HANSEN Alissa H

From: SELSER Lindsay R
Sent: Monday, November 25, 2019 9:59 AM
To: HANSEN Alissa H
Subject: FW: Sightline on ADU reform options

FYI

-----Original Message-----
From: robin riseup <missrb1969@riseup.net>
Sent: Saturday, November 23, 2019 1:10 PM
To: *Eugene Mayor, City Council, and City Manager <MayorCouncilandCityManager@eugene-or.gov>
Subject: Sightline on ADU reform options

[EXTERNAL ⚠]

Mayor Lucy,

I understand that Council is struggling to allow changes mandated by Salem this year. I know that liberalizing ADU rules at the local level can be a time-consuming process, often bogged down by anti-housing obstructionists who all OWN single family houses and don't want others to enjoy the same privilege.

Perhaps this will help? The sooner we all have a chance to share in the American dream, the better, right? And you all keep promoting more growth - so where's the housing for that growth going to be? That growth can't all fit into the upscale EWEB property build out, nor can they all afford to! Some may not even WANT to!

Robin Bloomgarden

Sightline.org

California Looks to a Future beyond Single-Detached House Zoning Will Washington follow suit with statewide ADU reform?

https://www.sightline.org/2019/11/22/california-looks-to-a-future-beyond-single-detached-house-zoning/?utm_source=Sightline+Newsletters+II&utm_campaign=1e4f78e23f-EMAIL_CAMPAIGN_2019_11_22_09_02&utm_medium=email&utm_term=0_3e1b0f73ac-1e4f78e23f-296518041

HANSEN Alissa H

From: SELSER Lindsay R
Sent: Thursday, October 24, 2019 12:37 PM
To: HANSEN Alissa H
Cc: HARDING Terri L; CAMP Allison K; FIFIELD Anne E
Subject: FW: infill housing

FYI

From: t spears <spears2012@msn.com>
Sent: Thursday, October 24, 2019 12:19 PM
To: *Eugene Mayor, City Council, and City Manager <MayorCouncilandCityManager@eugene-or.gov>
Subject: infill housing

[EXTERNAL ⚠]

Dear Mayor and Councilors,

I'm writing to thank those of you who voted in favor of restoring property rights for owners of flag/panhandle lots. My feeling is that any additional
housing opportunities will move the needle in a positive direction. Similar to car camping at a church - one or two at a time eventually leads to
a huge impact.

I've learned that city living has it's positive and negative issues. I used to look out on a rose garden and an orchard. With meadows and horse
pastures just down the road. All has been replaced by housing and businesses. That's a hazard of living in the city.

My suggestion is to allow infill, it is sorely needed. And plant those Leland Cypress before your neighbors build a two story looking into your
bedroom.

City living will never give everyone everything. But trying to preserve an original environment is impossible.

Sincerely,

Tonya Spears
NE Eugene

HANSEN Alissa H

From: SELSER Lindsay R
Sent: Thursday, October 24, 2019 12:39 PM
To: HANSEN Alissa H
Subject: FW: ADUs & homelessness

-----Original Message-----
From: Mimi Stewart <mimistewarthomes@gmail.com>
Sent: Thursday, October 24, 2019 9:43 AM
To: *Eugene Mayor, City Council, and City Manager <MayorCouncilandCityManager@eugene-or.gov>
Subject: ADUs & homelessness

[EXTERNAL ⚠]

To Whom it may concern:

I really don't think that SB 1051 and more ADUs will solve the homeless (and drug addiction) problem in Eugene. I have outlined a potential solution for that below. *

Most people really don't want to be landlords or share their homes with strangers on a long term basis. I think that more ADUs, on the other hand, WILL allow homeowners to:

1. Stay in their homes longer - build one level units to age in place.
2. Rent the ADUs out as Airbnbs for extra income.
3. Share their homes with friends & family members.

I agree that design considerations, & their impacts on surrounding homeowners, are of utmost importance when it comes to ADUs. Seattle has done a decent job with ADU & DADU regulations. Be careful to not to allow variances to those regulations once they are established. You guys are wise to take your time with public comment & the process. 😊

* Address Homelessness
I think West Coast city - I-5 corridor, public officials, need to start working in CONJUNCTION to provide more leadership around land use & real estate development. We need A West Coast unified plan to address homelessness, drug addiction & crime.

Smaller cities with small budgets & more relaxed laws will continue to be a "preferred destination" for the less fortunate if West Coast cities don't start working in cooperation to house people, their partners, children, pets & belongings.

Big City officials, for starters, need to build Housing Projects versus more high end condo developments. Bigger cities, unlike Eugene, have the tax base to house the homeless, address drug addiction & resulting crime.

This week downtown Seattle, for example, resembled a real life Halloween 🎃 at the street level 😟 with million dollar 💶 condos towering above desperate, drugged out individuals asking for money in the street.

Thank you for listening.
Mimi Stewart

Long Time Landlord & Airbnb Host
Licensed Real Estate Broker
Friendly Neighborhood Homeowner
Seattle Resident

Sent from my iPhone

HANSEN Alissa H

From: Ron Saylor <ron@saylorpainting.com>
Sent: Tuesday, October 22, 2019 11:28 AM
To: KNAPP Jennifer L; DRAGOVICH Jenessa L; HANSEN Alissa H; BOHNER Rodney T
Subject: FW: gain high-value interior space without raising maximum height

[EXTERNAL ⚠]

Hi

I had contacted you all back in July on this subject. I guess I didn't correctly route my comment at the time since it doesn't look like it made it to the record. Nevertheless, I remain interested in this matter. I appreciated your earlier attention and am sharing my current comments with you.

Thank you.

Ron Saylor
10 Monroe St, Eugene, OR 97402
phone: 541-683-2282 / mobile: 541-953-1945

From: Ron Saylor
Sent: Tuesday, October 22, 2019 11:17 AM
To: mayorcouncilandcitymanager@ci.eugene.or.us
Subject: gain high-value interior space without raising maximum height

Dear Mayor, Councilors & City Manager

I believe the current proposed language for Eugene Code section 9.2751(17)(b)5 retains earlier language that exceeds "reasonable local regulations relating to siting and design." In fact, retaining the setback height limit and restriction on setback intrusions is unreasonably restrictive, inhibiting development of detached accessory dwellings.

> **9.2751(17)**
>
> **(b) General Standards for Detached [~~Secondary~~] Accessory Dwellings**. In addition to the standards in subsection (a) of this section, detached [~~secondary~~] accessory dwellings shall comply with the following, except as provided in subsection (c) below:
>
> > **5.Building Height/Interior Setback**. Except for [~~secondary~~] accessory dwellings on flag lots (see EC 9.2775), the following standards apply:
> > > a. Interior yard setbacks shall be at least 5 feet. In addition, at a point that is 8 feet above finished grade, the setback shall slope at the rate of 10 inches vertically for every 12 inches horizontally away from the property line until a point not to exceed a maximum building height of 18 feet.
> > > b. The allowances for setback intrusions provided at EC 9.6745(3) do not apply within the setback described in a. above, except that eaves and chimneys are allowed to project into this setback no more than 2 feet. **(See Figure 9.2751(16)(b)3.)**

With a maximum height of 8', on a slab 9" above grade, with a roof structure thickness of 12", the net available interior height is 6'-3". In small spaces, this requires ceiling heights that don't, or barely, rise to the typical 6'-8" height of a door

opening. Allowing for a header, a window opening tops out well below 6'. The excessively low perimeter applies pressure toward maximizing building height. While accomplishing no consequential public benefit, this limit simply says "no" to otherwise desirable improvements.

I noticed on the Eugene Code Audit Public Review Draft, page 7, https://www.eugene-or.gov/DocumentCenter/View/45988/Eugene-Code-Audit-Public-Review-Draft , neither of the appealing examples of detached Accessory/Secondary dwelling units would be permitted due to this stringent height limit.

Reasonably raising the interior yard setback height limit to 10' for detached accessory dwellings, allowing a perimeter interior ceiling height approximating 8', opens a wide array of interior design options for small footprints with comparatively little exterior impact.

- Higher windows for better access to sunlight, ventilation and egress
- Exterior doors to access living or storage space
- Interior passages adjacent to or near exterior walls
- Bathroom shower with headroom
- Locating a murphy bed on an exterior wall
- Cabinets and closets on perimeter walls, freeing central space for living

Similarly, allowances for setback intrusions, like bays, permitted for any other one-story dwelling, simply expands design flexibility, adding high-value, low-impact space.

A main building, sited on the identical lot location, could be 30' high. Substituting high-value interior space for low-value space at the roof peak, the current maximum 10:12 roof pitch could be reduced to 8:12, retaining the 18' maximum building height at a point 12' in from the building perimeter. Let's make the most of a single story.

In the interest of efficient use of urban space, I encourage your adoption of this recommendation.

Ron Saylor
10 Monroe St, Eugene, OR 97402
phone: 541-683-2282 / mobile: 541-953-1945

Comments re proposed ADU Code Amendments

October 17, 2019

Submitted by Paul Conte
1461 W. 10th Ave., Eugene, OR 97402

Dear Mayor and Councilors,

Unfortunately, Planning Division staff entirely blew off the support for more citizen involvement in the revised ADU ordinance that was expressed by multiple City Councilors at your September 16 work session. Instead, staff made no serious effort to engage property owners and residents who would be impacted by the staff's proposed elimination of important ADU approval criteria. The proposal in your AIS for next Wednesday's work session is essentially the same as the prior version, and utterly fails to remedy numerous critical flaws.

A. *Because The ordinance fails to meet the requirements of ORS 197.307(4) that "a local government may adopt and apply only clear and objective standards, conditions and procedures regulating the development of housing ..." the ordinance, adopted in its current for* ***will be appealed*** *to LUBA and is very likely to be remanded.*

There are several other serious issues that were raised prior to your September 16 work session that staff has completely ignored. These deficiencies still warrant your deferring action and soliciting additional public comment on the staff proposal.

B. The ordinance removes the owner-occupancy requirement, but the City hasn't provided for any Goal 1 – Citizen Involvement process to consider alternative approaches to mitigate the potential impacts of speculative investment in redevelopment of single-family neighborhood areas.

C. The ordinance does nothing to limit the conversion of both dwellings to "Airbnb's."

D. The ordinance unnecessarily removes limits on the *maximum* vehicle use area, thus exacerbating storm water runoff issues and negative impacts on adjacent residents.

E. The ordinance unnecessarily removes standards for alley access parking and driveways, thus exacerbating potential impacts.

F. The ordinance unnecessarily removes prohibition of ADUs on *new* flag lots, but the City hasn't provided for any Goal 1 – Citizen Involvement process to consider alternative approaches to mitigate the potential impacts of additional ADUs on flag lots.

G. The ordinance unnecessarily negates the unique, flexible parking criteria for the Jefferson-Westside Special Area Zone and the Chambers Special Area Zone without having any consultation with the Jefferson Westside Neighbors or the impacted property owners and residents in the S-JW and S-C Zones.

It's essential for the Council to consider these issues and make well-informed and thoughtful decisions on each one.

Preface – Staff misrepresents the HB 2001 restrictions on local ADU regulations

Staff has twisted the actual HB 2001 requirements regarding local regulations to misrepresent that certain criteria (e.g., maximum bedrooms) must be removed. The AIS states:

- Based on ORS 197.312(5), which requires the city to have "reasonable local regulations relating to siting and design" for accessory dwellings, removes regulations that:
  - Prohibit accessory dwellings on new flag lots
  - ...
  - Limit the maximum number of bedrooms in an accessory dwelling
  - Limit the maximum number of occupants in an accessory dwelling based on the number of occupants in the primary dwelling for properties within the boundaries of the Amazon, Fairmount and South University neighborhood associations
  - ...
  - Require or regulate off-street parking for an accessory dwelling

Clearly "flag lot" restrictions are related to "siting." In a recent "Zone Verification" response on behalf of the Eugene Planning Director, staff stated:

> "The prohibition on siting an accessory dwelling on an R-I lot if the lot does not have street frontage and can be accessed only from an alley is a regulation relating to siting. It relates to the location of buildings, specifically those that are proposed for location on an alley; it relates to the ground that may be occupied by an accessory dwelling.
>
> "ORS 197.312(5)(b) specifically makes the allowance of accessory dwellings *subject to* local regulations. Although this regulation does make an accessory dwelling a prohibited use on some lots, it is reasonable because it is necessary to addresses the impacts of a potential doubling of the number of vehicular trips on city alleys that are not typically improved to a level to support such traffic. It also helps ensure that the increased densities on these inherently small lots do not create 'livability' issues that arise when residential neighborhoods become overcrowded with unregulated infill. Livability issues must be balanced with growth for the welfare of a community's members. Goal 14 is '[t]o provide for an orderly and efficient transition from rural to urban land, to accommodate urban populations and urban employment inside urban growth boundaries, to ensure efficient use of land, and to provide for livable communities.' Development on alley access lots can be more impactful to surrounding properties because they are generally small lots surrounded by homes on three sides. The existing alleys are within the older neighborhoods where there is a traditional grid pattern of blocks and streets along with older homes that limits the location and overall size of alley access lots." (Italics in original.)
>
> October 16, 2019 letter from Alissa Hansen re ZVR 18-49.

Every bit of this staff finding would apply to "siting" ADUs on flag lots. HB 2001 *does not* prohibit the City Council from retaining the sensible prohibition against ADUs on flag lots. *See Section 9 re 9.2775(4)(c) of the proposed ordinance.*

"Bedroom" restrictions are clearly related to "design." Limiting the number of occupants is a grayer "design" area; and, in any case probably less effective than limiting bedrooms. However, the Planning Division staff has found that:

> "The maximum occupancy standard relates to both siting and design. The number of bedrooms in the primary dwelling determines the number of persons that can occupy the secondary dwelling. In this way, the size of the existing dwelling has an impact on the design and the

location of the secondary dwelling on the site. This regulation is reasonable because secondary dwellings are intended to be "a thing of secondary or subordinate importance" (See Webster's definition of "accessory," above). This regulation makes it likely that the secondary dwelling will have fewer occupants than the primary dwelling, which contributes to the secondary relationship that must be present between the primary dwelling and the secondary dwelling."

Thus, HB 2001 *does not* prohibit retaining a restriction on the number of bedrooms in an ADU; and according to staff, HB 2001 also doesn't prohibit retaining a restriction on the number of occupants in an ADU. *See Section 8 re 9.2751(17)(a)5 and (17)(2)7 & 8 of the proposed ordinance.*

HB 2001 prohibits "requirements to construct additional off-street parking" for ADUs. However, *regulation* of off-street parking location, size surface, etc. is allowed, and clearly relates to siting and design. *See Section 8 re 9.2751(17)(c)4, 15, 16 & 17 of the proposed ordinance.*

Staff also makes a completely false conclusion regarding another provision of HB 2001:

"HB 2001 also states that any regulation added to a city code is:

> void and unenforceable to the extent that the provision would prohibit or have the effect or unreasonably restricting the development of housing that is otherwise allowable under the maximum density of the zoning for the land.

"This means that any accessory dwelling regulation must not only be 'reasonable' and 'related to siting and design,' the regulation **must also not "unreasonably restrict" the development of accessory dwellings if they would otherwise be allowed under the maximum density for the zone.**"

The glaring mistake in the final conclusion is that HB 2001 *qualifies* the scope of this provision, as follows:

"A provision in a governing document that is adopted or amended *on or after the effective date of this 2019 Act*, is void and unenforceable ..." (Italics added.)

First off, it's clear that this HB 2001 provision, by itself, does not in any way prohibit *existing* code criteria from being retained, regardless of how they may (or may not) limit density. This applies to all housing regulations. *Most importantly, councilors should be aware that this warrants caution before removing in existing code provision – notably, the existing prohibition of ADUs on flag lots and those minimum lot size requirements that have the effect of reducing the achievable density below the explicit comprehensive plan diagram and Eugene Code "maximum density" criteria.* Once deleted, these likely cannot be added back, even with partially reduced maximums.

In sum: Staff has overstated which ADU code provisions have to be removed because of HB 2001. There are only two: "Owner-occupancy" and "construction of additional off-street parking." Councilors should be very aware of the "ratchet" effect of removing existing code provisions.

A. The ordinance fails to meet the requirements of ORS 197.307(4) that "a local government may adopt and apply only clear and objective standards, conditions and procedures regulating the development of housing ..."

As has been previously pointed out numerous times, the added definition of "Dwelling, Accessory" is not clear and objective because "used in connection with or that is accessory to a single-family dwelling" is highly discretionary. Unless this issue is addressed, the ordinance will be appealed and remanded again.

The staff even commits this error to writing in the findings:

"The terms 'used in connection with,' 'accessory to,' 'reasonable,' 'siting' and 'design' are not defined in state law or in the Eugene Code, nor is there any useful textual, contextual or legislative history of the terms associated with Senate Bill 1051." Page 2 of the September 3, 2019 "Findings"

City Council needs to invite public comments on how to define the terms "used in connection with" and "accessory to" in clear and objective terms in light of HB 2001 and the LUBA remand.

B. The ordinance removes the owner-occupancy requirement, but the City hasn't provided for any Goal 1 – Citizen Involvement process to consider alternative approaches to mitigate the potential impacts of speculative investment in redevelopment of single-family neighborhood areas.

Allowing ADUs without any owner-occupancy requirement is not just a mockery of the whole concept of "accessory dwelling," it creates a huge new financial incentive to large, out-of-area, speculative real estate investors to profit by widespread intensive development – or more likely *redevelopment* – of targeted, single-family areas that aren't protected by CC&Rs. The inexplicable LUBA interpretation of the statutes just threw more gas on the fire, and the proposed removal of limits on bedrooms and occupants would further fuel speculative redevelopment. What's now possible is to redevelop single-family lots as two market-rate rentals or condominiums. There is substantial, credible research that this radical change won't produce housing that's affordable, but instead will result in displacement and development of upscale housing.

Keep in mind that as soon as the proposed ordinance would go into effect, Measure 49 would act as a "ratchet," and the Council would find its hands tied in reimposing adequate criteria to protect neighborhoods on wholesale transformation.

Consequently, the Council needs to hear from the public, as well as direct staff to develop alternative criteria to mitigate the potentially sweeping impacts of removing owner-occupancy.

As just one potential code requirement, the Council could amend the code as follows:

"No individual or party may own, directly or indirectly, a share in more than one ADU in Eugene."

This restriction would not in any way hinder a traditional ADU on the owner's own property (whether or not he or she resided on the property), and would also allow a person to have a single two-rental property in addition to his or her on residence on a different property.

Another alternative would be to have a general limit on ADUs to one bedroom, with an option for an additional bedroom if the owner filed a deed restriction as currently required for Secondary Dwelling Units.

C. The ordinance does nothing to limit the conversion of both dwellings to "Airbnb's."

The City Attorney has asserted (falsely) that the City does not regulate the use of dwellings in residential zones as Airbnb's *in any way*. Under that legal assumption, the proposed ordinance would create a huge incentive to add so-called "ADUs" and turn both dwellings on a lot into Airbnb's, further destabilizing neighborhoods.

The Council should include a provision in the ordinance that an ADU cannot be used as a short-term rental. (This also would require a definition for "short-term rental" to be added to the code.)

D. The ordinance unnecessarily removes limits on the maximum vehicle use area, thus exacerbating storm water runoff issues and negative impacts on adjacent residents.

It appears that staff has misinformed the City Council by stating in the AIS that off-street parking requirement is "the only change from the draft ordinance provided for the May 20, 2019 City Council

public hearing." In fact, the proposed ordinance also removes EC 9.2751(17)(c)4, which limits the amount of a lot that is covered by vehicle use areas:[1]

> "**Vehicle Use Area.** The maximum area covered by paved and unpaved vehicle use areas including but not limited to driveways, on-site parking and turnarounds, shall be limited to 20 percent of the total lot area.

There is absolutely nothing in HB 2001 that requires this limit to be removed. In fact, by eliminating a parking requirement, this limit is even more easily met by a proposed ADU addition. This standard should be retained to address both storm water runoff and vehicle use impacts on adjacent neighbors.

E. The ordinance unnecessarily removes standards for alley access parking and driveways, thus exacerbating potential impacts.

Similarly, staff appears to have misinformed the Council by not pointing out that the proposed ordinance also removes EC 9.2751(17)(c)16, which limits the amount of a lot that is covered by vehicle use areas:[2]

> **Alley Access Parking and Driveway.** The standards at EC 9.2751(18)(a)11. are applicable to attached and detached [~~secondary~~] ***accessory*** dwellings where primary vehicle access for the required parking is from an alley.
>
> **EC 9.2751(18)(a)11. Parking and Driveway.**
>
> a. Only one covered or enclosed parking space may be provided (carport or garage). The covered or enclosed parking space shall be counted towards the total number of parking spaces.
> b. The maximum dimensions for a garage shall be 16 feet by 24 feet, with a maximum garage door width of 9 feet.
> c. The minimum setback for a garage shall be 5 feet from the alley. If the garage is setback greater than 5 feet from the alley, it must be setback a minimum of 15 feet and the area between the garage and the alley shall be counted towards one parking space.
> d. The maximum width for a driveway accessing a garage or carport shall be 12 feet.
> e. The maximum dimensions for one parking space located perpendicular to the alley shall be 12 feet in width by 20 feet in depth.
> f. The maximum dimensions for two side by side parking spaces perpendicular to the alley shall be 20 feet in width by 20 feet in depth.
> g. The maximum dimensions for tandem parking spaces shall be12 feet in width by 33 feet in depth.
> h. Only one parking space parallel to the alley shall be allowed, and such space shall not exceed 10 feet in width and 20 feet in length along the length of alley.
> i. The total vehicle use area, including but not limited to driveways and on-site parking, but not including parking space in garage, shall not exceed 400 square feet.
> j. No parking shall occur outside of the vehicle use area.
>
> **(See Figure 9.2751(18)(a)11.)**

There is absolutely nothing in HB 2001 that requires these standards to be removed, and they provide important protection against negative impacts on residents of other properties on the alley.

---

[1] This code section was <u>not</u> removed in the May 20, 2019 proposed ordinance, so the public has not had a chance to provide testimony – another remandable error.

[2] This code section also was <u>not</u> removed in the May 20, 2019 proposed ordinance, so the public has not had a chance to provide testimony – another remandable error.

F. **The ordinance removes prohibition of ADUs on new flag lots, but the City hasn't provided for any Goal 1 – Citizen Involvement process to consider alternative approaches to mitigate the potential impacts of additional ADUs on flag lots.**

HB 2001 Section 12 does not prohibit *retention* of an *existing* provision prohibiting ADUs on *new* flag lots. Flag lots themselves are extremely problematic because of the substantial impacts they can create on adjacent property owners. The Council should retain this provision, particularly because the long-standing owner-occupancy requirement has been removed, which itself had provided substantial mitigation of potential impacts on adjacent residents.

G. **The ordinance unnecessarily negates the unique, flexible parking criteria for the Jefferson-Westside Special Area Zone and the Chambers Special Area Zone without any consultation with the Jefferson Westside Neighbors or the impacted property owners and residents in the S-JW and S-C Zones.**

The proposed ordinance amends **Table 9.6420 Required Off-Street Motor Vehicle Parking** to state that "[An] additional one-family dwelling in the S-JW Jefferson-Westside Special Area Zone or the R-2 subarea of the S-C Chambers Special Area Zone" does not require off-street parking. There are several problems with this amendment, which could have been avoided if staff had bothered to consult the JWN Chair.

First, both zones allow more than one "additional one-family dwelling," so the amendment would remove any parking requirement for all additional dwellings. Only the second one-family dwelling on a lot (or development site) may qualify for the "ADU" exception to off-street parking.

Second, the S-JW Zone has a very sophisticated provision for parking requirements – which minimizes on-site parking spaces – and that is based on bedroom count, not whether a dwelling is the second dwelling on the lot. In addition, the standard allows on-street parking to count.

> **EC 9.3625(7) Parking Standards.**
>
> (a) Except as provided in (3)(d)3. above, each dwelling shall have one on-street or on-site vehicle parking space for every three bedrooms, rounded up to the next whole number (i.e. a four-bedroom dwelling must have at least two parking spaces). For purposes of this subsection, each uninterrupted twenty feet of lot line that abuts a street right-of-away where parking is legal within the entirety of that twenty feet shall count as one on-street parking.

Thus, in most cases, at least one dwelling that has three or fewer bedrooms will not require an off-street parking space. To handle the rare case where there is no on-street parking space, and a second dwelling is proposed, this criterion could be amended to provide an exception that no off-street parking space is required for the second dwelling if it has no more than one bedroom.

UPDATE: Despite the JWN Chair having been provided staff specific code revisions that would comply with HB 2001, but still retain the flexibility and effectiveness of the S-C and S-JW parking regulations; without any consultation, the staff has proposed internally inconsistent and overly impactful code amendments. The Council should amend the ordinance to use the code amendments recommended by the JWN on the following page.

For the S-C zone (See Section 24)

The following entry in the "Dwellings" subsection of the "Residential" section in Table 9.6410 of the Eugene Code, 1971, is amended to provide as follows:

Table 9.6410 Required Off-Street Motor Vehicle Parking	
Uses	**Minimum Number of Required Off-Street Parking Spaces**
Residential	
Dwelling	
[Secondary] ***Accessory*** Dwelling (Either attached or detached from primary one-family dwelling on same lot) ***/ For one additional one-family dwelling in the R-2 subarea of the S-C Chambers Special Area Zone***	**[1 per dwelling.]** ***0***

For the S-JW zone (See Section 18)

[Note: Do not amend EC 9.3625(3).]

Subsection (7) of Section 9.3625 of the Eugene Code, 1971, is amended to provide as follows:

9.3625 S-JW Jefferson Westside Special Area Zone Development Standards.

(7) Parking Standards.

(a) Except as provided in (3)(d)3. Above ***and subsection (b), below***, each dwelling shall have one on-street or on-site vehicle parking space for every three bedrooms, rounded up to the next whole number (i.e. a four-bedroom dwelling must have at least two parking spaces). For purposes of this subsection, each uninterrupted twenty feet of lot line that abuts a street right-of-away where parking is legal within the entirety of that twenty feet shall count as one on-street parking space. The twenty feet may not include any portion of a curb cut.

(b) When there are two or more dwellings and there is no on-street parking space, as defined in subsection (a), above, the parking space requirement may be waived for one dwelling that has primary vehicle access from the street and no more than three bedrooms.

[(b)]*(c)* No portion of a vehicle parking area may be located in the area defined by the Street Setback minimum standard (i.e., from which structures, other than permitted intrusions, are excluded) or between the street and the residential building façade that faces, and is closest to, the street. **(See Figure 9.3625(7)(b))**.

Note that this amendment essentially counts any qualified on-street parking space towards one dwelling that is treated as the "ADU," thus satisfying the HB 2001 requirement that no off-street parking can be required for an ADU. The only case in which this doesn't apply is when there is no on-street parking, in which case the parking requirement is waived for one dwelling, which is implicitly considered as the "ADU." Importantly, this "ADU" must have street access because that's ultimately where the residents of the "ADU" would have to park, thus ensuring that any dwelling with its primary access from the alley has a parking space (per (3)(d)3.

* * * * *

In summation, the staff has once again failed to engage the community after the major events of HB 2001 and the LUBA remand. The proposed ordinance is legally flawed, as is the lack of public process on the *new* amendments. If Council were to adopt an ordinance at Wednesday's meeting, it would be subject to appeal, delay and likely remand.

The appropriate action by the City Council is to provide direction to the City Manager to address the above issues (and possibly others) by engaging the community and to bring back a satisfactory, revised ordinance. (Unfortunately, the City Manager failed to list this as an option.)

Respectfully,

Paul T. Conte

Paul Conte

HANSEN Alissa H

From: JEROME Emily N
Sent: Monday, October 21, 2019 11:57 AM
To: HANSEN Alissa H
Subject: FW: ADUs - the need for goals and plans

From: Carolyn Jacobs <carolyn.i.jacobs@gmail.com>
Sent: Monday, October 21, 2019 10:23 AM
To: *Eugene Mayor, City Council, and City Manager <MayorCouncilandCityManager@eugene-or.gov>
Subject: ADUs - the need for goals and plans

[EXTERNAL ⚠]

You are rapidly approaching the end of your conversation about ADU's. You have given voice to many noble goals – from affordable housing for people at the lowest income levels, to greater choice and diversity in our housing stock and greater availability for all.

But in truth you have let us down. These honorable goals have failed to generate reasonable and sound plans. Simply erasing code standards does not equate with long term planning. State mandates provided the opportunity for a comprehensive group of siting and design standards yet almost almost all of the standards that you are being urged to eliminate are ones of siting and design.

While numerous studies point to the likely scenario of new *market rate* housing, loss of currently affordable housing, profits for mostly out of area if not large corporate investors, the driving up of all rental and home ownership rates, the exodus of both lower income folks and the well to do at the other end of the spectrum... you have turned a blind eye.

When you approve the term “accessory dwelling unit” devoid of any and all meaning (and in no way clear and objective) you are no longer the body that claims “clarity” to be of great value.

Those few of us who are watching can see that attached ADU's no long exist as everything can now be considered a duplex and a so called detached ADU is nothing more than a a second house – cloaked perhaps in words more palatable and salable to the general public (and wrapped in warm fuzzy language like granny flat and mother in law unit) than the challenge of trying to sell the public on the vision of two full size houses on every and any lot (and all of which have the greatest likelihood of being either student rentals or short term vacation rentals in the neighborhoods not protected by CC&Rs).

But how and when to engage?? Changes were made to the ordinance after last spring's public hearing and more changes appear in the AIS for this week's work session. But there's been no effort to engage the public!! A public hearing is absolutely necessary.

It seems there is an expectation that we will be satisfied with lofty goals. But it's not possible. The lack of attention to evidence, to the likely results of the wholesale elimination of code standards and the lack of planning for the mitigation of any number of predictable impacts is a glaring mistake.

Given the near impossibility of reversing your actions in the future it is critical to plan comprehensively, which you still can and must do.

-Carolyn Jacobs

HANSEN Alissa H

From: JEROME Emily N
Sent: Friday, October 18, 2019 10:11 AM
To: HANSEN Alissa H
Subject: Fwd: LSE researchers conclude: "Build baby build" is no answer

Begin forwarded message:

From: Paul Conte <paul.t.conte@gmail.com>
Date: October 18, 2019 at 8:19:42 AM PDT
To: Mayor and Council <MayorAndCC@ci.eugene.or.us>
Cc: Eugene Planning Commission <epc@ci.eugene.or.us>
Subject: LSE researchers conclude: "Build baby build" is no answer

[EXTERNAL ⚠]

Mayor Vinis, Councilor Yeh and Councilor Syrett,

Please read this latest addition to the mountain of research that documents that merely upzoning the land that is currently developed mostly as single-family homes will DO NO GOOD and WILL EXACERBATE INEQUALITY.
"**LSE researchers conclude: "Build baby build" is no answer**"
http://livableportland.org/2019/10/18/lse-researchers-conclude-build-baby-build-is-no-answer/

You three elected officials cannot continue to ignore the facts your "YIMBY" efforts to destroy single-family neighborhoods are based on a false narrative of Eugene's "housing crisis" and upzoning as a solution. (As demonstrated by Eugene Planning Division staff's own analysis, the only deficit of housing inventory that is affordable exists for households with incomes less than $25,000. *There is no inventory shortage for households with higher incomes.)*

The immediate step is to ensure that code's definition and approval criteria for "Accessory Dwelling Units" minimize the market incentive for outside "commodity housing" investment companies to convert existing, owner-occupied homes to two rental dwellings. If you don't "get" this, read "**How Housing Wealth Transferred From Families to Corporations**" at:
https://www.citylab.com/life/2019/10/single-family-house-rental-recession-homeowner-management/599371/

At the same time, small, true Accessory Dwelling Units should be made more affordable for owner-occupants. While HB 2001 stupidly prohibited requiring owner-occupancy for all ADUs, the City is still free to provide financial incentives (e.g., through lower or reduced SDCs) based on long-term owner-occupancy commitments.

Looking ahead, the City should have a similar strategy to minimize the market incentive for outside "commodity housing" investment companies to convert existing, owner-occupied homes to two to four rental dwellings, based on code amendments in response to HB 2001.

Finally, at some point, you three elected officials have got to get with the public interest (as enshrined in Envision Eugene) and direct the staff to develop workable plans to increase the development of apartments, both subsidized (e.g., MUPTE) and market rate, along current and future EmX routes.

If you fail to adjust your actions to reality, the voters can only conclude that you are driven by a dysfunctional compulsion to "be right," regardless of the facts. That would place you squarely in the same league as zealots who demand a "great wall" be built to address immigration issues.

Paul Conte
1461 W. 10th Ave.
Eugene, OR 97401

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Accredited Earth Advantage
Sustainable Homes Professional

New post on **Livable Portland**

LSE researchers conclude: "Build baby build" is no answer
by Michael Mehaffy

"Upzoning is far from the progressive policy tool it has been sold to be. I high-end housing in desirable locations."

As this blog has long argued, the challenges of affordability, equity and sustainability are complex, and require a economic tools, "polycentric" regional planning, and other strategic interventions. These challenges are not likely bullets." Case in point: the idea that just building more supply (especially in the cores) will automatically result in formerly excluded populations, or more sustainable urban types. (What some have called a "build baby build" ap

In recent research discussed on the *CityLab* blog, LSE economists Andrés Rodríguez-Pose and Michael Storper no match for the deep divides within—and especially between—cities, and is wholly insufficient to remedy them."

The research by LSE is hardly the first to point out this problem with "build baby build". As the CityLab article po that the ultimate beneficiaries from zoning and building deregulation are landlords and developers. As he puts it, taxes/restrictions on building largely will be captured by landowners … More stuff will be built, urban output will e and by the end of the process rents still will be high."And a recent study by Yonah Freemark found that upzoning housing prices, while having no discernible impact on local housing supply."

The author of the CityLab article, Richard Florida, expressed dismay at the barrage of derogatory criticism that h
defenders of the "build baby build" approach. "That makes little sense," said Florida. "The paper is an important
saying that we should not build more housing. They are simply saying that doing so won't magically solve econo
are deeply rooted in the very nature of the geographically clustered and concentrated knowledge economy."

But perhaps the effects of financial and other self-interests are far more seductive than the calm and reasoned a
the lesson here is the one famously offered by Upton SInclair: "It is difficult to get a man to understand somethin
understanding it."

Excerpts from the *CityLab* article are below, and the entire article can be read here.

A new paper by two leading economic geographers suggests this argument is simply too good to be true. Titled
and forthcoming in the journal Urban Studies, it's written by Andrés Rodríguez-Pose of the London School of Ec
divides his time among the LSE, UCLA, and Sciences Po in Paris. According to Storper and Rodríguez-Pose, th
housing is a main cause of urban economic problems is based on a number of faulty premises. They say the effe
proportion.

They agree that housing is part of the problem: "Housing market failures can imperil local economic growth and
long commute times, deteriorating quality of life, homelessness, and barriers to social mobility for certain populat
zoning restrictions in particular, are certainly not the be-all and end-all of urban problems. Upzoning expensive c
within—and especially between—cities, and is wholly insufficient to remedy them.

"Housing is an area where the law of unintended consequences is most powerful," Storper recently told Planning
cause housing affordability to trickle down within our metropolis, while also setting up Los Angeles and San Fran
in less prosperous regions, is just a lot to promise—and it's based on a narrative of housing as opportunity that is
told me via email: "Upzoning is far from the progressive policy tool it has been sold to be. It mainly leads to buildi
locations."

Rodríguez-Pose and Storper question several pieces of evidence that stand at the heart of this market-urbanist
opportunity." Whereas some urban economists suggest a close relationship between housing supply and prices
prices), Rodríguez-Pose and Storper find the relationship to be weak.

Likewise, some market urbanists point to an association between city population size and/or density and econom
Storper argue that this too falls away under close scrutiny—the link between city population in 2000 and subsequ
is weak to "non-existent," on their analysis.

For Storper and Rodríguez-Pose, the rising spatial inequality between cities and metro areas stems from differen
different kinds of cities, not from differences in housing costs. Or as they put it, "the basic motors of all these feat
geography of employment, wages and skills."

The economies and talent bases of cities have diverged over time. Expensive cities have much larger clusters of industries and of highly educated, skilled talent. It's this, rather than differences in housing prices, that is behind

"The affordability crisis within major urban areas is real," they write, "but it is due less to over-regulation of housir and income inequalities, and a sharp increase in the value of central locations within metro areas, as employmer places."

A key factor here is the growing divide between highly-paid techies and knowledge workers and much lower-paic These service workers end up getting the short end of the stick, spending much more of their income on housing circumstances moving to big cities provides no immediate benefits for workers without college education," Rodríg

Upzoning does little to change this fundamental imbalance. Because land in superstar cities and tech hubs is so to create even more expensive condominium towers. "While building more affordable housing in core agglomera the authors note, "the collapse of the urban wage premium for less-educated workers means that the extra housi workers."

Solving the economic and geographic divisions of America and other advanced countries is a task that goes far beyon Opportunities for improved wages in core areas have stagnated, and the "ladder has shrunk." Therefore, the dec attributed to many factors, including the new geography of skills and wages. But housing restrictions in prospero upzoning ends up fueling, not relieving, economic and spatial inequality. As Rodríguez-Pose told me: "Income in across our regions. Upzoning will only exacerbate this."

"Planning deregulation and housing costs are neither going to solve the problem of areas lagging behind, nor are economic development of dynamic cities," Rodríguez-Pose and Storper write. Worse, they caution, "an excessive serious and sustainable development strategies, can fuel economic, social and political distress and anger in dec threaten the very foundations on which economic activity, both in less developed and more prosperous areas, ha

This last point deserves special consideration. By focusing on a kind of "voodoo urbanism" approach -- by concentrat including new building there, and hoping the benefits will trickle down to everyone else -- we are not only not impro are actually fueling a spiraling dynamic of "left-behind places." These include the suburbs, and also, importantly, the much of the so-called "populist revolt" is occurring (in both the US and other countries). Rodríguez-Pose in particula "polycentric" approach to economic and human development, within city regions as well as national regions. For Po the "build baby build" approach, and the "shove density down their throats" approach -- which are both likely to fail, backlash -- and instead, focusing on a more even-tempered and polycentric approach to development across the reg the Metro "Centers and Corridors" report, fulfilling the Metro 2040 plan's vision of a polycentric network of walkable region. It would also suggest the kind of "Goldilocks" or "QUIMBY" approach we have advocated before on this blog.

Michael Mehaffy | October 18, 2019 at 11:35 am | Categories: Uncategorized | URL: https://wp.me/p8fG3h-e9

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http://livableportland.org/2019/10/18/lse-researchers-conclude-build-baby-build-is-no-answer/

HANSEN Alissa H

From: peardaughter . <peardaughter@gmail.com>
Sent: Monday, October 14, 2019 8:42 AM
To: *Eugene Mayor, City Council, and City Manager; HANSEN Alissa H
Subject: Support of ADUs in Eugene

[EXTERNAL ⚠]

Hello,

I am writing in again to voice my support for ADUs in the Eugene after reading that the entire state of California just passed a suite of legislation that makes building ADUs easier. Their **statewide** policies include the following:

1. elimination of owner occupancy requirements
2. allowance for every single family residential property to have *two* ADUs
3. elimination of residential impact fees for ADUs that are 750 sq ft or less
4. ensures that side yard and rear yard setback requirements are no greater than 4'

If our southern neighbors can do this at the **state level**, why can't we handle this at the **city or county level?** The housing crisis is NOT going to disappear anytime soon - and it will persist in irreparable ways to hurt families and community members if we don't take action NOW.

I'm not asking for the city or county's money (which is actually my tax money...). I'm asking for you to LET US house each other in affordable, reasonable ways such as ADUs.

Thank you,

Ellen Webber

Resident of River Road neighborhood

Elli