



## COMMUNITY ADVISORY COMMITTEE- Summary Minutes

Zoom Webinar

April 26, 2022, 5:30 PM

**CAC Members Present:** Kate Perle, Cameron Ewing, Louisa de Heer, Mary Leontovich, Beth Gerot, Louie Vidmar

**Community Members Present:** Carleen Reilly

**Staff Present:** Chelsea Hartman, Elena Domingo, Terri Harding, Alissa Hansen

### Meeting Goals

- Celebrate that we have a draft Neighborhood Plan and Action Plan to share with the community
- Review specific questions, suggestions, changes in the draft code
- Get general agreement to move the draft code forward to start outreach and community feedback, recognizing that there will continue to be updates/drafts as more feedback is received

### Code Overview

- The goal of the RRSC Special Area Zone is to support the community vision, but the code on its own can't make development happen. We've incorporated changes like adaptive reuse and small lots to provide more flexible options.
- The draft code tries to balance feasibility concerns with goals of the community vision. Current C-2 zoning does provide more flexibility for developers, but allows more auto-oriented uses, lack of active street fronts, etc. and does not accomplish what the neighborhood plan sets out to do.

### Code Questions/Comments/Suggestions/Concerns

- **Purpose 9.3850(4):** Comments about how walkability isn't feasible for everywhere in the neighborhoods. Staff suggested updated language to highlight the intention for walkability within the neighborhood centers along the corridor, not the entire neighborhoods.
- **Design Objectives 9.3852(1)(a):** Discussed whether we could include code language related to the design objective mentioned about using high quality building materials. For example, mandating that developers can't use materials that are x% petroleum based or red listed materials. Also a desire to prevent the use of vinyl siding.
- **Design Objectives 9.3852(3):** Talked about including more wording from the Greenway Overlay subdistrict in the objectives, such as "to protect, maintain, preserve, and enhance, the natural, scenic, historic, and recreational qualities..." Remove reference to "green network places," because this term is confusing and unclear.

- **Overlay Subdistricts 9.3855(2)(a):** Talked about protecting Greenway canopy. Tree canopy within the [Water Resources Conservation Overlay Zone](#) (which includes all Greenway lots in RRSC) is already protected with strict standards.
- **Permitted Uses 9.3857:** Clarifications about what happens if a use isn't on the permitted or prohibited list. In this case with a flexible permitted use list that provides examples of uses, a new use would have to go through a [zone verification](#) that would look at the primary use on the property, just because a use is not listed as permitted does not mean it is prohibited.
- **Retail Sales and Service Uses 9.3857(1)(a)(2):** Talked about the permitted use of consumer vehicle stores provided the vehicles are within a building. Do not want to include bicycles as vehicles in this list, because they want bicycle displays to be able to be outside.
- **Office Uses 9.3857(2):** Talked about how the City regulates SDCs, that the City does not charge SDCs for energy use - only wastewater, stormwater, and transportation. Would be great to see SDC reductions for people who efficiently use stormwater, etc. but this would be a Council level decision to be made Citywide. This community desire is captured as an action in the Action Plan.
- **Manufacturing and Production Uses 9.3857(5)(d):** Talked about the "production of energy" use and whether this includes substations, transformers, windmills, etc. Can we prohibit substations?
- **Utilities and Communications Uses 9.3857(9)(b) and (d):** Do these need to be listed as permitted uses (pumping stations, substations, facilities for storage)? Can we leave them more general to leave room for interpretation instead of explicitly calling them out? Staff to follow-up with EWEB about planned projects/potential concerns.
- **Lot Standards 9.3860:** Questions about lot frontage requirements for corner lots, clarified that these are for the creation of new lots.
- **Special Standards 9.3861(1):** The "Adjustments" section raised concerns because the wording was confusing and made it seem like the PUD (planned unit development) process was needed in order to make any adjustments. This section, which is copied from other special standards sections in the Eugene Code, means that if a developer chooses to do a PUD then they can incorporate any adjustments into their PUD without having to go through a separate adjustment process, NOT that in order to get adjustments a developer is required to go through a PUD process. Staff suggested renaming the section to "Lot Standard Minimums" and separating the adjustment reference and the PUD reference to make this more clear.
- **Small Lot Standards 9.3863:** Talked more about wanting to right-size the small lot threshold size, maybe going a bit bigger to 7,000 or 8,000 square feet (current draft is 6,500), which would include more lots. Staff and consultants will do further testing to right-size this threshold.
- **General Development Standards 9.3865:** Discussed whether we could add building articulation standards, similar to what's in the Eugene Code multi-family development standards, and talked about the pros and cons of requiring articulation. Articulation styles may continue to evolve and may not want to lock in particular requirements, can we be less prescriptive and include "or other articulated features"? This would be an added requirement for developers, if CAC is interested in adding these requirements, staff suggested only requiring for residential uses, not as an added requirement for commercial buildings. Also talked about including standards that allow for enhanced pedestrian space to be counted towards street frontage.
- **Special Standards 9.3866:** Discussed the maximum building height with possible height bonuses, since it's a 5 ft increase over the maximum height discussed during the Corridor Study. Would

be helpful to see a graphic with the tallest allowed height and draft transition standards next to an R-1 property.

- Also discussed how long a development must provide affordable housing for to receive the height bonus. Most incentives for providing affordable housing are related to financial incentives, which are tied to timelines for providing the affordable housing. Will talk with staff in Community Development to discuss potential options.
- **Required Off-Street Motor Vehicle Parking 9.3870(1)(a):** The standard requiring zero off-street parking spaces for affordable housing within ¼ mile of a frequent transit route could be influenced by Council’s decision on a similar standard for middle housing.
- **Transition Standards 9.3875(2)(a):** Option 1 is missing language about the 10 ft setback that’s shown in the figure. Option 1 references “wooden fence or masonry wall” and we talked about removing the type of material and just saying “sight obscuring fencing or wall”.
  - Talked about Option 1 vs. Option 2 and how there’d be no incentive to take Option 2 over Option 1. After reviewing more, staff realized that to be more in line with the Clear and Objective transition standards, Option 1 should also include a height limit and we’ve suggested 30 feet in order to align with Option 4 (there would be no balconies above 30 ft. if we limited the height to 30 ft. in Option 1).
  - The wording of Option 2 is confusing and staff/consultants will work on updating graphics to help everyone understand the differences between the options better. While there has been a recommendation from some CAC members to not allow balconies above 30 ft. on walls facing the property line abutting land zoned R-1, staff do not recommend including this, but will continue to flag this as a policy question for decisionmakers.
- **Willamette River Greenway Overlay 9.3880:** Discussed some questions that had been emailed before the meeting regarding the Greenway.
  - **Setback:** The Greenway Overlay zone standards will be influenced by the citywide Greenway Code Amendment process. The intention is to have the RRSC area be consistent with the citywide Greenway setback proposed, which is 100 feet from top of bank with an additional 10-foot landscape. Planning Commission’s next discussion of this is on May 31<sup>st</sup>.
  - **Plantings:** Current City code requires that all plantings within the Greenway/landscape setback have to be [native plants from a City-approved list](#), developments will have to meet current code’s native species planting requirements.
  - **Process:** All development in the Greenway will require land use application approvals which have public process requirements.
    - Housing development is proposed to be eligible for the new Type II process including clear and objective standards that are consistent with HB 2001. The Type II process provides for review by the Planning Director based on approval criteria that requires a limited amount of discretion. The process includes public notice which provides an opportunity for public comments prior to a decision. There is no public hearing unless the Planning Director’s decision is appealed.
    - All other development in the Greenway will still be subject to the Type III process which includes a public hearing. The Type III process provides for quasi-

judicial review of an application by a Hearings Official or Historic Review Board.

The process includes public notice and a public hearing.

- **Public access:** Regarding the language that says the City may require the dedication and improvement of a public access extension, the reason “may” is used instead of “shall” is because in order for the City to require dedication of land as a permit condition, the City must make findings to demonstrate consistency with constitutional requirements. A blanket mandatory dedication requirement could be considered a “taking” in some situations and be subject to litigation.
- **Commercial Frontage Overlay Standards 9.3881(1)(b):** Discussed whether we could change the standard for development to have at least 50% of ground floor street area vs. frontage to allow for more flexibility to meet the commercial requirement, but the tradeoff potential is a less active street frontage.

#### **Wrap Up/Next Steps/Follow-Ups**

- Staff will capture the notes discussed today and share with Cameron McCarthy to incorporate updates.
- CAC can continue to share questions, notes, concerns, etc.
- There was agreement from CAC that the draft code is in a space to start sharing, doing outreach, and getting feedback on once updates from today’s meeting are incorporated.
- Cameron shared Jon’s draft letter to City Council with a parking program request. He asked for feedback from other CAC members by next week.