



CITY OF OREGON CITY PLANNING COMMISSION AGENDA

Commission Chambers, Libke Public Safety Building, 1234 Linn Ave, Oregon City
Monday, January 23, 2023 at 7:00 PM

This meeting will be held online via Zoom; please contact ocplanning@orc.org for the meeting link.

CALL TO ORDER

PUBLIC COMMENT

Citizens are allowed up to 3 minutes to present information relevant to the Planning Commission but not listed as an item on the agenda. Prior to speaking, citizens shall complete a comment form and deliver it to the Chair/City Staff. The Commission does not generally engage in dialog with those making comments but may refer the issue to the City Staff. Complaints shall first be addressed at the department level prior to addressing the Commission.

PUBLIC HEARING

1. Package #2 of Legislative File: GLUA 22-0002/LEG-22-0001- HB 2001 Housing Choice Code Update

COMMUNICATIONS

ADJOURNMENT

PUBLIC COMMENT GUIDELINES

Complete a Comment Card prior to the meeting and submit it to the City Recorder. When the Mayor/Chair calls your name, proceed to the speaker table, and state your name and city of residence into the microphone. Each speaker is given three (3) minutes to speak. To assist in tracking your speaking time, refer to the timer on the table.

As a general practice, the City Commission does not engage in discussion with those making comments.

Electronic presentations are permitted but shall be delivered to the City Recorder 48 hours in advance of the meeting.

ADA NOTICE

The location is ADA accessible. Hearing devices may be requested from the City Recorder prior to the meeting. Individuals requiring other assistance must make their request known 48 hours preceding the meeting by contacting the City Recorder's Office at 503-657-0891.

Agenda Posted at City Hall, Pioneer Community Center, Library, City Website.

Video Streaming & Broadcasts: The meeting is streamed live on the Oregon City's website at www.orcity.org and available on demand following the meeting. The meeting can be viewed on Willamette Falls Television channel 28 for Oregon City area residents as a rebroadcast. Please contact WFMC at 503-650-0275 for a programming schedule.



CITY OF OREGON CITY

Staff Report

625 Center Street
Oregon City, OR 97045
503-657-0891

Item #1.

To: Planning Commission **Agenda Date:** 1.9.23
From: Christina Robertson-Gardiner, Senior Planner

SUBJECT:

Package #2 of Legislative File: GLUA 22-0002/LEG-22-0001- HB 2001 Housing Choice Code Update

STAFF RECOMMENDATION:

Review HB 2001 Package #2 policy questions, provide direction on policy questions identified for the hearing and continue the hearing to February 13, 2023. Staff will return with a draft memo providing an overview of the policy topics and Planning Commission recommendations. This memo will be shared with the City Commission at a future joint work session.

EXECUTIVE SUMMARY:

On June 1, 2022, the City Commission voted 4-0 to approve the second reading of ORDINANCE NO. 22-1001 for the HB 2001 Housing Choices Update and remand the LEG 22-001 to the October 24, 2022 Planning Commission Meeting to review the second package of outstanding policy questions.

Hearings Process

The Package #2 code revision process will generally follow the same method the Planning Commission utilized when adopting code revisions to the Thimble Creek Concept Plan area in 2019-2022. Policy topics will be assigned specific hearing dates in advance to allow Planning Commissioners, staff, and the public the ability to concentrate their efforts on a few issues at a time. Each topic will start with a presentation of background information from staff, a review of oral and written public comments on the topic, and a discussion of whether the policy question should be addressed through code revisions. If the Planning Commission can provide direction on the policy question, staff will return at a future meeting with a recommended redline code change that implements the policy direction or provide additional information on Planning Commission questions. A policy tracker will be updated to reflect the Planning Commission's direction. Toward the end of the hearings process- the Planning Commission will be able to review the entire proposal to ensure that there is consensus on the package being forwarded to the City Commission. The tentative schedule is for the Planning Commission to review topics from November 2022- January 2023.

January 23, 2023 Topics

Deliverable: Request for policy clarification to City Commission

The following topics were not recommended for further discussion by the City Commission in June 2022. The Planning Commission recommended additional discussion in March 2002 as part of the formal review of Package #1 of the HB 2001 Housing Choices Code update. If the Planning Commission wishes to recommend revisions to these policy questions, it should be in the form of a

policy clarification to the City Commission. If the City Commission supports additional discussion on these topics, they can remand the items back to the Planning Commission to look at a specific redline code.

Multiple ADUs per Lot

City Commission did not recommend further consideration.

Consider the future role for ADUs and how ADU standards compare to plex standards. Consider permitting multiple ADUs per lot for greater parity with new provisions for plexes, which could be written to require one attached and one detached unit, or in any combination. Discuss the relationship between ADUs and detached middle housing, especially regarding accessory building setback standards and Middle Housing Land Division.

Lot Averaging for Subdivisions

City Commission did not recommend further consideration.

Consider whether and how lot averaging should apply to middle housing options beyond duplexes and whether lot averaging remains a useful tool for new developments along with middle housing opportunities.

BACKGROUND:

[House Bill 2001](#), passed by the State Legislature in 2019, calls for cities to allow a range of middle housing types, including duplexes, triplexes, quadplexes, townhouses, and cottage clusters in single-family neighborhoods. The Planning Commission and City Commission held hearings in the Spring of 2022 to advance code revisions that met the requirements of HB 2001. These code revisions were required to be adopted by June 30, 2022, and effective by July 1, 2022. A second package of amendments was continued to the Fall of 2022 for code sections and policy questions that were not required for inclusion in the June 30, 2022 deadline but are still linked to the larger middle housing implementation discussion.

OPTIONS:

1. Review HB 2001 Package #2 policy questions, provide direction on policy questions identified for the hearing, and continue the hearing to February 13, 2023 Meeting.



To: Planning Commission
From: Christina Robertson-Gardiner, Senior Planner
RE: Package #2 of Legislative File: GLUA 22-0002/LEG-22-0001- HB 2001 Housing
Choice Code Update January 23, Hearing Topics
Date: January 13, 2023

On June 1, 2022, the City Commission voted 4-0 to approve the second reading of ORDINANCE NO. 22-1001 for the HB 2001 Housing Choices Update and remand the LEG 22-001 to the October 24, 2022 Planning Commission Meeting to review the second package of outstanding policy questions.

Copies of the adopted code and application packets can be found by visiting the [Housing Choices Code Update project page](#). The [online municipal code](#) will be updated to include these changes in early 2023.

Hearings Process

The Package #2 code revision process will generally follow the same method the Planning Commission utilized when adopting code revisions to the Thimble Creek Concept Plan area in 2019-2022. Policy topics will be assigned specific hearing dates in advance to allow Planning Commissioners, staff, and the public the ability to concentrate their efforts on a few issues at a time. Each topic will start with a presentation of background information from staff, a review of oral and written public comments on the topic, and a discussion of whether the policy question should be addressed through code revisions. If the Planning Commission can provide direction on the policy question, staff will return at a future meeting with a recommended redline code change that implements the policy direction or provide additional information on Planning Commission questions. A policy tracker will be updated to reflect the Planning Commission's direction. Toward the end of the hearings process- the Planning Commission will be able to review the entire proposal to ensure that there is consensus on the package being forwarded to the City Commission. The tentative schedule is for the Planning Commission to review topics from November 2022- January 2023.

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Multiple ADUs per Lot

City Commission did not recommend further consideration.

Consider the future role for ADUs and how ADU standards compare to plex standards. Consider permitting multiple ADUs per lot for greater parity with new provisions for plexes, which could be

written to require one attached and one detached unit, or in any combination. Discuss the relationship between ADUs and detached middle housing, especially regarding accessory building setback standards and Middle Housing Land Division.

Lot Averaging for Subdivisions

City Commission did not recommend further consideration.

Consider whether and how lot averaging should apply to middle housing options beyond duplexes and whether lot averaging remains a useful tool for new developments along with middle housing opportunities.

Lot Averaging for Subdivisions

Existing Policy: Up to 25% of lots within a subdivision for single-family detached and duplexes can be up to 10% less than the minimum lot size provided that the average lot size for the subdivision meets the minimum lot size for the zone and the area is not located in a powerline easement.

Additional Policy Options: Expand or limit the lot averaging provisions.

Planning Commission: Recommended for further consideration

City Commission: Not recommended for further discussion

Planning Commission Questions to Consider

1. Consider whether and how lot averaging should apply to housing options and whether lot averaging remains a useful tool for new developments along with middle housing opportunities in future subdivision proposals.
2. Should the city expand or limit the lot averaging provisions?

Lot Averaging has been helpful in designing subdivisions as existing conditions such as street configurations, topography, or parent lot dimension can create situations that do not allow a site to develop to the density of the zone lots required to be built at or above the minimum lot size of the zone. Averaging lot sizes over the subdivision provides some level of flexibility to meet technical subdivision designs standards while ensuring the overall density of the development is consistent with the underlying zone. The 10% reduction option was seen as a reasonable approach without creating vastly differing sizes within a particular subdivision proposal.

If development can now effectively include more middle housing units on a lot otherwise intended for single-family detached dwellings, and those middle housing lots can be divided to create individual units on significantly smaller lots, then the modest lot size reductions available through averaging may be less compelling for new development.

Limiting the lot averaging provisions could help to make middle housing options more compelling relative to single-family and duplex development; however, the city may prefer to increase flexibility in order to support single-family and duplex development.

If you do not think you have enough information to provide staff direction at January 23, 2023, meeting, please let staff know your questions or what additional information would be needed for you to provide direction at a future hearing date.

Example R8 Subdivision		
8,000 square foot lot	7,200 square foot lot <i>10% allowed reduction</i>	8,800 square foot lot <i>increased size to make the average meet the minimum lot size</i>
Allowed on lot : Single-family detached residential units;. Duplexes; Triplexes; Quadplexes; Cottage clusters	Allowed on lot : Single-family detached residential units;. Duplexes; Triplexes; Quadplexes; Cottage clusters	Allowed on lot : Single-family detached residential units;. Duplexes; Triplexes; Quadplexes; Cottage clusters

Example R6 Subdivision		
6,000 square foot lot	5,400 square foot lot <i>10% allowed reduction</i>	6,600 square foot lot <i>increased size to make the average meet the minimum lot size, lots can be larger as long as the proposed subdivision meets 80% of the identified density of the zone.</i>
Allowed on lot : Single-family detached residential units;. Duplexes; Triplexes; Quadplexes; Cottage clusters	Allowed on lot : Single-family detached residential units;. Duplexes; Triplexes; Quadplexes; Cottage clusters	Allowed on lot : Single-family detached residential units;. Duplexes; Triplexes; Quadplexes; Cottage clusters requires 7,000 sq feet: quadplex, cluster homes

***Duplexes, triplexes and quadplexes shall count as a single dwelling unit for the purposes of calculating maximum net density. Total dwelling units within a development may count for the purposes of calculating minimum net density.*

Multiple Accessory Dwelling Units (ADUs) per Lot

Existing Policy: One ADU allowed on the same lot as a single-family primary dwelling, may be attached or detached.

Additional Policy Options: Allow additional ADUs with a single-family primary dwelling.

Planning Commission: Recommended for further consideration

City Commission: Not recommended for further discussion

Planning Commission Questions to Consider

1. Should the city allow additional accessory dwelling units with a single-family primary dwelling?

If you do not have enough information to provide staff general direction at the January 23, 2023, meeting, please let staff know your questions or what additional information would be needed for you to provide direction at a future hearing date.

At the November 14, 2022 Planning Commission meeting, the Planning Commission determined that allowing additional setbacks reduction for smaller detached duplexes should not be pursued with package #2. They found that there was a general uncertainty about the impact of the newly adopted middle housing code and, therefore, code revisions would be premature at this time. This may also be the case for ADU options, though staff has provided some additional background if the Planning Commission wishes to pursue this topic.

Now that up to four units are permitted per lot under middle housing provisions and up to 12 units as part of a cluster housing development, consider the future role for ADUs and whether ADU allowances should be expanded commensurate with permitted middle housing options. The ADU provisions in OCMC 17.20.010 could be expanded to permit a total of two or even three ADUs with a single-family primary dwelling in any configuration of attached or detached units. This might look like a basement ADU added to the primary dwelling with a detached ADU in the backyard or even two ADUs in the backyard. Alternatively, there may be a preference to focus on the triplex and quadplex options as the route to add additional units rather than expanding ADU provisions. The June code updates allow one or two detached units with an existing primary dwelling as a detached duplex or triplex.

It is unclear how detached plex options would compare with multiple ADU options; it is likely to vary by lot based on configuration and desired units. Some potential differing factors under the current code include:

- ADUs would be limited to a smaller size (800 SF) and could have a lower impact; plexes would be limited by overall lot coverage that may allow larger units or may effectively limit units to similar sizes.
- ADUs would be required to be smaller than the primary house (no more than 60% of the dwelling's floor area), whereas plex units could be similarly sized.

- ADUs could be built with reduced setbacks, either utilizing the decreased ADU setbacks (e.g., 10 ft rear setback rather than 20 ft for primary and duplex structures) or converting nonconforming detached accessory structures that do not meet required setbacks.
- ADUs would be subject to the same SDCs impact fees as middle housing units under the current fee schedule.
- ADUs are not eligible to use middle housing land divisions to support the sale of individual units.

Other considerations:

- [As of January 1, 2023](#), Developers are not required to create off-street parking for the following development types: all housing units under 750 square feet or within ½ mile of frequent transit corridors.

Exhibits

1. HB 2001 Package #2 Hearing Topic Timeline
2. Public Comment Matrix
3. October 15, 2022 Planning Commission Memo (Process Overview)
4. July 19, 2022, memo from Elizabeth Decker, JET Planning
5. [Oregon City Zoning Map](#)
6. [Low-Density Residential Zoning District \(updated June 30, 2022\)](#)
7. [Medium Density Residential Zoning District \(updated June 30, 2022\)](#)
8. [R-2 Multi Family Zoning District \(updated June 30, 2022\)](#)
9. [Accessory Dwelling Unit, Live/Work Dwelling, And
Manufactured Home Park Design Standards \(updated June 30, 2022\)](#)
10. [Dimensional Standards Chart](#)
11. [Housing Choices Code Update project page](#)

LEG 22-001 Package #2 Policy Questions		Issue	Potential Outcome	Hearing Date	Planning Commission Direction
Duplex Lot Coverage in Medium-Density Zones 1. Should the City increase maximum building lot coverage for duplexes to match the current allowance for a single-family dwelling plus an ADU (60-65%) 2. Should the City increase maximum building lot coverage across the board for specific middle housing types in rough proportion to increased numbers of units? 3. If there is no consensus for code revisions for this topic, should the City review this question in 2-3 years to determine if lot coverage is a barrier to middle housing construction?		Consider increasing building lot coverage for duplexes to match the current allowance for a single-family dwelling plus an ADU	Recommended redline code	November 14, 2022	The Planning Commission did not recommend any code revision for this issue as part of Package #2. They found that there was a general uncertainty about the impact of the newly adopted middle housing code and, therefore, code revisions would be premature at this time.
Lot Coverage in Low-Density Zones. 1. Should the City increase maximum building lot coverage for duplexes to match the current allowance for a single-family dwelling plus an ADU (45%) 2. Should the City increase maximum building lot coverage across the board for specific middle housing types in rough proportion to increased numbers of units? 3. If there is no consensus for code revisions for this topic, should the City review this question		Consider increasing maximum building lot coverage for specific middle housing types in rough proportion to increased numbers of units.	Recommended redline code	November 14, 2022	The Planning Commission did not recommend any code revision for this issue as part of Package #2. They found that there was a general uncertainty about the impact of the newly adopted middle housing code and, therefore,

LEG 22-001 Package #2 Policy Questions	Issue	Potential Outcome	Hearing Date	Planning Commission Direction
in 2-3 years to determine if lot coverage is a barrier to middle housing construction?				code revisions would be premature at this time.
High-Density Zone Development Standards 1. Should the City increase middle housing density standards in the R2 zone to match the allowed density of the medium-density (R3.5) residential zoning? Should it be higher? 2. Should the City increase the allowed density for multi-family projects in the R2 zone to be higher than the density for middle housing in the R2 zoning? If yes, should staff return with mitigation, location, or scaling strategies to reduce community impact? 3. Should the City remove or restrict townhomes/townhome subdivisions as an allowed use in the R2 zoning district but still allow tri/quad plexes on infill lots? 4. If there is no consensus for code revisions for this topic, should the City review this question in 2-3 years?	With the introduction of middle housing at greater densities in the low and medium densities zone, there could be a broader discussion about the purpose and standards for the high density R-2 zone	Recommended redline code	November 14, 2022	The Planning Commission did not recommend any code revision for this issue as part of Package #2. They found that there was a general uncertainty about the impact of the newly adopted middle housing code and, therefore, code revisions would be premature at this time.
Land Use Affordability Incentives	More flexible code provisions for middle housing could be selectively targeted at projects meeting affordability requirements, both to improve feasibility of those projects and to	Recommended redline code Policy or workplan	November 28, 2022	

LEG 22-001 Package #2 Policy Questions	Issue	Potential Outcome	Hearing Date	Planning Commission Direction
	explicitly encourage affordable housing development.	request for more complex items	Moved to January 9, 2023	
Micro shlters, Tiny homes, RV hardship allowances, tiny home shelter/cluster homes (not hooked up to city sewer/water)	Additional options for housing should be discussed that fall outside of traditional dwelling units that hook up to city utilities and pay System Development Fees. Where and when are they a value to the city?	Policy or workplan request as this is a complex issue.	November 28, 2022 Moved to January 9, 2023	The Planning Commission supported a recommendation to the City Commission for a work plan on this topic. A Planning/City Commission joint work session is scheduled for March 2023 to review the policy recommendations of Package #2 of Leg 22-01
Parking Standards for Triplexes and Quadplexes	Technical clarifications to reflect that standards apply per development, not per unit, and consider increasing or eliminating the maximum parking ¹ standard. Consider relocating the standards to the triplex and quadplex design section. At this time, Staff does not recommend any revisions to the parking sections for Triplexes and Quadplexes and will review for any needed technical corrections in	None	December 12, 2022	Planning Commission did not recommend any code revisions at this time.

¹ <https://www.oregon.gov/lcd/CL/Documents/ParkingReformOverview.pdf>. Code edits that address the requirements of Climate-Friendly and Equitable Communities Oregon Administrative Rules are recommended to be reviewed in a future separate package.

LEG 22-001 Package #2 Policy Questions	Issue	Potential Outcome	Hearing Date	Planning Commission Direction
	preparation for any compliance with Climate-Friendly and Equitable Communities .			
Middle Housing Driveway Specifications.	Coordinate with Public works-Development Services to revise driveway widths to better align across code sections and meet policy goals.	Recommended redline code	December 12, 2022	The Planning Commission provided general consensus to recommend approval to the City Commission. The Planning Commission formally recommended approval to the City Commission at the January 9, 2023 Public Hearing.
Technical Revisions	Reduce the number of townhome units allowed through the Middle Housing Land Division process (four). Require review through the Subdivision or Expedite Land Division process for townhome proposals with more than four units. Allowing an exemption of the maximum front yard setbacks and minimum density standards for standalone residential development of four units or less in the Mixed Use Corridor and Mixed Use Downtown Zoning Districts	Recommended redline code	December 12, 2022	The Planning Commission provided general consensus to recommend approval to the City Commission. The Planning Commission formally recommended approval to the City Commission at the January 9, 2023 Public Hearing.

LEG 22-001 Package #2 Policy Questions	Issue	Potential Outcome	Hearing Date	Planning Commission Direction
	and creating a Type II Modification process for projects that need an adjustment to the middle housing design standards.			
Multiple ADUs per Lot	Consider the future role of ADUs and how ADU standards compare to plex standards. Consider whether to permit multiple ADUs per lot for greater parity with new provisions for plexes, which could be written to require one attached and one detached unit, or in any combination.	Request for policy clarification	January 9, 2023 January 23, 2022	
Lot Averaging for Subdivisions	Consider whether and how lot averaging should apply to middle housing options beyond duplexes, and whether lot averaging remains a useful tool for new subdivisions along with middle housing opportunities	Request for policy clarification	January 9, 2023 January 23, 2022	

Date	Topic	Issue / Comment / Concern	Staff Comment	Has this been Addressed? How?
Paul Edgar 11.1.22 email 11.10.22 email 11.23.22 email 1.9.23 public testimony	Tiny homes, Clustered, Safe & Rest Communities	We could create and build new master planned communities within a Manufactured Home Park mindset of design, with conventional and most importantly, affordable manufactured homes, prefabbed modular homes and also create communities of where very, very affordable tiny homes of under 200 Sq. Ft. with post and beam. We need the codes and zoning for building communities of all sizes, that have one thing in common, that permanent and semi-permanent dwelling/houses - structures that are under \$100,000	This policy question is scheduled for the November 28, 2022 January 9, 2023 Planning Commission meeting	The Planning Commission supported a recommendation to the City Commission for a work plan on this topic. A Planning/City Commission joint work session is scheduled for March 2023 to review the policy recommendations of Package #2 of Leg 22-01
Jim Nicita 1.9.23 emails 1.9.23 public testimony	Tiny homes/ADUs, cost of development	Supporting more infill within Oregon City's core is a great opportunity to increase the housing supply in an area with transit and amenities. There are lots of open areas within Mccloughlin that can support additional small units. It also gives young families the ability to invest in the housing market with more affordable options. Cost of development (fees, SDc) is still a big barrier for this to occur	As part of the June 30, 2023 code amendments, Oregon City now allows detached duplexes and triplexes, if one of the units is older than five years old. Detached units can additionally be developed through the middle housing land division process. ADUs and Duplexes were also added to the permitted uses of the Mixed-Use Corridor zone. The current system development fee for ADUs and middle housing units is a base fee of \$25,167 and is currently not calculated on the size of the unit.	The Planning Commission supported a recommendation to the City Commission for a work plan on this topic. A Planning/City Commission joint work session is scheduled for March 2023 to review the policy recommendations of Package #2 of Leg 22-01

From: [Paul O. Edgar](#)
To: [Denyse McGriff](#)
Cc: [Christina Robertson-Gardiner](#); [Aquila Hurd-Ravich](#)
Subject: Affordable Housing opportunity, coming from Better Built Barns
Date: Wednesday, November 23, 2022 1:06:16 PM
Attachments: [untitled](#)

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Denyse, look at this for its potential, of a very affordable Tiny House structure that is pre cut and brought in assembled on the land in Oregon City. It is an example of a very affordable housing that could have a mini-kitchen and bathroom on the main floor, Ductless Heating/Air, Tank-less Hot Water, and the only thing is getting a potential waiver to exceed the height limitation of 15' feet. Have Solar Panels on the roof and make it very energy efficient with the new insulation and it is created as an example of what can be done in creating an affordable minimal living Model House.

This could be an ADU on an existing lot with a primary house, were it shares existing water and sewer, built without SDC Fees and require only Engineering Approval of the building department, and electrical inspection. An affordable Tiny House, can be this great, guest cottage, independent living for children or grandchildren and/or rental for someone in need of an affordable roof over their head.

To picture this structure go to www.betterbuiltbarns.com and it is on the upper left of this web site and it is barn red.

On 11/23/2022 11:03 AM, customerservice@betterbuiltbarns.com wrote:

Hello,

That building is our most expensive model. It is a 12x16 and runs about \$20,000.00

Thank you!
-Julia



----- Original Message -----

Subject: Re: Live Chat offline message received from (Paul Edgar<pauloedgar1940@gmail.com>)
From: "Paul O. Edgar" <pauloedgar1940@gmail.com>
Date: 11/17/22 9:26 am
To: "customerservice@betterbuiltbarns.com" <customerservice@betterbuiltbarns.com>

On your web site on the upper left is a barn red, basically 2 story structure design and what are the de-mentions and are there options like having only a 3.0 man-door centered more to the left windows. What would the price be for this structure? Can you send more and information and design drawings on that structure. It needs to be under 200 Sq. Ft for the foundation of the main structure to where it does not require building permits. However, to get an occupancy permit, we would need to validate its structural engineering.

Paul Edgar

On 11/17/2022 8:56 AM, customerservice@betterbuiltbarns.com wrote:

Hello,

Thank you for your shed inquiry!

We do not do electrical or interior finish work, however, we do build shells that some customer turn into finished rooms. For most customers, we can build up to a 10x20 without permits. At our website, you may wish to try our Build My 3D Shed option as this gives a good estimate and lets you place windows and doors.

We look forward to working with you on your outbuilding project!

Sincerely,
- David



----- Original Message -----

Subject: Live Chat offline message received from (Paul Edgar<pauloedgar1940@gmail.com>)
From: "Paul Edgar via mylivechat" <sendmail@mylivechat.com>
Date: 11/14/22 9:38 pm
To: "customerservice@betterbuiltbarns.com" <customerservice@betterbuiltbarns.com>

My Live Chat

My Live Chat

LiveChat Offline Message Received

Dear Better Built,

You have received an offline message, sent from mylivechat.com with the following details:

Name: Paul Edgar
Email: pauloedgar1940@gmail.com
Time: 2022-11-14 22:37:49
Referrer: <https://www.mylivechat.com/>
IP: [97.120.29.144](#)
Location: Portland, Oregon, United States
Client: Android/ Chrome107/ en-US
Subject: Want to use to live in
Message: I am on a housing board and your company could be a supplier.

Thank you for using mylivechat.com for your Live Chat services.

Sincerely,
My Live Chat Team

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From: [Paul O. Edgar](#)
To: [recorderteam](#); [Christina Robertson-Gardiner](#); [Aquila Hurd-Ravich](#); [Pete Walter](#)
Cc: [Dirk Schagenhauser - OC Planning](#); [Denyse McGriff](#)
Subject: Re: What are the impacts of Inflation in Oregon City going to be and what type of affordable housing options will we need, and please include this as part of the record of the Planning Commission on the Middle Housing Considerations
Date: Thursday, November 10, 2022 9:27:20 PM
Attachments: [UaX8RiC9H71IssDq.png](#)

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

I would like to talk about this within Citizens Comments or as a member of Clackamas County's Community Action Board before the Planning Commission meeting, or in the Work Session 11/14/2022.

Below in this "Self-Sufficiency Standard Chart", prepared by the University of Washington are the numbers represented, specifically for Clackamas County.

This is about, more than housing and what it takes to live in Clackamas County, as we all know that we now have to look at this within the impacts of this 2022 inflation. What we have experienced dramatically changes this chart below, that represented costs that existed in 2021 time period. What we need to do is **envision with inflation** with what now exist within the 2022 Period for; Food, Housing, Property Tax, Utilities, Home or Rental Insurance, Transportation & Vehicle Cost, Car Insurance, and Vehicle Fuel Costs.

Look at what it took in 2021 income in the 7th column from the left to the right, representing 2 Adults, an infant and a preschooler.

Then attempt to apply the known 2022 inflation factors to each of the monthly costs and just think about keeping roof over the heads of the citizenry, impacted by the new local cost of housing, with property taxes, utilities, insurance in our marketplace it may well be double what is reflected from 2021 time frame.

What we must also attempt to do is calculate the cost changes with how to make this work with enough money to cover these costs within "Self-Sufficiency", I think we can all see that both adults will have to be working very hard and maybe with multiple jobs. Both kids will be in some type of childcare and then with all of this, think about the transportation implications and expense. Transportation costs surely will triple or quadruple over what is reflected, where both adults will need cars with car or lease payments, insurance, and now fuel-gas prices up 38% and plus maintenance.

Some where through this, everyone has to eat and the cost of food and getting it to us - through the supply chain, has resulted in significant increases of prices in the 2022 time frame that have reached a 40 year high in inflated costs. The farmer or food producer has seen their operating expense triple and that is consistent with the increases in supply chain costs.

This leads me to believe that we are going have to get very creative and do whatever we can do to create roofs that can be made available that people can afford and it is more than "Middle Housing".

The Planning Commission, needs to envision what needs to be done, starting at and with Shelter Housing to get people off the street and go from there.

There are things that can be learned from the actions taken in the early 1930s, 1940s, and 1950s, 60s with HUD housing developments, and smaller housing units, some which currently exist in Oregon City. Semi-Permanent Housing Structures, under 200 Sq. Ft., 400 Sq. Ft., 600, 800, and 1,000 Sq. Ft. New minimal living structures, often clustered with central shared facilities need to be part of any considerations.

I think we must examine factory modular construction techniques, and years ago that was an available option with Sears Houses, bought from a catalog that still exist all over the Portland Region.

We could be going into a world where one little thing could set-off a chain of events, when 80% of the people are going paycheck to paycheck, trying to weather the storm, and it ends up they cannot. We have to enable this type of creativity within our codes, in our HB 2001, Middle Housing Revisions to address all of the conditions that might arise. How do we create housing options at price tags of: \$25K, \$50K, \$100K, \$150K, \$200K, \$300K and now is the time to start thinking about it. What has to be enabled to create housing at all of these price points?

Paul Edgar

On 11/5/2022 1:19 PM, Paul O. Edgar wrote:

TABLE 3. The Self-Sufficiency Standard for Clackamas County, OR 2021

	Adult	Adult Preschooler	Adult Infant Preschooler	Adult Preschooler School-Age	Adult School-Age Teenager	2 Adults Infant	2 Adults Infant Preschooler	2 Adults Preschooler School-Age
MONTHLY COSTS								
Housing	\$1,366	\$1,576	\$1,576	\$1,576	\$1,576	\$1,576	\$1,576	\$1,576
Child Care	\$0	\$1,070	\$2,365	\$1,821	\$751	\$1,296	\$2,365	\$1,821
Food	\$298	\$450	\$592	\$681	\$790	\$703	\$831	\$916
Transportation	\$311	\$319	\$319	\$319	\$319	\$614	\$614	\$614
Health Care (Net)	\$168	\$536	\$555	\$574	\$610	\$609	\$628	\$647
Premium	\$95	\$444	\$444	\$444	\$444	\$444	\$444	\$444
Out-of-Pocket	\$73	\$92	\$111	\$130	\$166	\$164	\$183	\$203
Miscellaneous	\$214	\$395	\$541	\$497	\$405	\$480	\$601	\$557
Taxes (Net)	\$636	\$819	\$1,132	\$913	\$559	\$1,047	\$1,123	\$1,001
Federal Income Taxes	\$217	\$408	\$737	\$584	\$390	\$475	\$644	\$572
Federal and Local Payroll Taxes	\$232	\$400	\$549	\$495	\$388	\$490	\$600	\$553
State Sales Taxes	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
State Income Taxes	\$187	\$311	\$446	\$385	\$281	\$382	\$479	\$427
Federal Child Tax Credit (-)	\$0	(\$300)	(\$600)	(\$550)	(\$500)	(\$300)	(\$600)	(\$550)
SELF-SUFFICIENCY WAGE								
Hourly (per worker)	\$17.00	\$29.35	\$40.22	\$36.26	\$28.47	\$17.96	\$21.98	\$20.26
Monthly	\$2,992	\$5,165	\$7,079	\$6,381	\$5,010	\$6,323	\$7,738	\$7,132
Annual	\$35,908	\$61,984	\$84,950	\$76,577	\$60,118	\$75,876	\$92,856	\$85,586
Emergency Savings Fund (Monthly)	\$36	\$125	\$313	\$263	\$134	\$51	\$70	\$66
ANNUAL REFUNDABLE TAX CREDITS								
Federal & Oregon Earned Income Tax Credit (EITC)	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Federal Child and Dependent Care Tax Credit (CDCTC)	\$0	\$4,000	\$8,000	\$8,000	\$4,000	\$4,000	\$8,000	\$8,000
Oregon Working Family Household and Dependent Care Credit (WFHDC)	\$0	\$0	\$0	\$0	\$361	\$0	\$0	\$0
Total Annual Resources	\$35,908	\$65,984	\$92,950	\$84,577	\$64,479	\$79,876	\$100,856	\$93,586

We need to address all of this and these foreseeable conditions and realities immediately, as an emergency.

We need to also additionally consider creating new affordable housing communities and options with houses that cost less than \$100,000 to build for families of 3 or more people. There needs to be consideration of how these new communities fit into Transportation needs and realities with transit routes.

We may need to look at this like an emergency and consider what was done in WPA Days of the Great Depression in the mid 1930s and do what is needed.

PS: What are the impacts of Inflation in Oregon City, West Linn, Canby & Gladstone going to be and it is for sure that the users of the I-205 Corridor and the I-205 Abernethy Bridge will not be able to afford \$300 per month in Tolls per vehicle. To survive these proposed Tolls with the inflation that we have to live with what will they have to do?

From: [Paul O. Edgar](#)
To: [Christina Robertson-Gardiner](#); [Aquila Hurd-Ravich](#); [John M. Lewis](#); [Josh Wheeler](#)
Cc: [Denyse McGriff](#); [Dirk Schagenhauser - OC Planning](#)
Subject: Cluster Housing in Nigeria, and how we can learn from this
Date: Tuesday, November 1, 2022 12:40:50 PM

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Can this be shared as comment and testimony to the Planning Commission and City Commission, as part of HB 2001 Middle Housing discussions and code revisions

Paul Edgar

[How One Architect Helped Imagine a Better Future for a Nigerian Village in Crisis - Dwell](#)

Middle Housing and Tiny Housing, became an answer for those displaced, where the United Nations stepped in and brought in a Nigerian Architect to design and build their type of a cluster housing community. These displaced people, needed security housing and roofs over their heads, and just think about this, as we have a parallel in Oregon, Clackamas County, and even Oregon City, with our homeless and houseless.

We could create and build new master planned communities within a Manufactured Home Park mindset of design, with conventional and most importantly affordable manufactured homes, prefabbed modular homes and also create communities of where very, very affordable tiny homes of under 200 Sq. Ft. with post and beam foundations if we have places where they could be sited. We need the codes and zoning for building communities of all sizes, that have one thing in common, that permanent and semi-permanent dwelling/houses - structures that are under \$100,000 to where they could be located.

We could also have additional master planned communities that could have modular built Tiny Houses of under \$50,000 in cost and other community could be under \$25,000 in providing a starting places of what would be semi-permanent housing. Oregon Community Housing has funded opportunities to make things like this happen and even provide programs for home ownership. Metro also has programs that can provide funding to create these Master planned Communities, with funding. A one acre parcel, could be a site, that could support a beautifully designed of housing community for 24 to 40 people when it has access to public utilities, transportation, and retail stores. Re-Thinking Zoning, where there are the existence of critically required and needed utilities and public transportation and has limited negative "Not In My Back Yard" impacts and acceptance within the neighboring community, might require a greater ability to gain the ability to re-zone parcels to enable the high priority need of new affordable housing communities.

Very small Tiny Houses, of under 200 Sq. Ft. of foundations sizes may need to be expanded to 300 Sq. Ft. and the height of these affordable housing structures to 20' feet in height. Allowing things and changes to codes that enable housing structures that could be built on post and beam is equally important in reducing housing costs.

Envision mini housing structures that reduce building waste/costs, that are 8' x 20' that includes in its design a 4' x 8' poach, a 4' x 8' bathroom, 8' x 12 living space that includes &

mini-kitchen and a sleeping loft-bed area. These Tiny House Structures could have 12' ft. high walls that support a loft floor and a 8, 10, or 12-12 pitch roofs, thus creating a 1 and 1 half story Vernacular Type Design structures. Using this design a very, very affordable permanent tiny house structure, could be engineered that meets building codes, and is created without SDC fees and should only require, over the counter approval on and with pre approved plans.

This concept requires engineered and approved designs, that opens the ability of approval by the building department, to place these housing units into Master Planned and Built Out Communities, with in ground utilities.

Very, very affordable Tiny Houses of under 200 Sq. Ft. of foundation size could also be represented in an example of a 12' x 16' where the Tiny House is squared up, but again on post and beam, and with 12' ft. high walls that support larger loft sleeping areas that can be enhanced with 12-12 pitch roofs, and with a shed roof dorms. These type of type of permanent housing structures, going into a master planned manufacture home park, for middle housing, need to be allowed and zoned, to where the structure do not require SDC Fees, when coming from a modular home factory, with approved plans and assembled onsite.

These very, very affordable permanent housing units, could come from, a local modular housing factory that could also be part of Trade School Program, that builds student proficiency's in all of the trade skills needed within building housing. The key to this concept is within creating very, very affordable housing and educated students trade skills, within massively reducing costs, and creating affordable Master-Planned Community, that have small lots, will all of the utilities available and underground.

Within the creating these communities, there needs to be a focus on central common open spaces and areas that need to have park like settings, that enhance livability, walking paths, gardens, trees, and when possible central facilities like laundry facilities and parking lots that become part of limiting on-site cars. Doing this with a focus on having porches that connect people and make possible the building of a community atmosphere, as the people access these affordable Housing Structures all coming from a central common access areas.

We could also design and build Clustered, Safe & Rest Communities, where we centralized access to sanitary sewer, water, electricity, and communal structures, and have open common area's. These Safe & Rest developments become the first step away from the streets, parks and public properties where people in need are sleeping under a tarp or in a tent. We plan and create Safe & Rest Communities and provide a roof, insulated walls, wired to provide; lights, heat and cooling and lockable doors. These communities are to be controlled place where it becomes possible to transition the homeless and houseless and they must be very good looking & inviting, and in an analogy, "like a good fishing lure where the fish will bite at it". Stick built, shelter housing structure can cost less than tents structures, where the cost of each dwelling unit can be well under \$5,000 and as low as \$3,000. These Safe & Rest Communities need "Communal Buildings", can house and enable intervention specialist, with drug and addiction specialists, mental health specialists, limited health-first aid location & personal, kitchens, showers, sanitary toilets facilities, counseling facilities, administration facilities. Idealistically all structures where possible would have integrated "Solar Power Panels" to provide all of the electrical power needed whereby this community only adds to the local power grid.

Christina Robertson-Gardiner

From: Christina Robertson-Gardiner
Sent: Monday, January 9, 2023 3:58 PM
To: Kay Neumann
Subject: FW: GLUA 22-0002/LEG-22-0001- HB 2001 Housing Choice Code Update
Attachments: Study Area.png; High Street Mixed Use Corridor Potential ADU Locations.pdf

From: James Nicita <james.nicita@gmail.com>
Sent: Monday, January 9, 2023 3:54 PM
To: Dirk Schlagenhauser <dschlagenhauser@orccity.org>; Karla Laws <karla.laws@gmail.com>; Daphne Wuest <dwuest@orccity.org>; pespe@ci.oswego.or.us; Gregory Stoll <gstoll@orccity.org>; Bob La Salle <blasalle@orccity.org>; cstagg@orccity.org
Cc: Christina Robertson-Gardiner <crobertson@orccity.org>; Jakob Wiley <jwiley@orccity.org>
Subject: GLUA 22-0002/LEG-22-0001- HB 2001 Housing Choice Code Update

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Hello Again:

Here is another comment I made last year, at the City Commission level. The hypothetical ADU blackfootprints I drew in will also give a sense of how tiny house infill housing could be established in a very small area of Oregon City. If you can imagine each of these tiny houses being on their own "tiny lots" carved out of the parent lot, it will give you a sense of what I was trying to communicate in my last email.

Jakob, if it would be possible to project these two images on the screen tonight, I would be grateful.

Thanks,

Jim Nicita
 Oregon City

----- Forwarded message -----

From: James Nicita <james.nicita@gmail.com>
Date: Tue, May 3, 2022 at 2:39 AM
Subject: GLUA 22-0002/LEG 22-00001 Housing Choices Update Follow Up Public Comment
To: Denyse McGriff <dmcgriff@orccity.org>; Rocky Smith, Jr. <rsmith@orccity.org>; Adam Marl <amarl@orccity.org>; Frank O'Donnell <fodonnell@orccity.org>
Cc: Oregon City Planning <ocplanning@orccity.org>

Madame President and Commissioners:

I write to submit follow-up comments on the above-referenced file, based on the Commission's discussion on April 20, 2022.

This email responds to President McGriff's concerns expressed beginning at roughly minute 57:00 of the April 20 meeting, regarding the proposed addition of ADUs as a permitted use in the Mixed-Use Corridor (MUC) zones.

I have prepared the attached graphical representations of how ADUs might be placed on lots with grandfathered single-family detached homes in one sample area with the much more vast MUC zone: namely, the stretch of the west side of High Street running from Second Street to Sixth Street.

I have identified at least 12 hypothetical ADU scenarios in this four-block stretch, as represented by black squares on a modified Sanborn map.

Many of these homes face the McLoughlin Promenade, with the rears of the homes facing High Street. This creates an urban design problem because much of High Street does not have a well-defined building wall. New ADUs could help establish a well-defined High Street building wall and pedestrian interaction with High Street.

Regarding affordable housing, people in ADUs in this stretch would not need to own cars. This stretch of High Street is served by Oregon City's highest-capacity transit service: the Trimet Route # 33 bus line. Recreation would be immediately accessible on the McLoughlin Promenade. Furthermore, ADU residents would be within walking distance to stores like the Capitol Mart and the corner of Third and High, the OC library, the lower 7th Street corridor, and downtown via the OC Elevator.

If around 12 ADUs could theoretically fit in this short stretch of the MUC zone, then very many affordable housing ADUs could fit in the MUC zone as a whole.

Planning Commission Chair Schlagenhauser's comments that the Planning Commission recommended adding ADUs as permitted uses in the MUC zone in part out of basic fairness are well taken. An examination of all the single family zoning districts that border the MUC zone will highlight that the current situation is not fair. These single family districts allow families in single family homes to have ADUs; however, a family that is right across the street, alley, or even lot line that lives in a grandfathered single family home in the adjacent MUC district currently cannot have an ADU. The Planning Commission's recommendations will cure that basic unfairness.

Thank you for considering these comments.

James Nicita
Oregon City

Christina Robertson-Gardiner

From: James Nicita <james.nicita@gmail.com>
Sent: Monday, January 9, 2023 3:42 PM
To: Dirk Schlagenhauser; Daphne Wuest; Gregory Stoll; Bob La Salle; Karla Laws; pespe@ci.oswego.or.us; cstaggs@orcify.org
Cc: Christina Robertson-Gardiner; Jakob Wiley
Subject: GLUA 22-0002/LEG-22-0001- HB 2001 Housing Choice Code Update

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Greetings All:

I hope everyone had a great holiday season.

I write regarding tonight's PC hearing.

Below please find an excerpt from a comment I made last year during the main hearings on missing middle housing. I hope the Planning Commission might consider the idea of authorizing/enabling "tiny lots" for "tiny houses," the idea again to assist young families to get a foot on the ladder of home ownership, and being able to benefit from property value appreciation over time.

Thanks,

Jim Nicita
 Oregon City

I offer a single illustrative example of an obstacle in the existing code to missing middle housing.

If one walks through the areas of Oregon City - especially the older, established areas - zoned for mixed use and higher density, it is easy to perceive in the interstices of the built fabric numerous, sometimes underutilized, spaces into which it would be fairly easy to slip in a tiny house. But the current code does not really enable people to take advantage of these opportunities.

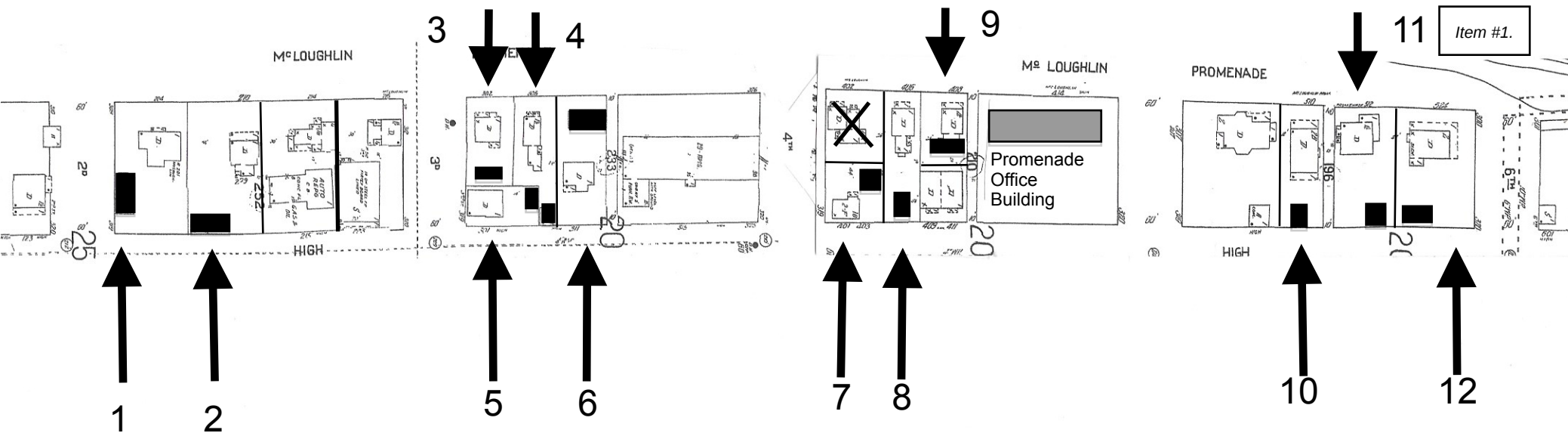
There is no minimum lot size in zones such as NC, MUC, and MUD, which therefore would be good candidates for individual single family detached tiny house development (for MUD, see e.g. the small historic houses on the south side of 14th between Main and Center streets); however, they do not allow single family detached houses, including tiny houses.

Medium density districts allow single family detached houses, but the minimum lot sizes might prevent tiny houses from being a practicable option. High density districts allow single family attached but not single family detached, and thus such zoning would typically prevent the partitioning off of a backyard of an older historic home for a small tiny house lot.

It does not seem that it would be difficult or time consuming to draft language for single family detached tiny house development. (An ADU does not fit the bill; it does not allow a young family to benefit from the appreciation of value provided by independent home ownership.) For example, a

“Detached Tiny House” building type, including maximum lot size to ensure the maintenance of density, could be added to Chapter 17.20. Then the chapters describing the above-mentioned zones, or at least some of them, could be correspondingly amended to describe outright or circumstantial use of detached tiny houses.

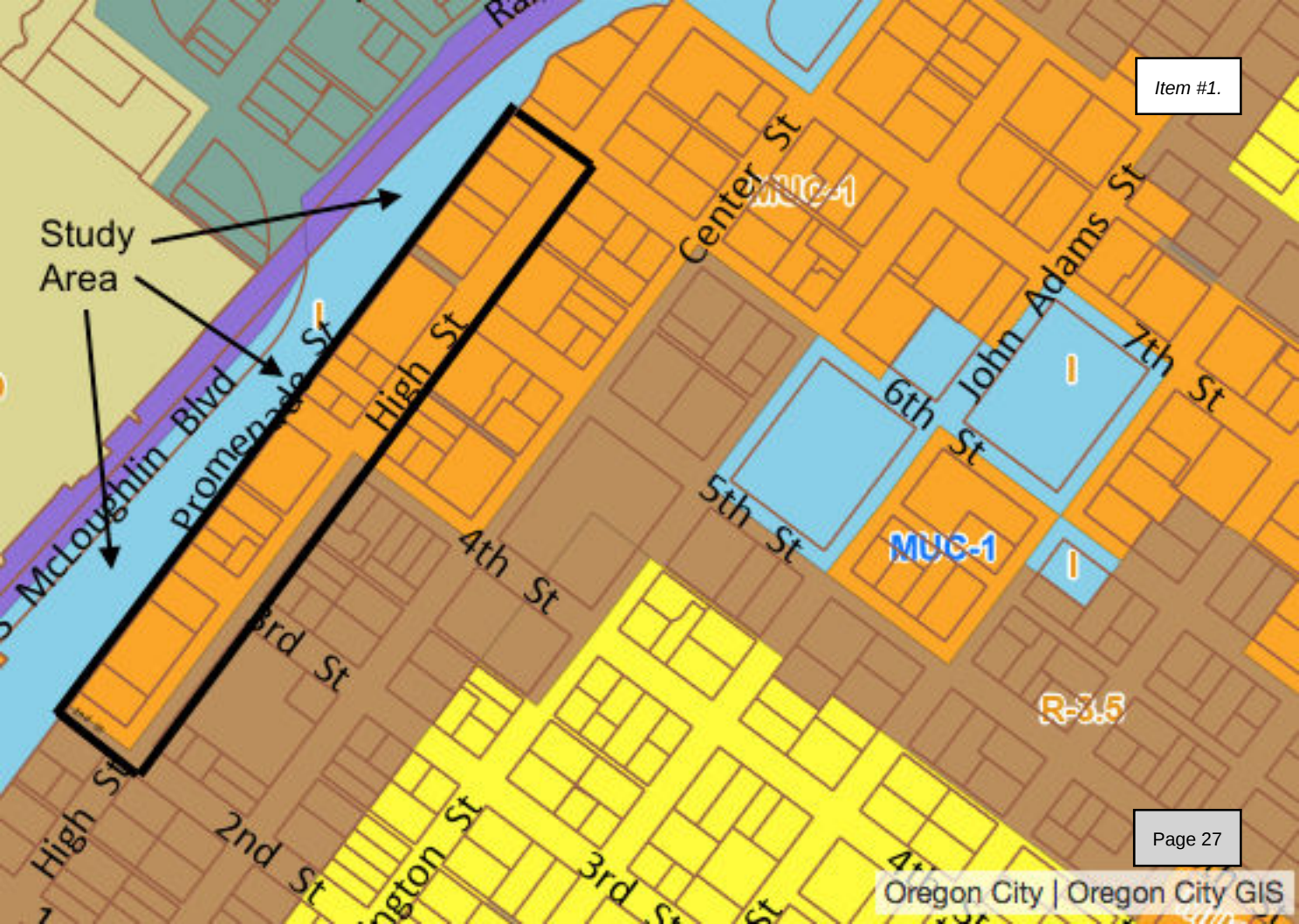
Item #1.



High Street Mixed-Use Corridor: Potential ADU Locations

- | | |
|----------------------|----------------------|
| 1. 205 High St. | 7. 319 High St. |
| 2. 210 Bluff St. | 8. 406 Promenade St. |
| 3. 302 Bluff St. | 9. 408 Promenade St. |
| 4. 306 Promenade St. | 10. 509 High St. |
| 5. 301 High St. | 11. 515 High St. |
| 6. 311 High St. | 12. 524 High St. |

Black rectangles indicate potential new ADU footprint.





To: Planning Commission
From: Christina Robertson-Gardiner, Senior Planner
RE: Package #2 of Legislative File: GLUA 22-0002/LEG-22-0001- HB 2001 Housing Choice Code Update
Planning Commission Recommendations
Date: October 15, 2022

The City of Oregon City is continuing to work to expand housing choices for all members of the community with zoning code updates to increase flexibility for middle housing types. These housing types tend to be smaller scale and less expensive than detached single-family dwellings and provide needed variety to accommodate Oregon City's diversity of households. They are called middle housing because they fall somewhere between single-family homes and larger apartments.

[House Bill 2001](#), passed by the State Legislature in 2019, calls for cities to allow a range of middle housing types, including duplexes, triplexes, quadplexes, townhouses, and cottage clusters in single-family neighborhoods. These code revisions were required to be adopted by June 30, 2022, and effective by July 1, 2022. The Planning Commission and City Commission held hearings in the Spring of 2022 to advance code revisions that met the requirements of HB 2001. A second package of amendments was continued to the Fall of 2022 for code sections and policy questions that were not required for inclusion in the June 30, 2022 deadline but are still linked to the larger middle housing implementation discussion.

On June 1, 2022, the City Commission voted 4-0 to approve the second reading of ORDINANCE NO. 22-1001 and remand the LEG 22-001 to the October 24, 2022 Planning Commission Meeting to review the second package of outstanding policy questions.

Copies of the adopted code and application packets can be found by visiting the [Housing Choices Code Update project page](#). The [online municipal code](#) will be updated to include these changes in early 2023.

Package #2 Policy Questions

The following are the outstanding policy questions that were identified in the initial adoption hearings or submitted by Elizabeth Decker, Jet Planning, who provided technical assistance to the City for package #1. Some of the topics can be implemented through code modifications recommended to the City Commission, while others are more complex and will need further direction from the City Commission, such as tiny homes and RVs, or were topics not ultimately recommended for implementation by the City Commission, such as lot averaging. These more complex topics will be forwarded in the form of a policy recommendations for a future workplan to the City Commission or a request for policy clarification.

Please refer to the memo from Elizabeth Decker, attached as Exhibit 2, for further topic details. The Planning Commission may choose to add additional items during the hearings process. A tentative hearing timeline is also attached and will be updated through the hearings process.

Hearings Process

Package #2 code revision process will generally follow the same method the Planning Commission utilized when adopting code revisions to the Thimble Creek Concept Plan area in 2019-2022. Policy topics will be assigned specific hearing dates in advance to allow Planning Commissioners, staff, and the public the ability to concentrate their efforts on a few issues at a time. Each topic will start with a presentation of background information from staff, a review of oral and written public comments on the topic, and a discussion of whether the policy question should be addressed through code revisions. If the Planning Commission can provide direction on the policy question, staff will return at a future meeting with a recommended redline code change that implements the policy direction. A policy tracker will be updated to reflect the Planning Commission's direction. Toward the end of the hearings process- the Planning Commission will be able to review the entire proposal to ensure that there is consensus on the package being forwarded to the City Commission. The tentative schedule is for the Planning Commission to review topics from November 2022- January 2023

Topics

Deliverable: If the Planning Commission wishes to advance these topics, staff will provide recommended redline code modifications for review at a future meeting.

High-Density Zone Development Standards

With the introduction of middle housing at greater densities in the low and medium densities zone, there could be a broader discussion about the purpose and standards for the high-density R-2 zone.

Middle Housing Driveway Specifications

Coordinate with Public works- Development Services to revise driveway widths to better align across code sections and meet policy goals.

Parking Standards for Triplexes and Quadplexes

Technical clarifications to reflect that standards apply per development, not per unit. Consider relocating the standards to the triplex and quadplex design section.

Duplex Lot Coverage in Medium-Density Zones

Consider increasing maximum building lot coverage for duplexes to match the current allowance for a single-family dwelling plus an ADU.

Lot Coverage in Low-Density Zones

Consider increasing maximum building lot coverage for specific middle housing types in rough proportion to increased numbers of units.

Technical Revisions

Staff is currently working with the public on middle housing applications and will bring any needed revisions for clarity as they occur.

Request Policy Direction from the City Commission

If the Planning Commission wishes to advance these topics, they will include a summary of the issue, public comment and Planning Commission discussion and ask for policy direction from the City Commission.

Deliverable: summary of the issue, public comment, and Planning Commission discussion

Land Use Affordability Incentives

City Commission recommended further discussion though some portions of the policy question may require additional direction or work plans.

More flexible code provisions for middle housing could be selectively targeted at projects meeting affordability requirements to improve those projects' feasibility and explicitly encourage affordable housing development.

Tiny homes, RV hardship allowances, tiny home shelter/cluster homes (not hooked up to city sewer/water)

City Commission recommended further discussion. As this issue is complex, involves multiple city departments, and has future budgetary implications, the Planning Commission will provide the background of the public comment and hearing discussion and ask for policy and workplan direction on this item.

Additional options for housing should be discussed that fall outside of traditional dwelling units that hook up to city utilities and pay System Development Fees. Where and when are they of value to the City?

Parking Standards for Triplexes and Quadplexes

The City Commission did not provide direction on this specific topic but has provided general guidance about ensuring adequate parking in neighborhoods.

Consider increasing or eliminating the maximum parking standard.

Multiple ADUs per Lot

City Commission did not recommend further consideration.

Consider the future role for ADUs and how ADU standards compare to plex standards. Consider permitting multiple ADUs per lot for greater parity with new provisions for plexes, which could be written to require one attached and one detached unit, or in any combination. Discuss the relationship between ADUs and detached middle housing, especially regarding accessory building setback standards and Middle Housing Land Division.

Lot Averaging for Subdivisions

City Commission did not recommend further consideration.

Consider whether and how lot averaging should apply to middle housing options beyond duplexes and whether lot averaging remains a useful tool for new developments along with middle housing opportunities.

Exhibits

1. HB 2001 Package #2 Hearing Topic Timeline
2. July 19, 2022, memo from Elizabeth Decker, JET Planning
3. [Housing Choices Code Update project page](#)



MEMO

Date: July 19, 2022
To: Christina Robertson-Gardiner, City of Oregon City
From: Elizabeth Decker, JET Planning
Subject: Outstanding Housing Policy Issues for Further Zoning Code Updates

Summary. This memo outlines additional housing policy issues that could be addressed through a second package of zoning code updates following June adoption of an initial package of middle housing code updates. The City Commission adopted a package of code updates focused on middle housing to meet the statutory requirements of HB 2001 on June 1, 2022. (Ordinance No. 2022-1001). The City Commission also remanded the file back to Planning Commission to review a second set of outstanding policy questions not immediately needed for policy compliance with HB 2001, to be reviewed starting at their October 24, 2022 meeting. Issues include those raised by planning staff and discussed during deliberations by the Planning Commission and City Commission; interest by Planning Commission and/or City Commission to revisit an issue is noted where applicable.

POLICY ISSUES

A. Multiple ADUs per Lot

Existing Policy: One ADU allowed on the same lot as a single-family primary dwelling, may be attached or detached.

Additional Policy Options: Allow up to three ADUs with a single-family primary dwelling.

Planning Commission: Recommended for further consideration

City Commission: Not recommended for further discussion

Now that up to four units are permitted per lot under middle housing provisions, consider the future role for ADUs and whether ADU allowances should be expanded commensurate with permitted middle housing options. The ADU provisions in OCMC 17.20.010 could be expanded to permit a total of two or even three ADUs with a single-family primary dwelling, in any configuration of attached

or detached units. This might look like a basement ADU added to the primary dwelling with a detached ADU in the backyard, or even two ADUs in the backyard. One benefit of allowing multiple ADUs, rather than detached plex configurations, is this flexibility to include both attached and detached units.

Alternatively, there may be a preference to focus on the triplex and quadplex options as the route to add additional units rather than expanding ADU provisions. The June code updates allow one or two detached units with an existing primary dwelling as a detached duplex or triplex.

It is unclear how detached plex options would compare with multiple ADU options; it is likely to vary by lot based on configuration and desired units. Some potential differing factors under current code include:

- ADUs would be limited to a smaller size (800 SF) and could have a lower impact; plexes would be limited by overall lot coverage that may allow larger units or may effectively limit units to similar sizes.
- ADUs would be required to be smaller than the primary house (no more than 60% of the dwelling's floor area), whereas plex units could be similarly sized.
- ADUs could be built with reduced setbacks, either utilizing the decreased ADU setbacks (e.g. 10 ft rear setback rather than 20 ft for primary and duplex structures) or converting nonconforming detached accessory structures that do not meet required setbacks.
- ADUs would be subject to lower SDCs and impact fees under the current fee schedule.
- ADUs are not eligible to use middle housing land divisions to support sale of individual units.¹
- Both ADUs and duplexes are exempt from minimum off-street parking requirements, though a triplex requires a total of two parking spaces.
- Potentially explore the ability to allow ADUs to be part of a Middle Housing Land Division, even if they are located within the underlying zone setbacks as they are generally smaller and could have a lower impact than a new detached duplex.

¹ It may be possible for an existing detached ADU to meet the standards of a detached duplex and qualify for a middle housing land division, but this scenario is untested and would significantly vary lot to lot. Separate utilities for each unit and different setback standards are likely to be difficult standards for many ADUs to meet.

Having more options – both multiple ADUs as well as the option for detached duplexes and triplexes – would maximize opportunities, at least during the initial implementation phases while we see how development patterns evolve.

B. High Density Zone Development Standards (R-2)

Existing Policy: Range of middle housing and multi-family residential uses permitted, up to a maximum net density of 22 units/acre (1 unit per 2,000 SF of site area).

Additional Policy Options: Increase maximum net density for some or all residential uses, and/or revise permitted residential uses.

Planning Commission: Recommended for further consideration

City Commission: No discussion

With the introduction of middle housing at greater densities in the low and medium densities zone, there could be a broader discussion about the purpose and standards for the high density R-2 zone. Because the R-2 zone does not permit single-family detached dwellings, it is not subject to HB 2001 and no changes were proposed in the first round of code updates.

With the adoption of the middle housing code amendments, the medium density zones permit many middle housing types at a density of 25 or more units per acre, compared to a 22 units/acre maximum density in the R-2 zone. Minimum lot sizes for middle housing types are also smaller in the low and medium density zones than in the R-2 zone. Further code amendments could consider:

- Reducing minimum lot size for middle housing types in R-2 to match or be less than corresponding minimum lot sizes in medium density zones.
- Increasing maximum densities for middle housing in R-2 above the current 22 units/acre limit for parity with maximum density for middle housing that will be allowed in other zones.
- Increasing maximum density for multi-family residential as well to match or exceed the scale of permitted middle housing.

Additionally, the introduction of middle housing types in all residential zones merits further discussion of which housing types should be a priority in the R-2 zone. Now that townhouses will be permitted in all low and medium-density zones at densities between 17-25 units/acre, it may be more appropriate to target limited R-2 sites for multi-family and other alternatives. Multi-family can be the least

expensive housing type in the R-2 zone, and needed to meet a segment of the City's housing needs, but could struggle to compete against townhouses if they continue to be permitted outright. Consider whether townhouses in R-2 should continue to be permitted outright, prohibited, or only permitted as part of a master plan/PUD. Respondents in the second survey were fairly split on whether to continue permitting townhouses in R-2, with 53% in favor of limiting them and 47% in favor of continuing to permit them. (See pages 11-12 of the March 2022 Code Audit.). Duplex, triplex, quadplex and cottage cluster uses could similarly be reconsidered in the R-2 zone.² Ideally, future R-2 standards would allow a mix of residential uses and provide some additional flexibility to greater density multi-family uses relative to middle housing.

C. Lot Averaging for Subdivisions

Existing Policy: Up to 25% of lots within a subdivision for single-family detached and duplexes can be up to 10% less than the minimum lot size provided that the average lot size for the subdivision meets the minimum lot size for the zone.

Additional Policy Options: Expand or limit the lot averaging provisions.

Planning Commission: Recommended for further consideration

City Commission: Not recommended for further discussion

Consider whether and how lot averaging should apply to middle housing options beyond duplexes, and whether lot averaging remains a useful tool for new developments along with middle housing opportunities. If a development can now effectively include more middle housing units on a lot otherwise intended for single-family detached dwellings, and those middle housing lots can be divided to create individual units on significantly smaller lots, then the modest lot size reductions available through averaging may be less compelling for new development. Limiting the lot averaging provisions could help to make middle housing options more compelling relative to single-family and duplex development; however, the city may prefer to continue allowing flexibility to support single-family and duplex development.

If lot averaging is retained and there is interest to expand the option to middle housing types other than duplexes, consider how to average different minimum lot

² Note that any limitations on currently permitted middle housing types in the R-2 zone (duplexes, triplexes, quadplexes, townhouses and cottage clusters) would trigger a Measure 56 notice.

sizes for different types of development, such as 5,000-SF lots permitted for single-family dwellings and 7,000-SF lots permitted for quadplexes in the R-5 zone.

D. Affordability Code Incentives

Existing Policy: Various

Additional Policy Options: Various

Planning Commission: Recommended for further consideration

City Commission: No discussion

More flexible code provisions for middle housing could be selectively targeted at projects meeting affordability requirements, both to improve feasibility of those projects and to explicitly encourage affordable housing development. Several options considered during the policy development process for the first batch of amendments could be further considered for their potential applicability to projects meeting affordability criteria, such as:

- Additional units, such as permitting six-plexes on the same sized lots as quadplexes.
- Additional lot coverage allowances.
- Increased townhouse density up to 29 units/acre (effective density of the permitted 1,500-SF minimum lot size), beyond the 17-25 units/acre range approved.
- Reduced parking requirements, either in the form of reduced minimum off-street parking or allowing on-street parking credits to count towards required minimums.

There should be consideration of which options to offer for all development, e.g., see discussion on lot coverage allowances in items E and F, and which options could be targeted to support and encourage affordable projects specifically.

Discussion should also consider the ratio of market-rate and affordable units required to be eligible for any incentives. In contrast to larger multi-family affordable housing projects, affordable middle housing projects will be smaller-scale and may be more likely to be built by smaller, market rate builders, or mission-driven nonprofits like Habitat for Humanity. Potential thresholds could include all units capped at rates affordable to households earning 80-100% of area median income, or 50% of units capped at rates affordable to households earning 60% or less

of area median income. Discussions with affordable and market-rate developers would be critical to understand interest in building affordable or mixed-income middle housing projects, and which regulatory incentives would be most supportive of desired development.

E. Duplex Lot Coverage in Medium Density Zones

Existing Policy: Maximum building lot coverage for duplexes is equal to that allowed for single-family detached dwellings in each zone (50-55%).

Additional Policy Options: Increase maximum building lot coverage for duplexes to match the current allowance for a single-family dwelling plus an ADU (60-65%).

Planning Commission: Recommended for further consideration

City Commission: No discussion

When middle housing types were introduced in the medium density zones (R-5, R-3.5) with the Equitable Housing project, building lot coverage standards specific to each type were introduced. Generally, projects with more units were allowed greater lot coverage to make it more physically possible to fit the increased number of units on a lot. For example, a single-family detached dwelling in the R-5 zone is permitted building lot coverage of up to 50% whereas triplexes, quadplexes and townhouses are permitted up to 70% lot coverage. Within this range, duplexes are permitted the same building lot coverage as single-family detached dwellings, however, a single-family detached dwelling with an ADU is permitted additional lot coverage. Considering that both a duplex and a single-family detached dwelling with an ADU are both two total units, maximum building lot coverage for duplexes could stay the same as permitted for single-family detached dwellings in each zone (50-55%) or be increased to match the allowance for a dwelling plus an ADU (60-65%). Duplexes must be permitted at least the same lot coverage allowed for single-family detached dwellings per OARs, but there is no requirement to allow additional lot coverage.

Increasing allowed lot coverage could result in slightly larger duplex structures less consistent with single-family detached dwellings in the neighborhood, however, the additional lot coverage could also provide flexibility to add second units at comparable intensity to a single-family dwelling and ADU. The additional 10% lot coverage being considered would translate to 350-500 sq ft of increased coverage on medium density lots. Further, the massing would not exceed what is already permitted for other middle housing types in these zones. Variations on this concept could include limiting the additional lot coverage to only detached duplexes, and/or

allowing the increased lot coverage only for duplexes with a lower height, such as 25 ft or even a single story.

F. Lot Coverage in Low Density Zones.

Existing Policy: Maximum building lot coverage for middle housing types in low density zones is set equal to the allowed lot coverage for single-family detached dwellings.

Additional Policy Options: Increase maximum building lot coverage for specific middle housing types in rough proportion to increased numbers of units. Specifically, consider increasing duplex lot coverage to 45%, triplex and quadplex lot coverage to 45-50% or more, and/or townhouse lot coverage to 70%.

Planning Commission: Recommended for further consideration

City Commission: No discussion

The building lot coverage standard in the low density zones (R-10, R-8 and R-6) is currently set at 40% for single-family and middle housing types, and 45% with an ADU. No change was required to meet the OARs in the first package of code updates, but a graduated building lot coverage standard could be introduced for triplexes, quadplexes and townhouses consistent with the approach in the medium density zones. Additionally, there is the same opportunity in these zones to increase allowed lot coverage for duplexes to match what is permitted for a primary dwelling and ADU, as discussed above.

Generally, the 40% lot coverage maximum is less likely to be a development limitation in zones with the largest minimum lot sizes, and is more likely to become an issue in the R-6 zone given the smaller minimum lot size (6,000 SF allows 2,400 SF of building footprint, compared to 4,000 SF allowed on a 10,000-SF minimum lot in the R-10 zone). Several potential changes in the low density zones include:

- Consider increasing maximum lot coverage for duplexes to 45%, equivalent to that allowed for two units as a primary and ADU, for parity and greater flexibility to fit two units onto a lot (particularly in the R-6 zone where smaller lot sizes make increased coverage more desired).
- Consider increasing maximum lot coverage for triplexes and quadplexes to 45% (to match ADUs) or 50% or higher, for consistency with middle housing standards in the medium density zones that increase allowed coverage in proportion to number of units created.

- Consider increasing maximum lot coverage for townhouses to 70% in low density zones, for consistency with standards in the medium density zones. (For comparison, it is 70-80% in R-5 and R-3.5.) Given the small size of townhouse lots and lack of side yards, higher lot coverage can be more suitable for this development type.
- *Note:* No maximum lot coverage standards may be applied to cottage clusters per HB 2001 regulations.

Future discussions on this topic could potentially benefit from more illustrations of possible development scenarios under various coverage and setback standards, and/or analysis of actual middle housing developments to better understand the opportunities and impacts of potential changes.

G. Middle Housing Driveway Specifications.

Existing Policy: Minimum and maximum driveway widths for various middle housing types vary from 10-40 ft, and may not align across different code sections or reflect planning and engineering policy preferences.

Additional Policy Options: Revise driveway widths to better align across code sections and meet policy goals.

Planning Commission & City Commission: N/A, recommended by staff

Driveway minimum and maximum widths are affected both by engineering design standards in OCMC 16.12.035 and by design standards for middle housing in OCMC 17.16, which derive from relevant OARs and Model Code. Options to adjust the standards include:

- Consider whether townhouses should continue to be allowed a 10-24 ft driveway per lot in OCMC Table 16.12.035.D, or cap the maximum width at 12 ft to align with the maximum width permitted per the townhouse design standards in 17.16.040.A.3, or require paired driveways from adjoining units.
- Consider reducing the maximum width permitted for triplex and quadplex driveways, currently 10-36 ft per OCMC Table 16.12.035.D and up 40 ft or 50% of the lot frontage, whichever is less,³ per the design standards in OCMC 17.16.060.D. The maximum driveway width allowed per Model Code is 32 ft

³ These were the existing standards adopted in the 2019 Equitable Housing project, and carried forward with this update to minimize code changes, however, we now also have OARs and Model Code examples to draw from.

- or 50% of the lot frontage, whichever is less. The maximum could be capped at 32 ft in both code sections, or at least reduced to 36 ft in the design standards to match the current driveway standards.
- Explore options for driveway widths for cottage clusters. The closest fit at the time of the first round of code updates was to apply the triplex and quadplex standards of 10-36 ft driveway widths. The most likely outcome for these projects is a shared access serving either a common parking area of individual garages interior to the site, and it is worth revisiting what driveway widths would best align with such design. Neither OARS nor Model Code require that cottage clusters be held to the same standards as single-family detached, however, ideal driveway widths would be of a similar scale to other neighborhood development so as to maintain the street character and to avoid burdening a small cottage lot with an excessively wide driveway. Consider some variation of the multifamily standards, 18-30 ft, with options for a reduced 10-ft width or similar for one-way driveways or driveways serving under a certain number of units.

A related issue is whether to permit more than one driveway per site, currently limited by OCMC 16.12.035.D except on corner lots where one driveway per frontage may be permitted. Development with multiple units per lot may seek, and could benefit from, flexibility to add separate driveways for individual parking spaces, particularly if those units are divided through a middle housing land division.⁴ Engineering staff has generally been in favor of a single driveway per lot to consolidate access, reduce conflict points, and reduce curb cuts and interruptions to the street frontage. Nothing in the OARs requires the City to permit more than one driveway per lot, but there could be greater flexibility for multiple driveways under certain design parameters, such as leaving sufficient curb length for an on-street parking space. Allowing up to two driveways per lot, on the same frontage if spacing requirements can be met, could be of particular benefit to duplexes with some flexibility for triplexes and quadplexes.

H. Parking Standards for Triplexes and Quadplexes

⁴ If a lot is divided through a middle housing land division, it does not grant new driveway rights to each individual lot: the standards for the 'parent parcel' continue to apply. However, additional driveways for individual units could be in higher demand and/or add to functionality of individual units by reducing the need for shared access and maintenance agreements.

Existing Policy: A triplex or quadplex is required to provide 2-4 total parking spaces per development, and is subject to some of the parking lot design standards in OCMC 17.52.

Additional Policy Options: Technical clarifications to reflect that standards apply per development, not per unit, and consider increasing or eliminating the maximum parking standard. Consider relocating the standards to the triplex and quadplex design section.

Planning Commission & City Commission: N/A; technical issue identified by consultant

The parking ratios for triplexes and quadplexes were adopted with the Equitable Housing policy project and fully comply with or exceed the OARs for middle housing. However, there could be technical fixes for simplification:

- The minimum and maximum parking spaces listed in Table 17.52.020 have no units attached to them; add clarification that it is 2-4 total spaces per development, not per unit or per 1,000-SF developed area like other ratios in the table.
- The maximum of four spaces per triplex or quadplex seems unnecessarily restrictive, especially compared with other residential uses. The only other residential uses with a maximum ratio are multifamily and cottage clusters, capped at 2.5 spaces per unit, equivalent to 7.5 to 10 spaces per plex. While the total off-street parking built for plexes may remain low given site constraints, allowing the option more closely aligns with public discussions around setting a minimum and allowing more parking if desired.
- Consider relocating the plex parking standards to the triplex and quadplex design standards in OCMC 17.16.060. The plex parking ratios are the only middle housing parking standard to be located in OCMC 17.52, which generally governs off-street parking requirements and design for larger developments across the city. There are no required ratios for single-family, duplexes, townhouses and ADUs, and the parking standards for cottages (minimum of one space and maximum of 2.5 per unit) are located within the cottage design standards along with parking area design standards in OCMC 17.16.070. Beyond reorganization, the change would more clearly exempt parking areas for triplexes and quadplexes from the design standards in OCMC 17.52 that are not scaled for smaller developments, and would instead subject those parking areas to standards more similar to those for single-family detached and other middle housing types. Consideration should be given about whether to continue to apply the on-street parking

credit to triplexes and quadplexes, and if so, to add appropriate language in OCMC 17.16.070 once relocated.

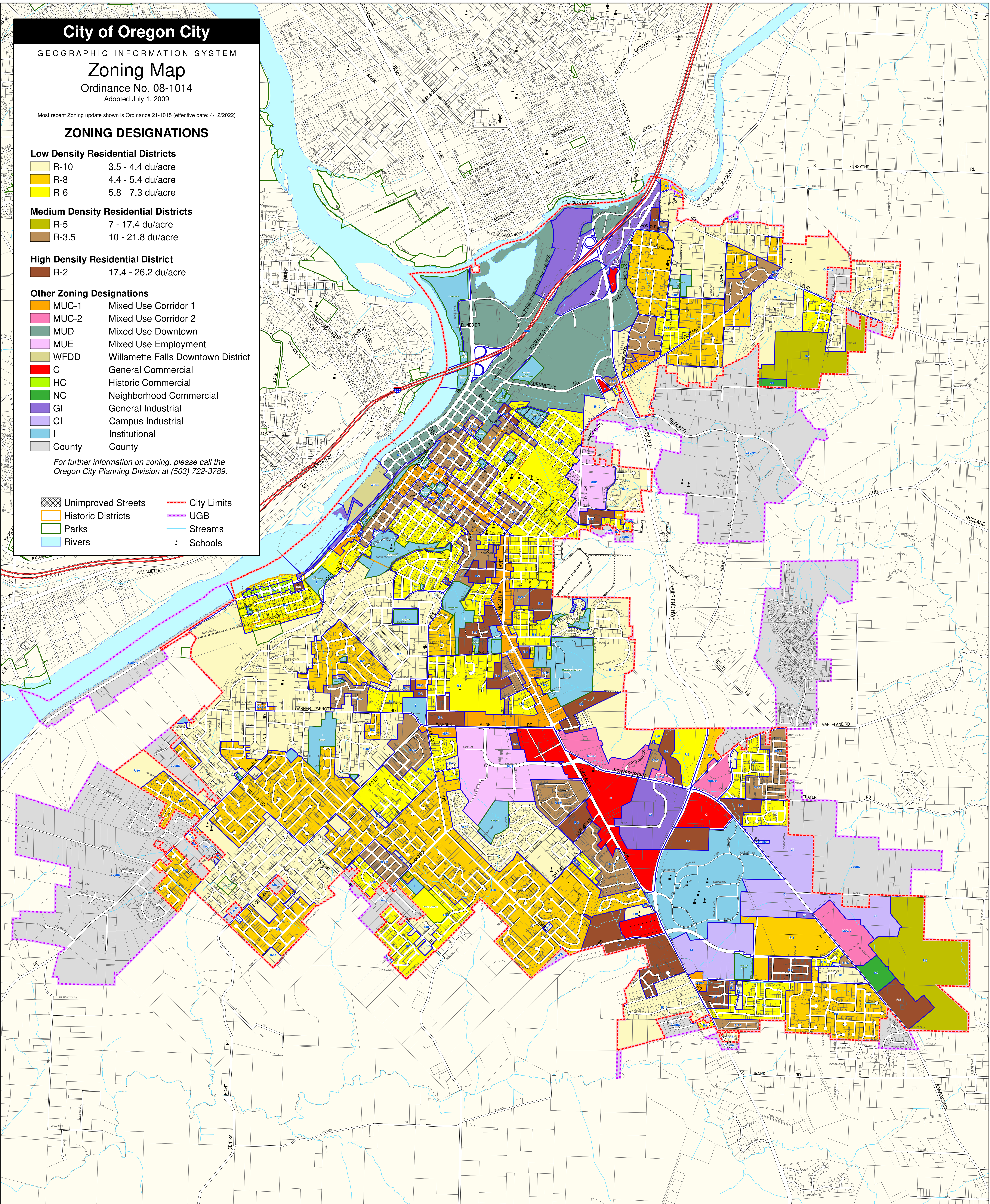
J. Tiny Homes and Recreational Vehicle Occupancy Options

Existing Policy: Only permanent dwelling units with utility connections (water and sewer) are permitted in residential areas. RVs and other tiny home type structures without permanent infrastructure are not permitted to be used as dwellings, as ADUs, or as manufactured homes; RV parks are not permitted anywhere in the city.

Additional Policy Options: Consider what role RVs and tiny homes could play in meeting residential needs, such as permitting individual RVs on residential lots as an accessory dwelling and/or permitting clusters of RVs as either an RV park or a village-type model.

Planning Commission & City Commission: N/A; public comment

Beyond middle housing, there was public comment about exploring alternative residential options in the form of tiny homes and RVs that could be mobile and would not meet the definition of a 'dwelling unit.' Such residential uses are effectively precluded in the city now, with no provisions in the zoning code for even RV park uses. Some cities in Oregon and beyond are exploring the potential for RVs, tiny homes and other mobile dwellings to be used for residential use. See separate reports provided for a range of opportunities and issues.



City of Oregon City

GEOGRAPHIC INFORMATION SYSTEM

Zoning Map

Ordinance No. 08-1014

Adopted July 1, 2009

Most recent Zoning update shown is Ordinance 21-1015 (effective date: 4/12/2022)

ZONING DESIGNATIONS

Low Density Residential Districts

R-10

3.5 - 4.4 du/acre

R-8

4.4 - 5.4 du/acre

R-6

5.8 - 7.3 du/acre

Medium Density Residential Districts

R-5

7 - 17.4 du/acre

R-3.5

10 - 21.8 du/acre

High Density Residential District

R-2

17.4 - 26.2 du/acre

Other Zoning Designations

MUC-1

Mixed Use Corridor 1

MUC-2

Mixed Use Corridor 2

MUD

Mixed Use Downtown

MUE

Mixed Use Employment

WFDD

Willamette Falls Downtown District

C

General Commercial

HC

Historic Commercial

NC

Neighborhood Commercial

GI

General Industrial

CI

Campus Industrial

I

Institutional

County

County

For further information on zoning, please call the Oregon City Planning Division at (503) 722-3789.

Unimproved Streets

Historic Districts

Parks

Rivers

City Limits

UGB

Streams

Schools

The City of Oregon City makes no representations, express or implied, as to the accuracy, completeness and timeliness of the information displayed. This map is not suitable for legal, engineering, or surveying purposes. Notification of any errors is appreciated.

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Plot date: May 31, 2022
Plot name: Zoning - 36x48P - No Addresses - 20220531.pdf
Map name: Zoning Map - 36x48P.mxd

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