



## Legislation Details (With Text)

<b>File #:</b>	PC 19-035	<b>Version:</b>	1	<b>Name:</b>	Code Amendments including Equitable Housing
<b>Type:</b>	Land Use Item	<b>Status:</b>		<b>Status:</b>	Public Hearing
<b>File created:</b>	4/8/2019	<b>In control:</b>		<b>In control:</b>	City Commission
<b>On agenda:</b>	4/17/2019	<b>Final action:</b>		<b>Final action:</b>	4/17/2019
<b>Title:</b>	Development Code Amendments Including Equitable Housing (Planning File LEG 18-00001)				
<b>Sponsors:</b>	Laura Terway				
<b>Indexes:</b>					
<b>Code sections:</b>					
<b>Attachments:</b>	1. Staff Report, 2. Items for City Commission Direction, 3. Concept Plan Amendment Memorandum, 4. Commission Direction on Code Amendments 4.3.19, 5. 2019-04-12 City Attorney Memo, 6. Ordinance 18-1009, 7. Exhibits A and B1. Clean Draft Code Amendments dated 11.26.18, 8. Exhibit B: Staff Report with Findings for Legislative File LEG 18-00001, 9. B2. Redlined Draft Code Amendments dated 11/26/18, 10. B3. High Level Summary of Draft Amendments, 11. B4. Detailed Summary of Code Amendments, 12. B5. Public Comments and Issues Matrix with all comments as of 4.9.2019, 13. B6. Policy Advisement Memorandum from the Planning Commission, 14. B7. Equitable Housing Project Advisory Team (PAT) Recommendation, 15. B7a. Public Workshop Summary, May 15, 2018, 16. B7b. Open Houses #1-3, 17. B7c. Surveys, 18. B7d. Project Advisory Team and Technical Advisory Team Summaries, 19. B8a. Parking Alternatives Memo, JET Planning, 20. B8b. Replinger and Associates Memorandum on Transportation Impacts, August 3, 2018, 21. B8c. Wallace Engineering Memorandum on Utility Impacts, August 8, 2018, 22. B9a. Clackamas County Board of Commissioners Urban Growth Report July 3, 2018, 23. B9b. Oregon City - Park Place Concept Plan (adopted April 2008), 24. B9c. Oregon City - South End Concept Plan (adopted April 2014), 25. B8d. Community Development Department Statistics as of 6.30.2018, 26. B9d. Oregon City - Beavercreek Road Concept Plan (Re-adopted April 2016), 27. B9e. Clackamas County 3HS Consolidated Plan November 3, 2017, 28. B9f. Metro Code 3.07 Urban Growth Functional Management Plan, 29. B10. Application and Supporting Materials, 30. Comments from Bruce Ament, 31. Comments from Don Hanson, 32. Comments from Icon Construction and Development, LLC, 33. Comments from Christine Kosinski				

Date	Ver.	Action By	Action	Result
4/17/2019	1	City Commission	adopt	
4/17/2019	1	City Commission	adopt	Pass
4/17/2019	1	City Commission	adopt	Pass
4/17/2019	1	City Commission	adopt	Pass

Development Code Amendments Including Equitable Housing (Planning File LEG 18-00001)

### RECOMMENDED ACTION (Motion):

Prior to continuing file LEG 18-00001 to the May 1, 2019 hearing, staff recommends the City Commission consider public testimony and provide direction on the topics within the proposed amendments to the municipal code as identified on the schedule below.

Recommended Motion: Continue file LEG 18-00001 to the May 1, 2019 City Commission hearing.

### BACKGROUND:

This is the sixth of six public hearings scheduled for review of the highlights of the proposed code amendments proposed within file LEG-18-00001 and provide overall direction prior to establishing a final set of amendments. Staff recommends the Commission hear public testimony before providing staff direction on outstanding issues. The City Commission's direction on the outstanding code issues from the April 3, 2019 hearing is attached. Note that some issues have been directed to the Planning Commission for further consideration and may not be adopted with the schedule identified below.

### **Hearing Date: January 16, 2019**

Part 1 - Overview of Housing Types and Design Standards by Comprehensive. Plan Designation  
Presenter: JET Planning / Elizabeth Decker with Planning Staff

- Low Density Residential Districts - Permitted Uses and Design Requirements
  - Single Family Detached
  - Accessory Dwelling Units - (ADUs)
  - Cluster Housing
  - Internal Conversions
  - Corner Duplex
  - Single Family Attached (Townhomes) in Master Plan/PUD
- Medium Density Residential Districts - Permitted Uses and Design Requirements
  - Single Family Detached
  - Accessory Dwelling Units - (ADUs)
  - Cluster Housing
  - Internal Conversions
  - Corner Duplex
  - Duplex
  - Single Family Attached (Townhomes)
  - 3-4 Plexes
  - Manufactured Home Parks (in R-3.5)
  - Live/work (with Conditional Use)
- Zoning Districts

### **February 6, 2019 - Public Hearing**

Part 2 - Overview of Housing Types and Design Standards by Comprehensive. Plan Designation

- High Density Residential District - Permitted Uses and Design Requirements
  - Accessory Dwelling Units - (ADUs) for Pre-Existing Single-Family Detached Dwellings
  - Internal Conversions for Pre-Existing Single-Family Detached Dwellings
  - Corner Duplex
  - Duplex
  - Single Family Attached (Townhomes)
  - 3-4 Plexes
  - Multi-Family Residential
  - Cluster Housing
  - Live/work (with Conditional Use)
- Site Plan and Design Review Standards
- Mixed Use / Commercial Districts
  - NC
  - HC
  - MUC
  - C

- MUD
- WFDDD
- Employment / Industrial Districts
  - MUE
  - GI
  - CI
- Institutional (Public) District

### **March 6, 2019 - Public Hearing**

Part 3 - Overview of Additional Standards

Presenter: Planning and Public Works Staff

Please provide any written comments on Part 3 by: Monday, February 25, 2019, 5:00 p.m.

- Shelters
- Conditional Uses
- Supplemental Zoning Regulations
  - Mobile Food Carts
  - Fences, Hedges, Walls, and Retaining Walls
  - Home Occupations
  - Projections from Buildings
  - Setback Exceptions
- After Hours Parking Lots in MUC, MUD, & WFDD
- Annexations (City Boundary Changes and Extension of Services)
- Streets Sidewalks and Public Places
- Public and Street Trees
- Stormwater Management
- Minimum Public Improvement Standards for Development
- Tree Protection, Removal and Replanting
- Natural Resources Overlay District (NROD)
- Off-Street Parking and Loading

### **March 20, 2019**

Part 4 - Procedural Improvements

Presenter: Planning and Public Works Staff

Please provide any written comments on Part 4 by: Monday, March 11, 2019, 5:00 p.m.

- Historic Review Board
- Reimbursement Districts
- Lot Line Adjustments
- Land Divisions and Minor Partitions (Including Lot Averaging)
- Site Plan and Design Review
- Planned Unit Developments / Master Plan
- Public Improvements
- Admin and Process
- Variances
- Zone Changes and Amendments
- Definitions
- Other Topics as Identified by the Commission

### **April 3, 2019 - Public Hearing**

Staff will seek final direction from City Commission on the outstanding Issues identified below.

Please provide any written comments by: Monday, April 8<sup>th</sup>, 5:00 p.m.

- Minimum lot size for manufactured housing parks
- Owner occupancy requirement for ADUs
- Minimum age for internal conversions
- Flag lot pole widths for individual lots in cluster housing
- CC&R restrictions for ADUs or internal conversions
- Prohibit 3-4 plexes in Historic Commercial District (In Canemah along McLoughlin Blvd)
- Preliminary plats be prepared by a surveyor
- Combine standards for multi-family and commercial/industrial/office/retail/etc
- Limit applicability of modifications
- Height limit in the Mixed Use Downtown District for properties located outside of the Downtown Design District
- Allowing fences in the Natural Resource Overlay District
- Mailed notice distance for land use applications
- Expiration of Planning approvals

### **April 17, 2019 - Public Hearing**

Staff will seek final direction from City Commission on the outstanding Issues identified below.

Please provide any written comments by: Monday, April 8<sup>th</sup>, 5:00 p.m.

- Residential design standards for Park Place and South End Concept Plan areas
- Alley requirements in concept plan areas
- Mobile food carts
- Shelters
- Lot averaging
- Minimum off-street parking for ADU's, internal conversions, and 3-4 plexes
- Annexation factor for significant site grading or tree removal

### **May 1, 2019 - Public Hearing**

Review final draft amendments which include changes from previous meetings. Tentative request for approval and first reading of Ordinance 18-1009 approving a majority of code amendments.

### **May 15, 2019 - Public Hearing**

Tentative request for second reading of Ordinance 18-1009 approving a majority of code amendments.

LEG-18-00001 includes amendments to the text of the Oregon City Municipal Code. Planning Division staff and consultants have been working with the community to provide updates to the development standards within the Oregon City Municipal Code. The standards include a variety of topics such as additional housing opportunities recommended by an Equitable Housing Public Advisory Team as well as other changes which were not reviewed by the equitable housing advisory committees but predominately implement their direction. As a whole, the amendments result in greater opportunities for housing, reduce regulations, streamline processes, provide clarity around existing standards, address existing concerns in the development standards, and are formatted to be easier to follow. This proposal does not include any changes to the adopted zoning map or any city-initiated construction or development.

The project began when the community identified concerns about not being able to afford to rent or purchase a home or condo. The availability of places to live at many income levels was constrained

and the types of places available were not always matched with the types of places the community wanted. In response, the City Commission adopted goals for the 2017-2019 biennium including:

*Goal 1 (Cultivate an Environment for Successful Economic Development): Complete site-readiness efforts which can be accomplished through ... improvements or process and permitting refinement.*

*Goal 3 (Enhance the Livability of the Community): Review local regulations and processes to remove barriers and provide incentives to additional housing opportunities*

The City received a \$100,000 grant from Metro to accomplish this project. The majority of the code amendments implement the direction provided by the Equitable Housing project by amending the applicable Chapters of the Oregon City Municipal Code related to land divisions and development of all types of housing such as multi-family, duplexes, and single-family homes. The amendments remove unnecessary standards, remove conflicting standards, reword for clarity, reformat for clarity, and streamline some housing processes, though a handful of additional amendments were added throughout the evolution of the project which are not related to housing. The complete package of amendments include:

- Recommendations from the Equitable Housing Project Advisory Team, consultants, staff, and Planning Commission (*For Planning Commission comment summary please Refer to Exhibit B5*).
- General clarifications of standards and procedures for more efficient development review to support clear standards and efficient process for the development of housing; and
- A handful of other amendments identified by staff or through the course of the public hearing process which are not related to housing.

The project was driven by the community with more than 50 meetings and opportunities for input including multiple workshops, city advisory groups, project and technical advisory team meetings, three online community surveys, stakeholder interviews and a variety of Planning and City Commission meetings including:

21 Meetings Dedicated to Housing Related Issues (Remaining Meetings Include All Code Amendments)

5 Technical Advisory Team + 5 Project Advisory Team Meetings for Equitable Housing

7 Planning Commission Work Sessions

6 Planning Commission Hearings

10 City Commission Hearings

3 City Commission Work Sessions