



# Clear & Objective Housing: Approval Criteria Update

*Public Involvement Plan*

JUNE 2018

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## *Public Involvement Plan*

### Overview

Through the Envision Eugene adoption process, the need to accommodate approximately 15,000 new homes within our urban growth boundary (UGB) over the next 20 years was identified. A diverse mixture of housing types and affordability levels is anticipated as our community's needs will change over this period. A key objective as we accommodate this growth will be to balance the community's values regarding livability, public health and safety, and natural resource protection—as expressed through the Envision Eugene pillars—with the need to mitigate existing barriers to housing development.

Oregon's Statewide Planning Goal 10 (Housing) requires that local governments adopt and apply only clear and objective standards, conditions, and procedures regulating the development of housing. The standards, conditions, and procedures may not discourage needed housing through unreasonable cost or delay.

A number of legal challenges have occurred, through appeals of land use decisions, where applicants asserted that our approval criteria violated the State requirements to be clear and objective, increased cost and uncertainty, or were otherwise difficult to meet on specific sites. Several existing clear and objective housing approval criteria are perceived by some as barriers to providing the housing our community needs. Two approval criteria we previously relied on can no longer be applied after being determined that they were not clear and objective.

Given our need to accommodate growth, the state requirement to provide a clear and objective path to land use approval, and the clear mandate to ensure that future development reflects our community's values; it is a worthwhile exercise to reevaluate and possibly update the City's clear and objective approval criteria to meet these goals. The Eugene City Council directed an update to the City's procedures and approval criteria for housing applications, with a target for bringing proposed updates before them within 1 year of the State's acknowledgement of the baseline UGB—which occurred January 2018.

### Goals of the Public Involvement Plan

The purpose of this plan is to guide stakeholder and public involvement in updating the clear and objective approval criteria for housing. The project will include reaching out to identify development barriers, potential legal vulnerabilities, and gaps in our criteria that might hinder achieving our community vision. The Project Management Team is committed to a public engagement process that is:

- ◆ **Meaningful:** We will use the input received to help draft clear and objective land use approval criteria for housing.
- ◆ **Accountable:** We will respond to ideas, critique, comments, and praise.
- ◆ **Inclusive:** We will strive to communicate with all stakeholders, including under-represented groups, in ways that people understand and can relate to.
- ◆ **Transparent:** We will make decisions public and share information in a variety of ways.
- ◆ **Realistic:** We will inform people about the project's constraints, scope, and timeline.
- ◆ **Outcome-oriented:** We will create community-supported clear and objective policies and procedures.

The City of Eugene [Values and Principles for Public Participation](#) will guide the project from start to finish. The **core values for public engagement** include:

- ◆ Careful Planning and Preparation
- ◆ Inclusion and Demographic Diversity
- ◆ Collaboration and Shared Purpose
- ◆ Transparency and Trust
- ◆ Impact and Action
- ◆ Sustained Engagement and Participatory Culture

**Public involvement goals** specific to this project include, but are not limited to, the following:

- ◆ Identify needed changes or improvements to existing clear and objective criteria
- ◆ Provide early and ongoing opportunities for stakeholders to raise issues and concerns
- ◆ Ensure that stakeholder contributions are considered in drafting new standards and the subsequent decision making process
- ◆ Balance the needs of the development community with the values of the overall community as identified through Envision Eugene
- ◆ Simultaneously streamline the review process while improving the quality of development outcomes (as measured by consistency with community values)

## Public Involvement Process

The Clear & Objective Housing: Approval Criteria Update will culminate with a decision from the Eugene City Council, and there will be many opportunities along the way for stakeholders and the public to be involved.

The International Association of Public Participation (IAP2)'s spectrum of public participation, Figure 1, shows varying levels of engagement based on the level of public impact. Based on the moderate level of anticipated impact, the general applicability (vs. area or site-specific), the technical nature of the work, and the timeline given by the City Council, the public and stakeholders will primarily be engaged at the "consult" and "involve" levels. The Eugene Planning Commission, as at-large citizen volunteers appointed by elected representatives, will be engaged at the "collaborate" level to craft a recommendation for the Eugene City Council to consider. As the Eugene City Council is an elected body, the public will collectively be represented at the "empower" level. Throughout the process, we will keep the public informed about the status of the project and the outcomes.


		INCREASING IMPACT ON THE DECISION 				
		INFORM	CONSULT	INVOLVE	COLLABORATE	EMPOWER
PUBLIC PARTICIPATION GOAL		To provide the public with balanced and objective information to assist them in understanding the problem, alternatives, opportunities and/or solutions.	To obtain public feedback on analysis, alternatives and/or decisions.	To work directly with the public throughout the process to ensure that public concerns and aspirations are consistently understood and considered.	To partner with the public in each aspect of the decision including the development of alternatives and the identification of the preferred solution.	To place final decision making in the hands of the public.
	PROMISE TO THE PUBLIC	We will keep you informed.	We will keep you informed, listen to and acknowledge concerns and aspirations, and provide feedback on how public input influenced the decision.	We will work with you to ensure that your concerns and aspirations are directly reflected in the alternatives developed and provide feedback on how public input influenced the decision.	We will look to you for advice and innovation in formulating solutions and incorporate your advice and recommendations into the decisions to the maximum extent possible.	We will implement what you decide.

Figure 1. IAP2's Public Participation Spectrum (source: [www.iap2.org](http://www.iap2.org))

## Decision Making

The decision-making process is described in the Project Charter. In all public communications, it is important to be clear who is making decisions for the project and how public input will be considered and incorporated. Prior to each major decision point, the project team will communicate with stakeholders about:

- ◆ Who will make the decisions
- ◆ How stakeholders can influence decisions
- ◆ When there are opportunities to participate
- ◆ How input will be considered

### Project Participation Levels:

**Empower:** Eugene City Council  
(elected to decide)

**Collaborate:** Eugene Planning Commission  
(recommendation)

**Involve:** Stakeholder Working Groups (selected to advise)

**Consult:** Stakeholders and Public (welcomed and encouraged to give opinion)

## Communications

Throughout the project the Project Management Team will employ a variety of communication strategies to inform the public, key stakeholders, the planning commission and city council. Possible communication methods include:

- Interested Parties List:** The project manager will create and maintain an interested parties list for the project, including names, addresses, email addresses, phone numbers, and participation information.
- Email Updates:** The project will communicate periodically with key stakeholders (working groups) about upcoming events and project outcomes.
- Newsletters:** The project will use existing City E-Newsletters to provide regular project updates and add to the interested parties list, including: Envision Eugene, City Council Newsletter, Neighborly News and others.
- Social Media:** The project may use existing City accounts on Nextdoor.com, Facebook, Twitter and YouTube to get messages out and advertise engagement opportunities. We will evaluate the effectiveness of different methods and adapt as we proceed.

## Stakeholders and Key Concerns

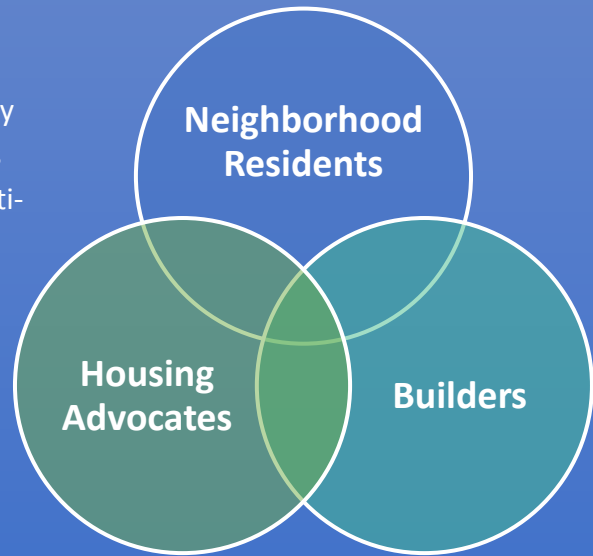
Key stakeholder groups and the general public will be offered multiple opportunities to engage the planning process through varied means, both formal and informal. While the list will evolve over time, the following key stakeholders are identified as having an important role in the proposed update:

### Community Stakeholders:

- ◆ Home Builders Association of Lane County
- ◆ Neighborhood associations and residents
- ◆ Housing developers (both single and multi-family)
- ◆ Housing Policy Board
- ◆ Chamber of Commerce
- ◆ 1000 Friends of Oregon
- ◆ Local land use consultants
- ◆ Design professionals (planners, architects, engineers, etc.)
- ◆ Sustainability Commission
- ◆ Subsidized housing providers (St. Vincent DePaul, NEDCO, Homes for Good, Cornerstone, etc.)
- ◆ Tree preservation & natural resource advocates
- ◆ Transportation advocates
- ◆ Eugene Realtors Association
- ◆ WE CAN (Walkable Eugene Citizens Advisory Network)
- ◆ Better Housing Together

### Technical Resources

- ◆ Eugene Water & Electric Board (EWEB)
- ◆ City of Eugene Public Works (Engineering, Transportation, Parks, and Maintenance)
- ◆ City of Eugene Community Development
- ◆ Eugene/Springfield Fire/EMS
- ◆ 4J Safe Routes to School



## Project Phases

The project will be completed in four phases, with each phase using a variety of public engagement strategies and resulting in a deliverable product.

### Phase 1: Survey Issues (March – June)

Phase 1 will involve information gathering. The project manager will conduct listening sessions with stakeholders to introduce the project, gain input on what the existing barriers to housing are in terms of criteria and process, what community values could be addressed better, and find out what diverse interests see as the best and worst outcomes from the project. In addition to the listening sessions, the project will also be announced by an EE Newsletter article and a new webpage on the Planning Division website. The project manager will schedule work session check-ins to review the Draft Charter and Draft Public Involvement Plan with Planning Commission and City Council.

As part of identifying key issues, a land use code audit, performed by an external consultant, will evaluate our existing land use code approval criteria and procedures related to housing. The code audit will help determine the specific range of potential land use code changes. The consultant may also conduct independent stakeholder interviews to get in-depth feedback on problematic code requirements. Finally, Phase 1 will also include a legal survey by the City Attorney's Office. The legal survey will identify what amendments are required in response to changes in State law and recent case law. Along with the code audit and stakeholder feedback, the legal survey will inform the Summary of Key Issues report that will guide Phase 2 work. At the end of this phase, the project manager will provide a memo update, along with a copy of the Summary of Key Issues report, to both Planning Commission and City Council, as well as interested parties. Feedback will be requested on corrections or additions to the key issues identified.

### Phase 2: Concepts and Evaluation (June – September)

The Summary of Key Issues report produced during Phase 1 will direct our engagement with key stakeholders in working group meetings during Phase 2. The working groups will involve stakeholders in generating a range of practical ideas for addressing each of the identified key issues. Staff will request representatives from key stakeholder groups to make up the working groups. Subject to availability, the composition of the groups may vary over the course of multiple working group meetings. For each key issue identified in the report, multiple concepts for how to address the issue will be generated, including a review of approaches used in other communities. Each concept will then be evaluated through several lenses, or criteria, such as whether the concept is clear and objective, creates added cost or delay, protects livability, and is consistent with the City's Triple Bottom Line framework. Stakeholder groups and the general public will be invited to comment on draft concepts, suggest additional concepts, and to weigh in on which concepts best address various interests. Through this engagement process, staff will identify the solutions to be included in the Preferred Concepts Report produced at the end of Phase 2.

General updates will be provided using the EE Newsletter, website, and email(s) to Interested Parties. The Planning Commission will be asked to review and refine the draft Preferred Concepts Report. A City Council work session will be scheduled to present the report and request approval to proceed with drafting proposed code amendments will occur at the end of Phase 2.

### Phase 3: Draft Code (September – January)

Phase 3 will culminate with proposed land use code language for consideration by Council to proceed with formal adoption. In this phase, the project management team will work with an outside consultant to draft code language consistent with the preferred concepts identified in the Preferred Concepts Report produced

in Phase 2. Working groups will again be consulted upon completion of the first draft of code amendments. Project status updates will be communicated in the EE newsletter, on the website, and through direct email to Interested Parties.

The project manager will bring the proposed land use code changes before the Planning Commission for review, resulting in a preliminary recommendation to the City Council. Depending on the level of input, this may be an iterative process that may require multiple work sessions. Upon Planning Commission's recommendation, staff will proceed to a City Council work session where Council will have an opportunity to act on the Planning Commission recommendation, providing direction on the amendments that will proceed through the formal adoption process.

#### Phase 4: Formal Adoption: (January - Summer 2019)

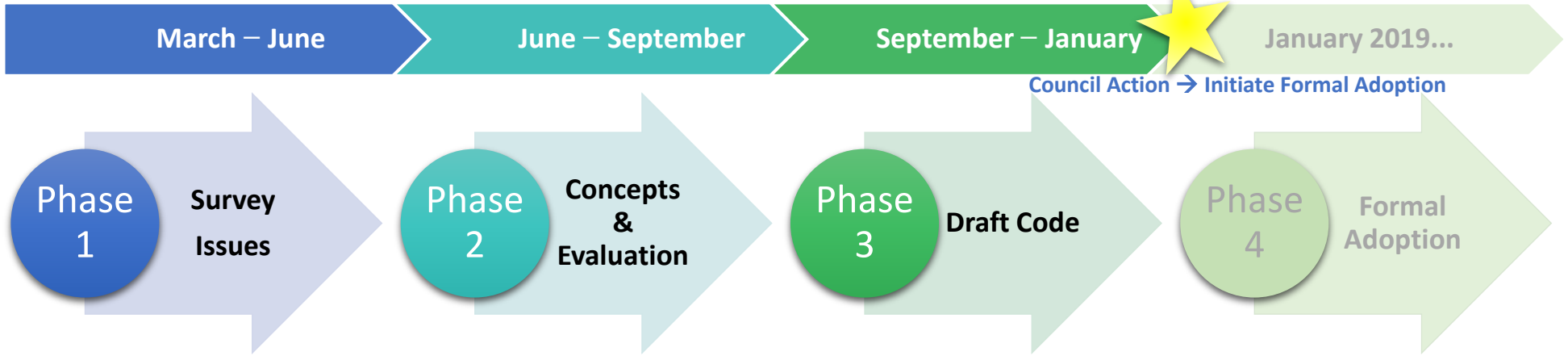
The final phase of the project will be to bring the proposed land use code changes through the formal adoption process. The formal adoption process for a change to the City's land use code is a Type V (legislative) land use process, which provides for multiple opportunities for public involvement. This process requires notice to the Oregon Department of Land Conservation and Development, mailed notice of the public hearings to interested parties, and placement of a legal ad. We also plan for additional outreach, including webpage updates, EE Newsletter updates and emails to interested parties. As part of the formal adoption process, a public hearing before the Planning Commission will take place, giving an opportunity for interested parties to provide written or spoken testimony. Following the hearing, Planning Commission will provide a final recommendation to the City Council on the proposed code amendments. Next, a public hearing will be held before the City Council, providing for additional opportunities for written or spoken testimony. Following the public hearing, City Council will act on the proposed code amendments.

The diagram on the following page provides an estimated timeline and an overview of the project phases, and the public engagement strategies for each phase.





# Clear & Objective Housing Standards Project Timeline



## Public Engagement Strategies

Phase 1	Phase 2	Phase 3	Phase 4
<ul style="list-style-type: none"> <li>Stakeholder Listening Sessions &amp; Interviews</li> <li>EE Newsletter</li> <li>Launch Project Page on Planning Website</li> <li>Planning Commission Check-in</li> <li>City Council Check-in</li> </ul>	<ul style="list-style-type: none"> <li>Stakeholder Working Group Meetings</li> <li>EE Newsletter</li> <li>Website updates</li> <li>Email update to Interested Parties</li> <li>Planning Commission Check-in</li> <li>City Council Check-in</li> </ul>	<ul style="list-style-type: none"> <li>Staff &amp; Consultant Draft Language</li> <li>Working Group Consultations</li> <li>EE Newsletter</li> <li>Website Updates</li> <li>Planning Commission Check-in</li> <li>City Council Direction</li> </ul>	<ul style="list-style-type: none"> <li>Planning Commission Public Hearing</li> <li>Planning Commission Recommendation</li> <li>City Council Public Hearing</li> <li>City Council Action</li> <li>EE Newsletter</li> <li>Website Updates</li> </ul>



## End of Phase Products



## Coordination with other Projects

The Project Team will coordinate with other projects underway for discussion of meeting coordination, workload overlap, and contact lists. Existing projects identified to date include:

- ◆ River Road Santa Clara Neighborhood Plan
- ◆ Climate and Energy Action Plan Update
- ◆ Comprehensive Plan Phase 2
- ◆ Urban Reserves Planning
- ◆ Growth Monitoring Program Development
- ◆ Cost Analysis of Serving Different Development Patterns/Economic Cartography
- ◆ Moving Ahead