



# MEMO

**Date:** September 17, 2018  
**To:** City of Oregon City Planning Commission Chair Denyse McGriff and Planning Commissioners  
**From:** Elizabeth Decker, JET Planning  
**CC:** Laura Terway and Pete Walter, City of Oregon City  
**Subject:** Equitable Housing Code Revisions (Amendments to September 10, 2018 Draft)

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**Overview:** Planning Commission is continuing its review of the proposed Housing and Other Development and Zoning Code Amendments, including revisions and ongoing discussion to fine-tune the proposed code amendments. This memo summarizes the proposed changes to several housing-related code amendments proposed at the Commission's September 10, 2018 meeting. These amendments should be read in conjunction with the draft code provided to Planning Commission dated September 2, 2018; only the provisions included here have been updated since the past meeting.

**Code Revisions:** Planning Commission provided direction for amending several code sections, which have been completed as follows, and will be incorporated into the October 1, 2018 draft for the Commission's consideration.

**A.** Revise lot-averaging standards for new subdivisions to allow a reduction in lot size of up to 10 percent on up to 25 percent of the lots, consistent with previous Planning Commission recommendation, and reword language about residential uses in policy-neutral way for improved clarity. Note that additional changes to lot sizes could be allowed as part of a Type III residential Master Plan; see proposed 17.65.070.C.1.

Planning Commission also discussed whether to retain the final paragraph regarding how area within an alley is treated in lot averaging calculations, and can provide direction to staff if additional changes are recommended.

*Proposed 16.12.050:* A subdivision in the R-10, R-8, R-6, R-5, or R-3.5 dwelling district that includes only single-family detached residential and accessory dwelling unit uses may include up to 25 percent of the lots for single family detached residential use, including any proposal with accessory dwelling units, that are up to ~~twenty-20~~ 10 percent less than the required

minimum lot area of the applicable zoning designation provided the average lot size of all proposed single-family detached residential lots ~~lots within the entire subdivision on average~~ meets the minimum site area requirement of the underlying zone. Any area within a powerline easement on a lot shall not count towards the lot area for that lot. Lot averaging is only permitted through the subdivision process or master plan process and may not be used for any other residential uses.

The average lot area is determined by first calculating the total site area devoted to single-family detached dwelling units, subtracting the powerline easement areas, and dividing that figure by the proposed number of single-family detached dwelling lots.

Accessory dwelling units are not included in this determination of total dwelling units nor are tracts created for non-dwelling unit purposes such as open space, stormwater tracts, or access ways.

A lot that was created pursuant to this section may not be further divided unless the average lot size requirements are still met for the entire subdivision.

When a lot abuts a public alley, an area equal to the length of the alley frontage along the lot times the width of the alley right-of-way measured from the alley centerline may be added to the area of the abutting lot in order to satisfy the lot area requirement for the abutting lot. It may also be used in calculating the average lot area.

- B.** Revise parking requirements for 3-4 plexes to require one off-street parking space per two units, rounded up.

*Proposed 17.16.060.B: Parking and access.* ~~No off street parking is required for 3-4 plexes. However, if off street parking is provided,~~

1. A minimum of two off-street parking spaces are required for each 3-4 plex.
2. Access and location shall comply with either the standards of Section 17.16.040 or the access and driveway standards of OCMC Section 12.04.025. For purposes of determining whether the site meets the requirements in subsection 17.16.040.A, total lot frontage divided by the number of units along the frontage must be at least 25 feet to qualify for driveways across the front yards; otherwise, the site shall meet the standards of subsection 17.16.040.B or C.

*Proposed Table 17.52.020:*

| Table 17.52.020             |                                                 |                     |
|-----------------------------|-------------------------------------------------|---------------------|
| LAND USE                    | PARKING REQUIREMENTS                            |                     |
|                             | <u>MINIMUM</u>                                  | <u>MAXIMUM</u>      |
| <u>3-4 plex Residential</u> | <u>2.0 per 3-4 plex</u><br><u>1.00 per unit</u> | <u>2.5 per unit</u> |

C. Retain existing parking standards for ADUs, which require one parking space for ADUs including allowance for on-street parking to satisfy requirement under specific circumstances, rather than exempting ADUs from parking requirements.

*Proposed 17.20.010.D.7: Parking.* No off-street parking is required for an ADU. If off-street parking is provided, it shall meet the access and driveway standards of OCMC Section 12.04.025 and OCMC Section 16.12.035 for a single or two-family dwelling.

a. Purpose. The parking requirements balance the need to provide adequate parking while maintaining the character of single-dwelling neighborhoods and reducing the amount of impervious surface on a site.

b. The following parking requirements apply to accessory dwelling units.

1. No additional parking space is required for the accessory dwelling unit if it is created on a site with a principal dwelling unit and the roadway for at least one abutting street is at least twenty-eight feet wide.

2. One additional parking space is required for the accessory dwelling unit as follows:

i. When none of the roadways in abutting streets are at least twenty-eight feet wide; or

ii. When the accessory dwelling unit is created at the same time as the principal dwelling unit.

(Retains and rennumbers existing 17.54.090.B.11.)

D. Retain owner-occupancy provision for ADUs, rather than removing owner-occupancy requirements.

*Proposed 17.20.010.F:* The property owner, which shall include title holders and contract purchasers, must occupy either the principal dwelling unit or the ADU as their permanent residence, for at least seven months out of the year, and at no time receive rent for the owner-occupied unit. (Retains existing OCMC 17.54.090.B.7 and rennumbers consistent with new ADU section.)

E. Refine extent of downtown height reduction to apply only to properties adjacent to existing residences, instead of within 100 feet of residences. Retain height limitation for properties in core downtown area to create height step-downs to the river.

*Proposed 17.34.060.D:* Maximum building height: Seventy-five feet, except for the following locations where the maximum building height shall be forty-five feet:

1. Properties between Main Street and McLoughlin Boulevard and 11th and 16th streets;

2. Property within five hundred feet of the End of the Oregon Trail Center property; and

3. Property adjacent to a single-family detached residential unit. ~~3. Property within one hundred feet of single-family detached or detached units.~~

F. Revise thresholds for requiring a master plan, limiting mandatory master plans to institutions 10 acres or larger, with an exception to allow minor revisions to institutions that require only minor site plan and design review, which are limited a maximum 1,000-SF expansion. Eliminate any requirement for mandatory master plans for residential projects, instead encouraging residential master plans as an optional alternative to subdivisions to provide greater flexibility and creativity for particularly for multiphase projects.

*Proposed 17.65.030: Applicability of the Master Plan Regulations.*

- A. ~~Submission~~Required for Large Institutional Uses. A master plan shall be submitted for if the boundaries of an institutional development meet or exceed ten acres in size, the proposed development shall be master planned using the regulations of this chapter. No permit under this title shall be issued for any institutional development in excess of that meets or exceeds ten acres in total acreage unless it is accompanied by or preceded by a master plan approval under this chapter. ~~This requirement does not apply to modifications to existing institutional developments unless the modification results in a cumulative square footage increase of over ten thousand total building square feet in an existing institutional development over ten acres.~~
1. Institutional development or modification to existing development that requires only Minor Site Plan and Design Review consistent with OCMC 17.62.035 is exempt from the master plan requirements of this chapter.
- B. Master plans shall be optional for residential projects. A master plan shall be required for phased residential and mixed-use developments of at least 200 units or more in the South End, Park Place and Beaver Creek Road Concept Plan areas where the City Engineer determines that public infrastructure capacity requires further analysis prior to a site specific development plan;
- ~~CB.~~ When Required as Part of Previous Land Use Review. The master plan regulations may be used to fulfill a condition of approval from a previous land use decision-requiring master planning for a development.
- DC. When identified in the Oregon City Comprehensive Plan. The master plan regulations are required for all properties identified for master planning in the Land Use section of the Oregon City Comprehensive Plan.
- ~~ED.~~ Voluntarily. An applicant may voluntarily submit a master plan as part of a land use review for sites a minimum size of two acres or greater, particularly when residential uses are proposed.

**Additional Topics:** Discussion will focus on several issues at the upcoming September 24, 2018, meeting to respond to Planning Commission's questions and clarify direction for staff.

- Review allowance for additional square footage allowed as part of an internal conversion. Current language in proposed 17.20.030.D allows a maximum of 800 SF in additional area as part of an internal conversion, intended to create parity between adding an ADU, which could be up to 800 SF, and completing an internal conversion. Planning Commission suggested consideration of lower maximums for additional square footage.
- Continue discussion on minimum parking requirements for internal conversions. Planning Commission was split on whether to recommend no minimum parking requirements, or a minimum of one off-street parking space per two units, rounded up.
- Review whether to permit shelters as a permitted or conditional use in the MUC and MUD zones. Shelters are currently proposed as a permitted use in the MUC and MUD zones, and a conditional use in all other zones.