Proposed
Development Code Amendments
Including Equitable Housing

PROPOSED: Amendments to the Oregon City Municipal Code (Multiple Chapters)

THIS IS TO NOTIFY YOU THAT THE CITY OF OREGON CITY HAS PROPOSED CHANGES TO THE OREGON CITY MUNICIPAL CODE TO INCREASE HOUSING OPPORTUNITIES AND OTHER CHANGES THAT MAY AFFECT THE PERMISSIBLE USES AND VALUE OF YOUR PROPERTY AND OTHER PROPERTY. THIS PROPOSAL DOES NOT INCLUDE ANY CHANGES TO THE ADOPTED ZONING MAP OR ANY CITY-INITIATED CONSTRUCTION OR DEVELOPMENT

The Planning Commission will review the proposal at work sessions on July 9th and July 23rd. On August 13th, the City of Oregon City Planning Commission will hold a public hearing regarding the adoption of Ordinance Number 18-1009 (Planning File LEG 18-00001) to consider proposed code revisions. The City Commission will hold public hearings on the matter once the Planning Commission has made a recommendation. All meetings will be held at Oregon City, City Hall, 625 Center Street, Oregon City at 7pm unless otherwise noticed. Any interested party may testify at the hearings or submit written comments at or prior to the public hearings while the record is open. All hearing materials are available at www.orcity.org seven days prior to the public hearings. The ordinance and code changes are available at the Oregon City Planning Division (698 Warner Parrott Rd) or at www.orcity.org/planning/housing-and-other-development-and-zoning-code-amendments. It is anticipated that these documents will be revised during the review process until final adoption by the Oregon City City Commission. You are also invited to review the proposal at an open house to be held at City Hall on July 23rd from 4-6pm. Additional information may be found by calling (971) 204-0420.

NOTICE TO MORTGAGEE, LIENHOLDER, VENDOR OR SELLER: ORS CHAPTER 215 REQUIRES THAT IF YOU RECEIVE THIS NOTICE, IT MUST PROMPTLY BE FORWARDED TO THE PURCHASER.

What Amendments are Proposed?

Equitable Housing

A majority of the recommended changes are from our equitable housing project which identified opportunities to support and incentivize diverse, quality, physically accessible, affordable housing choices with access to opportunities, services and amenities as well as the removal of barriers.

Other Changes

Amendments identified by staff, the public, or Planning Commission including general clarification, reformatting, and amendments to address concerns identified over the years.

Why are we Proposing Amendments?

Comprehensive Plan Goals and Policies
The community worked together to establish priorities and guidelines for growth.

Concerns about Housing Choices and Affordability and Difficult/Unclear Development Criteria

2017 - 2019
GOALS AND
PRIORITIES

City Commission
OREGON CITY

2017 – 2019 City Commission Goals and Priorities

<u>GOAL 3: Enhance the Livability of the Community</u>

- Review local regulations and processes to remove barriers and provide incentives to additional housing opportunities.
- Identify partnerships/programs and funding to address houseless community members.

<u>GOAL 1: Cultivate an Environment for Successful Economic Development</u>

- Complete site-readiness efforts, which can be accomplished through either physical site improvements or process and permitting refinement.

Equitable Housing
We have worked together again as a community to determine the housing options available to property owners and provide clear and reasonable design criteria for all types of development.

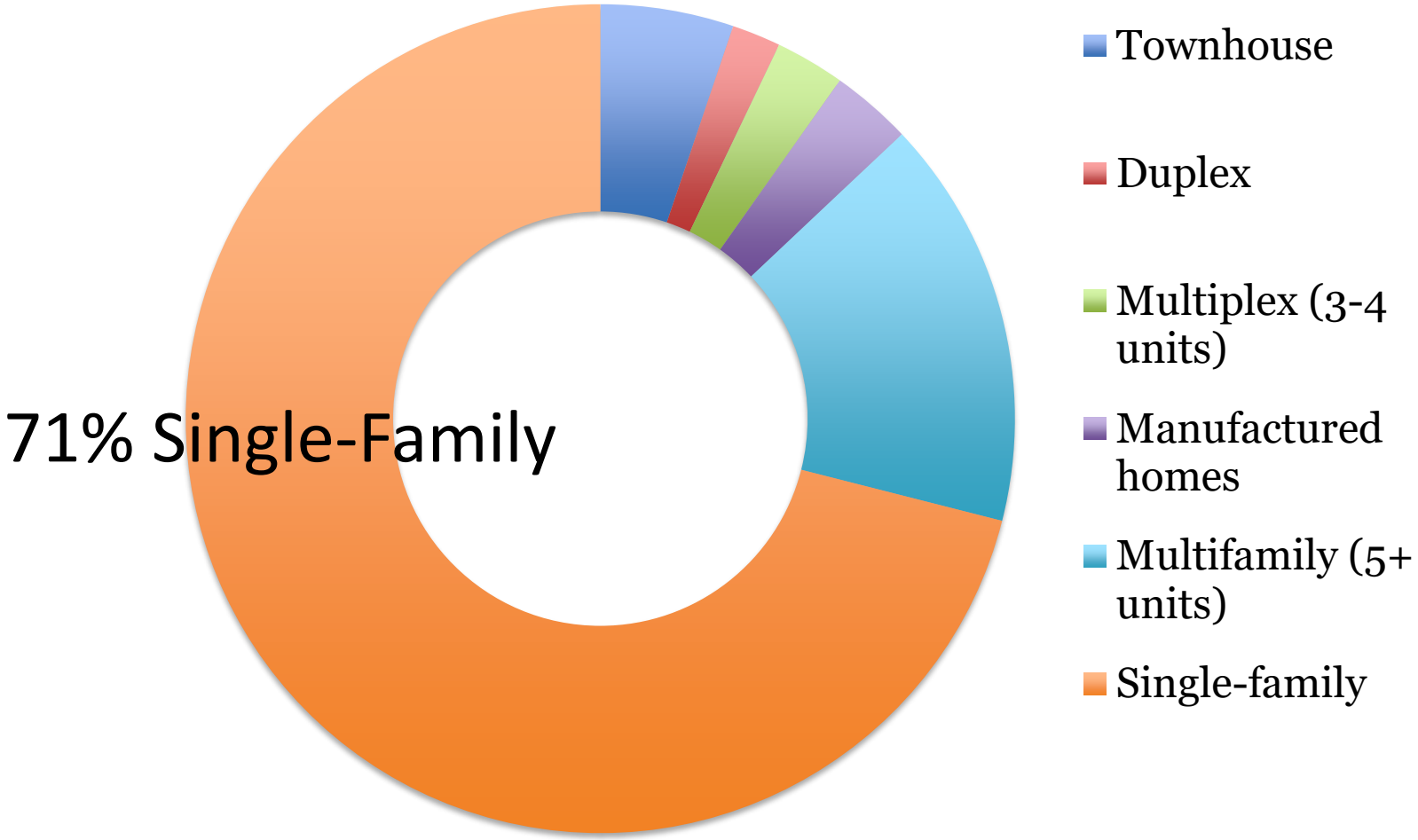
What is the Goal of the Equitable Housing Project?

Work together as a community to provide greater housing options for all residents and property owners and provide clear and reasonable design criteria for all types of development.

The project does *not* include:

- An audit of every standard in the Oregon City Municipal Code
- Considerations not related to the Municipal Code (SDC's, fees)
- Changes to the zoning map
- Construction of any project

Limited Housing Choices



Housing Prices Unaffordable

Households Paying More than 35% of Income to Housing	
Homeowners (w/mortgage)	23.9%, 1,629 households
Homeowners (w/out mortgage)	10%, 171 households
Renters	40.1%, 1,633 households
Combined city-wide	27%, 3,433 households

Opportunities to Expand Housing Options: Missing Middle

	Residential Zones *Comprehensive Plan Designation*						**Commercial, Mixed Use & Industrial Zones** *Comprehensive Plan Designation*								
Type of Residential Use	**R-10** *Low Density*	**R-8** *Low Density*	**R-6** *Low Density*	**R-5** *Medium Density*	**R-3.5** *Medium Density*	**R-2** *High Density*	**MUC** *MUC*	**MUD** *MUD*	**NC** *MUC*	**HC** *MUC*	**WFD** *MUD*	**C** *C*	**MUE** *MUE*	**CI** *I*	**GI** *I*
Single-Family Detached	Y	Y	Y	Y	Y				Y	Y					
ADU	Y	Y	Y	Y	Y	Y			Y	Y					
Cluster Housing	Y	Y	Y	Y	Y	Y			Y						
Internal Conversion	Y	Y	Y	Y	Y	Y				Y					
Corner Duplex	Y	Y	Y	Y	Y	Y				Y					
Duplex				Y	Y	Y				Y					
Single-Family Attached (Townhouses)	Y **	Y**	Y**	Y	Y	Y									
Live/work units					C	C	Y	Y	Y	Y	Y				
3-4 plex				Y	Y	Y	Y	Y	Y		Y	Y			
Multifamily (5+ Units)				Y **	Y **	Y	Y	Y	Y	Y	Y	Y			
Manufactured Home Park					Y										
Shelter up to 10 Beds	C	C	C	C	C	C	C	C							
Shelter > 10 Beds							C	C*							

Y = Permitted Use, C = Conditional Use, Blank Cell = Not permitted, Y ** = with Master Plan/PUD, * = (Except Downtown Design District)

Black Font = Existing Code Orange Font = Proposed New Use

	High-Density, Mixed Use, Commercial & Industrial Zones									
	Comprehensive Plan Designation									
Type of Residential Use	**R-2**	**MUC**	**MUD**	**NC**	**HC**	**WFD**	**C**	**MUE**	**CI**	**GI**
	High Density	*MUC*	*MUD*	*MUC*	*MUC*	*MUD*	*C*	*MUE*	*I*	*I*
Single-Family Detached				**Y**	**Y**					
ADU	**Y**			**Y**	**Y**					
Cluster Housing	**Y**			**Y**						
Internal Conversion	**Y**				**Y**					
Corner Duplex	**Y**				**Y**					
Duplex	**Y**				**Y**					
Single-Family Attached (Townhouses)	**Y**									
Live/work units	**C**	**Y**	**Y**	**Y**	**Y**	**Y**				
3-4 plex	**Y**	**Y**	**Y**	**Y**		**Y**	**Y**			
Multifamily (5+ Units)	**Y**	**Y**	**Y**	**Y**	**Y**	**Y**	**Y**			
Manufactured Home Park										
Shelter up to 10 Beds	**C**	**C**	**C**							
Shelter > 10 Beds		**C**	**C***							

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Black Font = Existing Code **Red Font = Proposed New Use**

Low Density Residential

- Consolidated low density zones into a single-chapter
- Allow single-family attached in a Master Plan
- Permitted Use:
  - Allow internal conversions and corner duplexes
- Conditional Use:
  - Allow shelters up to 10 beds
- Remove maximum stories for height and rely on height as measured in feet
- Increase lot coverage from 40 % to 45% with ADU
- Reduce larger side yard setback to match smaller side. Change corner setback to be 10’ in all zones.
- Converted existing standards into dwelling units per net developable acre
- Exemptions to clarify that ADUs and internal conversions do not count towards density calculations, corner duplexes count as a single unit, and cluster housing is subject to different density standards

Medium Density Residential

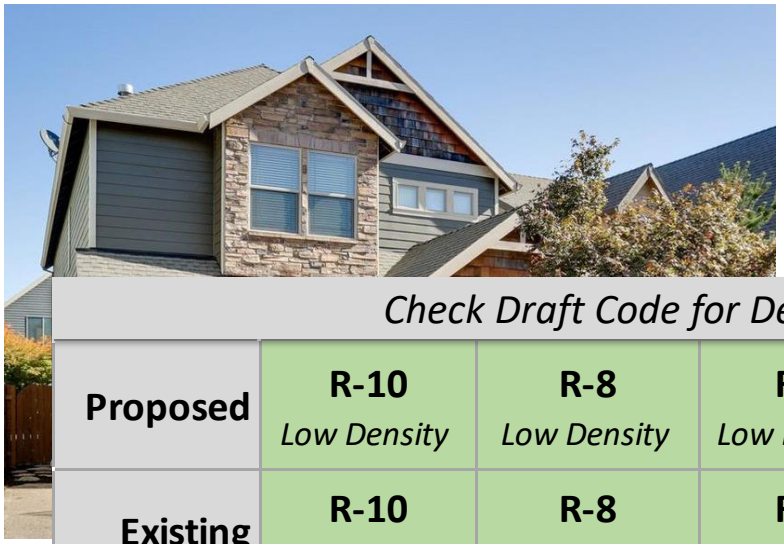
- Consolidated medium density zones into a single chapter
- Permitted:
  - Added internal conversions, corner duplexes, 3-4 plexes, & manufactured home parks
  - Allow multi-family through a Master Plan / PUD process
  - Allow duplexes in R-5

  Conditional:
  - Allow shelters up to 10 beds
- Remove maximum stories for height and rely on height as measured in feet
- Increase lot coverage for ADU, single-family attached, and 3-4 plex
- Reduce larger side yard setback to match smaller side. Change corner setback to be 7’ in all zones.
- Converted existing standards into dwelling units per net developable acre
- Exemptions to clarify that ADUs and internal conversions do not count towards density calculations, corner duplexes count as a single unit, and cluster housing is subject to different density standards

R-2 High Density Residential

- Permitted: Added ADUs, duplexes, cluster housing, internal conversions, pre-existing single-family, single-family attached, and 3-4 plexes
- Conditional:
  - Added transitional shelters up to 10 beds
  - Live/work units
- Attached units (townhomes) may be on separate lots
- Alternate dimensional standards for various unit types
- Clarify density standards
- Added 80% lot coverage
- Offer up to a 20% density bonus for affordable units at 80% AMI for a minimum term of 30 years. Developer may add 2 market rate dwellings for each affordable unit provided.

Single-Family Detached Homes



Check Draft Code for Density and Design Requirements

Proposed	**R-10** *Low Density*	**R-8** *Low Density*	**R-6** *Low Density*	**R-5** *Medium Density*	**R-3.5** *Medium Density*	**R-2** *High Density*
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Single-Family and Duplex Design Standards

- Created new chapter with consolidated standards

  Removes the ability of the community development director to approve an alternative design
- Duplexes required to comply with single-family homes design standards
- Additional design standards for corner duplexes including requirement that the units are located in the same building,

  have a maximum of one entrance per street side
- Allow residential tree plantings to occur anywhere on the site

  and clarify that the tree requirements are limited to the time of development
- Removes landscaping and shrub requirements
- Allow dwelling units on flag lots to either face front lot line or side lot line adjoining flag pole.

Duplexes

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Duplex

- *Consult draft code for all changes*
- *Design requirements similar to Single Family Detached*
- New housing option:
  - R-5: 5,000 sq. ft. min. lot size
  - R-3.5: 7,000 sq. ft (3,500 sq ft. per unit) min. lot size
  - R-2: 4,000 sq. ft min. lot size

Townhouses (Single-Family Attached)

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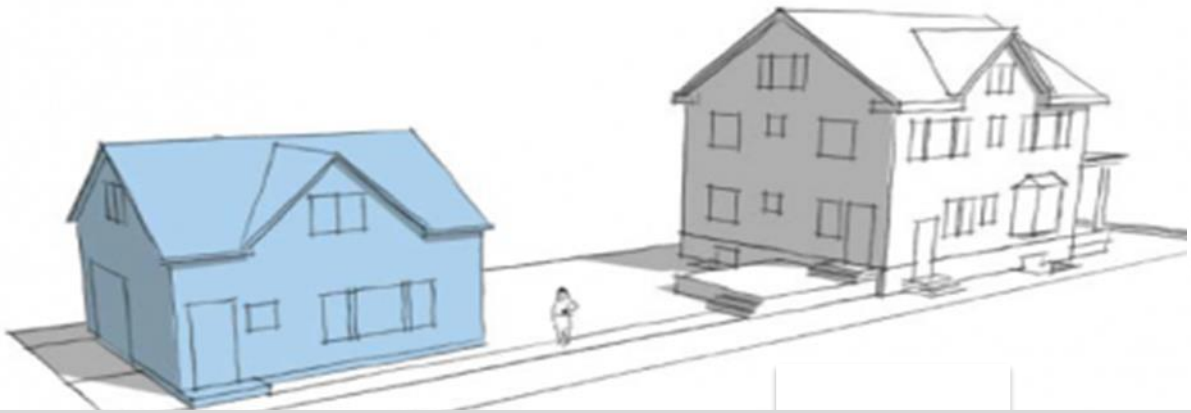
Townhouses (Single-Family Attached)

- New housing option:
  - R-5: 3,500 sq. ft. min. lot size
  - R-2: 2,000 sq. ft. min. lot size
- Density change in R-3.5: 2,500 sq. ft. min. lot size
- Require shared driveways with limited width onsite
- Adds Purpose, Design Standards, Driveway Access and Parking, and Outdoor space and tree requirements for Townhomes.
- Clear guidance on access and driveway standards which require shared driveways to retain on-street parking, and limit onsite driveway width.
- Apply same # of design elements as narrow single family homes but prohibit garages from extending past front living space for townhouses

Accessory Dwelling Unit (ADU)



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Accessory Dwelling Units (ADUs)

- New housing option: R-2: 2,000 sq. ft. min. lot size count towards min density but not max
- Increase height to 20’ maximum height (unless home taller)
- Increase allowable size from 40% to 60% of the gross floor area of the primary or 800 sf.
- Requirement of compatibility of exterior building materials with primary dwelling unit changed from identical to similar
- Increase lot coverage 5-10% per zone if ADU
- Retain owner-occupancy requirement
- Retain one ADU per single-family dwelling
- Retain off-street parking requirements for ADUs
- Simplify dimensional standards and design standards
- Exempt ADUs from density standards
- Requirement for CC&Rs to not prohibit ADUs
- Allow ADUs 40’ from ROW if they can’t be located behind the main dwelling unit.

Manufactured Home Parks

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Manufactured Home Parks

- New housing option:
  - R-3.5: 3,500 sq. ft. min. lot size
- Allow new manufactured home parks and existing manufactured home parks to be maintained and expanded
- Process
  - Type II review for new parks and Type II for modifications to existing parks
  - Type I review for placement of a new unit in an existing space
- Minimum size 2 acres
- 15’ setbacks around outer park boundary
- 10-foot setbacks from private streets, min. 15’ separation between adjacent units / structures.
- Internal private street width 24’ min. pavement, w/ sidewalk 4’ wide on one side.
- Parking on one side OK if 30’ pavement width.
- On-site parking space 1 per unit.
- Increase common open space requirement to 200 sq ft per unit

Corner Duplex

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Corner Duplex

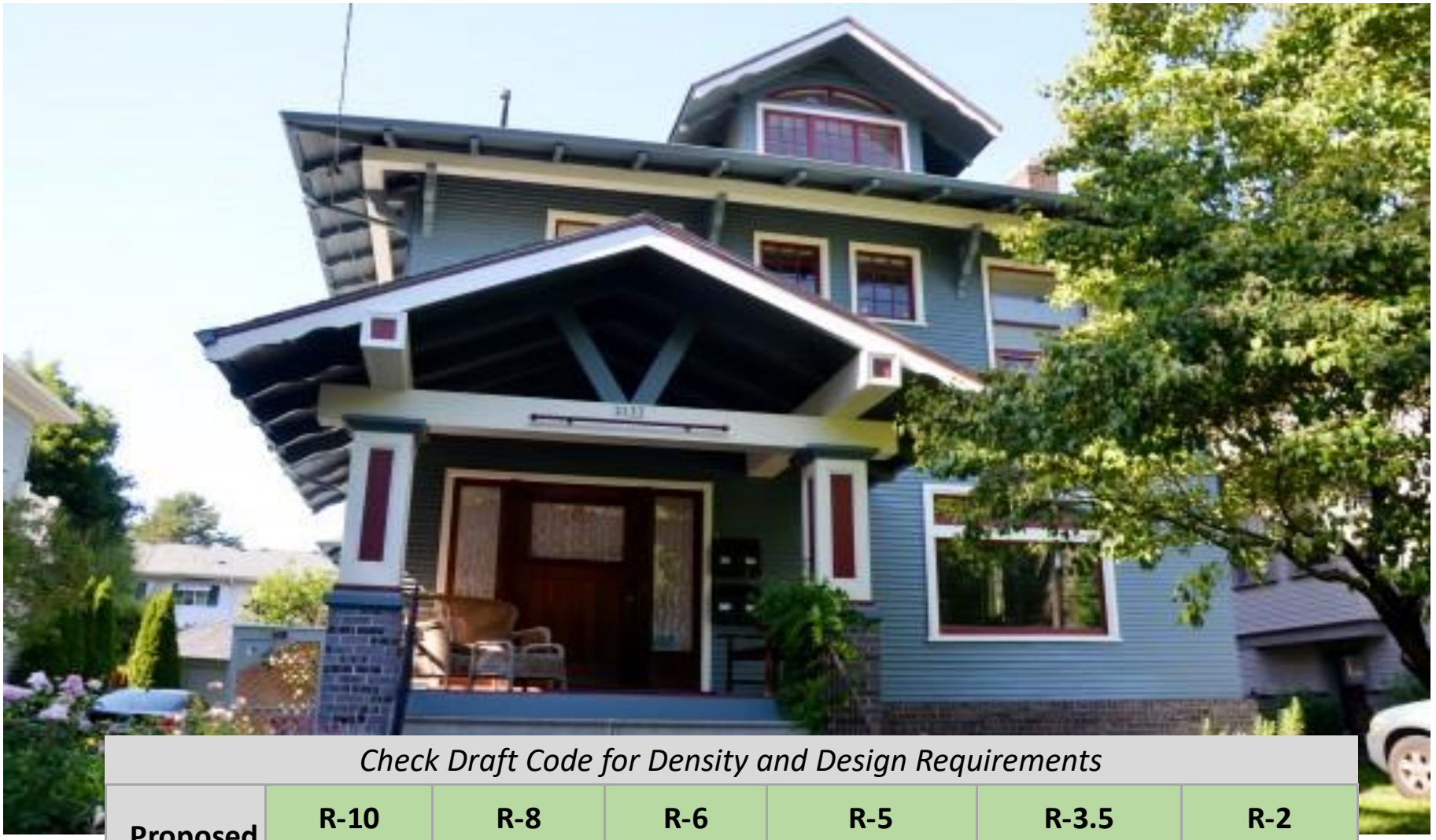
- *Consult draft code for all changes*

- New housing option:
  - R-10: 10,000 sq. ft. min. lot size
  - R-8: 8,000 sq. ft. min. lot size
  - R-6: 6,000 sq. ft. min. lot size

- Design requirements match those of detached single-family homes with a few extra requirements

- Not more than 1 door on the front of the building

Internal Conversion



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Internal Conversion

- Existing homes at least 20 years old may be converted into multiple units to encourage the preservation of existing homes.
  - 1 dwelling for every 2,500 sq. ft. lot size (max of 4 units including ADU).
  - More than 2 units = triggers commercial building codes.
- Design Requirements and additions limited 2 years before and after conversions.
- Only 1 exterior entrance allowed facing street
- Require a Type I Site Plan and Design Review, building permit review, and historic review if applicable.
- Total expansion to existing house of 500 sq. ft.
- Off-Street Parking: 1 space / 2 units; 2 spaces / 3-4 units

Requirement for CC&Rs to explicitly allow internal conversions

3-4 Plexes

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3-4 Plex

- Broken out from multi-family, allowed as a separate use reviewed over the counter (Type I)
- Design standards similar to townhouse and multi-family depending on configuration
- Requires private outdoor space and street trees
- Off-street parking for 3-4 plex = a minimum of 2
- Excluded from HC

Cluster Housing

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Cluster Housing

- Renamed “cottage housing” to “cluster housing”
- New housing option:
  - R-2: 2,000 sq. ft. min. lot size
- Remove min gross area and increase max from 1,200 to 1,500 sq ft

  Maximum average unit size to 1,000 sq ft
- Allow a wider variety of residential units depending on zone density.
- Retain density bonuses up to 2x
- Greater flexibility for open space reduced to 400 sf / dwelling
- Add approved material options
- Off-street Parking: min. 1 space / unit, max. 2.5 spaces / unit
- Remove requirement for pitched roof for detached parking structures
- Clarify fencing standards

Live/Work

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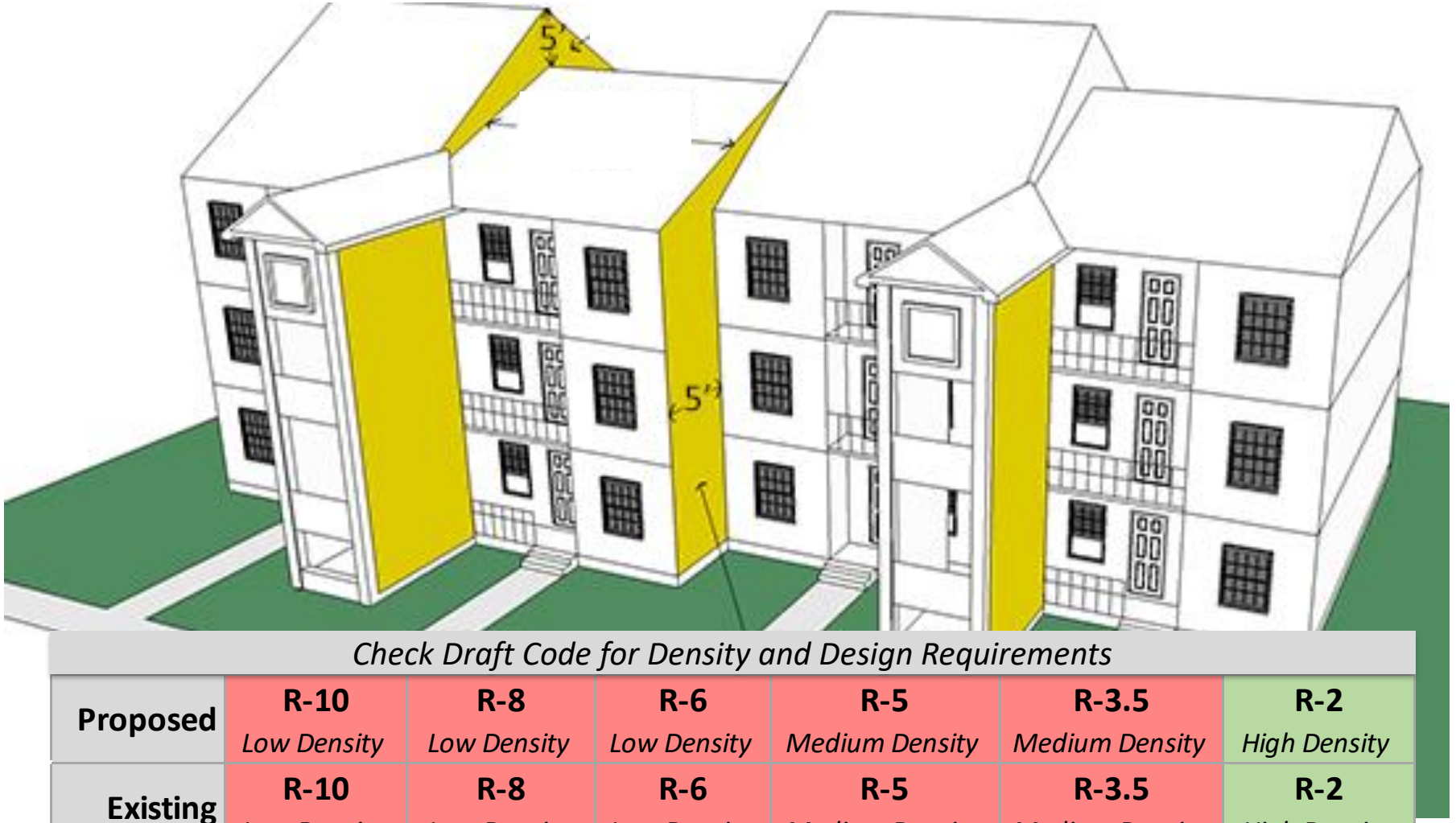
Live/Work Units

- Minimal changes to existing standards in OCMC 17.20.040
- Proposed to allow in R-5, R-3.5
- Changed from a permitted use to conditional in the high density residential zone
- Remove deed restrictions

Multi-Family



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Multi-Family and Commercial
Site Plan and Design Review

- Up to 20% Density Bonus in R-2 Multi-Family Dwelling District for 100% Affordable Projects
- Multi-family definition changed from 3+ units to 5 units and 3-4 plex added.
- Add clarity and increased flexibility for the open space requirements
- Parking minimums changed from 1-1.75 per unit depending on number of bedrooms to 1 per unit (max = 2.5)
- Remove a requirement for a diversity of unit types in larger developments
- Incorporate Density Standards into the Zoning District and add minimum of 17.4 units per net acre in mixed use and commercial areas

Multi-Family and Commercial
Site Plan and Design Review

- Design standards for multi-family primarily combined with commercial buildings.
- Amend roofline standards
- Remove requirement for tall ceilings on the ground floor in mixed use districts
- Apply parking lot landscaping requirements to parking lots with more than 5 stalls except for perimeter parking lot landscaping
- Transparency added to the front and side of buildings for all floors
- Removed prohibition against awnings longer than storefront
- Modify transparency, entryway design options, and modulation

Multi-Family and Commercial
Site Plan and Design Review

- Clarify landscaping minimum percentage
- Remove standards for upper level parking garage design
- Clarify mechanical equipment screening standards
- Temporary structures less than 1,000 sq ft are exempt from OCMC 17.62.055
- Remove exemption for truck stops/convenience stores/eating & drinking establishments/overnight accommodations from special development along transit streets

Multi-Family and Commercial
Site Plan and Design Review

- Add Type I Site Plan and Design Review Options for:
  - Type I Master Plan Amendment
  - 3-4 Plex Residential
- Clarify Application Submittal Requirements and require one full-size hard copy of all architectural and site plans
- Consolidate Cross References
- Replace requirement for complementary design with clear and objective standards.
- Clarify that temporary structures are exempt from OCMC 16.12.
- Simplify / Streamline Lighting Standards

Site Plan and Design Review
Type II Modifications

Limit Type II review to determine if alternate design meets intent/purpose of the standard to the following:

- Vehicular Connections to Adjoining Properties
- On-site Pedestrian Circulation
- Utility Undergrounding
- Building Location / Maximum Setbacks
- Building Architectural Details
- Windows / Transparency
- Parking Lot Landscaping

Changes to Zoning Districts

- Add police station as a conditional use in Institutional District
- Allow hotels/motels as permitted in Mixed Use Corridor District
- In General Industrial zone, remove requirement that permitted uses have to be enclosed within a building
- In Campus Industrial zone, remove setback exemption for multiple building developments and removed restriction for only one ground mounted sign.
- Listing out uses rather than cross referencing

Height Limits – MUD District

75’ except:

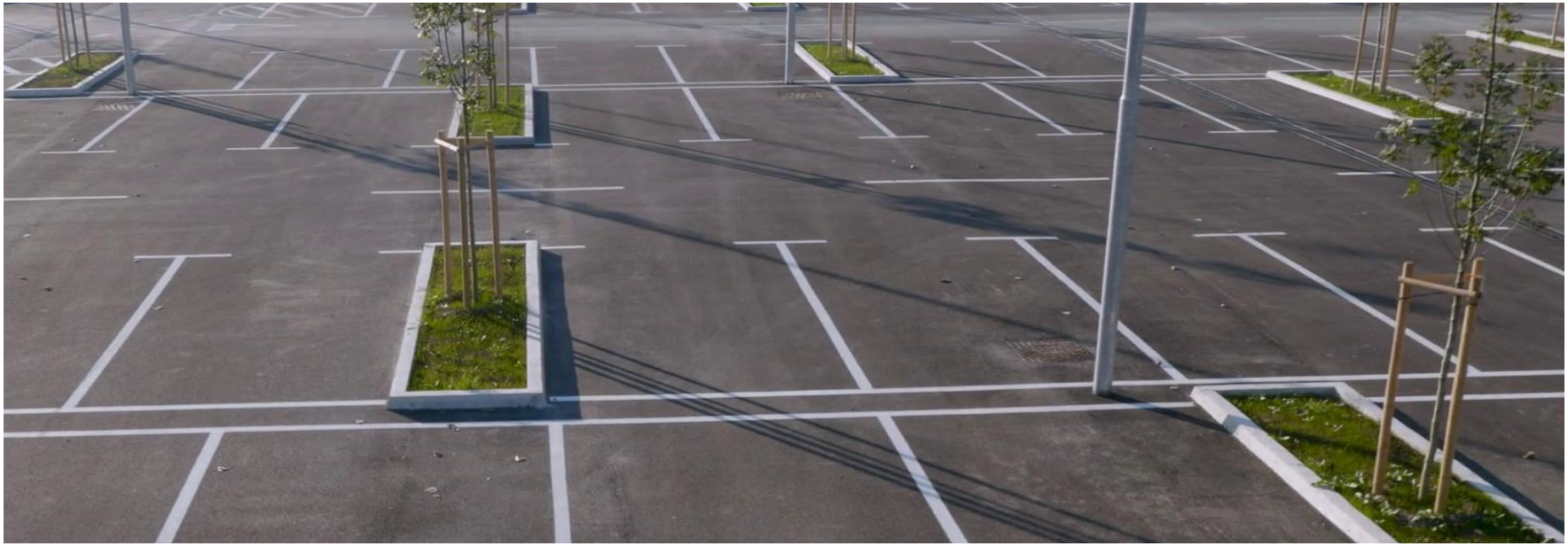
- 58’ In Downtown Design District
- 45’ when adjacent to single family residential
- 45’ within 250 feet of EOT
- 45’ between 11th / 16th / 99E / Main

Off-Street Parking

- Clarified bicycle parking standards (e.g. details of bike rack design, etc.)
- Clarified and reorganized landscaping standards
- Exempts parking lots ≤ 5 space from interior & building buffer landscaping
- Increases trees / decrease shrubs #s for Interior Parking Lot Landscaping
- Added standards for alternative landscaping plans

After Hours Parking Lots

Allow parking lots for businesses, retail, restaurant, apartments, etc. to be used for general parking when not needed by use in MUC, WFDD, and MUD zones.



Street Design

- Separates development standards from maintenance standards
- Clarifications and removal of redundant language
- Removes maximum block length in GI, CI, MUE, and WFDD
- Allow properties fronting a major street two driveways in some cases
- Amend fire access width and landscaping
- Clarify references to Transportation System Plan (TSP)

Street Design

- Exempts requirements for minor commercial alterations
- Exempts ADUs/garages/sheds/porches from threshold calculations requiring street improvements
- Relocated construction standards out of code
- Clarify performance guarantees and warrantee process
- Add violation and penalty standards
- Amends driveway standard width applicability

Alleys in Concept Plan Areas

Limit alleys in R-5, R-3.5, R-2, MUC-1, MUC-2 and NC zones districts to concept plan areas only, rather than citywide.

Public and Street Trees

(Does not Include Trees on Private Property)

- Codifies existing policies
- Caliper reduced to 1.5” for replacement
- Prioritizes replacement over fee-in-lieu
- Add 5’ spacing from public utilities.
- Accept street tree species from other jurisdictions in metro area.
- Require installation of root barriers.
- Add maintenance details (e.g. watering).
- 1:1 replacement when a tree causes sidewalk mobility hazard (ADA)
- Nuisance species may be removed w/o replacement
- Clarify replacement when in NROD.
- Allow tree replacement in front yard or larger caliper if insufficient space.

Trees on Private Property

- Renamed Chapter 17.41 "*Tree Protection, Preservation, Removal and Replanting Standards*" and section headers.
- Clarify replacement options.
- CD Director may make determination on dead and invasive species without arborist report.
- Requires that Oregon White Oaks be replaced with the same species (NRC).

Tree Removal & Grading during Annexation

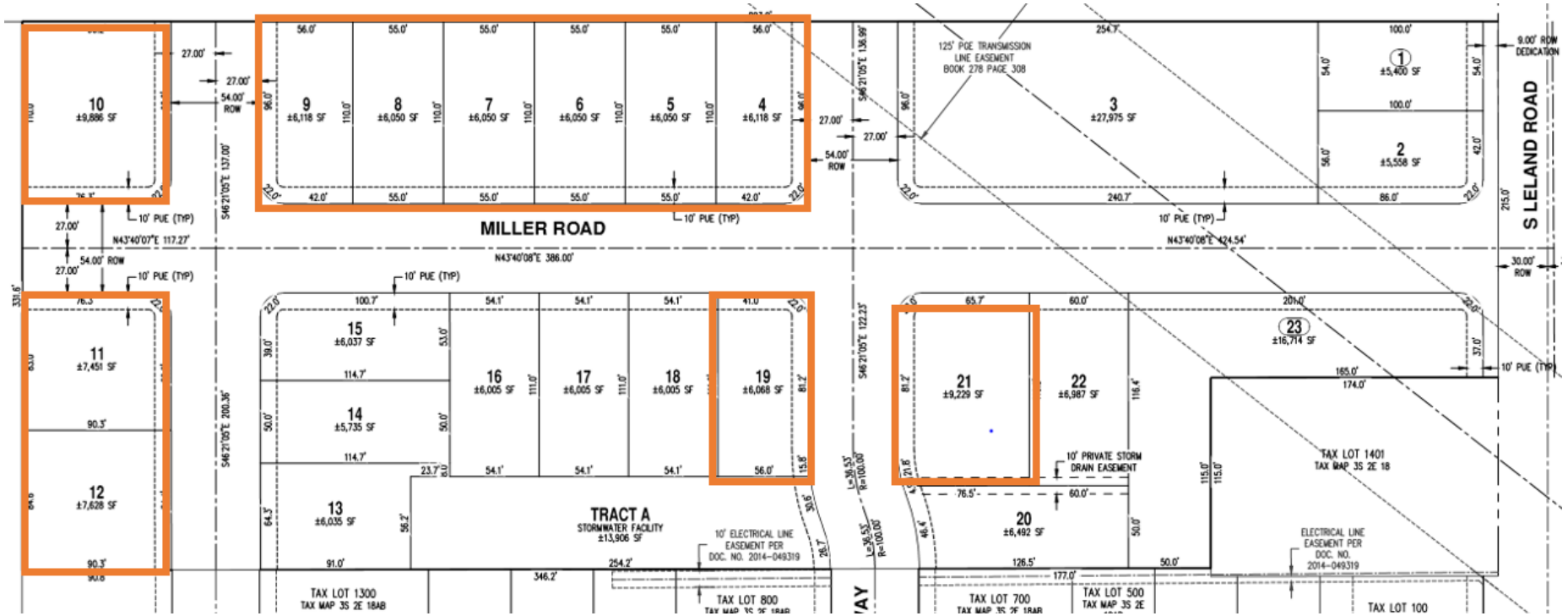
Adds an additional Annexation Factor regarding significant site grading or tree removal since date of application

Land Divisions

- Combine land division standards into a single chapter
- Require preliminary plat be drawn by a surveyor
- Specify tracts as exempt from certain design requirements
- Clarifications (e.g. flag lot section, density)
- Increase width of flag lot poles from 8’ to 10’
- Clarity of the platting process which allows ±1 lot in a subdivision
- Add criteria associated with submittal requirements such as property owner signature
- Prohibit CC&R restrictions on housing types

Land Divisions – Lot Averaging

- 25% of lots within a subdivision can be reduced 10% in size
- Limited to single-family detached



Master Plan/ Planned Unit Developments (PUD)

- Expand language for residential development and add standards for open space, housing mix.
- Allow minor changes to large institutional properties without a master plan
- Allow for Voluntary Master Plan for smaller sites (2+ acres)
- Improved design and amenities
- Remove 5 year minimum
- General clarifications
- Type I modifications
- Include Residential Standards
  - Submittal requirements
  - Open Space
  - Mix of Housing Types

Property Line Adjustment and Abandonment

- Clarify submittal requirements
- Require documentation indicating there are no liens
- Clarify relevant approval criteria such as lot width, depth, lot coverage, frontage, subdivision density, etc.
- Prohibit adjustments which create an unbuildable lot

Natural Resource Overlay District

- Added South End Concept Plan to list of identifying documents
- Applicants are encouraged to contact the Natural Resources Committee
- Added reference to Oregon City plant lists or locally adopted lists
- Require mitigation to be located as close to disturbance as possible.
- Treat additions to existing structures the same as new structures
- Remove option for NROD tract to be owned by the owner of another lot in the subdivision (HOA/public ownership okay)
- Added new standards for fences in buffer
- Clarified hazardous and dead tree removal requirements

Shelters

- Conditional Use in:
  - Residential zones for ≤10 beds
  - MUC Mixed Use Corridor
  - MUD Mixed Use Downtown (Except within the Downtown Design District, where it is prohibited)
- Prohibited in other zoning designations

Mobile Food Carts

- Add Standards for Mobile Food Carts on Private Property.
- Permanent carts currently allowed in Willamette Falls Downtown District
- Temporary carts allowed for up to 5 Hours within a 24-hour period in the following job related zoning designations: MUE, CI, and GI

Historic Review Board

- Remove appeal code language to defer the process in 17.50
- Remove appeal fee amount from development code

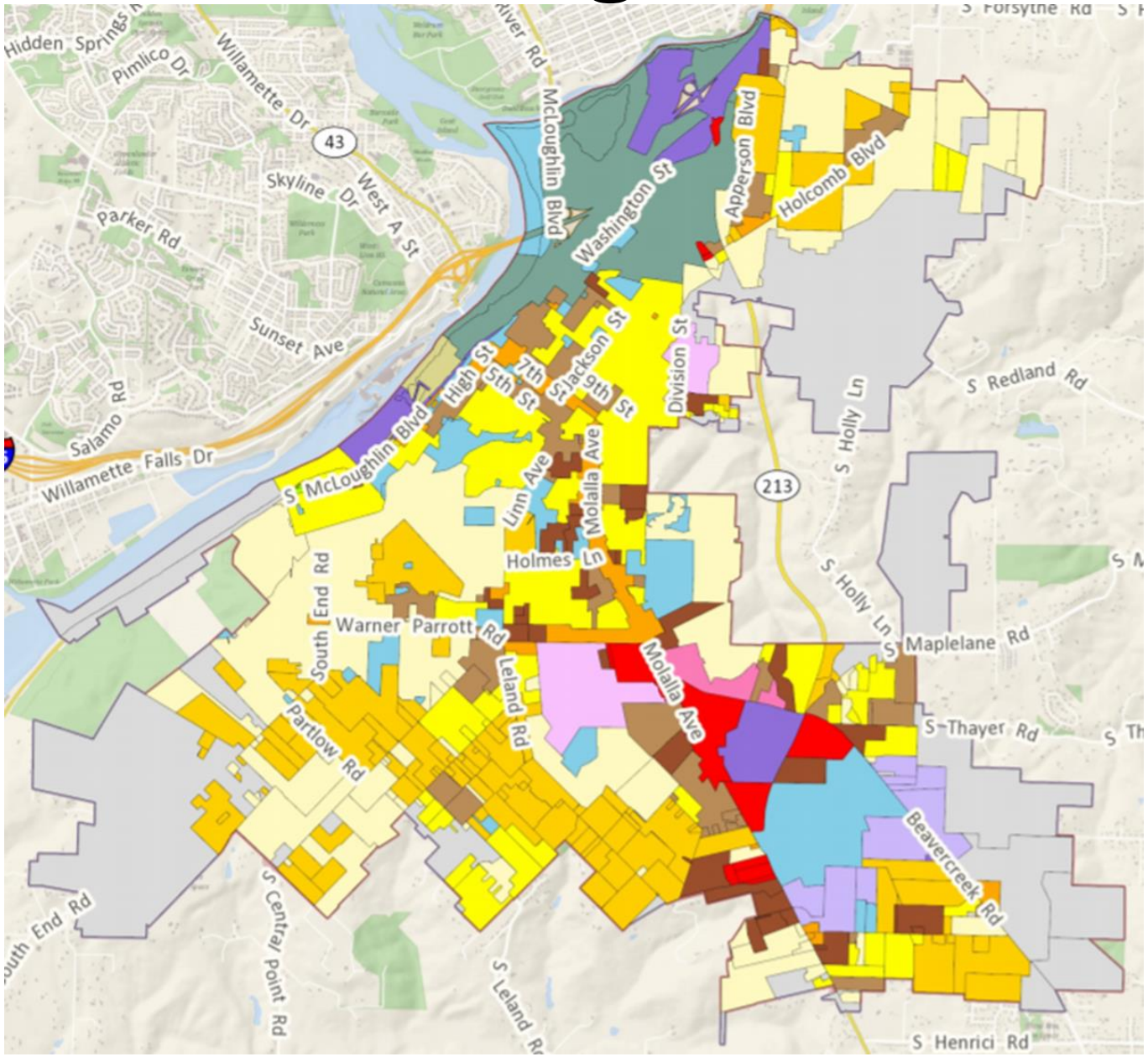
Reimbursement Districts

Update definition of “street improvement” to be 50% of the full improvement rather than specify zones and sizes.

Variances

Allow design & architectural standards to singe-family, internal conversions, duplexes, accessory dwelling units, and 3-4 plexes to be processed as a Type II.

Zone Change and Amendments



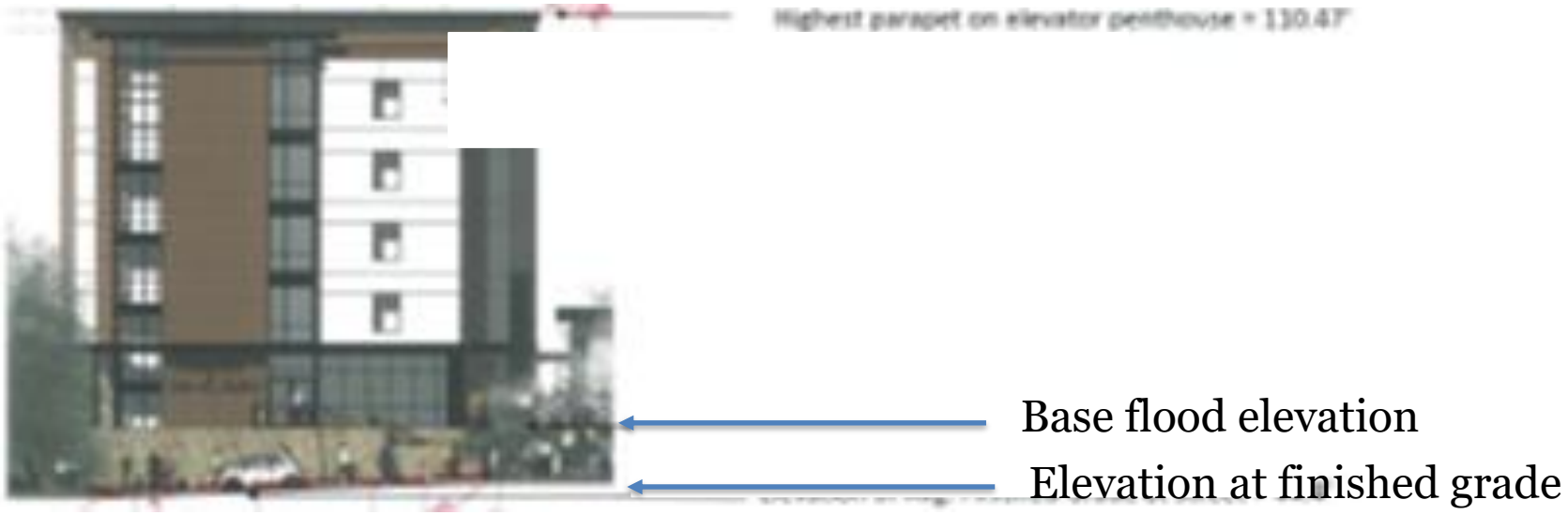
- Clarify chapter applies to Comprehensive Plan amendments as well as zoning code map and text amendments
- Clarify zoning with annexation
- Clarify process

Definitions

- Add definitions for all new housing types, footprint
- Removed definitions which are not utilized in the code
- Amend height, manufactured home, net developable area, multi-family residential, story, “net density” terminology
- *See Chapter 17.04 revisions for a complete list*

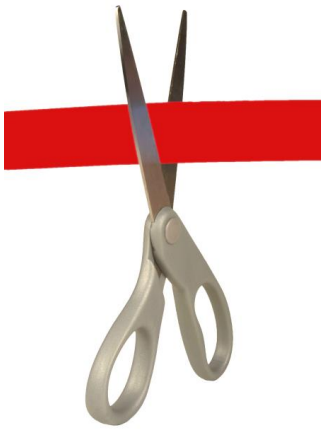
Height Measurement

- Residential Zones: Remove max. stories and rely on height as measured in feet
- Change height to be measured from the floodplain in flood areas



Administration and Procedures

- Clarify when a pre-application conference needed
- Add manufactured home park review process
- Replace notice of Type III, IV and Legislative applications in paper with online.
- Allow contact w/neighborhood associations and CIC via email (not certified mail) and remove requirement to submit sign-in sheet
- Shorter review for qualifying residential affordable applications
- Modify application requirements:
  - Allow a Trio in Place of a Title Report
  - Require a receipt for taxes
  - Require a statement of any City liens



Administration and Procedures

- Remove 1 year waiting period for similar applications
- Require payment of city liens prior to issuance of a permit or final of land divisions
- Remove “Reconsideration of a Final Decision” process
- New standards for processing affordable housing projects
- Relocate language about fee-in-lieu, warranty, etc
- Amend when Land Divisions Expire:

  3 Years to submit final plans and 5 years to complete