

# COMPREHENSIVE PLAN IMPLEMENTATION PROJECT – PROPOSED CODE AMENDMENTS

City Council

March 15, 2022

Vera Kolas, Senior Planner

&

Natalie Rogers, Climate and Natural  
Resources Manager



- Open Housing/Parking hearing
  - Staff report
  - Public testimony
  - Questions
  - Deliberation – including development-related tree considerations
  - Finalize recommended changes OR close hearing and open Tree hearing
- Open Tree Code/Fees hearing
  - Staff report
  - Public testimony
  - Questions
  - Deliberation
  - Finalize recommended changes



# COMPREHENSIVE PLAN - POLICY MANDATES

---

- Increase supply of middle housing; provide housing choice
- Increase the tree canopy and preserve existing trees; support the goal of 40% tree canopy
- Manage parking to enable middle housing and protect trees



---

# Questions from Council



# AFFORDABLE HOUSING

Code incentives for income-restricted housing:

- Type II (rather than Type III)
  - Minimum setbacks for middle housing

Standard	Proposed Code	Type II Variance standard
Front yard	20 ft	10 ft (note: impacts off-street parking)
Rear yard	15/20 ft	15 ft
Side yard	5/10 ft	5 ft
Street side yard	15/20 ft	10 ft (note: impacts off-street parking)

- Parking
  - Reduction to 50% in DMU (from 30%)
  - 25% reduction for middle housing

Staff will be back with a new code section focused on income-restricted housing programs and incentives.



# OREGON BUILDING CODE

	Residential Code	Commercial Code
<b>Duplex</b>		
<i>detached</i>	X	
<i>side by side</i>	X	
<i>stacked</i>	X	
<b>Triplex</b>		
<i>detached</i>	X	
<i>side by side</i>		X
<i>stacked</i>		X
<b>Quadplex</b>		
<i>detached</i>	X	
<i>side by side</i>		X
<i>stacked</i>		X
<b>Townhouse</b>	X	
<b>Cottage in a cottage cluster each with own kitchen</b>		
<i>detached</i>	X	
<i>attached</i>	X	
<b>Cottage in a cottage cluster with central kitchen</b>		
<i>detached</i>		X
<i>attached</i>		X



# PARKING – HB 2001 REQUIREMENTS

---

Cannot require more than 1 space/middle housing dwelling unit, with exceptions.

Housing Type	Lot Size	Parking Spaces (total)
<b>Triplex</b>	<3,000 sq ft	1
	3,000 – 4,999 sq ft	2
	>5,000 sq ft	3
<b>Quadplex</b>	<3,000 sq ft	1
	3,000 – 4,999 sq ft	2
	5,000 – 6,999 sq ft	3
	>7,000 sq ft	4



# PARKING – ARTERIALS AND COLLECTORS

---

Concern about development where on-street parking is not available or permitted

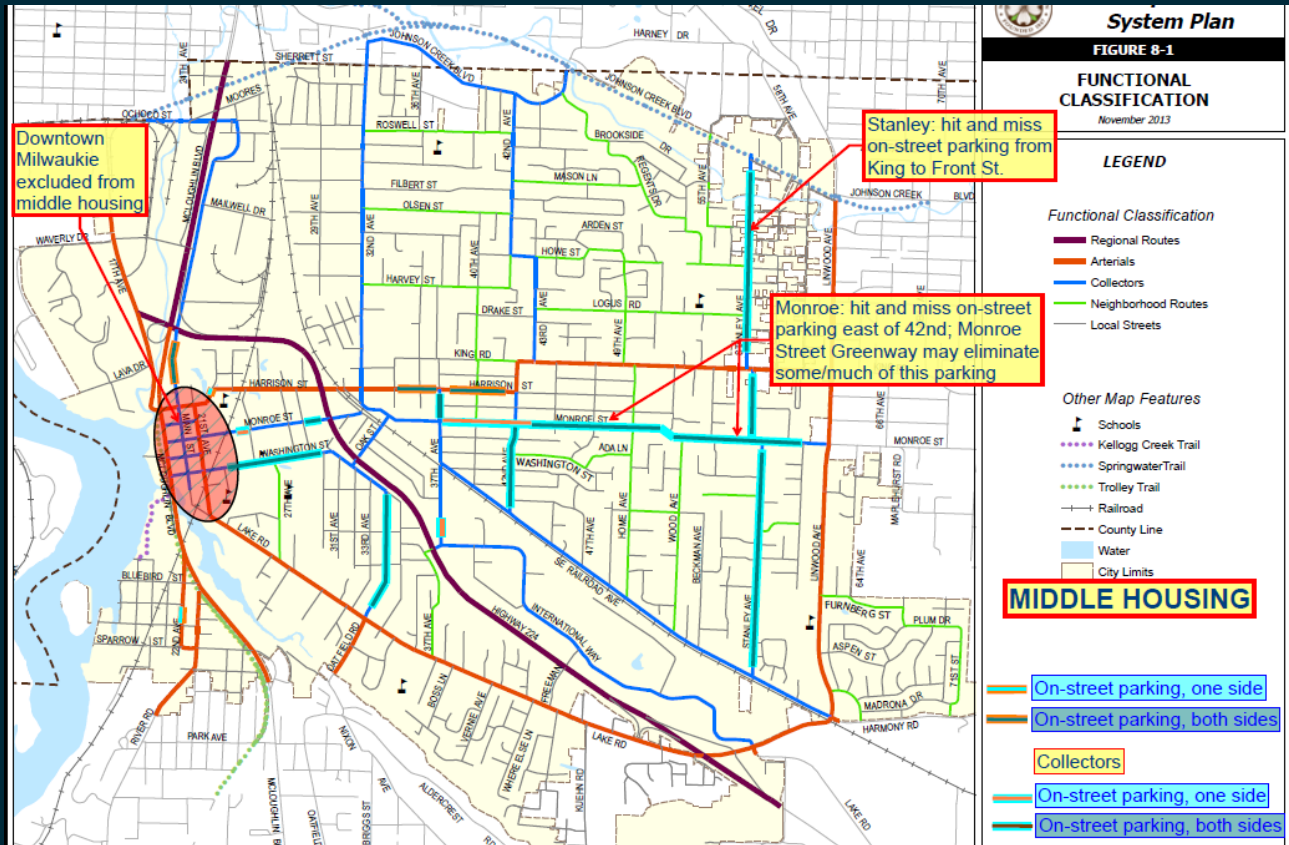
## **Recommended revision:**

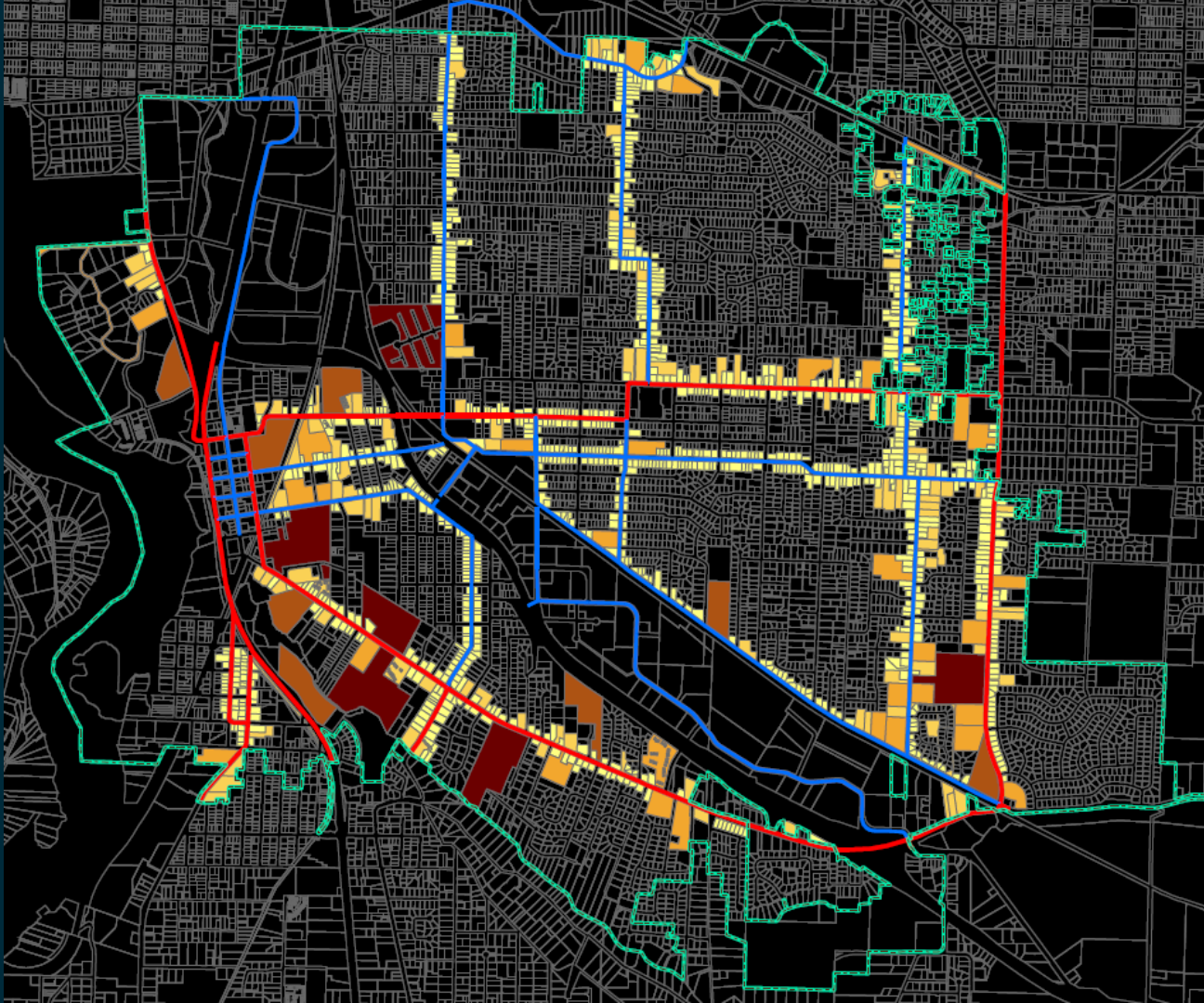
- For middle housing developments located on streets classified as Arterials or Collectors in the Transportation System Plan, off-street parking is required: 0.5 spaces/dwelling unit.





# ARTERIAL AND COLLECTOR STREETS





---

**ARTERIAL  
AND  
COLLECTOR  
STREETS –  
RESIDENTIAL  
LOTS**

Can we extrapolate the parking study findings to apply city-wide?

- Not recommended
  - Findings would be speculative and not reliable
  - Need an on the ground analysis to be accurate (not possible at this time)



# ADU CONVERSIONS

---

Type III variance required for:

- Adding 2<sup>nd</sup> story ADU to non-conforming garage
- Converting existing non-conforming garage to ADU



Recommendation:

Allow with a Type II variance



# DEVELOPMENT STANDARDS – 3,000 SQ FT LOT

Lot Size	Permitted Housing Types <u>currently</u>	Permitted Housing Types <u>proposed</u>
1,500 sq. ft.	Rowhouse (townhouse)	Townhouse
3,000 sq. ft. to 6,999 sq. ft.	Detached single dwelling if a lot of record Detached single dwelling + ADU	Detached single dwelling Detached single dwelling + 2 ADU Duplex Triplex Quadplex
7,000 sq. ft. and greater	Detached single dwelling Detached single dwelling + ADU Duplex if lot is 10,000 sq ft or larger	Detached single dwelling Detached single dwelling + 2 ADU Duplex Triplex Quadplex Cottage Cluster

If Council is concerned about single detached dwellings on 3,000 sq ft lots, an option would be to increase the minimum lot size for single detached dwellings to 5,000 sq ft but continue to allow middle housing on lots of 3,000 sq ft and up as currently proposed.



# TYPE III VARIANCE APPROVAL CRITERIA

---

**Issue:** There may be instances where a development requires a Type III variance, such as larger setback reductions or to go below minimum density. Tree preservation should be a criterion for Type III variances.

## **Proposed revision:**

- The proposed variance would allow the development to preserve a priority tree or trees or provide more opportunity to plant new trees to achieve 40% canopy, as required by MMC 16.32.





### ADU Addition on 5000 sq ft lot

Standard	Requirements	Before ADU	After ADU
Lot Coverage	Max 45% w/ bonus	24.4%	34.4%
Min Vegetated Area	25% lot coverage	53%	41%
Planting Standard	40% site canopy coverage	0%	40% (2000 sq ft)

Species	Crown Area (sq ft)	Count	Canopy Credit Multiplier
Homestead Elm	962	1	0.75
Cork Oak	1257	1	0.75
Japanese Tree Lilac	314	2	0.75
<b>Total:</b>			<b>2135.25 sq ft (43%)</b>

Illustrative Example Only



Utilizable space under tree crowns

---

QUESTIONS?





# NEXT STEPS

---

April 5: Continued public hearing - Adoption



## Code updates since 02/15 hearing

- Revisions for clarity
- Rephrasing of 'canopy standard' to 'planting standard'
- Revision of Type 2 replacement requirements to # of trees instead of equivalent DBH
- Removal of penalty language in MMC 16.32.040 and MMC 16.32.042.J to allow for situational reduction of fines

## Fee updates

- Revision of Type 1 tree permit application fee from \$50 to \$0
- Revision of fee-in-lieu of replanting for private non-development from \$2000 to \$675 to match public fees
- Revisions for clarity

---

QUESTIONS?

