPREHENSIVE PLAN; AND AMENDING SECTIONS 9.2750 AND 9.2751 OF THE EUGENE CODE, 1971.

The City Council of the City of Eugene finds as follows:

A. Historically, the City of Eugene and the City of Springfield had a shared urban growth boundary (“Metropolitan UGB”) within which Eugene’s jurisdictional area of responsibility was the land on the west side of Interstate 5 and Springfield’s jurisdictional area of responsibility was the land on the east side of Interstate 5.

B. House Bill 3337, passed by the Oregon State Legislature in 2007 and codified at ORS 197.304, provides: “Notwithstanding an intergovernmental agreement . . . or acknowledged comprehensive plan provisions to the contrary, a city within Lane County that has a population of 50,000 or more within its boundaries shall, separately from any other city: (a) Establish an urban growth boundary, consistent with the jurisdictional area of responsibility specified in the acknowledged comprehensive plan; and (b) Demonstrate, as required by ORS 197.296, that its comprehensive plan provides sufficient buildable lands within an urban growth boundary established pursuant to statewide planning goals to accommodate estimated housing needs for 20 years.”

C. In 2011 the City of Springfield and Lane County took actions that established the Springfield UGB by adopting a division of the Metropolitan UGB along Interstate 5, with the land east of Interstate 5 thereafter included in the “Springfield UGB” and the remainder land on the west of Interstate 5 to be included in an urban growth boundary for Eugene.

D. As part of the adoption of ordinances addressing the City of Eugene’s need for employment, park and school land, the City of Eugene and Lane County have established the Eugene UGB, including an expansion of the UGB.

E. Past studies pertaining to the residential land supply within the, now obsolete, Metropolitan UGB (i.e. the 1999 Supply and Demand Technical Analysis and the 1999 Site Inventory Document) are no longer applicable and new studies pertaining to the Eugene UGB are required by ORS 197.304.

NOW THEREFORE,

THE CITY OF EUGENE DOES ORDAIN AS FOLLOWS:

Section 1. The metropolitan “goals” and “policies” in the Eugene-Springfield Metropolitan Area Plan (“Metro Plan”) Residential Land Use and Housing Element will continue to apply in Eugene. However, the “findings” in that Element of the Metro Plan are no longer

applicable within Eugene. A Metro Plan amendment is made to the first paragraph under Section A in Chapter III of the Eugene-Springfield Metropolitan Area General Plan (with no changes to the footnote) as follows:

A. Metropolitan Residential Land Use and Housing Element

The *Metro Plan* Residential Land Use and Housing Element addresses the housing needs of current and future residents of the entire Eugene-Springfield metropolitan area through 2015. In 2011, the City of Springfield and Lane County adopted a Residential Land Use and Housing Element that addresses Springfield's city-specific residential land needs through 2030.¹³ ***In 2017, the City of Eugene adopted the Envision Eugene Residential Land Supply Study to address Eugene's city-specific residential land needs through 2032.*** [~~This Springfield~~] ***These city-specific actions were*** based on the mandates set out in ORS 197.304, described in more detail in the *Metro Plan* Preface and Chapter 1. In adopting its city-specific update in 2011, Springfield made it clear that the regional housing *goals* and *policies* in this Metropolitan Residential Land Use and Housing Element would continue to apply to Springfield. However, the *findings* in this *Metro Plan* element no longer apply on the east side of Interstate 5. ***In adopting its city-specific actions in 2017, Eugene also made it clear that the regional goals and policies in this Housing Element would continue to apply to Eugene, but the findings would no longer apply within Eugene.*** ~~The entirety of this element will continue to apply on the west side of Interstate 5 until such time as the City of Eugene adopts its Residential Land Use and Housing Element, addressing its city-specific residential land needs.~~

Section 2. The Envision Eugene Comprehensive Plan is amended as follows:

(a) The Introduction text of the Eugene Urban Growth Boundary chapter is amended as shown on Exhibit A-1 ("Envision Eugene Comprehensive Plan Amendments") attached to this Ordinance.

(b) The Envision Eugene Residential Land Supply Study attached to this Ordinance at Exhibit A-2 is adopted as Appendix C to the Envision Eugene Comprehensive Plan. Part II of the Envision Eugene Residential Land Study is the City's Housing Needs Analysis and Part V is the City's Residential Buildable Lands Inventory for (2012-2032).

Section 3. The entry for "Minimum Net Density per Acre" in the "Density" section of Table 9.2750 of the Eugene Code, 1971, is amended to provide as follows:

9.2750 **Residential Zone Development Standards.** In addition to applicable provisions contained elsewhere in this code, the development standards listed in this section

and in EC 9.2751 to EC 9.2777 shall apply to all development in residential zones. In cases of conflicts, standards specifically applicable in the residential zone shall apply. In cases of conflicts in this section between the general standards and the area-specific standards, the area-specific standards shall apply.

The following Table 9.2750 sets forth the residential zone development standards, subject to the special development standards in EC 9.2751.

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
Density (1)					
Minimum Net Density per Acre	No Minimum	--	[40] 13 units	20 units	20 units

Section 4. Subsection (1)(a) of Section 9.2751 of the Eugene Code, 1971, is amended to provide as follows:

9.2751 Special Development Standards for Table 9.2750.

(1) Density.

(a) The minimum residential density requirements set forth in Table 9.2750 do not apply to:

1. [a] Attached secondary dwellings in R-1;
2. ***Lots zoned R-2 that are less than a half-acre (21,780 square feet) and that were created before [effective date of ordinance];***
3. [or to residentially zoned] [i] ***Lots or development sites in the R-3 or R-4 zones that are developed and are 13,500 square feet or less in size[-];***
4. ***Lots within a /# overlay zone as described in EC 9.4050 to EC 9.4065; or***
5. ***Dwellings exclusively for low income individuals and/or families where all units are subsidized. For this purpose, low income means having income at or below 80 percent of the area median income as defined by the U.S. Department of Housing and Urban Development. For these types of dwellings the minimum density is 10 units per net acre.***

(Refer to Table 9.2750 Residential Zone Development Standards for the required net area per dwelling unit.)

Section 5. The findings set forth in Exhibit B attached to this ordinance are adopted as findings in support of this ordinance.

Section 6. Notwithstanding the effective date of ordinances as provided in the Eugene Charter of 2002, Section 1 of this Ordinance shall become effective 30 days from the date of its passage by the City Council and approval by the Mayor, or upon the date the Lane County Board of Commissioners has adopted an ordinance containing identical provisions to those described in Section 1 of this Ordinance, whichever is later.

Section 7. 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, including replacing the “draft” labels with “final” labels and completing any incomplete references to this Ordinance on all Exhibits.

Passed by the City Council this

___ day of _____, 2017

City Recorder

Approved by the Mayor this

___ day of _____, 2017

Mayor