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.

Proposed Housing and Other Development and Zoning Code Amendments

Draft Major Amendments as of October 1, 2018

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?

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

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.

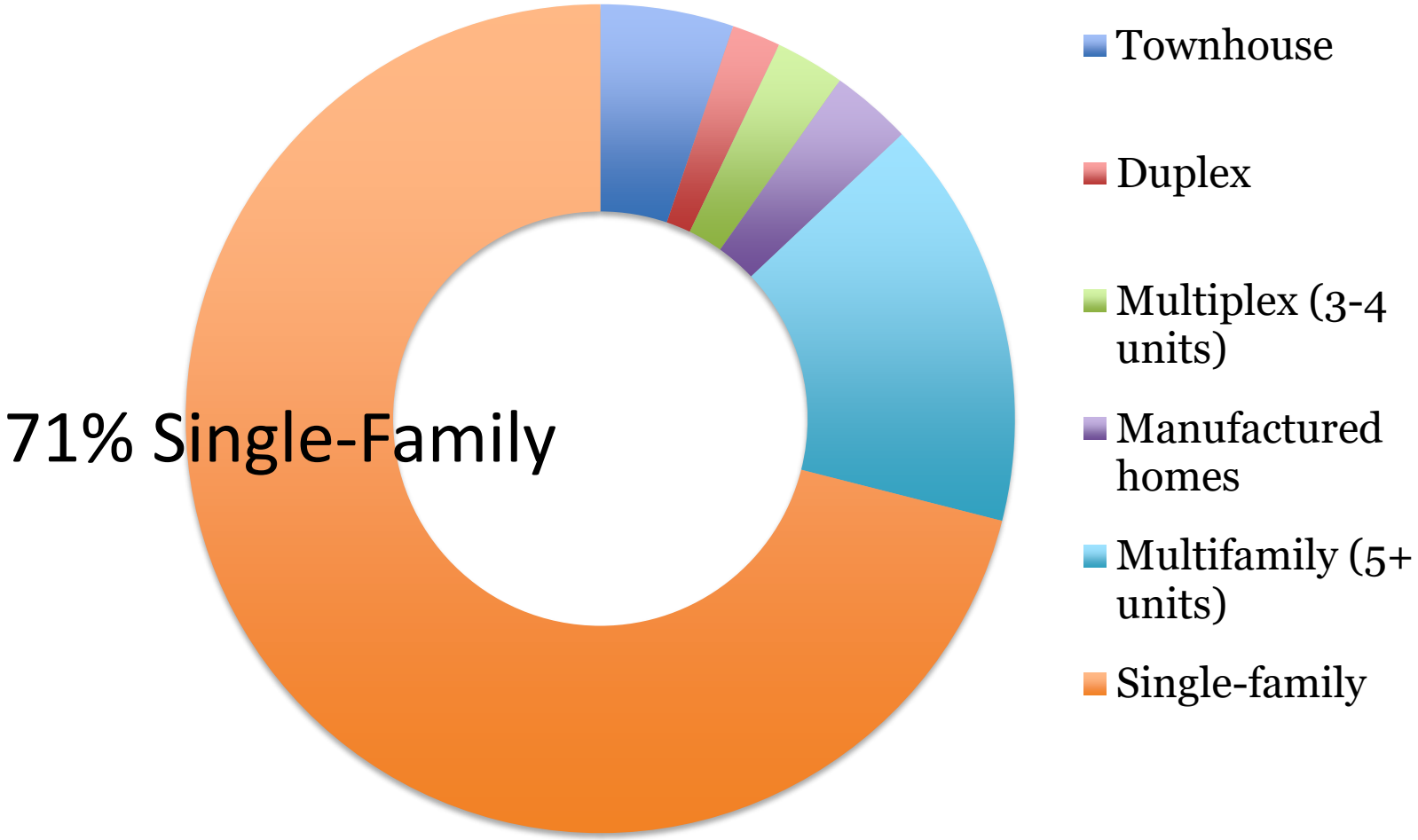
Equitable Housing includes choices for homes:

- To buy or rent
- Accessible to all ages, abilities and incomes
- Convenient to meet everyday needs, such as transit, schools, childcare, food and parks

Other Changes

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

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

49 Meetings / Opportunities for Input

Equitable Housing:

- Project Advisory Team Application Process – August 2017
- Stakeholder Interviews: Fall 2017
- Citizen Involvement Committee: October 2, 2017
- Development Stakeholder Group: October 5, 2017
- Technical Advisory Team Meeting: October 24, 2017
- Project Advisory Team Meeting: October 24, 2017
- Technical Advisory Team Meeting: January 9, 2018
- Project Advisory Team Meeting: January 9, 2018
- Technical Advisory Team Meeting: March 6, 2018
- Project Advisory Team Meeting: March 6, 2018
- Citizen Involvement Committee: April 2, 2018
- Online Survey #1: Mid-April, 2018
- Planning Commission (PC) Work Session: April 23, 2018
- Technical Advisory Team Meeting: May 1, 2018
- Project Advisory Team Meeting: May 1, 2018
- Online Survey #2: Early May, 2018
- Public Workshop: May 15, 2018
- City Commission (CC) Work Session: May 16, 2018
- Transportation Advisory Committee: June 19, 2018
- Technical Advisory Team Meeting: June 21, 2018
- Project Advisory Team Meeting: June 21, 2018
- Citizen Involvement Committee: July 2, 2018
- Planning Commission (PC) Work Session #1: July 9th, 2018
- McLoughlin Neighborhood Association Meeting: July 11th, 2018
- Natural Resources Committee: July 11th, 2018
- Development Stakeholders Meeting: July 12, 2018
- Open House: July 23rd, 4-6pm
- PC Work Session #2: July 23rd, 2018
- Historic Review Board: July 24, 2018
- Open House #2: August 13, 2018
- Natural Resources Committee: August 8, 2018
- Development Stakeholders Meeting: August 9, 2018
- PC Hearing #1: August 13, 2018
- PC Work Session #3: August 13, 2018
- Open House #3: August 20, 2018
- PC Work Session #4: August 20, 2018
- PC Work Session #5: August 27, 2018
- PC Hearing #2: August 27, 2018
- City Commission (CC) Work Session #2: September 5, 2018
- PC Hearing #3: September 10, 2018
- PC #4: September 24, 2018
- PC #5: October 8, 2018
- CC Work Session #3: October 9, 2018, City Hall
- CC Hearing #1: November 7, 7pm, City Hall
- CC Hearing #2: November 21, 7pm, City Hall
- Tentative CC Hearing #3: December 5th, 7pm, City Hall

Opportunities to Expand Housing Options: Missing Middle

Zoning Designation

Comprehensive Plan Designation

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*
Single-Family Detached	Y	Y	Y	Y	Y	
ADU	Y	Y	Y	Y	Y	Y
Cluster Housing	Y	Y	Y	Y	Y	Y
Internal Conversion	Y	Y	Y	Y	Y	Y
Corner Duplex	Y	Y	Y			
Duplex				Y	Y	Y
Single-Family Attached (Townhouses)				Y	Y	Y
Live/work units					Conditional	
3-4 plex				Y	Y	Y
Multifamily (5+ Units)	Allowed in Master Plan / PUD					Y
Manufactured Home Park					Y	

Y = Permitted Y = Proposed Permitted (Currently Prohibited)

Excerpts of Proposed Amendments

Please refer to the latest amendments for all changes. Note the amendments are likely to change throughout the review process to respond to the public as well as the Planning and City Commissions.

= Reviewed by Equitable Housing Project Advisory Committee
Please see recommendations from the PAT on the project website.

Low Density Residential

- Consolidated low density zones into a single-chapter
- Allow single-family attached in a Master Plan
- Permitted:
  - Added internal conversions and corner duplexes
- Conditional:
  - Added transitional 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
- 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 in Master Plan
  - Added duplex in R-5

Conditional:

  - Added transitional 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

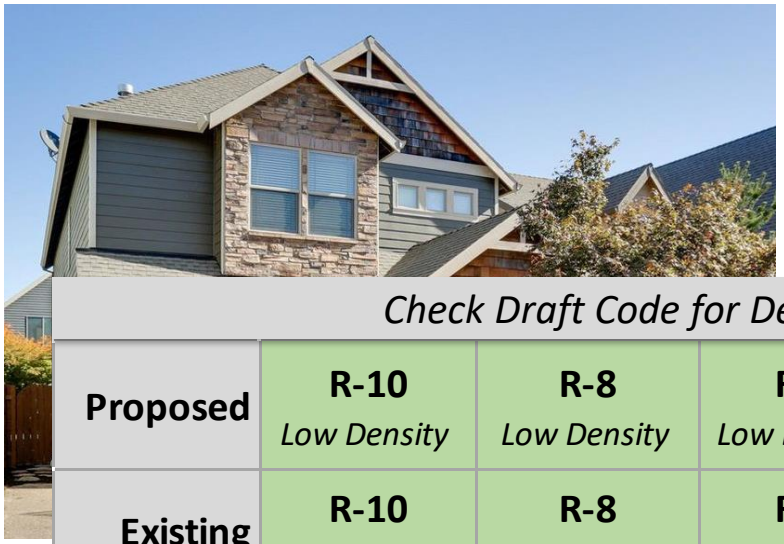
Reduce larger side yard setback to match smaller side

- 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, SFR attached, and 3-4 plexes
- Conditional:
  - Added transitional shelters up to 10 beds
  - Live/work units
- Remove maximum stories for height and rely on height as measured in feet
- Added 80% lot coverage
- Remove max stories and rely on max feet
- Clarify density standards based on existing regulations in other chapters.
- 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*
Existing	**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*

Proposed Changes: Single-Family Detached Homes

- Consult draft code for all changes
- Modifications to design requirements for clarity

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.

Townhouses (Single-Family Attached)

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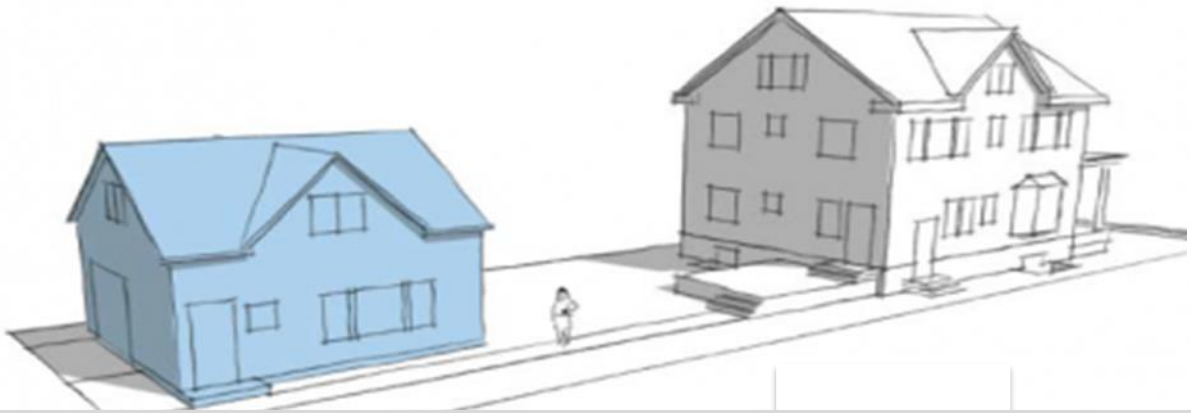
Proposed Changes: Townhouses

- 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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Proposed Changes: 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 restriction
- 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 explicitly allow ADUs
- Allow ADUs 40’ from ROW if they can’t be located behind the main dwelling unit.

Manufactured Home Parks

Check Draft Code for Density and Design Requirements						
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Proposed Changes: 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 grown over time
- 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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Proposed Changes: 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

Duplexes

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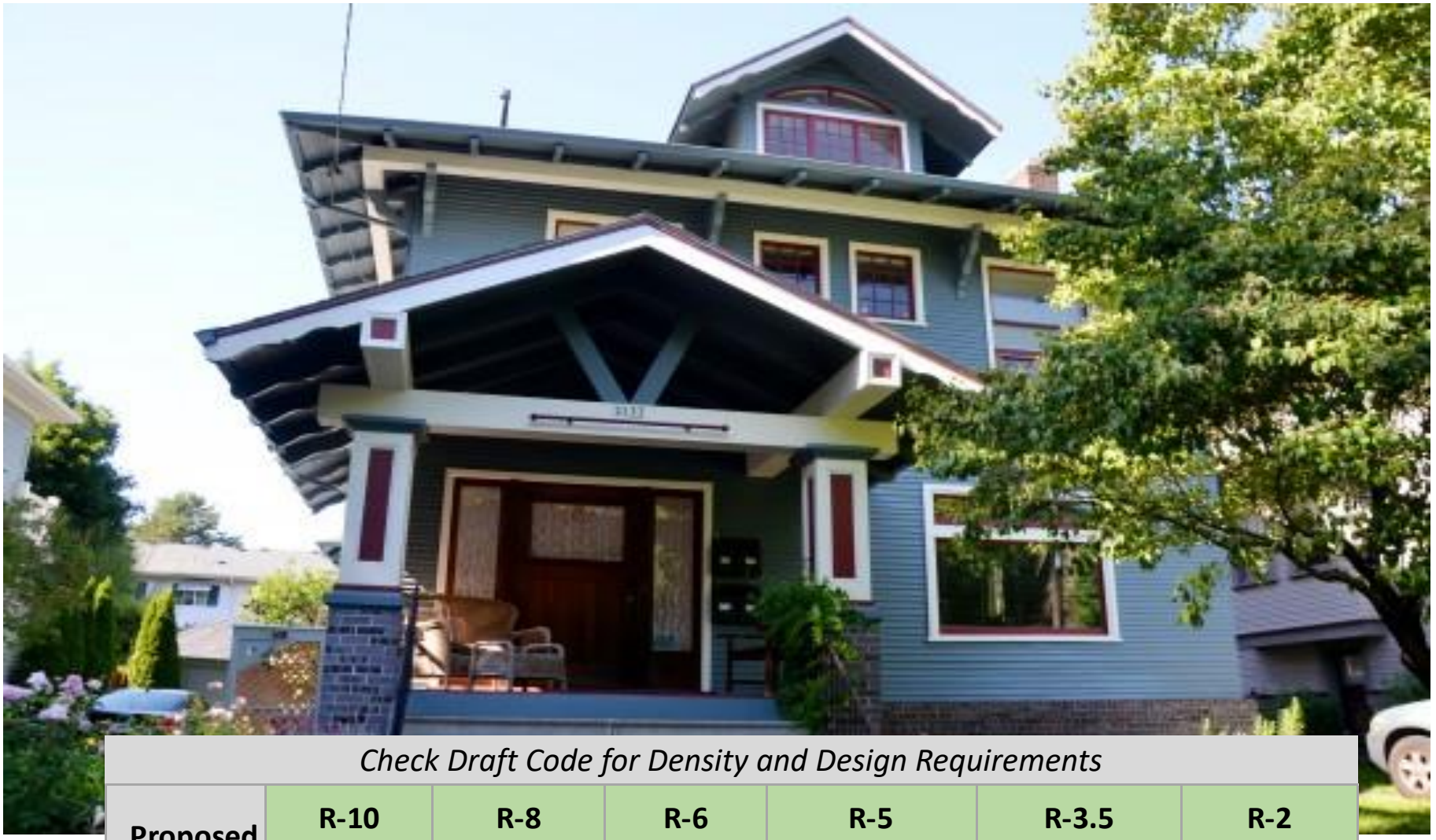
Proposed Changes: Duplex

- Consult draft code for all changes

- Check draft code for design requirements

- 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

Internal Conversion



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Proposed Changes: 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 require compliance with 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.
- Expansion limitations 800 sq ft for detached unit and 500 sq ft. for attached
- Additional parking requirements for internal conversions
- Requirement for CC&Rs to explicitly allow internal conversions

3-4 Plexes

Check Draft Code for Density and Design Requirements

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Proposed Changes: 3-4 Plex

- Broken out from Multi-family as a separate process reviewed over the counter.
- Design standards mirror townhouse and multi-family depending on configuration.
- Require private outdoor space and street trees
- Parking standards for 3-4 plex changed to a minimum of 2 and a maximum of 4.

Cluster Housing

Check Draft Code for Density and Design Requirements

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Proposed Changes: 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
- Add maximum parking ratio
- Remove requirement for pitched roof for detached parking structures
- Clarify fencing standards

Live/Work

Check Draft Code for Density and Design Requirements

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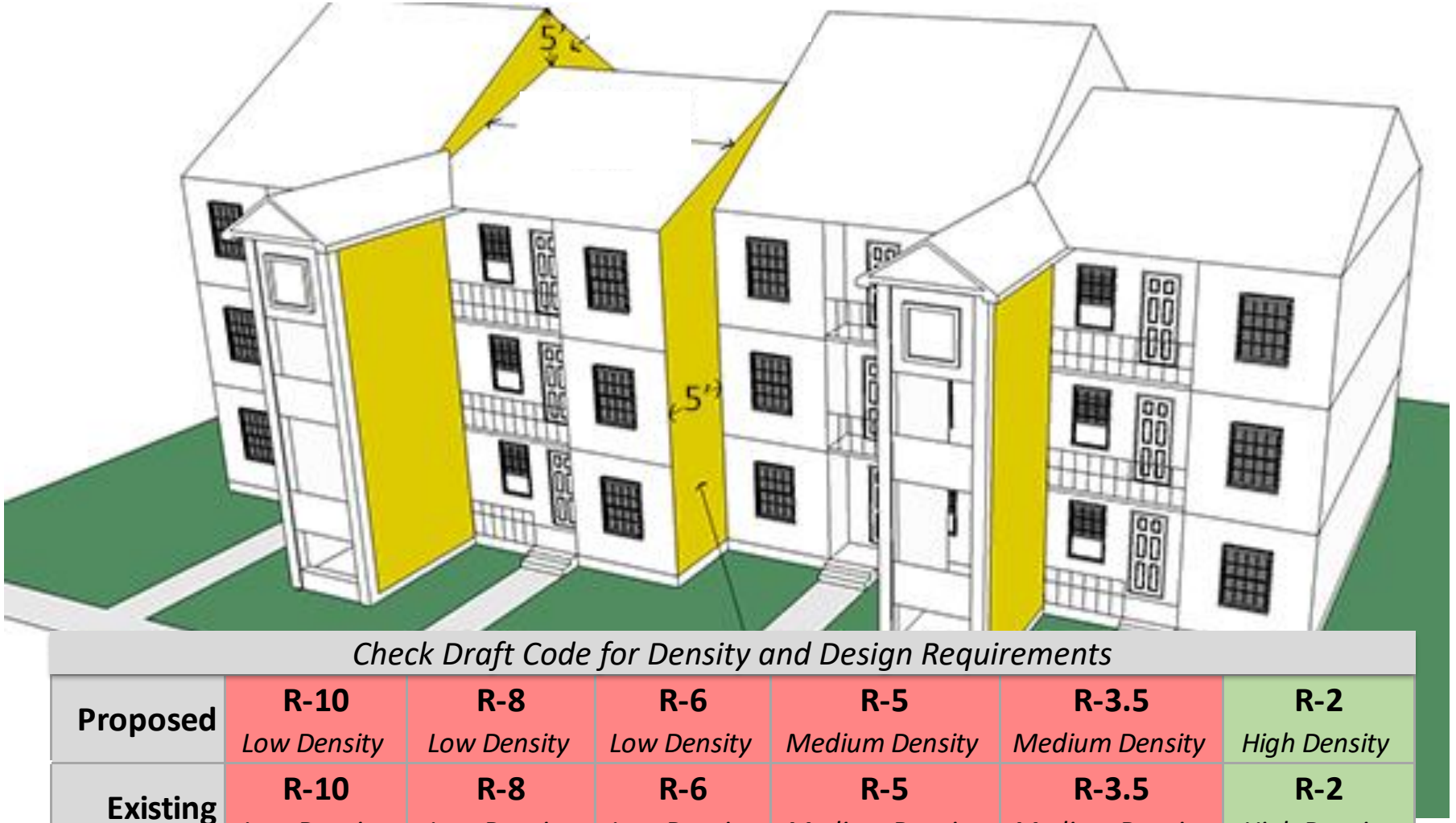
Proposed Changes: Live/Work Units

- 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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Proposed Changes: Multi-Family

- 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

Proposed Changes: Multi-Family and Commercial

- 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
- Add transparency requirements apply to all floors
- Removed prohibition against awnings longer than storefront
- Modify transparency, entryway design options, and modulation

Proposed Changes: Multi-Family and Commercial

- 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
- Limit the modifications to development standards

Proposed Changes: Multi-Family and Commercial

- 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
- Simplify / Streamline Landscaping Standards

Master Plan

Master Plan

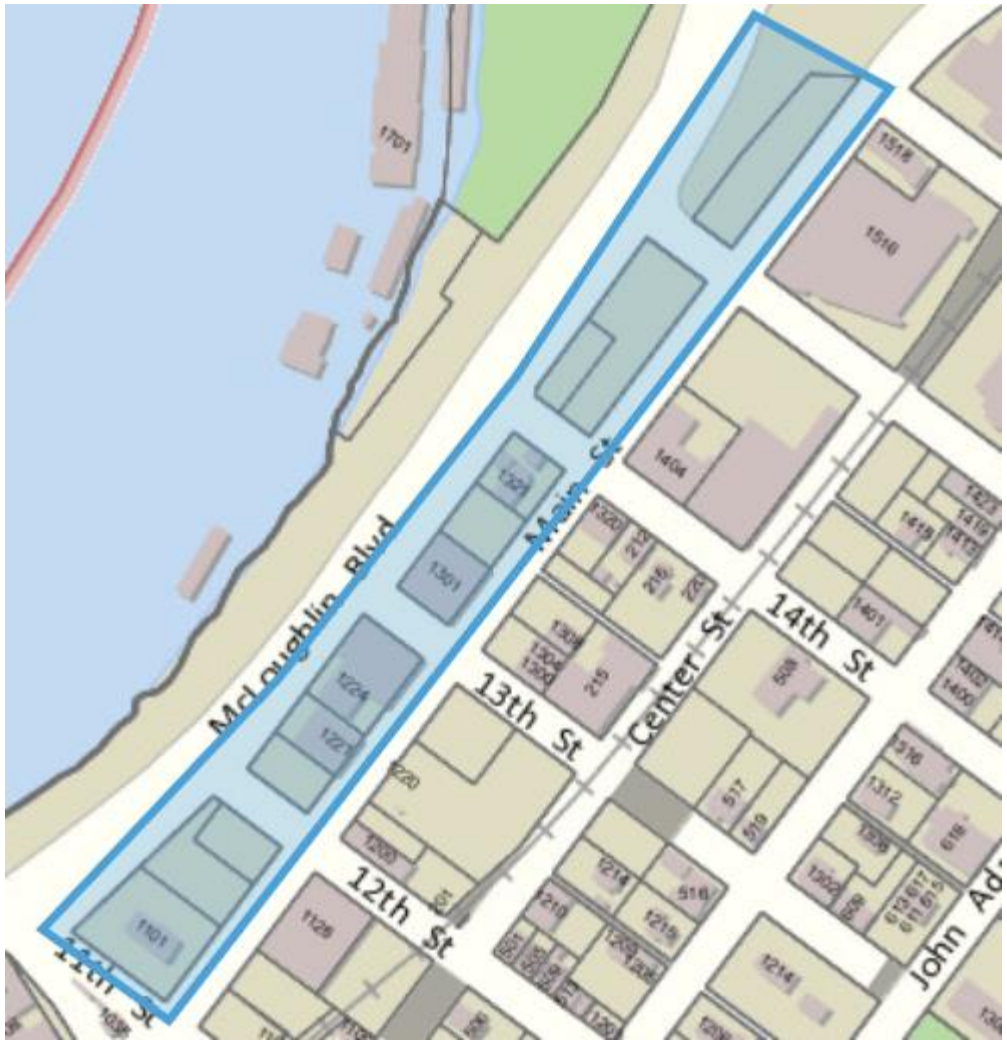
- Added exception for modifications to site eligible for Minor Site & Design Review.
- Remove requirement for master plan within concept plan areas
- Remove 5 year minimum duration
- Add clarity about review process and other applicable code sections
- Expand Requirements for Voluntary Master Plan (2+ acres)
- Strengthen Residential Standards
  - Submittal requirements
  - Open Space
  - Mix of Housing Types

Height Measurement

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

Increased Height

Increase Maximum Height from 45’ to 75’ in MUD for properties within 100’ of a Residence but not when adjacent adjacent

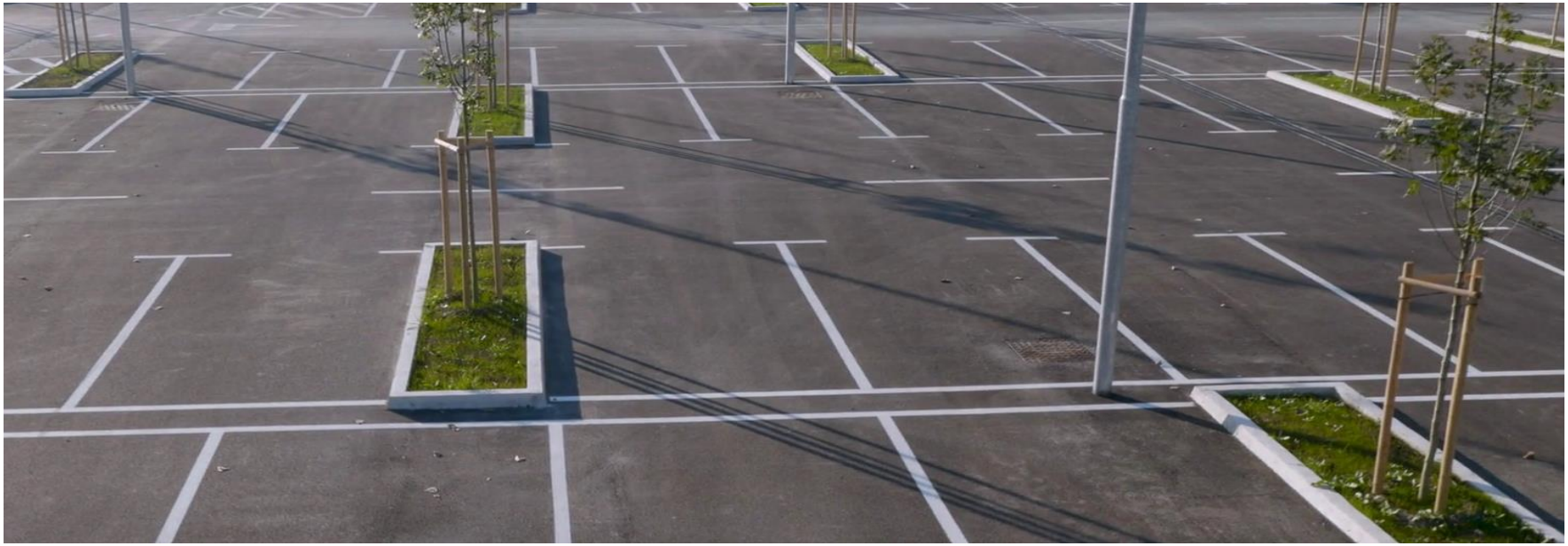


Mobile Food Carts

- Add Standards for Mobile Food Carts on Private Property.
- Permanent carts allowed in Willamette Falls Downtown Design 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

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.



Transitional Shelter

- 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

Historic Review Board

- Remove appeal code language cross-reference the appeal process in 17.50
- Remove fee from development code, put in fee schedule instead

Public and Street Trees

- Clarify when chapter applies
- Add 5’ spacing for street tree from utilities
- Codify additional street tree species selection options (including species approved by other jurisdiction in metro area)
- Clarify when to use street tree replacement standards vs development tree removal standards
- Allow tree replacement in front yard if insufficient planter strip width
- Clarify what fee-in-lieu is used for

Tree Protection

- Renamed Chapter "*Tree Protection, Preservation, Removal and Replanting Standards*"
- Renamed section headers for consistency
- Clarify that trees required to be planted in this chapter do not include required trees in stormwater facilities or in pedestrian and bicycle accessways.
- Clarify that compliance is required from land use application submittal to when the development is final.
- Clarify requirements for preserved trees
- Combine sections on mitigation options for clarity.

Land Divisions

- Combine Minor Partition and Subdivision into a single chapter
- Require preliminary plat be drawn by a surveyor
- Specify tracts as exempt from certain design requirements
- Various clarifications (e.g. flag lot section, calculating construction costs)
- Add criteria associated with submittal requirements such as property owner signature
- Allow flexibility in the platting process for ≤ 2 lots in a subdivision

Street Design

- Separated development standards from maintenance standards
- Removed maximum block length in GI, CI, MUE, and WFDD
- Allow some properties fronting a major street two driveways
- Relocated construction standards out of code
- Alleys limited to medium, high, and mixed use concept plan areas
- Amend pathway width and landscaping width
- Clarify performance guarantees and warrantee process
- Remove redundant standards for block design
- Clarify connection to Transportation System Plan
- Add violation and penalty standards

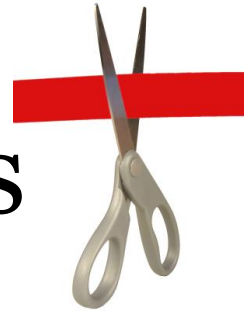
Property Line Adjustment and Abandonment

- Clarify submittal requirements
- Clarify relevant approval criteria such as frontage, subdivision density, etc.

Definitions

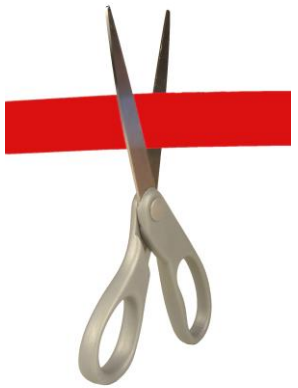
- Add definitions for new housing types, footprint
- Removed definitions which are not utilized in the code
- Amend height, manufactured home, net developable area, multi-family residential, story, “net density” terminology
- See revisions for a complete list

Administration and Procedures



- Clarify when Pre-Application Conference Required and Reorganize
- Added Manufactured Home Park Review to Permit Approval Process Table
- Post Notices on City Website rather than in Newspaper for a Type III, IV and Legislative applications
- Allow Neighborhood Association / CIC Meeting Requests via Email Rather than Certified Mail. Remove Requirement to Submit Sign-In Sheet
- Amend Application Requirements including Allow a Trio in Place of a Title Report, Submittal of a Receipt for Taxes, a Statement indicating if a Lien Exists on the Property in favor of the City.

Administration and Procedures



- Clarify when Land Divisions Expire
- Remove 1 year waiting period for similar applications
- Require Payment of liens in Favor of the City Prior to Issuance of a Permit or Recording Land Divisions
- Remove Reconsideration of a Final Decision
- Incorporate New Standards for Processing an Affordable Housing Project as Required by Law

Natural Resource Overlay District

- Added South End Concept Plan to list of identifying documents
- Add reference to Oregon City plant lists or locally adopted lists
- Treat additions to existing structures the same as new structures in the NORD
- Remove option for NROD tract to be owned by the owner of another lot in the subdivision (HOA or public ownership still permitted)

Other Changes

- Add police stations a conditional use in the Institutional District
- Allow hotels/motels as permitted in the Mixed Use Corridor District
- MUD: Min 5% landscaping in design district
- In GI zone, removed requirement that permitted uses have to be enclosed within a building
- In CI, also removed setback exemption for multiple building developments and removed allowance for only one ground mounted sign per development.
- Added Minor Variance option to design and/or architectural standards for SFRs, duplexes, townhouses, internal conversions, ADUs and 3-4 plexes.
- Title of 17.68 changed to Zoning Changes and Comprehensive Plan Amendments and clarified language of OCMC 17.68

49 Meetings / Opportunities for Input

Equitable Housing:

- Project Advisory Team Application Process – August 2017
- Stakeholder Interviews: Fall 2017
- Citizen Involvement Committee: October 2, 2017
- Development Stakeholder Group: October 5, 2017
- Technical Advisory Team Meeting: October 24, 2017
- Project Advisory Team Meeting: October 24, 2017
- Technical Advisory Team Meeting: January 9, 2018
- Project Advisory Team Meeting: January 9, 2018
- Technical Advisory Team Meeting: March 6, 2018
- Project Advisory Team Meeting: March 6, 2018
- Citizen Involvement Committee: April 2, 2018
- Online Survey #1: Mid-April, 2018
- Planning Commission (PC) Work Session: April 23, 2018
- Technical Advisory Team Meeting: May 1, 2018
- Project Advisory Team Meeting: May 1, 2018
- Online Survey #2: Early May, 2018
- Public Workshop: May 15, 2018
- City Commission (CC) Work Session: May 16, 2018
- Transportation Advisory Committee: June 19, 2018
- Technical Advisory Team Meeting: June 21, 2018
- Project Advisory Team Meeting: June 21, 2018
- Citizen Involvement Committee: July 2, 2018
- Planning Commission (PC) Work Session #1: July 9th, 2018
- McLoughlin Neighborhood Association Meeting: July 11th, 2018
- Natural Resources Committee: July 11th, 2018
- Development Stakeholders Meeting: July 12, 2018
- Open House: July 23rd, 4-6pm
- PC Work Session #2: July 23rd, 2018
- Historic Review Board: July 24, 2018
- Open House #2: August 13, 2018
- Natural Resources Committee: August 8, 2018
- Development Stakeholders Meeting: August 9, 2018
- PC Hearing #1: August 13, 2018
- PC Work Session #3: August 13, 2018
- Open House #3: August 20, 2018
- PC Work Session #4: August 20, 2018
- PC Work Session #5: August 27, 2018
- PC Hearing #2: August 27, 2018
- City Commission (CC) Work Session #2: September 5, 2018
- PC Hearing #3: September 10, 2018
- PC #4: September 24, 2018
- PC #5: October 8, 2018
- CC Work Session #3: October 9, 2018, City Hall
- CC Hearing #1: November 7, 7pm, City Hall
- CC Hearing #2: November 21, 7pm, City Hall
- Tentative CC Hearing #3: December 5th, 7pm, City Hall