

Subcommittee members:

Paul Conte, Jefferson Westside Neighbors
David Kolb, Crest Drive Citizens Association
Steven Baker, West University Neighbors
Marilyn Mohr, River Road Community Organization

In brief

Based on the MiCAP subcommittee’s recommendation, the NLC’s ICS Committee unanimously recommended the full NLC approve the following advisory motion:

The Neighborhood Leaders Council (NLC) requests the Planning Commission select amendments for refinement and presentation to City Council from the attached list of “Highly Recommended” amendments.

The NLC further requests the Planning Commission eliminate from further consideration those amendments listed as “Recommended for Rejection.”

This advisory shall not become effective until twelve or more voting members of the NLC notify the NLC co-chairs in writing (including by e-mail) that they support the motion.

What is being proposed and why it matters

The proposal is for the NLC to request that approximately forty land use code amendments (or closely related sets of amendments) be developed through MiCAP and presented to City Council for adoption. Of these forty recommendations, a set of fifteen “top priority” proposals have also been identified. These amendments would help improve land use processes, protect neighborhoods against incompatible infill, and protect Eugene’s natural resources.

In addition, eight proposed amendments have been identified for the NLC to request the Planning Commission *reject* because of the potential harm the amendments may cause neighborhoods.

This proposal will ultimately help get City Council to revise Eugene’s land use code in a way that benefits neighborhoods.

The MiCAP committee has also grouped the remaining proposed amendments into several categories to help neighborhood residents and leaders formulate their own neighborhood association and individual recommendations to the Planning Commission and City Council. No NLC advisory is being proposed for these other amendments.

How the MiCAP subcommittee developed its recommendations

The four members of the subcommittee collaborated to screen all 230 proposed amendments and assign ratings to the approximately 120 that were not screened out.

First we screened out proposed amendments that had no clear benefit (or harm) to neighborhoods in one of the three areas the NLC has previously identified as MiCAP priorities: land use approval processes; infill compatibility, and protection of natural resources. So, for example, we eliminated amendments dealing with commercial or industrial issues from further consideration. We make no recommendation pro or con on

these amendments other than that we recommend they have a lower priority than proposed amendments that benefit neighborhoods in one of the three priority areas. (We anticipate that other interest groups will advocate for these amendments.)

Next, we screened out proposals that did not appear to present an identifiable land use code amendment. A number of items in the “amendment library” were very general or aspirational in nature; and while we may have understood and supported the sentiment, they were not specific enough to evaluate further as potential amendments. For these, we also made no recommendation pro or con.

During this initial cut, we also identified amendments that were duplicates or completely encompassed by another amendment.

For the remaining amendments, we assigned ratings for the following elements:

- *Potential benefit to neighborhood residents* – We limited our focus to the three priorities already established by the NLC: land use approval processes; infill compatibility, and protection of natural resources. (As noted above, we did not rate amendments that dealt with commercial development, for example.)

As a consequence of this rating, we also identified a set of proposed amendments that we believe would be *detrimental* to neighborhoods. We recommend the Planning Commission *reject* these from further MiCAP consideration.

- *Complexity* – The relative amount of effort required to fully develop the proposal into specific land use code. This is a factor in how much of the available MiCAP time and resources the amendment would require.
- *Potential contention over adoption of the amendment* – Our estimation of how strong the disagreement might be over adoption of the proposed amendment. We were not particularly concerned that there might be opposition to a proposal, but this measure was part of our attempt to estimate the relative amount of time and resource required to deal with a proposed amendment under MiCAP.

In general, our overall assessment of complexity and contention probably reflects a somewhat “optimistic” bias, in that we may have viewed amendments that would benefit neighborhoods as simpler and less contentious than would someone reflecting a developer or Planning staff perspective.

Using our preliminary screening and the three ratings, we categorized the amendments into the following groups:

- *Highly recommended* – Most of these forty or so amendments (or closely related sets of amendments) have a moderate to high benefit and relatively low complexity and potential contention. Note that, in our final recommendation, we also included some high-benefit amendments that had higher complexity and/or potential contention (see below).
- *Recommended* – There were another forty or so amendments that have potential benefit to neighborhoods and which would be manageable under MiCAP. However, these amendments have a lower benefit-to-resource-requirement ratio than the “highly recommended” amendments. If the MiCAP process can manage additional amendments beyond the “highly recommended” set, this is the pool from which we suggest additional amendments be drawn.

- *Recommended for separate initiatives* – We identified about thirty amendments that have potential benefit to neighborhoods, but which are likely to be well beyond the available MiCAP resources due to complexity or a potentially high degree of contention. We suggest these be addressed in separate initiatives, including ongoing processes, such as the Infill Compatibility Process, or new initiatives.

Note that we are not suggesting that items that may be difficult or contentious should in general be put off. In fact, as explained below, we included several potentially difficult or contentious amendments in our final set of “highly recommended” amendments. But the reality is that such amendments require more time and resources, which could displace other, simpler, less contentious, amendments that also have potentially high benefit. Our strategy was to maximize the overall benefit that could be accomplished within the limitations of MiCAP process.

- *Amendments that should be rejected* – There are eight amendments we believe would be detrimental to neighborhoods and which should be rejected outright.
- *Duplicates* – About fifteen amendments were identified as duplicates or encompassed by other amendments.
- *No recommendation* – We made no recommendations on about ninety amendments for the reasons explained above (i.e., ones that have no apparent benefit or detriment to neighborhoods in the three NLC priority areas).

After the initial categorizations based on ratings, we reviewed all the assignments to categories and made a few adjustments based on our collective judgment as to the appropriate category for an amendment.

At this point, we received the MiCAP consultant’s own ratings and “A, B, C” categorizations. We added this information to the amendments in the “highly recommended” set. We then rated these forty amendments or sets of amendments as to their relative priority *within* the set of highly recommended amendments. Through this final assessment, we identified the fifteen “top priority” proposals within the “highly recommended” set.

Comments

It was a challenge to assess 230 proposed amendments, especially since the descriptions of the proposals varied significantly, and we didn’t have time to seek clarification from the submitter.

Our goal was not to get a “perfect” prioritization of all the amendments. Given the limited number of amendments that are likely to be implemented through MiCAP, our primary goal was to identify a set of amendments that could reasonably be expected to be managed through MiCAP and that would, in aggregate, provide maximal benefit to neighborhoods in the three areas identified as NLC priorities.

We encourage NLC members to consider the set we’ve identified as “highly recommended” in this light. While we anticipate people may disagree with some of our choices, we hope NLC members will see the overall benefit that can come from unified support for the identified set of “highly recommended” amendments.