# CITY OF MILWAUKIE

## AGENDA

April 27, 2021

## PLANNING COMMISSION

milwaukieoregon.gov

**Zoom Video Meeting**: due to the governor's "Stay Home, Stay Healthy" order, the Planning Commission will hold this meeting through Zoom video. The public is invited to watch the meeting online through the City of Milwaukie YouTube page (https://www.youtube.com/channel/UCRFbfqe3OnDWLQKSB_m9cAw) or on Comcast Channel 30 within city limits.

If you wish to provide comments, the city encourages written comments via email at planning@milwaukieoregon.gov. Written comments should be submitted before the Planning Commission meeting begins to ensure that they can be provided to the Planning Commissioners ahead of time.

To speak during the meeting, visit the meeting webpage (https://www.milwaukieoregon.gov/bc-pc/planning-commission-71) and follow the Zoom webinar login instructions.

**1.0** **Call to Order - Procedural Matters** — 6:30 PM

**2.0** **Information Items**

**3.0** **Audience Participation** — This is an opportunity for the public to comment on any item not on the agenda

**4.0** **Work Session Items**

4.1 Comprehensive Plan Implementation Project (CPIC) Update – Key Issues: flag lots and performance metrics

Summary: CPIC Project Update – Key Issues

Staff: Senior Planner Vera Kolias

4.2 Planning Commission Meeting with Neighborhood District Association (NDA)Leadership

Summary: Planning Commission Meeting with NDA Leadership agenda discussion

Staff: Planning Manager Laura Weigel

**5.0** **Planning Department Other Business/Updates**

**6.0** **Planning Commission Committee Updates and Discussion Items** — This is an opportunity for comment or discussion for items not on the agenda.

**7.0** **Forecast for Future Meetings**

| | |
|---|---|
| May 11, 2021 | Hearing Item: VR-2021-002 – Milwaukie High School Sign Variance Continued Hearing<br>Hearing Item: VR-2021-006 – Providence Supportive Housing Height Variance<br>Work Session Item: Planning Commission Meeting with NDA Leadership |
| May 25, 2021 | Work Session Item: Comprehensive Plan Implementation – Draft Code/Map Amendments |
| June 8, 2021 | Hearing Item: 5840 SE Morris St Accessory Structure Variance (tentative)<br>Hearing Item: 11503 SE Wood Ave Accessory Structure Variance (tentative) |

**Milwaukie Planning Commission Statement**

**The Planning Commission serves as an advisory body to, and a resource for, the City Council in land use matters. In this capacity, the mission of the Planning Commission is to articulate the Community's values and commitment to socially and environmentally responsible uses of its resources as reflected in the Comprehensive Plan**

1. **PROCEDURAL MATTERS.** If you wish to register to provide spoken comment at this meeting or for background information on agenda items please send an email to planning@milwaukieoregon.gov.
2. **PLANNING COMMISSION and CITY COUNCIL MINUTES.** City Council and Planning Commission minutes can be found on the City website at www.milwaukieoregon.gov/meetings.
3. **FORECAST FOR FUTURE MEETINGS.** These items are tentatively scheduled but may be rescheduled prior to the meeting date. Please contact staff with any questions you may have.
4. **TIME LIMIT POLICY.** The Commission intends to end each meeting by 10:00pm. The Planning Commission will pause discussion of agenda items at 9:45pm to discuss whether to continue the agenda item to a future date or finish the agenda item.

**Public Hearing Procedure**

Those who wish to testify should attend the Zoom meeting posted on the city website, state their name and e-mail for the record, and remain available until the Chairperson has asked if there are any questions from the Commissioners.

1. **STAFF REPORT.** Each hearing starts with a brief review of the staff report by staff. The report lists the criteria for the land use action being considered, as well as a recommended decision with reasons for that recommendation.
2. **CORRESPONDENCE.** Staff will report any verbal or written correspondence that has been received since the Commission was presented with its meeting packet.
3. **APPLICANT'S PRESENTATION.**
4. **PUBLIC TESTIMONY IN SUPPORT.** Testimony from those in favor of the application.
5. **NEUTRAL PUBLIC TESTIMONY.** Comments or questions from interested persons who are neither in favor of nor opposed to the application.
6. **PUBLIC TESTIMONY IN OPPOSITION.** Testimony from those in opposition to the application.
7. **QUESTIONS FROM COMMISSIONERS.** The commission will have the opportunity to ask for clarification from staff, the applicant, or those who have already testified.
8. **REBUTTAL TESTIMONY FROM APPLICANT.** After all public testimony, the commission will take rebuttal testimony from the applicant.
9. **CLOSING OF PUBLIC HEARING.** The Chairperson will close the public portion of the hearing. The Commission will then enter into deliberation. From this point in the hearing the Commission will not receive any additional testimony from the audience but may ask questions of anyone who has testified.
10. **COMMISSION DISCUSSION AND ACTION.** It is the Commission's intention to make a decision this evening on each issue on the agenda. Planning Commission decisions may be appealed to the City Council. If you wish to appeal a decision, please contact the Planning Department for information on the procedures and fees involved.
11. **MEETING CONTINUANCE.** Prior to the close of the first public hearing, *any person* may request an opportunity to present additional information at another time. If there is such a request, the Planning Commission will either continue the public hearing to a date certain or leave the record open for at least seven days for additional written evidence, argument, or testimony. The Planning Commission may ask the applicant to consider granting an extension of the 120-day time period for making a decision if a delay in making a decision could impact the ability of the City to take final action on the application, including resolution of all local appeals.

**Meeting Accessibility Services and Americans with Disabilities Act (ADA) Notice**

The city is committed to providing equal access to public meetings. To request listening and mobility assistance services contact the Office of the City Recorder at least 48 hours before the meeting by email at ocr@milwaukieoregon.gov or phone at 503-786-7502. To request Spanish language translation services email espanol@milwaukieoregon.gov at least 48 hours before the meeting. Staff will do their best to respond in a timely manner and to accommodate requests. Most Council meetings are broadcast live on the city's YouTube channel and Comcast Channel 30 in city limits.

**Servicios de Accesibilidad para Reuniones y Aviso de la Ley de Estadounidenses con Discapacidades (ADA)**

La ciudad se compromete a proporcionar igualdad de acceso para reuniones públicas. Para solicitar servicios de asistencia auditiva y de movilidad, favor de comunicarse a la Oficina del Registro de la Ciudad con un mínimo de 48 horas antes de la reunión por correo electrónico a ocr@milwaukieoregon.gov o llame al 503-786-7502. Para solicitar servicios de traducción al español, envíe un correo electrónico a espanol@milwaukieoregon.gov al menos 48 horas antes de la reunión. El personal hará todo lo posible para responder de manera oportuna y atender las solicitudes. La mayoría de las reuniones del Consejo de la Ciudad se transmiten en vivo en el canal de YouTube de la ciudad y el Canal 30 de Comcast dentro de los límites de la ciudad.

**Milwaukie Planning Commission:**
Lauren Loosveldt, Chair
Joseph Edge, Vice Chair
Greg Hemer
Robert Massey
Amy Erdt
Adam Khosroabadi
Jacob Sherman

**Planning Department Staff:**
Laura Weigel, Planning Manager
Vera Kolias, Senior Planner
Brett Kelver, Associate Planner
Mary Heberling, Assistant Planner
Janine Gates, Assistant Planner
Tempest Blanchard, Administrative Specialist II

CITY OF MILWAUKIE

**To:** Planning Commission

**Through:** Laura Weigel, Planning Manager

**From:** Vera Kolias, Senior Planner

**Date:** April 20, 2021, for April 27, 2021, Worksession

**Subject:** Comp Plan Implementation Project Update – Key Issues: flag lots and performance metrics

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## ACTION REQUESTED

As part of this project update, staff would like feedback on two key issues for the proposed code amendments.

## ANALYSIS

This update relates to the refined code concepts and a key issue regarding flag lots and the performance metric approach outlined in Oregon House Bill (HB) 2001.

### Project Background

Creating and supporting housing opportunities, primarily middle housing options in all neighborhoods, has been a key goal for Council and the community. The adopted Comprehensive Plan (Plan) policies call for expanded housing opportunities throughout the city and House Bill 2001 (HB 2001), passed by the state legislature in July 2019, requires the expansion of middle housing options throughout the state. In November 2019, Council discussed how to proceed with code amendments after the updated plan was adopted, setting the stage for the recently initiated implementation project.

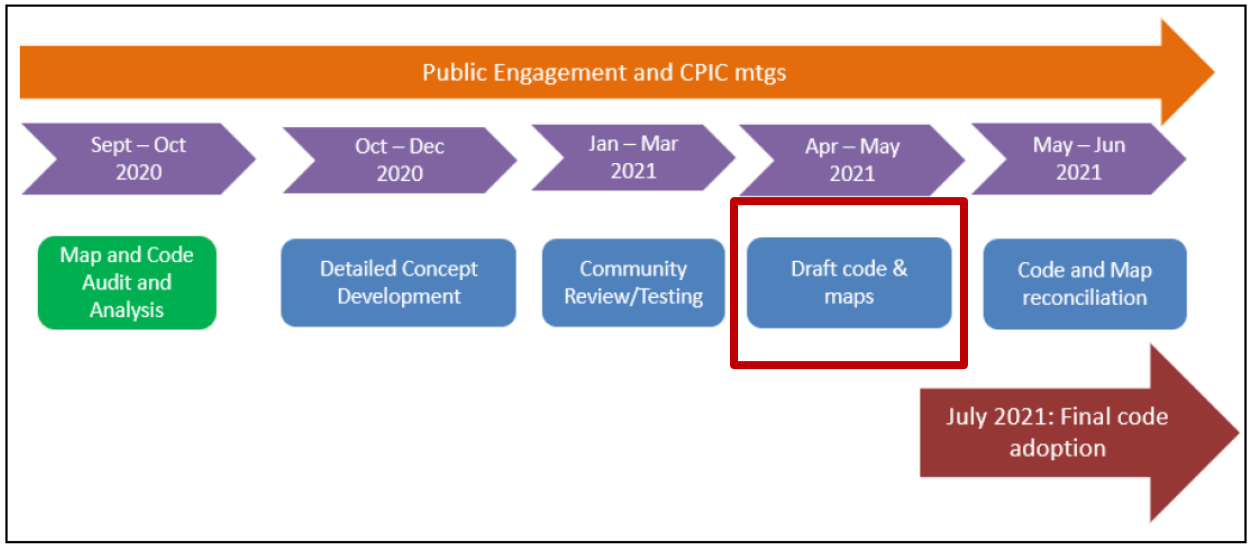
The focus of this phase of plan implementation is housing, but it also includes related changes to parking requirements in residential areas and tree protection and preservation related to residential land. The outcome will be code amendments that balance the city's goal for a 40% tree canopy and implementation of the housing policies outlined in the plan in compliance with HB 2001.

The scope of work for this project includes the following tasks:

1. Public Engagement
2. Map and Code Audit and Analysis
3. Detailed Concept Development
4. Community Review and Testing
5. Draft Code Changes and Map Amendments

6. Code and Map Review and Reconciliation
7. Final Code and Map Changes and Adoption

Project Schedule




The previous staff update to Council included a detailed discussion about the community testing and review process and a discussion from the March 18 Comprehensive Plan Implementation Committee (CPIC) meeting about consolidating the residential zones. At the April 15 CPIC meeting, the committee heard the initial results from the second virtual open house, learned about the residential parking study and the proposed tree code, discussed some of the proposed code amendments and the project scope and overall connection to the comprehensive plan implementation process (see Attachment 1 for the meeting packet).

## Virtual open house #2

For the virtual open house, staff coordinated the following outreach efforts to provide notice of the open house and to encourage participation:

- **Email blasts**
  - Members of all boards and committees (x2)
  - Residents of: Hillside Park, Waverly Greens apartments, and Axeltree apartments
  - Northwest Housing Alternatives
  - BIPOC email list (including one in Spanish) (x2)
  - Subscribers of the project email list
  - Subscribers of the Comprehensive Plan email list (x2)

- **Staff-facilitated virtual meetings**
  - Each of the city's seven neighborhood district associations (NDAs)
  - City employees (city residents)
  - BIPOC group – English and Spanish
  - Open public meeting (city Facebook and NextDoor)

- **Project updates during work sessions**
    - Planning Commission
    - City Council
- **Miscellaneous**
    - Bookmarks at Ledding Library
    - Pilot newsletter articles (x2)
    - City social media posts: Facebook, Instagram (multiple)

Initial results from the second online open house (as of April 12th) are:

English site:

- # of completed surveys: 102
- # of comments in the stations: 94 (some are multiple comments from the same person)
- # of people who visited the main page: 644 (this could have counted someone more than once)
- # of people who visited more than 1 station: 328 (this could have counted someone more than once)
- # of people who completed the survey and/or commented on a station: 131
- Demographics of survey respondents:
    - Race/Ethnicity
        - 4.4% Hispanic/Latinx
        - 1.8% Native American/American Indian/or Alaska Native
        - 1.8% Asian or Asian American
        - 2.6% Black or African American
        - 1.8 % Native Hawaiian or other Pacific Islander
        - 84% white
        - 3.5 % a race or ethnicity not included
    - Gender
        - 57% female
        - 35% male
        - 1.8% transgender
        - 3.7% non-binary
        - 2.8% gender not listed
    - Connection to Milwaukie (people can select more than one)
        - 34.6% live in Milwaukie
        - 4.5% rent in Milwaukie
        - 31.7% own home in Milwaukie
        - 12.9% work in Milwaukie
        - 3.5% own a business in Milwaukie
        - 5.9% religious or cultural activities in Milwaukie

- 2% visitor
- 0.5% study in Milwaukie

Spanish site:

- # of completed surveys: 0
- # of comments in the stations: 0
- # of people who visited the main page: 12 (this could have counted someone more than once)
- # of people who visited more than 1 station: 4
- # of people who completed the survey and/or commented on a station: 0

**Key issue – flag lots**

Over the last several years, planning department staff have responded to questions about potential infill development on lots that are narrow and deep. These are lots that are between 70-80 ft wide, over 200 ft deep, and are over 15,000 sq ft in size. Generally found in the R-7 zone in the Ardenwald neighborhood, these lots are part of subdivisions from the 1920s. Because the lots are narrow, land division in the form of a flag lot is currently the only way to split the property and develop the large area in the back yard to accommodate more housing units.

A flag lot is defined as follows in the zoning code: "Flag lot" means a lot that has a narrow frontage on a public street with access provided via a narrow accessway or "pole" to the main part of the lot used for building, which is located behind another lot that has street frontage. There are 2 distinct parts to the flag lot, the development area, or "flag," which comprises the actual building site, and the access strip, or "pole," which provides access from the street to the flag.

Flag lot potential in the Ardenwald neighborhood.

Over the years, the city's flag lot standards have become increasingly difficult to meet. In the 1990s and earlier, the "pole" portion of a flag lot could be 15 ft wide. This was increased to 20 ft and then as a result of a code amendment in 2003, the pole must now be a minimum of 25 ft wide and variances to that width (or any aspect of the flag lot) are not permitted[1]. This is a difficult standard to meet when there is an existing home on the property.

[1] MMC 19.504.8 – Flag Lot Design and Development Standards:
http://www.qcode.us/codes/milwaukie/view.php?topic=19-19_500-19_504&frames=on

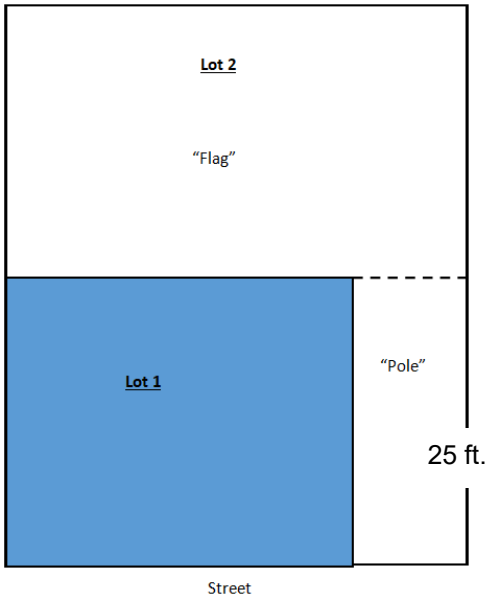
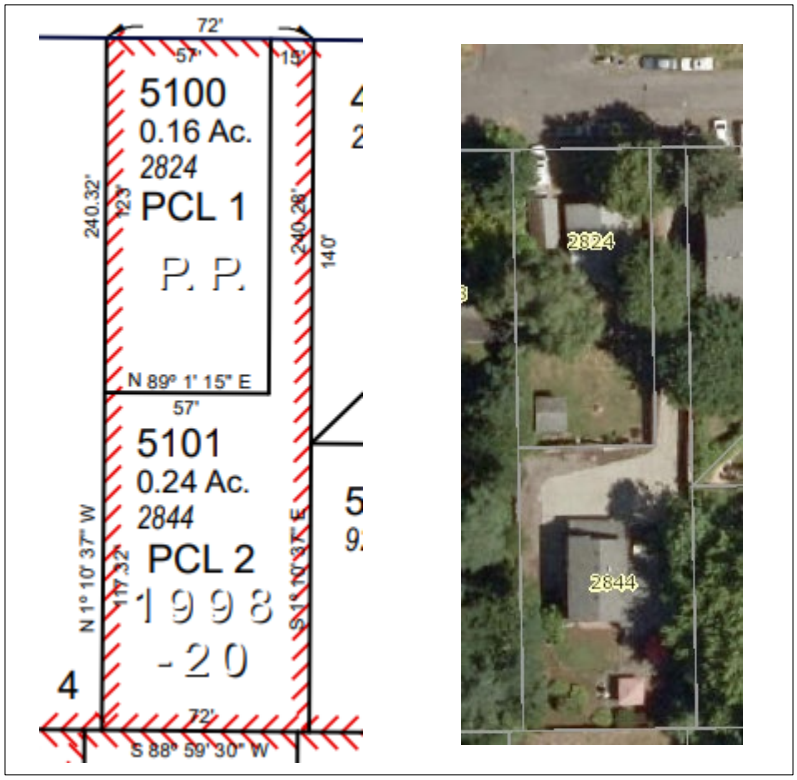


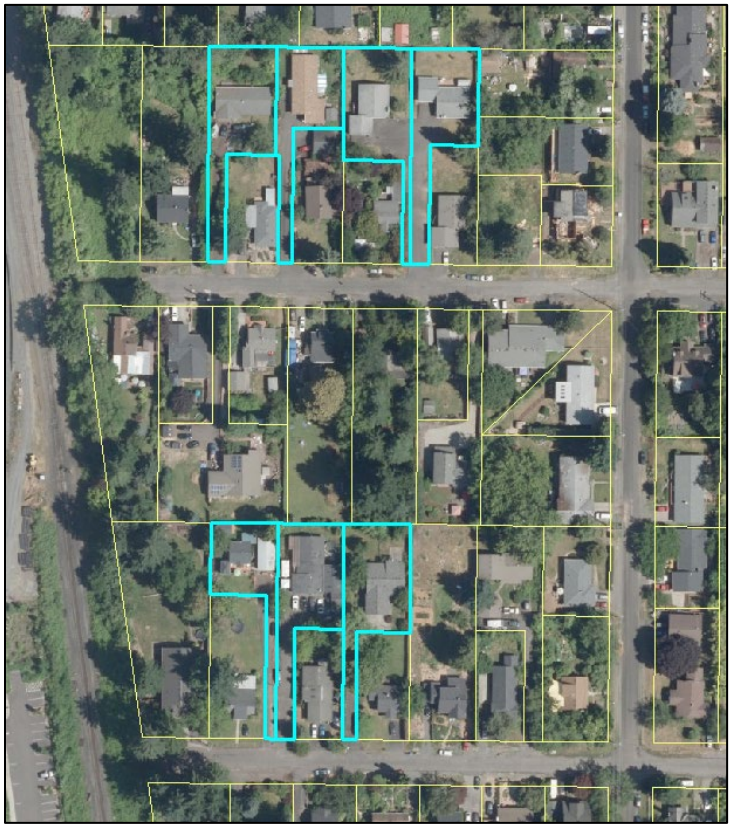

Diagram of a basic flag lot




Flag lot at 2824-2844 SE Malcolm St. created in 1998

In addition, the minimum lot size for a flag lot must be met with only the "flag" portion of the lot. The pole does not count toward the minimum lot size. The minimum setbacks are increased to 30 ft for front and rear setbacks and 10 ft for the side yard setbacks (generally, regular lots have a 20 ft

front and rear setback and 5-ft or 7-ft side yard setbacks). Combined, these increased standards mean that folks with very large, narrow lots, do not have many options for infill development that includes land division, which provides the opportunity for land and home ownership for the buyer and income for the seller.



One of the questions staff is asking through is process is whether the development of more flag lots is a desired outcome? The homes on these flag lots are likely to be single-unit homes or duplexes that would provide additional homeownership opportunities. One of the ways to increase the development potential would be to reduce some of the development standards, such as the minimum pole width and the minimum setbacks. This could result in more flag lots on a street with a similar lot size pattern as was seen prior to 2003.

Flag lots created prior to the 2003 zone change in the Ardenwald neighborhood.

Alternatively, the city could go one step further and not require minimum street frontage for these flag lots and allow access easements rather than the pole as part of the lot. Clackamas County allows this type of development for rear lots without frontage and there are recent examples in the Cereghino Farms development.

Rear lots permitted at Cereghino Farms – access provided via an access easement over the front lot.

While not technically "middle housing," code amendments easing the flag lot standards would provide the opportunity for more infill development that would be described as "hidden density," allowing these properties to meet minimum density requirements.

Does the Planning Commission support code amendments that would make the development of flag lots easier? Are there certain conditions or circumstances that would be required in order to do so?

**Key Issue –Allow middle housing throughout the city vs performance metric approach in HB 2001 (aka "minimum lot size approach" vs "location-based approach")**

Oregon Administrative Rules (OAR) Chapter 660, Division 46 - Middle Housing in Medium and Large Cities is the set of administrative rules that implements HB 2001. Division 46 establishes the minimum standards that a city must meet to be deemed compliant with the provisions of HB 2001. The standards outlined in Division 46 constitute the range of reasonable siting and design standards that local governments may adopt to regulate the development of middle housing. The state also developed a Large Cities Model Code that is a best practices approach for cities with a population greater than 25,000 or more (or a city with a population over 1,000 within a metropolitan service district)and goes beyond what is required in the administrative rules.

Division 46 provides flexibility to local governments in how they regulate middle housing within the parameters of the minimum compliance standards. The Large Cities Model Code is a set of specific standards a large city can apply and be compliant with state requirements. However, large cities are not required to adopt the model code in its entirety. A large city is allowed to develop their own standards that adhere to the minimum compliance standards in Division 46 for most regulations but can apply the model code to other sections.

The project team is working on code amendments that are a combination of standards appropriate for Milwaukie and that adhere to the minimum compliance standards in HB 2001.

The performance metric approach in HB 2001 (location-based approach) is a concept that is intended to provide local governments the opportunity to "right size" middle housing standards while remaining true to the intent of HB 2001 to increase housing options beyond what exists today. "Right size" means creating middle housing standards that reflect the community while also complying with HB 2001.

A key section in this approach is how cities apply minimum lot size and maximum density provisions differently than outlined in the model code.

OAR 660-046-0205 provides:

> A City may apply separate minimum lot size and maximum density provisions than what is provided in OAR 660-046-0220, provided that the applicable Middle Housing type other than Duplexes is allowed on the following percentage of Lots and Parcels zoned for residential use that allow for the development of detached single-family dwellings, excluding lands described in subsection (2):
>
> (A) Triplexes – Must be allowed on 80 percent of Lots or Parcels;
>
> (B) Quadplexes - Must be allowed on 70 percent of Lots or Parcels;
>
> (C) Townhouses - Must be allowed on 60 percent of Lots or Parcels; and
>
> (D) Cottage Clusters – Must be allowed on 70 percent of Lots or Parcels.

The performance metric approach is a location-based approach to designate where middle housing would be allowed. This is important because a question has been raised about where the city will apply HB 2001 in the residential zones – throughout the city or within only identified "areas." The main consideration is whether or not Milwaukie will apply this location-based approach or a minimum lot size approach as it relates to triplexes, quadplexes, and cottage clusters.

Relationship to the Comprehensive Plan

The foundation of this project is compliance with the goals and policies of the Comprehensive Plan. Secondarily, the city must be compliant with HB 2001. Many aspects of the housing element in the Plan exceed the minimum requirements of HB 2001, including the consolidation of residential zones, potentially permitting denser development on smaller lots, and providing more site design flexibility in order to preserve on-site trees. HB 2001 established a goal of broadly increasing

housing opportunities and choice throughout the city. The Comprehensive Plan goes beyond that broad statement in the following policies:

- POLICY 7.1.1 Provide the opportunity for a wider range of rental and ownership housing choices in Milwaukie, including additional middle housing types in low and medium density zones.
- POLICY 7.1.3 Promote zoning and code requirements that remove or prevent potential barriers to home ownership and rental opportunities for people of all ages and abilities, including historically marginalized or vulnerable populations such as people of color, aging populations, and people with low incomes.
- POLICY 7.2.3 Pursue programs and incentives that reduce the impacts that development/design standards and fees have on housing affordability, including modifications to parking requirements, system development charges, and frontage improvements.
- POLICY 7.3.2 Provide additional flexibility in site design and development standards in exchange for increased protection and preservation of trees and other natural resources.

Recommended Approach

The project team is using the minimum lot size approach for the proposed code amendments rather than a location-based approach. The minimum lot size approach would equitably distribute middle housing opportunities throughout the city, which would meet the intent and purpose of the Comprehensive Plan. A location-based approach would focus middle housing in certain areas of the city, which is counter to the Comprehensive Plan policies that seek to provide more housing types and choice throughout the city.

In other words, by choosing minimum compliance via the minimum lot size approach, the amendments address and satisfy more of the goals and policies of the Comprehensive Plan.

It is helpful to have metrics to ensure that the minimum lot size approach is the right recommendation. Staff at the Oregon Department of Land Conservation and Development (DLCD) conducted an analysis comparing the location-based approach to the minimum lot size approach to see the difference in the number of lots for each middle housing type.

In a memo to the Land Conservation and Development Commission dated October 29, 2020, staff from DLCD outlined this analysis to address the question (See Attachment 1, page 15). Using the minimum lot sizes in Division 46 (functionally 5,000 square feet for triplexes and 7,000 square feet for quadplexes and cottage clusters), the analysis determined the "baseline" of lots where middle housing typically would be allowed under the minimum compliance standards in HB 2001. It also identified the percentage of affected lots based on lot size, and how that relates to the percentages for each middle housing type identified in the location-based approach (performance metric approach).

For Milwaukie, the analysis concluded the following when comparing the percentage of lots based on lot size to the required performance metric:

| | |
|---|---|
| **Triplex:** | Performance Metric: 80% |
| | Lot Size over 5,000 SF: 94% |
| **Quadplex:** | Performance Metric: 70% |
| | Lot Size over 7,000 SF: 71% |
| **Cottage Cluster:** | Performance Metric: 70% |
| | Lot Size over 7,000 SF: 71% |

These calculations show that by using the minimum lot size approach, triplexes, quadplexes, and cottage clusters would be allowed on slightly more lots than under a location-based approach.

The location-based approach (performance metric approach) would still require that the city meet the metric for the lots where triplexes, quadplexes, and cottage clusters are permitted, as noted above in the excerpt from OAR 660-046-0205. However, minimum compliance with HB 2001 (the minimum lot size approach) would result in more housing units distributed throughout the city, which is a goal of the Comprehensive Plan, and is therefore the recommendation from the project team.

### Next Steps

- Summary and analysis of the outreach results.
- Final synthesis report of recommended code concepts.
- Draft code and map amendments.
- Draft tree code.
- Residential parking utilization study results – Rick Williams.

## ATTACHMENTS

Attachments are provided as indicated by the checked boxes. All material is available for viewing upon request.

| | | PC Packet | Public Copies | Packet |
|---|---|---|---|---|
| 1. | April 15, 2021 CPIC meeting packet | ☒ | ☒ | ☒ |
| 2. | LCDC memo dated October 29, 2020 | ☒ | ☒ | ☒ |

Key:
PC Packet = paper materials provided to Planning Commission 7 days prior to the meeting.
Public Copies = paper copies of the packet available for review at City facilities and at the Planning Commission meeting.
E-Packet = packet materials available online at https://www.milwaukieoregon.gov/bc-pc/planning-commission-71.

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# MILWAUKIE COMPREHENSIVE PLAN IMPLEMENTATION COMMITTEE

## MEETING PACKET #7

**To:** Milwaukie Comprehensive Plan Implementation Committee Members

**From:** Vera Kolias, Senior Planner

**Subject:** CPIC Meeting Packet #7

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Hello Milwaukie Comprehensive Plan Implementation Committee members,

Thank you in advance for preparing for this Comprehensive Plan Implementation Committee (CPIC) Meeting. The seventh CPIC meeting is scheduled for April 15th, from 6 – 9 PM. Important Note: Due to public health concerns, this meeting will be held entirely over Zoom. Please do not plan to attend this meeting in person. City staff will send an email to you with your individual Zoom panelist link. Please log in to the meeting approximately 15 minutes early to avoid any potential technology issues.

Please review the information provided in this packet thoroughly in advance of the meeting. We will have a full agenda and look forward to receiving your guidance on these topics. Additionally, it may be helpful to keep a copy of this packet close by in the event that technology does not cooperate as we intend. We will reference packet page numbers when we are discussing specific items.

### Request for Review and Comment on Meeting Packet Materials

In the spirit of working quickly and efficiently to meet our project deadlines, careful review of meeting packet materials is essential. It is expected that CPIC members come to each meeting prepared having read the materials and ready to discuss each topic in detail.

### Summary of Public Outreach Efforts

For the virtual open house (open until April 15th), we have coordinated the following outreach efforts to let people know about it and to encourage them to participate:

- **Email blasts**
  - Members of all boards and committees (x2)
  - Residents of: Hillside Park, Waverly Greens apartments, and Axeltree apartments
  - Northwest Housing Alternatives
  - BIPOC email list, including one in Spanish (25+ on the list (x2)
  - Subscribers of the project email list (60 subscribers)
  - Subscribers of the Comprehensive Plan email list (500+ subscribers) (x2)

- **Staff-facilitated virtual meetings**
  - Each NDA
  - City employees (city residents)
  - BIPOC group – English and Spanish
  - Open public meeting (city Facebook and NextDoor)

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- **Project updates during worksessions**
  - Planning Commission
  - City Council
- **Miscellaneous**
  - Bookmarks at Ledding Library
  - Pilot articles (x2)
  - City social media posts: Facebook, Instagram
  - Registrants on Engage Milwaukie received an automatic notification

The primary objectives for CPIC #7 are to:

1. Opportunity to learn more about the larger efforts to implement all portions of the Comprehensive Plan
2. Share updates on survey responses and public engagement activities
3. Review list of known amendments
4. Confirm direction on zoning map
5. Opportunity to learn more about and ask questions:
    a. Parking Inventory and Occupancy Survey
    b. Draft Tree Code
    c. Open Space Requirements/Natural Resources
    d. 3D siting of middle housing in neighborhood context

## CPIC Meeting Packet #7 Materials List

| Number | Packet Item |
|---|---|
| 1 | Agenda (this document) |
| 2 | Attachment A: Comprehensive Plan Implementation – Phases Memo + attachments |
| 3 | Attachment B: Executive Summary – Parking Occupancy Study |
| 4/5 | Attachment C/D: Parking Inventory / Parking Occupancy Reports |
| 6 | Attachment E: Draft Tree Code outline |
| 7 | Attachment F: Neighborhood Open Space memo |
| 8 | Attachment G: March 18 CPIC meeting notes |

If you have any questions on the materials in this packet, please feel free to contact me via phone or email, my information is listed below. We are grateful for your participation in this important work.
Thank you,
Vera Kolias, Senior Planner
koliasv@milwaukieoregon.gov
503-786-7653

Milwaukie Community Vision

*In 2040, Milwaukie is a flourishing city that is entirely equitable, delightfully livable, and completely sustainable. It is a safe and welcoming community whose residents enjoy secure and meaningful work, a comprehensive educational system, and affordable housing. A complete network of sidewalks, bike lanes, and paths along with well-maintained streets and a robust transit system connect our neighborhood centers. Art and creativity are woven into the fabric of the city.*

*Milwaukie's neighborhoods are the centers of daily life, with each containing amenities and community-minded local businesses that meet residents' needs. Our industrial areas are magnets for innovation, and models for environmentally-sensitive manufacturing and high wage jobs.*

*Our residents can easily access the training and education needed to win those jobs. Milwaukie nurtures a verdant canopy of beneficial trees, promotes sustainable development, and is a net-zero energy city. The Willamette River, Johnson Creek, and Kellogg Creek are free flowing, and accessible. Their ecosystems are protected by a robust stormwater treatment system and enhanced by appropriate riparian vegetation. Milwaukie is a resilient community, adaptive to the realities of a changing climate, and prepared for emergencies, such as the Cascadia Event.*

*Milwaukie's government is transparent and accessible, and is committed to promoting tolerance and inclusion and eliminating disparities. It strongly encourages engagement and participation by all and nurtures a deep sense of community through celebrations and collective action. Residents have the resources necessary to access the help they need. In this great city, we strive to reach our full potential in the areas of education, environmental stewardship, commerce, culture, and recreation; and are proud to call it home.*

Comprehensive Plan Implementation Committee Charge

The CPIC will support the City by helping to involve a variety of different stakeholders in the decision-making process, offering feedback on a code audit and draft code concepts and ensuring that the diverse interests of the Milwaukie community are reflected in the code and map amendments.

The CPIC are the primary liaisons to the Milwaukie community, and are expected to provide feedback on public involvement efforts, code concepts and amendments, and advance recommendations to the Planning Commission and City Council.

The CPIC will interact with City of Milwaukie staff, particularly the Planning Division and its consultant team. The CPIC will meet monthly throughout the code amendment process, with adoption of the final code package plan targeted for early Summer 2021. Subcommittees may also be established to work on specific tasks and will hold meetings as necessary. CPIC members are also encouraged to help facilitate meetings with their neighborhood district associations and other community organizations. The CPIC is encouraged to promote opportunities for public involvement, disperse information to the Milwaukie community, and solicit feedback concerning the Comprehensive Plan Implementation project.

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# MILWAUKIE COMPREHENSIVE PLAN IMPLEMENTATION | ATTENDEES

**CPIC Members**

Joel Bergman

Micah Meskel

Nicole Zdeb

Renee Moog

Sharon Johnson

Celestina DiMauro

Daniel Eisenbeis

Matthew Bibeau

Stephan Lashbrook

Ada Gonzalez

Dominique Rossi

Eugene Zaharie

Jennifer Dillan

Councilor Lisa Batey – City Council Liaison

Joseph Edge – Planning Commission Liaison

**City Staff**

Vera Kolias, Senior Planner

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urbsworks

## Milwaukie Comprehensive Plan Implementation Committee Virtual Meeting (CPIC #7)

### April 15, 2020; 6:00 pm – 9:00 pm

By Zoom Web Conference (This meeting will be recorded and posted to the city website.)

| Comprehensive Plan Implementation Committee Meeting #7 - Agenda | | |
|---|---|---|
| **Time** | **Topic** | **Who** |
| 5:45 – 6:00 pm | Login to Webinar and Conference Line | CPIC members |
| 10 minutes<br>6:00 – 6:10 pm | Project updates<br>· Overview of the process – where we are, where we are going<br>· Brief overview of community engagement results | Vera Kolias and Mary Heberling |
| 20 minutes<br>6:10 – 6:30 pm | Scope and Project Review<br>· Multi-year implementation process/work plan<br>· Non-regulatory housing comprehensive plan policies | Laura Weigel and Leila Aman |
| 40 minutes<br>6:30 – 7:10 pm | Parking Survey<br>· Presentation of results<br>· Q & A | Rick Williams |
| 30 minutes<br>7:10– 7:40 pm | Tree Code<br>· Presentation of draft code outline<br>· Q & A | Todd Prager |
| 15 minutes<br>7:40 – 7:55 pm | "Open space" overview | Laura Weigel |
| 30 minutes<br>7:55 – 8:25 pm | Overview of known amendments<br>Confirmed direction on mapping<br>3D models of middle housing (neighborhood context) | Marcy McInelly |
| 20 minutes<br>8:25– 8:45 PM | Facilitated CPIC Discussion | CPIC members |
| 10 minutes<br>8:45 – 8:55 PM | Public comment / Q&A | All |
| 8:55 – 9:00 PM | Next Steps: May meeting – date: 5/20 | Vera Kolias |
| 9:00 PM | Adjourn | |

CITY OF MILWAUKIE

# Memorandum

**To:** Comprehensive Plan Implementation Committee

**From:** Staff

**Date:** April 8, 2021

**Re:** Comprehensivie Plan Implementation Overview

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In response to questions raised about the need to implement the Comprehensive Plan in its entirety, staff wanted to take a moment to share with CPIC the entire implementation process, not just the first phase which we've been collectively focused on. Implementing the Comprehensive Plan will take a number of years – well beyond what is in included in this first phase. As stated in the CPIC Charter: *With adoption of the updated Plan, the City is initiating the process of plan implementation – adopting code and map amendments consistent with the plan policies. Phase 1 implementation will focus primarily on housing, urban forestry and parking as they relate to housing, as well as compliance with House Bill 2001 (HB 2001).*

Housing code and related code regarding trees and parking is only one component of Comprehensive Plan implementation. While the CPIC has been focused on the code updates related to Comp Plan housing goals and policies there are several other strategies underway in the Community Development department that address goals and policies that do not result in code updates, but in program initiatives. (Please see the Comp Plan housing implementation matrix). In addition to what has been discussed at CPIC thus far there are a number of topics related to housing code that have yet to be addressed, such as cottage clusters and intentional housing (co-housing), which will be addressed during this phase – we just haven't gotten to it yet.

There are 12 additional sections of the Comp Plan that need to be implemented. Staff, not just Planning staff, but staff across many departments, have a six-year draft work plan that provides a draft work-in-progress overview of when the additional work will occur (See attached). We're working internally on target dates for the different components of implementation and will provide progress reports to the community and City Council on a yearly basis with our first check-in slated for this fall.

For each phase of the project there will be CPIC involvement although the composition of the CPIC will likely evolve over time based on folks' availability and interest, as well as the subject matter. For example, community members with transportation interest and/or expertise will be recruited to sit on the CPIC – Transportation Focus. The City will be completing a Housing Capacity Analysis and Housing Production Strategy in 2022/2023 and we'll need community members to assist in the process. Looking further out towards 2023/2024 we'll start assessing our goals, policies, codes, and programs around natural resources. There will be a community committee involved throughout each step of implementation.

The goal has been, and will continue to be, full implementation of the Comprehensive Plan. The plan itself took many years to complete and the implementation will take many more. The City is fully committed to accomplishing this goal.

| | Internal Team | Phase 1 2020-2021 | Phase 2 2022-2023 | Phase 3 2023-2024 | Phase 4 2024-2025 |
|---|---|---|---|---|---|
| FOSTERING COMMUNITY, CULTURE & BELONGING | | | | | |
| 1: COMMUNITY ENGAGEMENT | Lead: CMO<br>Support: Planning | | | | |
| 2: HISTORY, ARTS, & CULTURE | Lead: CMO & Planning | | | **x (Historic Resources)** | |
| ENVIRONMENTAL STEWARDSHIP & COMMUNITY RESILIENCY | | | | | |
| 3: NATURAL RESOURCES & ENVIRONMENTAL QUALITY | Lead: Planning<br>Support: PW | | | **X** | |
| 4: WILLAMETTE GREENWAY SECTION | Lead: Planning | | | **X** | |
| 5: NATURAL HAZARDS | Lead: Planning<br>Support: Engineering | | | | |
| 6: CLIMATE CHANGE & ENERGY | Lead: PW<br>Support: Planning | | | | |
| CREATING COMPLETE NEIGHBORHOODS SECTION | | | | | |
| 7: HOUSING | Lead: Planning<br>Support: CD | **X** | **X (HCA/HPS)** | **X** | |
| 8: URBAN DESIGN & LAND USE | Lead: Planning | **X (partial)** | **X** | | |
| 9: PARKS & RECREATION SECTION | Lead: Assist. City Manager<br>Support: Planning | | | x | x |
| 10: PUBLIC FACILITIES & SERVICES | Lead: PW<br>Support: Planning | x | x | x | |
| SUPPORTING ECONOMIC DEVELOPMENT & GROWTH | | | | | |
| 11: ECONOMIC DEVELOPMENT | Lead: CD<br>Support: Planning | | | | |

| | | | | | |
|---|---|---|---|---|---|
| 12: URBAN GROWTH MANAGEMENT | Lead: Planning | | | | **X** |
| SAFE & ACCESSIBLE TRANSPORTATION | | | | | |
| 13: TRANSPORTATION (EXISTING) | Lead: Planning & Engineering | | **X** | **X** | |
| | | | | | |
| **Bold X indicates Planning Department is the lead.** | | | | | |

# Housing

**GOAL 7.1 - EQUITY Enable and encourage housing options that meet the needs of all residents, with a specific focus on uplifting historically disenfranchised communities and eliminating disparities for populations with special needs or lower incomes.**

| | Timeframe (near-term, mid-term, long term) | Status | Lead/Partnerships | Implementation Mechanism | Additional Information |
|---|---|---|---|---|---|
| **POLICY 7.1.1** Provide the opportunity for a wider range of rental and ownership housing choices in Milwaukie, including additional middle housing types in low and medium density zones. | Near term | Part of Phase 1- Underway & On-going | Lead: Planning | Code Update | |
| | | | | | |
| **POLICY 7.1.2** Establish development standards that regulate size, shape, and form and are not exclusively focused on regulating density. | Near-term | Part of Phase 1- Underway | Lead: Planning | Code Update | |
| | | | | | |
| **POLICY 7.1.3** Promote zoning and code requirements that remove or prevent potential barriers to home ownership and rental opportunities for people of all ages and abilities, including historically marginalized or vulnerable populations such as people of color, aging populations, and people with low incomes. | Near-term | Part of Phase 1- Underway & On-going | Lead: Planning & CD | Code/Program | |
| | | | | | |

| | | | | | |
|---|---|---|---|---|---|
| **POLICY 7.1.4** Leverage resources and programs that aim to keep housing (including existing housing) affordable and available to residents in all residential neighborhoods of Milwaukie. | Near-term | Part of Phase 1- Underway & On-going | Lead: CD | Program/partnerships | The city is in the implementation phase of the Construction Excise Tax Request for Proposal (RFP) grant program. This program will be designed for any homeowner or developer in the City of Milwaukie that would like to create new income and rent restricted middle housing. Affordability periods must be for at least 5 years with longer terms being preferred. Funding will be prioritized to historically marginalized populations, for households that make up to 80% of area median income or up to 120% of the area median income, depending on the funding source with lower levels of income ranges served or increased number of units built being preferred , and for housing that is located near public transit. The city intends to launch the RFP once the new housing code is adopted. Additionally, the Accessory Dwelling Unit (ADU) System Development Charge (SDC) and Frontage Improvement Waiver Pilot Program was passed in 2020 allowing for the SDCs and frontage improvements to be waived for 10 eligible ADU projects throughout the city. The city used general funds to backfill $23,440 to the SDC funds to finance cover the city-controlled fees. Within the first few months of the program launch, all 10 spots were filled and a waitlist was maintained. Waivers have been allocated within five different neighborhoods throughout the city. |
| | | | | | |
| **POLICY 7.1.5** Encourage development of new homes and modification of existing homes to accommodate people of all ages and abilities through use of universal design. | Mid-term | | Lead: Building/Planning | Education | Potential Educational Opportunity |
| | | | | | |
| **POLICY 7.1.6** Consider cultural preferences and values as well as diversity, equity and inclusion when adopting development and design standards, including but not limited to the need to accommodate extended family members and provide opportunities for multi-generational housing. | Mid-term | | Lead: Planning | Code | |
| | | | | | |
| **POLICY 7.1.7** Support the Fair Housing Act and other federal and state regulations that aim to affirmatively further fair housing. | On-going | | Lead: CD/CCHA | | The city includes language in its contracting announcements to seek out partners that aim to affirmatively further fair housing. This is a specific criteria called out in the upcoming CET RFP. |
| | | | | | |

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|---|---|---|---|---|---|
| **POLICY 7.1.8** Collaborate with community partners to provide a continuum of programs that address the needs of unhoused persons and families, including temporary shelters, alternative shelter models, long-term housing, and supportive services. | Near-term | Underway & On-going | Lead: CD or CCHA | Code/Program/ Partnerships | In January 2020 City Council passed code amendments to the temporary use code to allow warming, cooling and air quality shelters for houseless persons. In May 2020, a Metro measure was passed to support funding for Washington, Multnomah and Clackamas County towards supportive housing services (SHS) and permanent housing. The County has drafted a local implementation plan for the program with the disbursement of those first funds (21.33% to the Clack Co.) beginning Summer 2021. The County plans to dedicate 25% of SHS funds to those currently experiencing homelessness or having serious risk of experiencing homelessness. Staff are maintaining a list and engaging with community providers and coalitions for a better understanding of services already provided and for feedback as needs and opportunities are discussed with the County. |
| | | | | | |
| **POLICY 7.1.9** Implement and support programs to reduce the displacement of renters. | On-going | | Lead: CD | Program/Partnerships | The city has partnered with a local nonprofit, Northwest Housing Alternatives to provide emergency rent assistance to households in need since summer of 2020. $25,000 was disbursed to residents during the first round which ended on December 31, 2021 and another round of assistance for $25,000 is being disbursed now. The CET RFP program will include a compliance program to ensure property owners limit the maximum rents based on incomes tenants receive. |
| | | | | | |
| **POLICY 7.1.10** Develop, monitor and periodically update metrics that evaluate the City's success in achieving Goal 7.1. | Mid-term | | Lead: Planning & CD | Develop Monitoring Metrics | |

| **GOAL 7.2 - AFFORDABILITY** **Provide opportunities to develop housing that is affordable at a range of income levels.** | | | | | |
|---|---|---|---|---|---|
| | **Timeframe (near-term, mid-term, long term)** | **Status** | **Lead/Partnerships** | **Implementation Mechanism** | **Additional Information** |
| **POLICY 7.2.1** Continue to research, leverage and implement housing affordability strategies that meet the needs of Milwaukie households and can adapt to changing market conditions. | Near-term/On-going | Part of Phase 1- Underway & On-going | Lead: Planning & CD | Code/Program/ Partnerships | The city continues to work on several actions within the Milwaukie Housing Affordability Strategy (MHAS). Annual MHAS updates are presented to Council as well as individual program updates as they are needed or requested. |
| | | | | | |
| **POLICY 7.2.2** Allow and encourage the development of housing types that are affordable to low or moderate-income households, including middle housing types in low and medium density zones as well as larger apartment and condominium developments in high-density and mixed-use zones. | Near-term/On-going | Part of Phase 1- Underway & On-going | Lead: Planning & CD | Code/Program/ Partnerships | The CET RFP program goals aim to help support housing that is available to range of incomes and household sizes. Funding will be flexible for individuals living in multi-unit housing earning up to 80% of the area median income, or for any housing type with a preference for middle housing for households earning up to 120% of the area median incomes. Funding may be available for either rent restricted only, for homeownership down payment programs, for new units, or towards rehabilitation of existing units to support universal design for aging in place. The city's established vertical housing program also supports higher density mixed use projects as well as projects that may have other funding sources that can provide affordable housing and are then eligible for CET exemptions. |
| | | | | | |
| **POLICY 7.2.3** Pursue programs and incentives that reduce the impacts that development/design standards and fees have on housing affordability, including modifications to parking requirements, system development charges, and frontage improvements. | Near-term/Mid-term | Partially Underway (parking/frontage improvements) | Lead: Planning, CD, PW | Code/Program | |
| | | | | | |
| **POLICY 7.2.4** Provide a simplified permitting process for the development of accessory dwelling units (ADUs) or conversion of single-unit homes into duplexes or other middle housing types. | Near-term | Part of Phase 1- Underway & On-going | Lead: Planning | Code | |
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|---|---|---|---|---|---|
| **POLICY 7.2.5** Expand and leverage partnerships with non-profit housing developers and other affordable housing providers and agencies that preserve or provide new low to moderate income-housing units, create opportunities for first-time homeownership, and help vulnerable homeowners maintain and stay in their homes. | Near-term/On-going | Part of Phase 1-Underway & On-going | Lead: CD | Program/Partnerships | The city approved a property tax exemption for Northwest Housing Alternatives for their 28-unit low-income housing development known as Walsh Commons. This development is located near Milwaukie High School and supports households earning no more than 60% of the area median income. NHA is required to complete an annual recertification for their tax exemption approval. The Low Income Housing Tax Exemption is a program that can be made available on a project by project basis (as with NHA) or can be made available to nonprofits city wide if at least 51% of the taxing districts agree to opt in. The City is in the exploratory phase of providing a citywide exemption. This would require coordination and approval of up to at least 51% of the taxing districts in the City. |
| | | | | | |
| **POLICY 7.2.6** Support the continued use and preservation of manufactured homes, both on individual lots and within manufactured home parks as an affordable housing type. | Near-term/On-going | | Lead: Planning | | |
| | | | | | |
| **POLICY 7.2.7** Support the use of tiny homes as an affordable housing type, while addressing adequate maintenance of these and other housing types through the City's code enforcement program. | Mid-term | | Lead: Planning | | |
| | | | | | |
| **POLICY 7.2.8** Implement development code provisions to permit shelters and transitional housing for people without housing. | Near-term | | Lead: CD | | City Council approved amendments to MMC XXX allowing non residential structures to be used for temporary warming, cooling and air quality shelters for houseless persons. |
| | | | | | |
| **POLICY 7.2.9** Monitor and regulate vacation rentals to reduce their impact on availability and long-term affordability of housing. | Mid-term | | Lead: Planning | Code/Develop monitoring program | |
| | | | | | |
| **POLICY 7.2.10** Work with other jurisdictions as well as regional and state agencies to identify the region's housing needs and pursue a shared approach to improve housing affordability across all household income ranges. | Mid-term/On-going | | Lead: Planning/CD/ Clack Co/State | Develop Housing Capacity Analysis and Housing Production Strategy | Start Fall 2021. Complete end of 2023 |
| | | | | | |
| **POLICY 7.2.11** Develop, monitor, and periodically update metrics that evaluate the city's success in achieving Goal 7.2. | Mid-term | | Lead: Planning & CD | Develop Monitoring Metrics | |

| | | | | | |
|---|---|---|---|---|---|
| **POLICY 7.2.12** When negotiating public-private land transactions, pursue the goal of reserving some portion for affordable housing where appropriate. | Near/Mid-term/On-going | | Lead: CD | | Affordable Housing is a key development goal for properties owned by the City that allow for residential housing. Coho Point at Kellogg Creek is currently owned by the City but includes 10% or units, or up to 23 bedrooms of income restricted housing up to 80% of the Area Median Income. Council has set goals for the development of 0-60% housing on city owned property on Sparrow Street and finally the City owned site with Metro at Harrison and Main is slated for affordable housing development. The City also holds some funds each budget cycle for land aquisition for the purpose of affordable housing. |
| | | | | | |
| **POLICY 7.2.13** Continue to seek out opportunities to land bank for the purpose of affordable housing and perform necessary due diligence in property negotiations. | Mid-term/On-going | | Lead: CD | | The city purchased the Sparrow site that sits on the west side of the Trolley Trail near the end of the Orange Line Light Rail from TriMet for the purpose of land banking to support affordable housing. Staff plan to release an RFQ by this summer to select a development partner for site design and remedial action plan work to begin this fall. |
| | | | | | |

**GOAL 7.3 - SUSTAINABILITY Promote environmentally and socially sustainable practices associated with housing development and construction.**

| | **Timeframe (near-term, mid-term, long term)** | **Status** | **Lead/Partnerships** | **Implementation Mechanism** | **Additional Information** |
|---|---|---|---|---|---|
| **POLICY 7.3.1** Provide flexibility of footprint and placement of new housing to be consistent with city goals to preserve open spaces, achieve a 40% citywide tree canopy, and protect wetland, floodplains, and other natural resource or hazard areas | Near-term (Trees)/Mid-term (other) | Part of Phase 1-Underway & On-going | Lead: Planning Support:PW | Code | |
| . | | | | | |
| **POLICY 7.3.2** Provide additional flexibility in site design and development standards in exchange for increased protection and preservation of trees and other natural resources. | Near-term (Trees) | Part of Phase 1-Underway & On-going (Trees) | Lead: Planning Support:PW | Code | |
| | | | | | |

| | | | | | |
|---|---|---|---|---|---|
| **POLICY 7.3.3** Incentivize, and where appropriate require, new housing development, redevelopment, or rehabilitation projects to include features that increase energy efficiency, improve building durability, produce or use clean energy, conserve water, use deconstructed or sustainably produced materials, manage stormwater naturally, and/ or employ other environmentally sustainable practices. | Mid-term | | Lead: Planning<br>Support: PW, Building | Code | |
| | | | | | |
| **POLICY 7.3.4** Promote the use of active transportation modes and transit to provide more reliable options for neighborhood residents and help reduce driving. | Mid-term | | | Update Transportation System Plan | Scoping Project Underway 2022-2023 |
| | | | | | |
| **POLICY 7.3.5** Increase economic opportunities for locally owned and operated businesses by encouraging the development and redevelopment of more housing near transit, shopping, local businesses, parks, and schools. | Mid-term | Next phase - Hubs Project | Lead: Planning & CD | Code | |
| | | | | | |
| **POLICY 7.3.6** Encourage the adaptive reuse of existing buildings in residential and mixed-use areas that can help meet Milwaukie's housing needs. | Near-term/On-going | | Lead: CD | Program | Rehabilitation grants may be a funding opportunity for receipients to be awarded throught the CET RFP program. |
| | | | | | |
| **POLICY 7.3.7** Prepare, regularly monitor and periodically update an inventory of the buildable supply of residential land that can help meet the City's future housing needs in an efficient and sustainable manner. | Mid-term/On-going | | Lead: Planning/CD/State | Develop Housing Capacity Analysis and Housing Production Strategy | Start Fall 2021. Complete end of 2023 |
| | | | | | |
| **POLICY 7.3.8** Allow for a reduction in required off-street parking for new development within close proximity to light rail stations and frequent bus service corridors. | Near-term | Part of Phase 1- Underway & On-going | Lead: Planning | Code/Program/ Partnerships | |
| | | | | | |

| | | | | | |
|---|---|---|---|---|---|
| **POLICY 7.3.9** Advocate for additional frequent transit service in areas with the potential for significant residential growth | On-going | | Lead: CMO | | |
| | | | | | |
| **POLICY 7.3.10** Develop, monitor and periodically update metrics that evaluate the City's success in achieving Goal 7.3. | Mid-term | | Lead: Planning & CD | Develop Monitoring Metrics | |
| | | | | | |
| **GOAL 7.4 - LIVABILITY Enhance the ability of Milwaukie's neighborhoods to meet community members' economic, social, and cultural needs, and promote their contributions to health, well-being, and universal access and design.** | | | | | |
| | **Timeframe (near-term, mid-term, long term)** | **Status** | **Lead/Partnerships** | | **Additional Information** |
| **POLICY 7.4.1** Implement land use and public investment decisions and standards that: | | | | | |
| a) encourage creation of denser development in centers, neighborhood hubs and along corridors; and | On-going/near/mid-term | Start work after current code work | Lead: Planning | Code | |
| b)foster development of accessible community gathering places, commercial uses, and other amenities provide opportunities for people to socialize, shop, and recreate together. | On-going/near/mid-term | Start work after current code work | Lead: Planning | Code | |
| | | | | | |
| **POLICY 7.4.2** Require that new development improves the quality and connectivity of active transportation modes by providing infrastructure and connections that make it easier and more direct for people to walk or bike to destinations such as parks, schools, commercial services, and neighborhood gathering places. | Near-term/mid-term | | Lead: Planning/PW | Code/Update Transportation System Plan | Scoping Project Underway 2022-2023 |
| | | | | | |
| **POLICY 7.4.3** Administer development code standards that require new housing to complement the public realm and provide for appropriate setback and lot coverage standards. | Near-term | Part of Phase 1- Underway & On-going | Lead: Planning | Code | |
| | | | | | |

| | | | | | |
|---|---|---|---|---|---|
| **POLICY 7.4.4** Require that multi-unit housing units have access to an adequate amount of usable open space, either on-site or adjacent to the site. | Near-term | Part of Phase 1- Underway & On-going | Lead: Planning | Code | |
| | | | | | |
| **POLICY 7.4.5** Implement development and design standards to transition between lower and higher density residential development areas where the mass, size or scale of the developments differ substantially. Requirements could include massing, buffering, screening, height, or setback provisions. | Near-term | Part of Phase 1- Underway & On-going | Lead: Planning | Code | |
| | | | | | |
| **POLICY 7.4.6** Reduce development code barriers for intentional communities. | | | | | |
| [Intentional Communities -- A planned residential community designed from the start to have a high degree of social cohesion and teamwork. Types of intentional communities include: rural land trusts, urban group houses, cohousing neighborhoods, student co-ops, or ecovillages.] | Near-term | Part of Phase 1- Underway & On-going | Lead: Planning | Code | |
| | | | | | |
| **POLICY 7.4.7** Develop, monitor, and periodically update metrics that evaluate the city's success in achieving Goal 7.4. | Mid-term | | Lead: Planning & CD | Develop Monitoring Metrics | |
| | | | | | |

RICK WILLIAMS CONSULTING
Parking & Transportation

# RESIDENTIAL PARKING OCCUPANCY STUDY – EXECUTIVE SUMMARY

## Consultant Charge

- Examine how parking typically functions in residential neighborhoods in Milwaukie.
- Analyze residential parking demand to inform decision making regarding parking in the context of the Comprehensive Plan, the zoning code, and current State level requirements.
- Estimate minimum residential parking demand through occupancy counts (on-site and within the public right-of-way).
- Calculate residential parking demand per residential unit.

## Study Areas

Sample areas within the following neighborhoods were selected in consultation with the City of Milwaukie and Urbsworks.

- Lake Road
- Lewelling
- Ardenwald
- Island Station

The four study areas were selected as a representative set of combinations of conditions, including different lot sizes, pre-war and post-war platted neighborhoods, on-street conditions, such as streets with sidewalks and driveway curb cuts, and unimproved streets (streets with planted or gravel edges instead of sidewalks and curbs).

## Methodology

- 2:00 AM parking counts represent highest level of residential parking demand.
- 10:00 AM parking counts to assess change against traditional peak demand (2AM).
- Measure across multiple metrics (by type of supply, peak occupancy, # of vehicles parked per unit and actual vehicle demand per residential unit).

## Implications of COVID-19

- COVID causing more vehicles to stay home but should not impact 2AM peak (most likely makes demand numbers conservative).
- Nonresidential demand (i.e. parking for shops, cafes, parks within neighborhoods) is likely lower than normal as evidenced in 10AM counts.

## Findings (see also Summary Table below)

- Total parking supply averages approximately 4.05 stalls per residential unit across all four neighborhoods. Within this average, Lewelling has the highest parking supply total of 4.93 stalls per residential unit: Ardenwald the lowest at 3.13 stalls per residential unit.
- Minimum parking demand averages approximately 1.99 vehicles per residential unit at the peak hour across all four neighborhoods; this includes both the on and off-street parking systems. Within this average, Lake Road has the highest demand for parking at 2.05 vehicles per residential unit: Lewelling the lowest at 1.89 vehicles per residential unit.
- On-site demand is approximately 1.52 vehicles per unit (1.44 in driveways, an additional 0.7 in surface lots).
  - The on-street parking system has low demand currently (about 0.48 vehicles per unit). As such, there is an abundance of on-street parking availability (likely due to COVID). Occupancies in the on-street supply

could be higher (post-COVID) but the user would be non-residential, and demand would occur during the mid-day, not at the 2AM peak demand for residential parking.

- Much of on-street parking supply is unimproved, which could reduce on-street supply if improvements were made (e.g., curbs, paving).
- There is a high percentage of residential units with multiple vehicles (3 or more) parking on-site in two neighborhoods, which was counted as part of the demand (23.5% in Ardenwald and 18.4% in Island Station). It is not assumed that this high rate of vehicle ownership would continue with new middle housing demand. That said, even with this documented vehicle per unit demand number, the current parking supplies in the study areas exceed demand. On-site parking stalls reach an average of 77% occupancy at their peak hour; the on-street system reaches a peak average of 23%.
- Data from the occupancy study suggests the City take the minimum compliance approach to meet State mandate for parking requirements for new middle housing projects. According to the new regulations, a city may not require more than a total of one off-street parking space per dwelling unit.

*Summary Table: Residential Peak Parking Demand per Unit by Neighborhood and by Combined Average*

| | | Lake Road | Lewelling | Ardenwald | Island Station | Total |
|---|---|---|---|---|---|---|
| | **Residential Units** | 190 | 154 | 171 | 131 | **646** |
| Supply | **On-Street Stalls/Unit** | 2.37 | 2.64 | 1.20 | 2.18 | **2.09** |
| | **Driveway Stalls/Unit** | 1.75 | 2.29 | 1.68 | 1.82 | **1.87** |
| | **Surface Lot Stalls/Unit** | - | - | 0.25 | 0.14 | **0.09** |
| | **Total Stalls Studied/Unit** | 4.12 | 4.93 | 3.13 | 4.13 | **4.05** |
| Demand* | **On-Street Vehicles/Unit** | 0.89 | 0.29 | 0.29 | 0.36 | **0.48** |
| | **Driveway Vehicles/Unit** | 1.16 | 1.60 | 1.58 | 1.48 | **1.44** |
| | **Surface Lot Vehicles/Unit** | - | - | 0.18 | 0.11 | **0.07** |
| | **[1]Total Vehicles/Unit** | 2.05 | 1.89 | 2.05 | 1.95 | **1.99** |

*All demand observations shown represent the 2:00 AM overnight peak hour.

[1] Residential parking only. "Other" and garage parking excluded from this summary.

# City of Milwaukie: Residential Parking Inventory
## Summary of Findings

*February 2021 (v3)*

### 1.1 INTRODUCTION

In 2017, the City of Milwaukie adopted a 20-year vision effort, and in 2018, the City began a two-year process to update the Comprehensive Plan. The adoption of the Comprehensive Plan establishes a mandate for Milwaukie to update any lagging land use policies and practices that may be holding the City back from realizing its vision. One significant area where current policies and practices need to be updated is the zoning code. The City made it an early priority to update the zoning code in single dwelling residential areas. These areas of the zoning code will need to be amended to achieve several Comprehensive Plan goals related to increasing community diversity, preparing for population growth, protecting natural resources, and improving climate resiliency.

In support of these efforts the City of Milwaukie is interested in how parking typically functions in residential neighborhoods. A better understanding of this dynamic will help facilitate decision making regarding parking in the context of the Comprehensive Plan, the zoning code, and state level requirements.

The purpose of this report is to summarize a recently completed assessment of parking supplies in four Milwaukie neighborhoods. Data includes the format of the parking supply (e.g., on-street, in driveways) compared against the number of residential units in the neighborhood. The inventory is a catalogue of the total number of parking spaces reasonably available for the safe and efficient parking of authorized vehicles in targeted study zones. This inventory will be used to support an actual counting of parked vehicles during two time periods in February 2021, known as a parking occupancy study. A summary report of the occupancy study will be produced at that time.

The sample study zones are within the following neighborhoods, selected in consultation with the City of Milwaukie and Urbsworks (the prime consultant for the larger Comprehensive Plan Implementation Project):

- Lake Road
- Lewelling
- Ardenwald
- Island Station

### 1.2 GLOSSARY OF TERMS

**Building:** Any built structure within a parcel intended for residential use (e.g., single family households, duplexes, and apartments) or, in some cases, non-residential use (e.g., retail, restaurant, etc.). In this case garages are excluded from this definition.

**Capacity:** The estimated number of physical parking stalls associated with a parcel or fully inventoried supply.

**Carport:** A roofed structure within a parcel intended for the parking of vehicles; unlike a garage, a carport does not contain walls or doors.

**Driveway:** Any area within a parcel that is legally intended for the parking of vehicles. Driveways are identified as having an associated curb cut from a street into a parcel. A driveway will have a clearly visible apron of pavement or gravel (usually in front of a garage). A driveway must be large enough in size to accommodate a vehicle without infringing on a sidewalk or street.

**Garage:** Any built structure within a parcel intended for the parking of vehicles. In the context of this study, garage capacity was estimated based on the width of the garage door (or number of doors, if multiple doors were observed).

**Inventory:** **Land Use** - A land use inventory is a catalogue of all residential dwelling units and non-residential units (e.g., retail, restaurant, industrial) in a designated study area.

**Parking** - A parking inventory is a catalogue of spaces that can be legally and safely used for parking. The catalogue of parking is separated by type of parking identified (i.e., on-street, in driveways, and garages

**Parcel:** A piece of real property as identified by the county assessor's parcel number (APN) that is one contiguous parcel of real property. Individual parcels are demarcated on study area maps developed for each study area. All land uses and parking within parcels are associated with that specific parcel. See **Figure A** as an example (page 5).

**Parking stall:** An area located on-street, in driveways and carports, in surface lots, or in garages that is available to park vehicles by authorized users (hourly, daily, and/or overnight). Parking stalls need to be reasonably sized to ensure appropriate access and maneuverability.

**Ratio of stalls to units:** Calculations of the relationship of the number of parking stalls to residential units are made at different levels, including in aggregate or by type of supply (e.g., on-street, in driveways, and/or garages). This ratio is useful in examining actual physical parking built within a supply and what a code might require.

**Unit:** **Residential** - A residential unit is identified as a unique address within a parcel. This could be a single family dwelling, or multiple units within multifamily dwellings (e.g., duplex, apartment).

**Non-residential** – A non-residential unit is identified as real property within a parcel that provides services or business within a study area. This could be individual free standing businesses or services or multiple activity spaces within a shared building. Examples include workspaces, restaurants, retail spaces and event venues (if housed in a building).

## 1.3 METHODOLOGY

The inventory catalogue for residential units and parking stalls is summarized below. The inventory assembled for each neighborhood provides a large amount of data. The data has been sorted to provide metrics that are intended to inform and support future discussions regarding parking in these neighborhoods. If needed, the data can be reformatted or reorganized to assist the City and stakeholders in examining issues and developing solutions. This is the first task of a data collection effort that will soon include occupancy data, which can now be engaged with accurate inventory/supply totals.

### Study Zone Boundaries

Study area boundaries in the four neighborhoods were developed in coordination with the City of Milwaukie and the Comprehensive Plan Implementation team. The intent for establishing study zones was to develop sample areas to collect usage data from selected neighborhoods. Outputs from collected data can serve as "typical" representations of how parking is currently provided (supply) and used (demand) in these neighborhoods. An initial consideration on boundaries for the sample areas would assume that a resident parking on-street within the center of the study zone would not have to park more than 600 feet from their primary residence (if they chose to park on-street).

## Inventory – Cataloguing Parking Supply by Type

A parking inventory is a catalogue of all parking within a study area assembled by location and type of stall. For this project, inventories were created in sample areas for each of the four selected neighborhoods. Inventory databases were established after completing the following tasks:[1]

- Aerial maps were used to identify all streets and potential on-street parking stalls located within study zones.
- Parcel maps were used to identify unique land parcels within each study area.
- A unique number was assigned to each city block in each study area. These unique block identifiers allowed for creation of inventory templates for use within the field by consultant crews.
- From January 11 through 16, 2021 surveyors were dispatched to each neighborhood study area to observe unique parcels and the location, type, and number of parking stalls.[2]
- Each parcel in the study area was visually evaluated to determine the number of buildings (properties or structures, excluding garages) and residential units located on that parcel within a numbered city block. In some cases, a single parcel had more than one building or unit.[3]
- Parking located within a parcel was quantified by built garage capacity and driveway capacity.[4]
    - **Garage capacity** was typically estimated by counting the number of garage doors located on a parcel. One door equaling the capacity to park one vehicle inside the built garage. When garage doors were wide enough to fit two cars, they were counted as such.[5]
    - **Driveway capacity** was estimated based on a reasonable assumption of the number of cars that could safely park on a surface that is easily identified as a driveway.
- For on-street parking, a measuring wheel was used to estimate the number of available parking stalls a vehicle could properly park on each block face. Care was taken to consider driveway curb cuts, sight lines, location of fire hydrants, and other factors in the roadway that would preclude using an area for parking. A length of 23 feet and width of 8 feet per stall guides the quantification of usable stalls. This provides for reasonable spacing, maneuverability, and safe access to and from vehicles into and out of a roadway.

[1] An example surveyors inventory template is attached at the end of this document.
[2] For on-street parking, surveyors only quantified parking stalls that were (a) reasonably usable, and (b) provided a safe and functional place to park. During the inventory collection, surveyors found numerous vehicles parked in areas that would not be considered reasonable, safe, or functional. The intent was to be conservative in cataloguing on-street stalls as these neighborhoods have large areas where curbs or sidewalks are not in place.
[3] Further, a few parcels had non-residential uses which were denoted.
[4] Is some instances vehicles were parked in front lawns and other areas of a parcel. This type of parking was not included in the inventory as "capacity," as such parking is likely not allowed by code, nor would it be assumed in any time of current or future parking requirement for development. Where possible, field crews made notes in their templates to locate and describe such instances.
[5] As most garage doors are closed, the inventory can only estimate their potential capacity (by number of garage doors). Surveyors cannot assume whether cars are parked within the garage or not. Surveyors took care to assure that buildings identified as garages were not actually upgraded dwelling units. To this end, as they are built as garages, the inventory assumes they have capacity to serve as garages.

## 1.4 LAKE ROAD NEIGHBORHOOD

### Study Area

The sample study area for the Lake Road neighborhood is illustrated in **Figure A**.

### Public On-Street Parking

There are 451 on-street parking stalls within the study area. There are no signed time restrictions on how parking is used in the neighborhood. A user may park in a stall for an unlimited time on a typical day.

| Stall Type | Stalls | % Total |
|---|---|---|
| **On-Street Supply** | **451** | **100%** |
| No Limit | 451 | 100% |

### Off-Street Parking – Parking located within a Parcel

There are 188 unique residential buildings identified in the study area accommodating 190 residential units. For parking located within these parcels, there is a combined capacity of 492 parking stalls; 160 in garages and 332 on driveways.

Two (2) buildings had more than one residential unit located within a parcel (in this case, two duplexes).

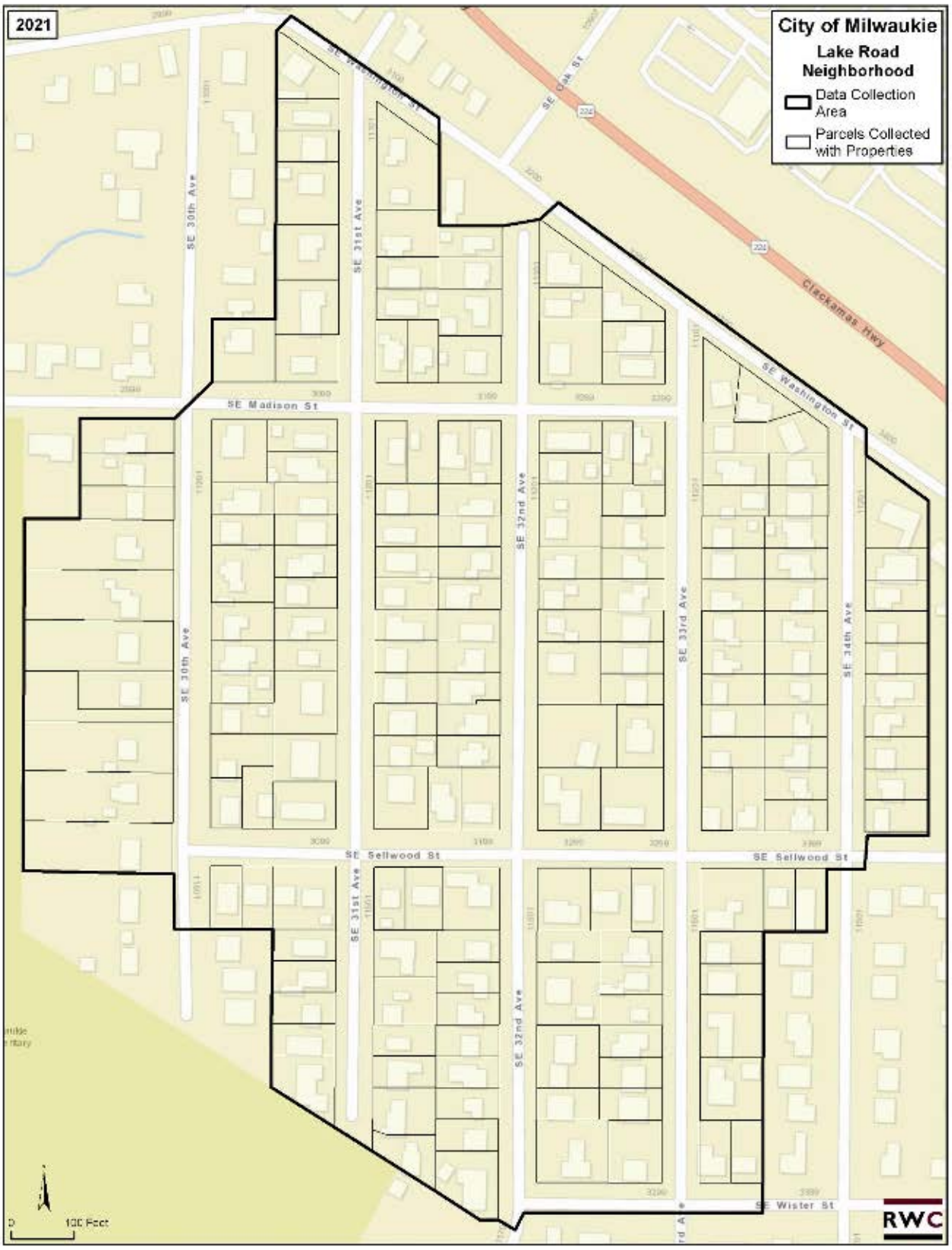
| Use Type | Buildings | % Total | Units | % Total | Garage Capacity | % Total | Driveway Capacity | % Total |
|---|---|---|---|---|---|---|---|---|
| **Property Supply** | **188** | **100%** | **190** | **100%** | **160** | **100%** | **332** | **100%** |
| Single Family Household | 186 | 98.9% | 186 | 97.9% | 157 | 98.1% | 326 | 98.2% |
| Duplex | 2 | 1.1% | 4 | 2.1% | 3 | 1.9% | 6 | 1.8% |

### Ratio of Usable Parking per Residential Unit – Combined Study Area

The 190 residential units within the study area are adjacent to a combined parking supply of 943 stalls. As a combined supply, the ratio of usable parking to residential units is 4.96 parking stalls per unit, which includes both on- and off-street parking. Excluding the shared on-street supply, the average parcel has 2.59 off-street parking stalls per residential unit (1.75 stalls on driveways and 0.84 stalls within garages).

| | All Stalls | On-Street | Driveway | Garage |
|---|---|---|---|---|
| | Residential Uses: **190 Units** | | | |
| **Parking Stalls** | 943 | 451 | 332 | 160 |
| **Parking Stalls per Unit** | 4.96 | 2.37 | 1.75 | 0.84 |
| Stalls provided on-site: | | | **492** | |
| On-site stalls per unit: | | | **2.59** | |

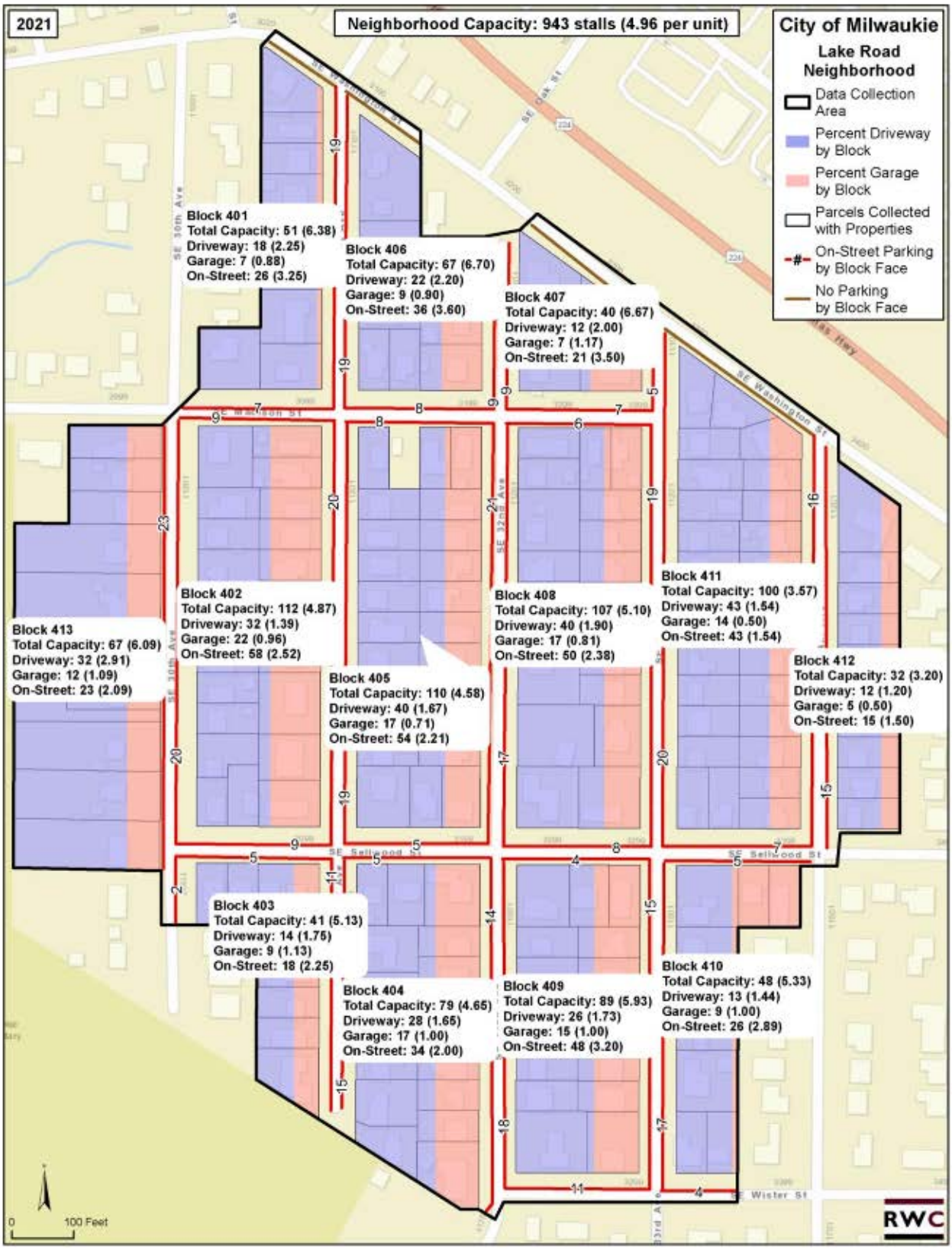
***Figure A: Lake Road Neighborhood Study Area Boundary and Parcel Map***



## Parking by Block

**Figure B** provides a breakout of the number of parking stalls on each city block and the ratio of parking per typical residential unit on that specific city block. For example, the city block with the highest combined number of parking stalls is Block 405 with 110 stalls. The block with the lowest combined number of stalls is Block 412 with 32 stalls. As a ratio of parking to residential units, Block 406 (at 6.70 stalls per unit) is the highest and Block 412 (at 3.12 stalls per unit) is the lowest. All unique factors that comprise the combined numbers (on-street, driveways, and garages) are provided within the Figure.

*Figure B: Breakout of Parking by Numbered Block*



## Field Notes - Observations

Field observation notes compiled during the inventory in this neighborhood are noted below:



- Photo at left: We found that there was a driveway/ramp (1 stall) that was turned into an ADA accessible entry that prohibits a car from parking in the garage. For this reason, the garage was not counted as capacity within the inventory.
- Middle photo: Appears as if the garage was turned into an ADU unit. The property owner has turned this property's driveway into a two-stall driveway without a garage.
- Photo at right: Found two (2) carports throughout the neighborhood that looked to be added for shelter of property owner's RV. Looks like only one (1) vehicle is reasonably parked in driveway, with one (1) garage door. Cars parked on the grass in this picture will be captured during the demand study but were not collected as part of the inventory count.
- All the on-street parking occurred on paved roads in front of mostly single-family residential houses.
- Driveways often could accommodate at least two vehicles, while many homes also had either a garage or carport for additional off-street parking.
- All the blocks had curbs for easy parking access and made it very pedestrian friendly. Observed many people out walking their dog or just enjoying a nice walk through the neighborhood.

## 1.5 LEWELLING NEIGHBORHOOD

### Study Area

The sample study area for the Lewelling neighborhood is illustrated in **Figure C**.

***Figure C: Lewelling Neighborhood Study Area Boundary and Parcel Map***


### Public On-Street Parking

There are 406 on-street parking stalls within the study area. There are no signed time limits on how parking is used in the neighborhood. A user may park in a stall for an unlimited time on a typical day.

| Stall Type | Stalls | % Total |
|---|---|---|
| **On-Street Supply** | **406** | **100%** |
| No Limit | 406 | 100% |

### Off-Street Parking – Parking located within a Parcel

There are 153 unique buildings identified in the study area accommodating 154 residential units. For parking located within these parcels, there is a combined capacity of 595 parking stalls; 242 in garages and 353 on driveways.

One (1) building had more than one residential unit located within a parcel (in this case, a duplex).

| Use Type | Buildings | % Total | Units | % Total | Garage Capacity | % Total | Driveway Capacity | % Total |
|---|---|---|---|---|---|---|---|---|
| **Property Supply** | **153** | **100%** | **154** | **100%** | **242** | **100%** | **353** | **100%** |
| Single Family Household | 152 | 99.3% | 152 | 98.7% | 240 | 99.2% | 349 | 98.9% |
| Duplex | 1 | < 1% | 2 | 1.3% | 2 | < 1% | 4 | 1.1% |

## Ratio of Usable Parking per Residential Unit – Combined Study Area

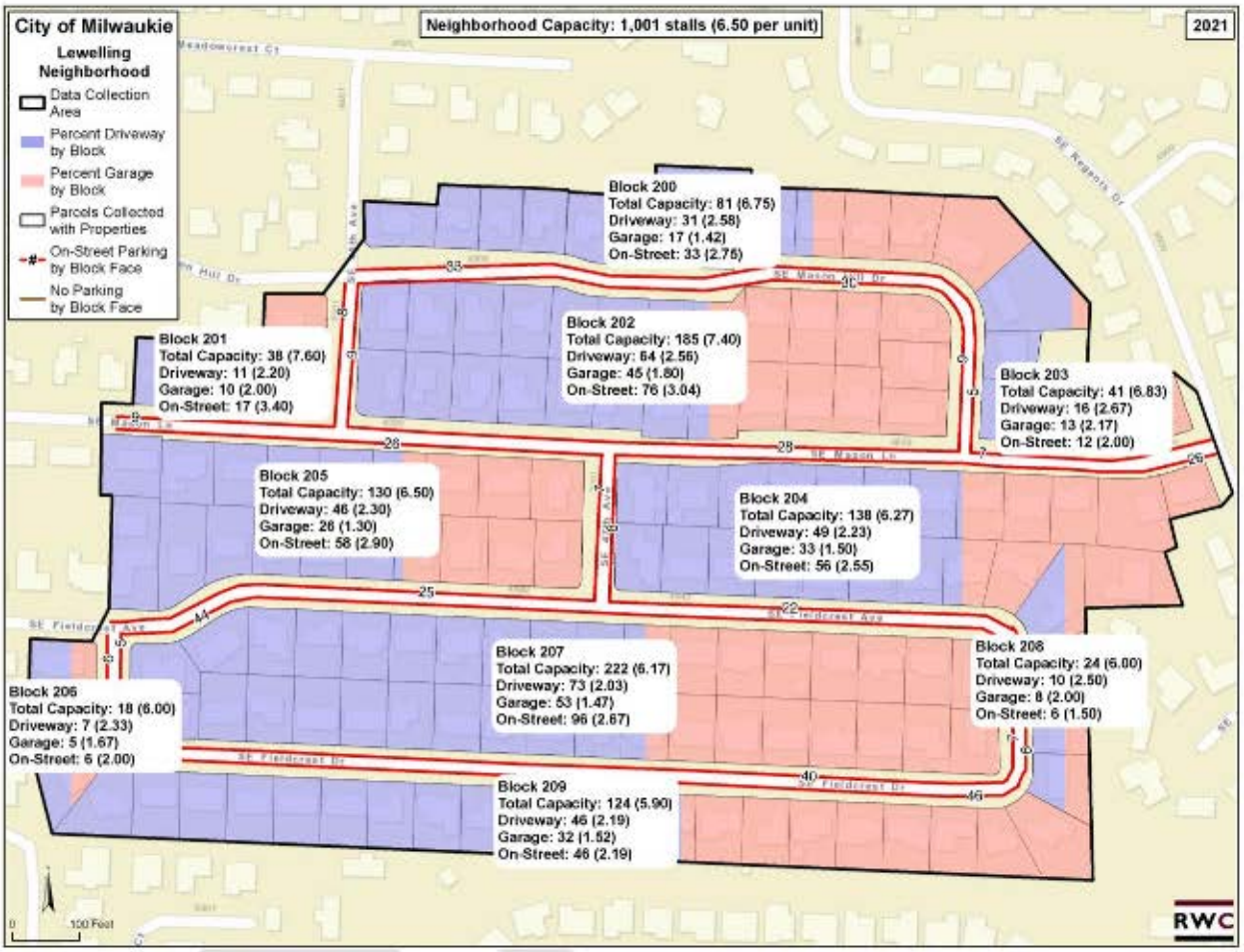
The 154 residential units within the study area are adjacent to a combined parking supply of 1,001 stalls. As a combined supply, the ratio of usable parking to residential units is 6.50 parking stalls per unit, which includes both on- and off-street parking. Excluding the shared on-street supply, the average parcel has 3.86 off-street parking stalls per residential unit (2.29 stalls on driveways and 1.57 stalls within garages).

| | All Stalls | On-Street | Driveway | Garage |
|---|---|---|---|---|
| | Residential Uses: **154 Units** | | | |
| **Parking Stalls** | 1,001 | 406 | 353 | 242 |
| **Parking Stalls per Unit** | 6.50 | 2.64 | 2.29 | 1.57 |
| Stalls provided on-site: | | | **595** | |
| On-site stalls per unit: | | | **3.86** | |

## Parking by Block

**Figure D** provides a breakout of the number of parking stalls in place on each city block and the ratio of parking per typical residential unit on that specific city block. For example, the city block with the highest combined number of parking stalls is Block 207 (with 222 stalls). The block with the lowest combined number of stalls is Block 206 (with 18 stalls). As a ratio of parking to residential units, Block 201 (at 7.60 stalls per unit) is the highest and Block 209 (at 5.90 stalls per unit) is the lowest. All unique factors that comprise the combined numbers (on-street, driveways, and garages) are provided within the Figure.

***Figure D: Breakout of Parking by Numbered Block***



## Field Notes – Observations

Field observation notes compiled during the inventory in this neighborhood are noted below:



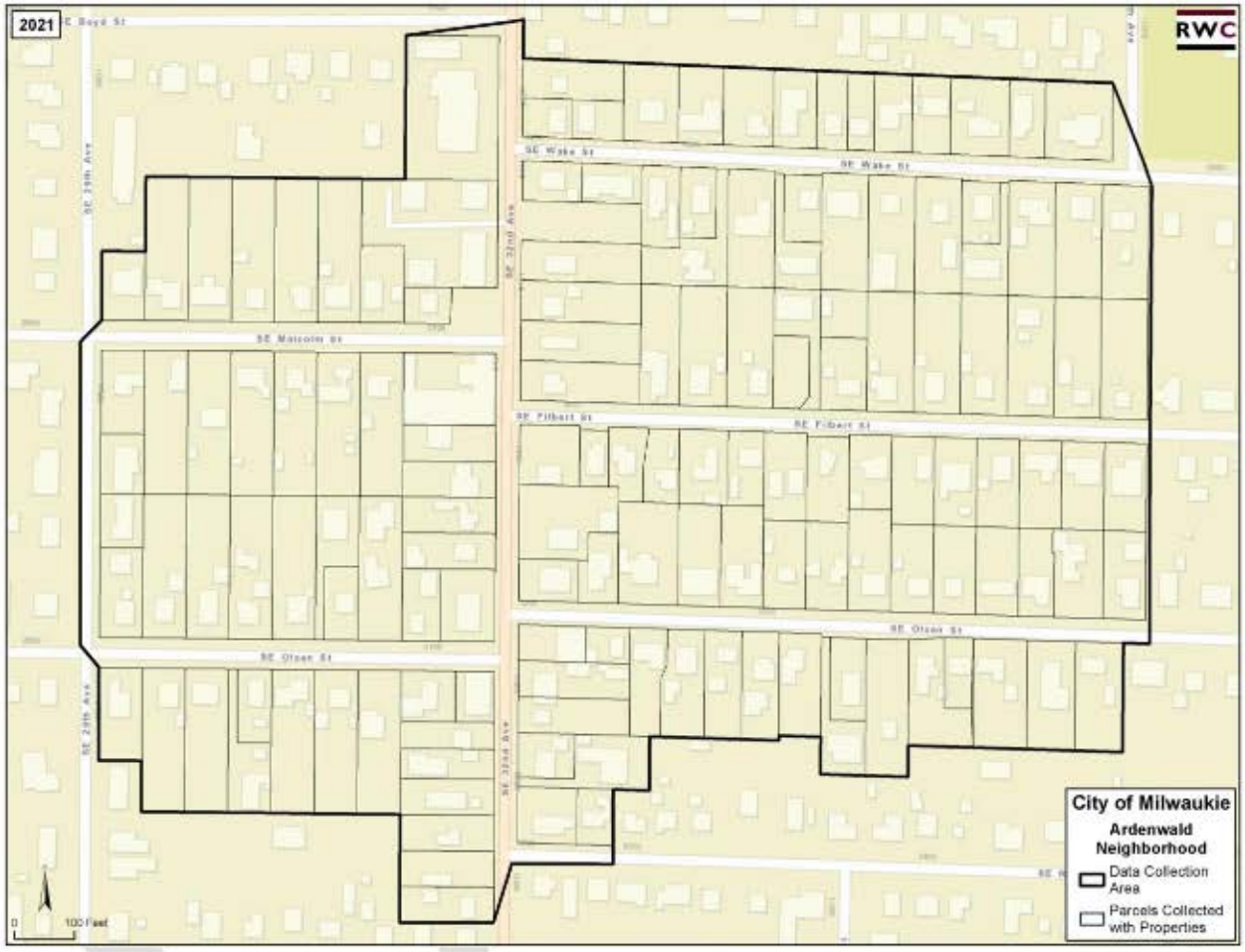
- It was garbage collection day when we collected inventory in this neighborhood, yet there was still plenty of available parking with little to no obstructions, regardless of the several garbage and recycling cans sitting on the street.
- All blocks had curbs for easy parking access, however, only one-third of them had sidewalks (left photo).
- All the on-street parking occurred on paved roads in front of single-family residential houses, some of which seemed very new (middle photo).
- Legal on-street parking was available on every block face inventoried in the Lewelling neighborhood. However, there was little signage to indicate illegal parking. Almost all illegal parking was determined by faded yellow paint on curbs (right photo) near the ends of blocks or by the narrowing of a street, leaving legal space either for one side or neither side of the road.
- Driveways often could accommodate at least two vehicles, while many homes also had either a garage or carport for additional off-street parking.
- With few sidewalks, pedestrians are forced into the streets leading to safety concerns. Many pedestrian and vehicle close-call encounters were observed on the inventory day, primarily in low visibility areas such as street corners.

## 1.6 ARDENWALD NEIGHBORHOOD

### Study Area

The sample study area for the Ardenwald neighborhood is illustrated in **Figure E.**

***Figure E: Ardenwald Neighborhood Study Area Boundary and Parcel Map***




### Public On-Street Parking

There are 207 on-street parking stalls within the study area. Two (2) stalls were time limited: one 15-minute stall and a single 1-hour stall. The remaining parking has no signed time limits on how parking is used in the neighborhood. A user may park in a stall for an unlimited time on a typical day.

| Stall Type | Stalls | % Total |
|---|---|---|
| **On-Street Supply** | **207** | **100%** |
| 15 Minute | 1 | < 1% |
| 1 Hour | 1 | < 1% |
| No Limit | 205 | 99.0% |

## Off-Street Parking – Parking located within a Parcel

Unlike the Lake Road and Lewelling neighborhoods, Ardenwald has several non-residential uses within its study area. Of the 178 total units identified in 147 buildings, there were two duplexes (4 units), three small apartment buildings (30 units), three retail buildings (with 3 business units), one industrial building (3 units), and one land use that surveyors denoted as undesignated (i.e., unable to identify specific use). Residential units total 171 of the total 178 units identified.

For parking located within these parcels, there is a combined capacity of 524 parking stalls: 163 in garages, 289 on driveways and 72 on surface lots; mostly associated with the apartment complex (43 stalls) and the retail units (20 stalls). The industrial and undesignated surface lot use maintained 5 and 4 stalls, respectively.

| Use Type | Buildings | % Total | Units | % Total | Garage Capacity | % Total | Driveway Capacity | % Total | Surface Lot Capacity | % Total |
|---|---|---|---|---|---|---|---|---|---|---|
| **Property Supply** | **147** | **100%** | **178** | **100%** | **163** | **100%** | **289** | **100%** | **72** | **100%** |
| Single Family Household | 137 | 93.2% | 137 | 77.0% | 156 | 95.7% | 281 | 97.2% | 0 | < 1% |
| Duplex | 2 | 1.4% | 4 | 2.2% | 0 | < 1% | 6 | 2.1% | 0 | < 1% |
| Apartment Complex | 3 | 2.0% | 30 | 16.9% | 0 | < 1% | 0 | < 1% | 43 | 59.7% |
| Retail | 3 | 2.0% | 3 | 1.7% | 0 | < 1% | 2 | < 1% | 20 | 27.8% |
| Industrial | 1 | < 1% | 3 | 1.7% | 2 | 1.2% | 0 | < 1% | 5 | 6.9% |
| Undesignated | 1 | < 1% | 1 | < 1% | 5 | 3.1% | 0 | < 1% | 4 | 5.6% |

## Ratio of Usable Parking per Residential Unit – Combined Study Area

The table below separates the total parking supply observed to better evaluate parking related to residential uses as opposed to parking serving the non-residential units in the study area.

The 171 residential units within the study area are adjacent to a combined parking supply of 691 stalls. As a combined supply, the ratio of usable parking to residential units is 4.04 parking stalls per unit, which includes both on- and off-street parking. Excluding the shared on-street supply, the average parcel has 2.84 off-street parking stalls per residential unit (1.68 stalls on driveways, 0.91 stalls in garages, and 0.25 stalls on surface lots).

Non-residential units in the study zone are served by a combined supply of 40 stalls, including 2 on-street and 38 in driveways, garages, and surface lots. As a combined supply, the ratio of usable parking to other, non-residential units is 5.71 parking stalls per "Other" unit. Excluding the shared on-street supply, the average site has 5.43 off-street parking stalls per "Other" unit, the majority (4.14 per "Other" unit) being on surface parking.

| | All Stalls | On-Street | Driveway | Garage | Surface Lot |
|---|---|---|---|---|---|
| **Parking Stalls** | 731 | 207 | 289 | 163 | 72 |
| Residential Uses: **171 Units** | | | | | |
| **Parking Stalls** | 691 | 205 | 287 | 156 | 43 |
| **Parking Stalls/Unit** | 4.04 | 1.20 | 1.68 | 0.91 | 0.25 |
| Stalls provided on-site: | | | | **486** | |
| On-site stalls per unit: | | | | **2.84** | |
| Other Land Uses: **7 Units** | | | | | |
| **Parking Stalls** | 1,001 | 2[6] | 2 | 7 | 29 |
| **Parking Stalls/Unit** | 5.71 | 0.29 | 0.29 | 1.00 | 4.14 |
| Stalls provided on-site: | | | | **38** | |
| On-site stalls per unit: | | | | **5.43** | |

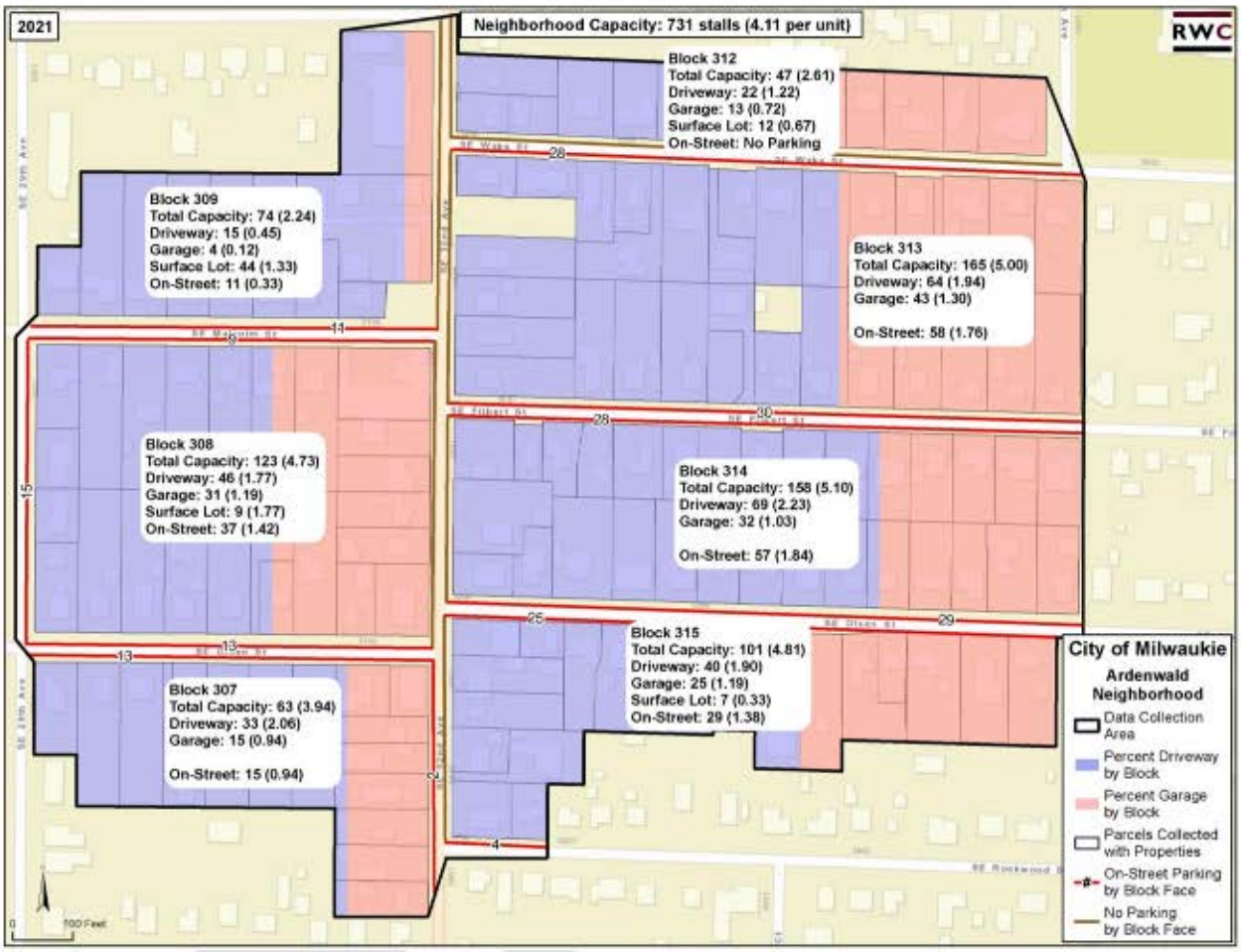
## Parking by Block

**Figure F** provides a breakout of the number of parking stalls in place on each city block and the ratio of parking per typical unit on that specific city block.[7] For example, the city block with the highest combined number of parking stalls in Block 313 (with 165 stalls). The block with the lowest combined number of stalls is Block 312 (with 47 stalls). Contributing to this may be that Block 312 has no on-street parking.

As a ratio of parking to units, Block 314 (at 5.10 stalls per unit) is the highest and Block 309 (at 2.24 stalls per unit) is the lowest. All unique factors that comprise the combined numbers (on-street, driveways, garages, and surface lots) are provided within the Figure (next page).

[6] The only on-street stalls assigned for Other Units were the 2 stalls with time limited signage, a 15 minute and a 1 hour stall.
[7] All units, both residential and non-residential, were combined by City block on the map, for the purpose of visual clarity and due to the small number of "Other" use types.

***Figure F: Breakout of Parking by Numbered Block***



## Field Notes – Observations

Field observation notes compiled during the inventory in this neighborhood are noted below:

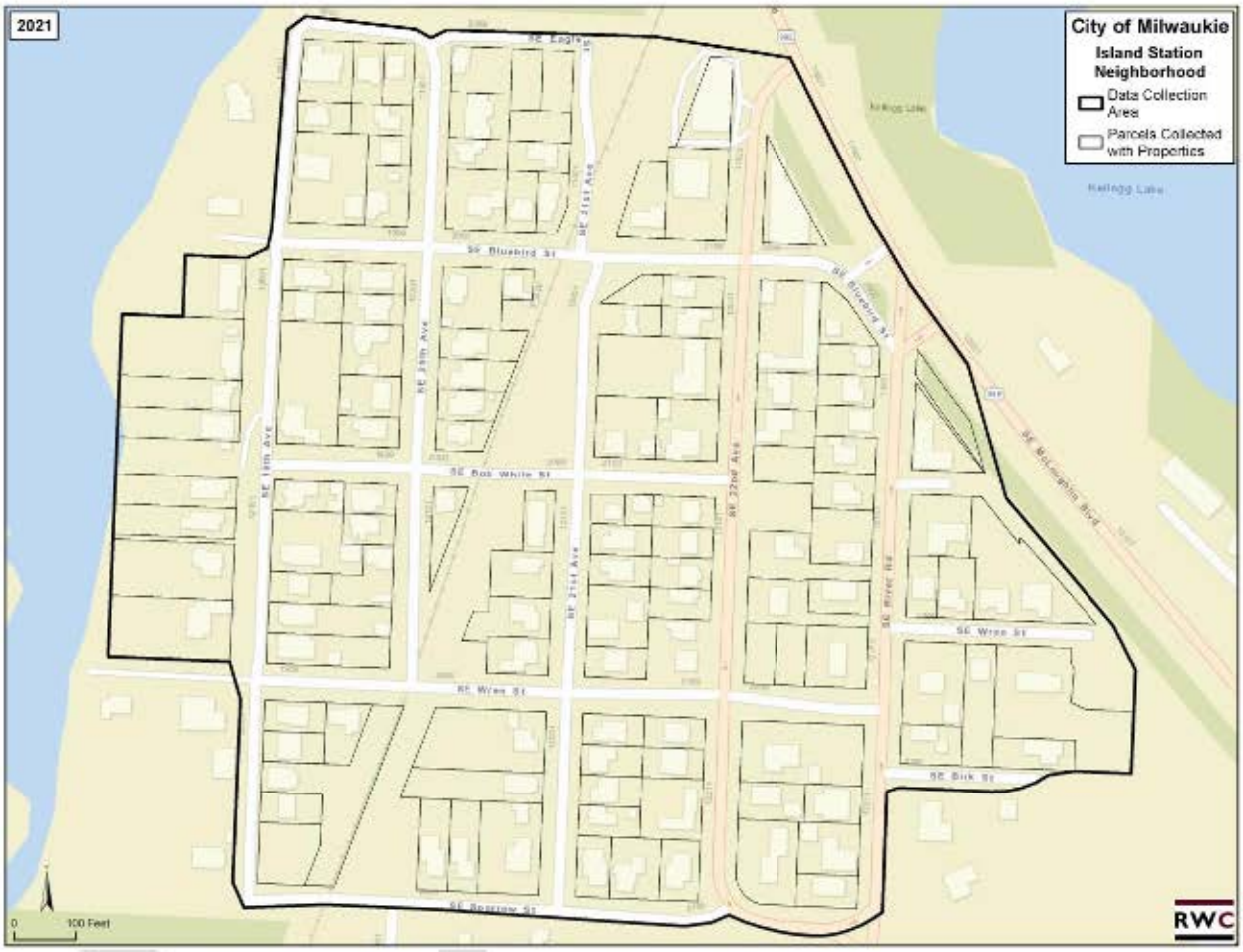

- Legal on-street parking was confusing and inconsistently signed in the Ardenwald neighborhood. Photo at left: Residents tend to park on the south side of the street; no parked vehicles were observed on the north side of the street, despite no signage indicating parking on this side is prohibited. Signage was not consistently present. If on-street parking occurred on both sides of the street, emergency vehicle access would be restricted from passing.
- Photo in the middle: Example of what looks like City placed signage (again, not consistent within study area).
- Photo at right: Much of the on-street parking occurred in unimproved on-street parking stalls in front of single-family residential houses. Dirt or gravel was the on-street surface for most of the stalls.
- Driveways often could accommodate at least two vehicles, while many homes also had either a garage or carport for additional off-street parking.
- The unimproved streets did not have sidewalks, forcing pedestrians into the streets leading to safety concerns.

## 1.7 ISLAND STATION NEIGHBORHOOD

### Study Area

The sample study area for the Island Station neighborhood is illustrated in **Figure G.**

***Figure G: Island Station Neighborhood Study Area Boundary and Parcel***



## Public On-Street Parking

There are 285 on-street parking stalls within the study area[8]. There are no signed time limits on how parking is used in the neighborhood. A user may park in a stall for an unlimited time on a typical day.

| Stall Type | Stalls | % Total |
|---|---|---|
| **On-Street Supply** | **285** | **100%** |
| No Limit | 285 | 100% |

## Off-Street Parking – Parking located within a Parcel

Like the Ardenwald neighborhood study area, Island Station has several non-residential land uses within the study area. These other land uses are located in the far northeast corner of the study area, adjacent to McLoughlin Blvd. Overall, the study area is predominantly residential, with residential units making up 131 of the 137 units observed. Other uses include an apartment complex (11 units), two retail buildings (4 units), a restaurant, and an event venue.

Overall, there is a combined capacity of 469 parking stalls: 148 in garages, 238 on driveways, and 79 on surface lots. The surface lot breakout includes parking for the apartment complex (18 stalls), the retail units (26 stalls), the restaurant (25 stalls), and the event venue (10 stalls).

| Use Type | Parcels | % Total | Units | % Total | Garage Capacity | % Total | Driveway Capacity | % Total | Surface Lot Capacity | % Total |
|---|---|---|---|---|---|---|---|---|---|---|
| **Property Supply** | **125** | **100%** | **137** | **100%** | **152** | **100%** | **238** | **100%** | **79** | **100%** |
| Single Family Household | 120 | 96.0% | 120 | 87.6% | 148 | 97.4% | 238 | 100% | 0 | < 1% |
| Apartment Complex | 1 | < 1% | 11 | 8.0% | 0 | < 1% | 0 | < 1% | 18 | 22.8% |
| Retail | 2 | 1.6% | 4 | 2.9% | 2 | 1.3% | 0 | < 1% | 26 | 32.9% |
| Restaurant | 1 | < 1% | 1 | < 1% | 2 | 1.3% | 0 | < 1% | 25 | 31.6% |
| Event Venue | 1 | < 1% | 1 | < 1% | 0 | < 1% | 0 | < 1% | 10 | 12.7% |

[8] On the date the field review was completed (January 15, 2021), much of the west side of SE 22nd Avenue (one-way southbound with a bike lane on the west side) was under construction. Based on historical images and observed field conditions, there is no on-street parking on most of the west side of SE 22nd Avenue. However, the section between SE Bob White Street and SE Wren Street has a wide gravel shoulder on the west side off the edge of the bike lane, and 10 parking spaces were included within the inventory under the assumption that this section will have adequate width for on-street parking without blocking the bike lane after construction is completed.

## Ratio of Usable Parking per Residential Unit – Combined Study Area

The table below separates the total parking supply observed to better evaluate parking related to residential uses as opposed to parking serving the non-residential units in the study area.

The 131 residential units within the study area are adjacent to a combined parking supply of 689 stalls. As a combined supply, the ratio of usable parking to residential units is 5.26 parking stalls per unit, which includes both on- and off-street parking. Excluding the shared on-street supply, the average parcel has 3.08 parking stalls per residential unit (1.82 stalls on driveways, 1.13 stalls in garages, and 0.14 stalls on surface lots).

All parking for non-residential (Other) units in the study zone is off-street for a combined supply of 65 stalls, 4 in garages and 61 in surface lot parking. The ratio of usable parking to non-residential units is 10.83 parking stalls per "Other" unit.

| | All Stalls | On-Street | Driveway | Garage | Surface Lot |
|---|---|---|---|---|---|
| **Parking Stalls** | 754 | 285 | 238 | 152 | 79 |
| Residential Uses: **131 Units** | | | | | |
| **Parking Stalls** | 689 | 285 | 238 | 148 | 18 |
| **Parking Stalls/Unit** | 5.26 | 2.18 | 1.82 | 1.13 | 0.14 |
| Stalls provided on-site: | | | **404** | | |
| On-site stalls per unit: | | | **3.08** | | |
| Other Land Uses: **6 Units** | | | | | |
| **Parking Stalls** | 65 | 0 | 0 | 4 | 61 |
| **Parking Stalls/Unit** | 10.83 | 0.00[9] | 0.00[10] | 0.67 | 10.17 |
| Stalls provided on-site: | | | **38** | | |
| On-site stalls per unit: | | | **10.83** | | |

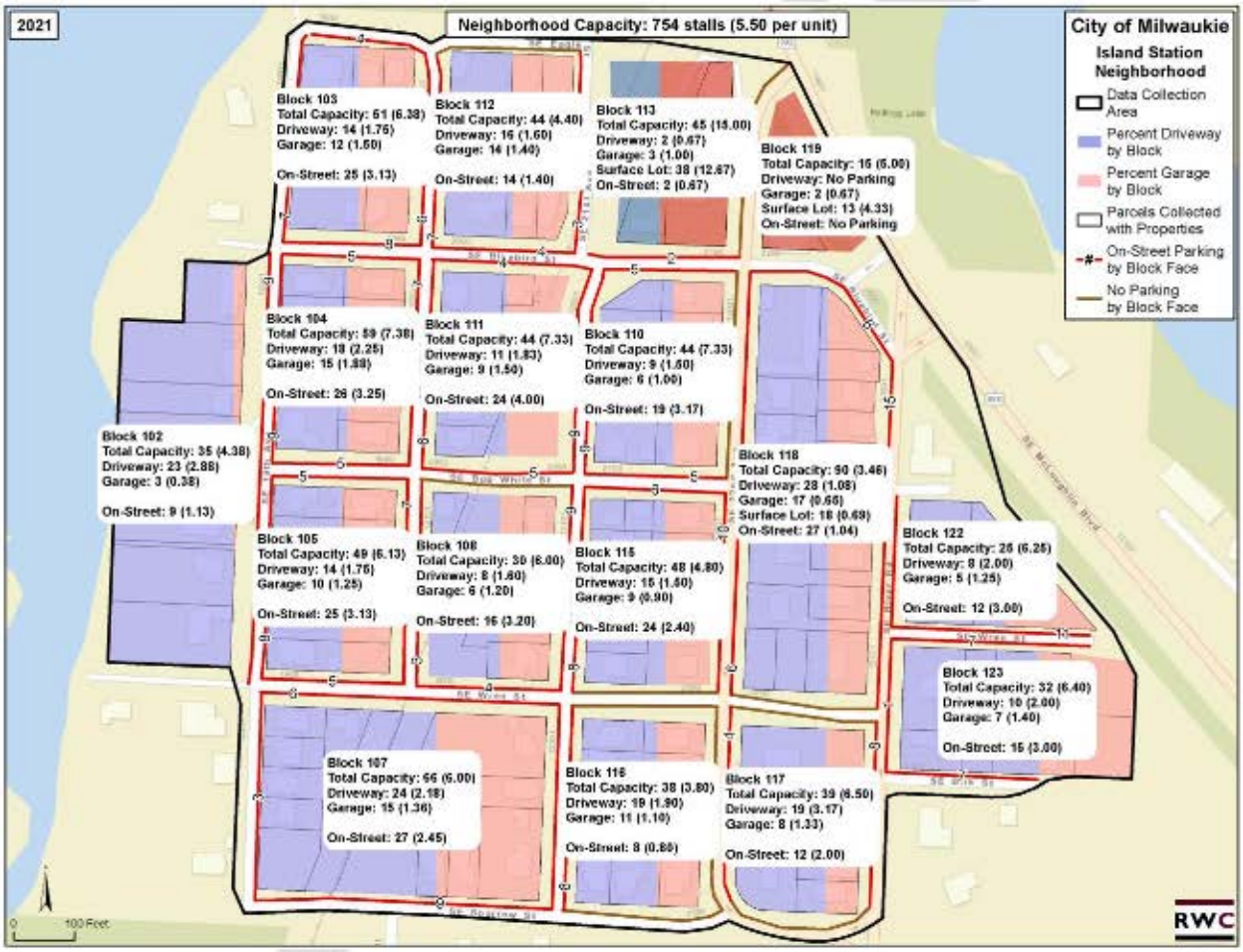
[9] There were no signed time limited stalls on-street.
[10] All parking associated with Other Units were either in a garage (no usable driveway capacity) or on surface lots.

## Parking by Block

**Figure H** provides a breakout of the number of parking stalls in place on each city block and the ratio of parking per typical unit on that specific city block.[11] For example, the city block with the highest combined number of parking stalls in Block 118 with 90 stalls. The block with the lowest combined number of stalls is Block 122 with 25 stalls, as this block has limited street frontage.

As a ratio of parking to units, Block 104 (at 7.38 stalls per unit) is the highest and Block 116 (at 3.80 stalls per unit) is the lowest. All unique factors that comprise the combined numbers (on-street, driveways, garages, and surface lots) are provided within the Figure.

***Figure H: Breakout of Parking by Numbered Block***




[11] All units, both residential and non-residential, were combined by City block on the map, for the purpose of visual clarity and due to the small number of "Other" use types.

## Field Notes - Observations

Field observation notes compiled during the inventory in this neighborhood are noted below:


- Most on-street parking within the study area requires residents to park at least partially on gravel, mud, or grass (top left).
- With very little parking signage, many residents may view the on-street parking adjacent to their homes as their personal parking (rather than shared parking). One resident was in the process of laying gravel adjacent to the road, which they considered their parking stall. Some residents have put up signage to indicate private parking, or, in some cases, put obstructions up to prevent parking by the public (top right).
- Most driveways were paved and any additional gravel sections of the yard that were observed were therefore not added to the inventory. However, in some cases, the only driveway present was gravel, and in these limited cases, the gravel driveway capacity was included within the inventory (bottom left).
- SE River Road is one-way northbound with a bike lane on the east side. While there is generally no on-street parking on the east side of SE River Road within the study area, a total of two on-street parking spaces on the east side of River Road are included in the inventory as there is adequate space to park in the shoulder area without blocking the bike lane in two small areas.
- The west side of SE 22nd Avenue was under construction at the time the field review was completed. SE 22nd Avenue is one-way southbound with a bike lane on the west side. Based on discussions with city construction staff, 10 on-street parking spaces on the west side of SE 22nd Avenue (between SE Bob White St and SE Wren St) were included within the inventory under the assumption that this section will have adequate width for on-street parking without blocking the bike lane after construction is completed.

## 1.8 SUMMARY

Averaged over all four study areas, the combined **residential parking supply**, including both on- and off-street parking, was found to be **5.15 parking stalls per residential unit.** On-street parking contributes 2.09 parking stalls per unit, and off-street parking (including driveways, garages, and surface lots) contribute the remaining 3.06 parking stalls per unit.

Each neighborhood has unique characteristics, but on-street parking makes up **at least 30% of the total residential parking supply** in each (ranging from 30% to 48% of the observed supply). The majority of the parking supply is contained within private off-street parking in all four neighborhoods.

| | Lake Road | Lewelling | Ardenwald | Island Station | Total |
|---|---|---|---|---|---|
| **Total Parking Stalls**[12] | 943 | 1,001 | 691 | 689 | **3,324** |
| **On-Street Stalls** | 451 | 406 | 205 | 285 | **1,347** |
| **Driveway Stalls** | 332 | 353 | 287 | 238 | **1,210** |
| **Garage Stalls** | 160 | 242 | 156 | 148 | **706** |
| **Surface Lot Stalls** | 0 | 0 | 43 | 18 | **61** |
| **Residential Units** | 190 | 154 | 171 | 131 | **646** |
| **Total Stalls/Unit** | 4.96 | 6.50 | 4.04 | 5.26 | **5.15** |
| **On-Street Stalls/Unit** | 2.37 | 2.64 | 1.20 | 2.18 | **2.09** |
| **Driveway Stalls/Unit** | 1.75 | 2.29 | 1.68 | 1.82 | **1.87** |
| **Garage Stalls/Unit** | 0.84 | 1.57 | 0.91 | 1.13 | **1.09** |
| **Surface Lot Stalls/Unit** | 0.00 | 0.00 | 0.25 | 0.14 | **0.09** |
| | | | | Stalls provided on-site: | **1,977** |
| | | | | On-site stalls per unit: | **3.06** |

## 1.9 NEXT STEPS

This memo focuses exclusively on the land use characteristics and parking supply observed within each neighborhood. This data will serve as the foundation for an **occupancy study** that will document observed parking demand (over two time periods) by each parking stall type. The occupancy study will provide additional detail regarding actual usage of the system, both in terms of overall parking demand as well as how residents are using each portion of the available parking supply (e.g., the on-street system and their private off-street parking supply).

[12] Residential parking stalls only. "Other" uses excluded from this summary.

# Appendix A – Example Inventory Field Template

| Neighborhood: Lewelling | | | | | | | | Block Number: 202 | | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|
| On-Street Parking | | | | | | | | | | | | |
| Block ID | Stall Count/Type | | | | | | | Notes | | | | |
| 202A | 2 NL, 1 NL, 2 NL, 4 NL, 1 NL, 2 NL, 4 NL, 2 NL, 3 NL, 1 NL, MB - 2 NL, 6 NL, | | | | | | | | | | | |
| 202B | 3 NL, 2 NL, 4 NL | | | | | | | | | | | |
| 202C | 2 NP - 1 NL, 3 NL,, 2 NL, 1 NL, 3 NL, 2 NL, 3 NL, 1 NL, 2 NL, 4 NL, 3 NL, 1 NL, 2 NL | | | | | | | NP sign at beginning of block | | | | |
| 202D | 9 NL | | | | | | | | | | | |
| | | | | | | | | | | | | |
| On-Site Parking by Parcel | | | | | | | | | | | | |
| Parcel ID | Entry Side | Number of Properties | Number of Units | Garage Capacity | Driveway Capacity | Surface Lot Capacity | Use Type | Notes | | | | |
| 202_1 | A | 1 | 1 | 2 | 2 | 0 | F | | | | | |
| 202_2 | A | 1 | 1 | 2 | 2 | 0 | F | | | | | |
| 202_3 | A | 1 | 1 | 2 | 2 | 0 | F | | | | | |
| 202_4 | A | 1 | 1 | 2 | 4 | 0 | F | | | | | |
| 202_5 | A | 1 | 1 | 2 | 3 | 0 | F | | | | | |
| 202_6 | A | 1 | 1 | 2 | 2 | 0 | F | | | | | |
| 202_7 | A | 1 | 1 | 2 | 2 | 0 | F | | | | | |
| 202_8 | A | 1 | 1 | 2 | 3 | 0 | F | | | | | |
| 202_9 | A | 1 | 1 | 1 | 2 | 0 | F | | | | | |
| 202_10 | A | 1 | 1 | 2 | 2 | 0 | F | | | | | |
| 202_11 | A | 1 | 1 | 1 | 3 | 0 | F | | | | | |
| 202_12 | AB | 1 | 1 | 1 | 5 | 0 | F | Driveway on A and B side | | | | |
| 202_13 | B | 1 | 1 | 2 | 2 | 0 | F | | | | | |
| 202_14 | C | 1 | 1 | 2 | 3 | 0 | F | | | | | |
| 202_15 | C | 1 | 1 | 2 | 2 | 0 | F | | | | | |
| 202_16 | C | 1 | 1 | 2 | 2 | 0 | F | | | | | |
| 202_17 | C | 1 | 1 | 1 | 3 | 0 | F | | | | | |
| 202_18 | | | | | | | | | | | | |
| 202_19 | | | | | | | | | | | | |
| 202_20 | | | | | | | | | | | | |
| 202_21 | | | | | | | | | | | | |
| 202_22 | | | | | | | | | | | | |

# City of Milwaukie: Residential Parking Occupancies
## Summary of Findings

*February 2021 (v1)*

### 1.1 INTRODUCTION

In 2017, the City of Milwaukie adopted a 20-year vision effort, and in 2018, the City began a two-year process to update the Comprehensive Plan. The adoption of the Comprehensive Plan establishes a mandate for Milwaukie to update any lagging land use policies and practices that may be holding the City back from realizing its vision. One significant area where current policies and practices need to be updated is the zoning code. The City made it an early priority to update the zoning code in single dwelling residential areas. These areas of the zoning code will need to be amended to achieve several Comprehensive Plan goals related to increasing community diversity, preparing for population growth, protecting natural resources, and improving climate resiliency.

In support of these efforts the City of Milwaukie is interested in how parking typically functions in residential neighborhoods. A better understanding of this dynamic will help facilitate decision making regarding parking in the context of the Comprehensive Plan, the zoning code, and state level requirements.

In January 2021, a complete inventory of parking supply was compiled in four Milwaukie neighborhoods. In February, actual vehicle counts (occupancy counts) were conducted within these same neighborhoods. The purpose of this report is to summarize the findings of the occupancy study. Key findings summarize occupancies within the public right-of-way and on-site within parcels (by unit). Calculations of parking demand by unit are also provided.

The sample study zones are within the following neighborhoods, selected in consultation with the City of Milwaukie and Urbsworks (the prime consultant for the larger Comprehensive Plan Implementation Project):

- Lake Road
- Lewelling
- Ardenwald
- Island Station

### 1.2 GLOSSARY OF TERMS

**Building:** Any built structure within a parcel intended for residential use (e.g., single family households, duplexes, and apartments) or, in some cases, non-residential use (e.g., retail, restaurant, etc.). Garages are excluded from this definition.

**Capacity:** The estimated number of physical parking stalls associated with a parcel or fully inventoried supply.

**Carport:** A roofed structure within a parcel intended for the parking of vehicles; unlike a garage, a carport does not contain walls or doors.

**Driveway:** Any area within a parcel that is legally intended for the parking of vehicles. Driveways are identified as having an associated curb cut from a street into a parcel. A driveway will have a clearly visible apron of pavement or gravel (usually in front of a garage). A driveway must be large enough in size to accommodate a vehicle without infringing on a sidewalk or street.

**Garage:** Any built structure within a parcel intended for the parking of vehicles. In the context of this study, garage capacity was estimated based on the width of the garage door (or number of doors, if multiple doors were observed).

**"Illegal" Parking**: During the *inventory* study, numerous vehicles were parked in areas deemed unsafe or illegal. Examples were vehicles parked in front yards (not on driveways), vehicles parked in no parking areas in ways that impeded traffic flow, or across driveways. As these vehicles were not in a clear parking stall, these parking areas were not recorded as part of the legal "parking supply." However, during the *occupancy* study, these vehicles do contribute to "parking demand". As such, they were quantified and added to the demand within the inventoried supply. Thus, if 2 vehicles were parked in a front yard, 2 vehicles of demand were added to *driveway* parking demand. If 3 vehicles were parked unsafely on-street, their demand was added to the functional *on-street* parking demand total. In short, if vehicles were parked, they were accounted for as parking demand.

**Inventory:** **Land Use -** A land use inventory is a catalogue of all residential dwelling units and non-residential units (e.g., retail, restaurant, industrial) in a designated study area.

**Parking -** A parking inventory is a catalogue of spaces that can be legally and safely used for parking. The catalogue of parking is separated by type of parking identified (i.e., on-street, in driveways, and garages).

**Occupancy:** The number of vehicles parked within a supply, expressed as a percentage of occupied parking supply. For instance, if 50 cars are parked within an inventoried supply, then the occupancy at the time of that count would be 50%.

**Parcel:** A piece of real property as identified by the county assessor's parcel number (APN) that is one contiguous parcel of real property. Individual parcels are demarcated on study area maps developed for each study area. All land uses and parking within parcels are associated with that specific parcel. See **Figure A** as an example.

**Parcel Block:** Parcel blocks are designated on data maps by number. Such blocks are generally defined as an area bounded by streets and containing unique parcels within such a block. See **Figure C** as an example.

**Parking stall:** An area located on-street, in driveways and carports, in surface lots, or in garages that is available to park vehicles by authorized users (hourly, daily, and/or overnight). Parking stalls need to be reasonably sized to ensure appropriate access and maneuverability.

**Peak Occupancy**: Within the parking industry, peak occupancy for residential uses is assumed to occur at midnight or later (e.g., 2:00 AM). In a residential neighborhood, this period of occupancy best captures uses only related to residential parking demand, unassociated with other non-residential demand generators (e.g., commercial visitors, employee demand/overspill, etc.). At this hour, vehicles parked can be directly correlated to residential demand, whether a vehicle is parked on-street or on-site.

**Ratio of stalls to units:** Calculations of the relationship of the number of parking stalls to residential units are made at different levels, including in aggregate or by type of supply (e.g., on-street, in driveways, and/or garages). This ratio is useful in examining physical parking built within a supply and what a code might require.

**Ratio of demand to units:** Calculations of the relationship of the demand for parking to residential units. For this study, calculations were made for demand per unit that aggregated on-street and on-site occupancies to establish a combined ratio of demand for each neighborhood. The combined demand per unit is also broken out to show demand generated from on-street vehicle demand and as demand generated by vehicles parked on-site. Vehicle occupancies (demand) in garages was not quantified as the overwhelming majority of observed garages had doors closed. As such, the ratios of demand to units provides *an estimate of the*

*minimum demand generated per unit*, assuming some increment above this minimum would be associated with vehicles parked in garages.

**Unit:** **Residential** - A residential unit is identified as a unique address within a parcel. This could be a single-family dwelling, or multiple units within multifamily dwellings (e.g., duplex, apartment).

**Non-residential –** A non-residential unit is identified as real property within a parcel that provides services or business within a study area. This could be individual free-standing businesses or services or multiple activity spaces within a shared building. Examples include workspaces, restaurants, retail spaces and event venues (if housed in a building).

## 1.3 METHODOLOGY

### Study Zone Boundaries

Study area boundaries in the four neighborhoods were developed in coordination with the City of Milwaukie and the Comprehensive Plan Implementation team. The intent for establishing study zones was to develop sample areas to collect usage data from selected neighborhoods. Outputs from collected data can serve as "typical" representations of how parking is currently provided (supply)[1] and used (demand) in these neighborhoods.

### Vehicle Occupancy Counts

Occupancy counts were conducted at 2:00 AM and 10:00 AM on February 3 and 4, 2021 to capture overall parking demand. Most parking in each neighborhood was associated with residential parking demand. Parking (on or off-street) associated with non-residential uses (e.g., retail, commercial) was not included in counts for residential demand and was instead tracked separately.

Within the parking industry, the 2:00 AM count in residential areas is best representative of a residential "peak hour." At this hour, it is likely that most, if not all, vehicles parked in a supply are directly associated with residential uses; assuming that non-residents (retail, employment, event, etc.) would not be in the area at this hour. Also, residents themselves, to a high degree, would be home from work and not out on trips or errands.

The 10:00 AM count was conducted to document mid-morning demand associated with residential and non-residential parking demand. The 10:00 AM count serves as a snapshot to show how each neighborhood transitions from the traditional residential peak hour (2:00 AM) to a daytime period that may include some non-residential users. For instance, if occupancies at 10:00 AM decrease compared to the 2:00 AM peak period, this is usually a reflection of residents leaving the area for work, shopping, or other daytime trips. However, if parking demand increases during the day above the 2:00 AM peak, that is a sign that non-residential users parking in the area outnumber the number of residents leaving during the day.

Vehicle counts were taken in separate supply categories, cataloguing vehicles parked in the on-street supply and on-site (within a parcel). Surveyors also made note of and accounted for vehicles parked illegally or unsafely in the different supply types. These vehicles *are included* in the overall parking demand numbers.

[1] A detailed summary of the entire parking inventory (supply) in each neighborhood is contained in Rick Williams Consulting: *City of Milwaukie: Residential Parking Inventory Summary of Findings - February 2021 (v3)*

## 1.4 Lake Road Neighborhood

### Inventory Overview

The sample study area for the Lake Road neighborhood is illustrated in **Figure A**. The survey area for the Lake Road neighborhood is comprised of 190 residential units, served by 783 visible parking stalls (451 on-street stalls and 332 driveway/carport stalls).[2] There were no surface lot stalls in this neighborhood. This is summarized in **Table 1**.

***Table 1: Lake Road Neighborhood – Breakout of observed stalls and residential units***

| | Lake Road |
|---|---|
| **Total Parking Stalls Studied[3]** | 783 |
| **On-Street Stalls** | 451 |
| **Driveway Stalls** | 332 |
| **Surface Lot Stalls** | - |
| **Residential Units** | 190 |

### Summary of Parking Occupancies

#### On-Street Parking Demand

There are 451 on-street parking stalls within the Lake Road neighborhood study area. At the 2:00 AM data collection hour, 169 vehicles were observed parked in the on-street supply. This represents an occupancy of 37.5%, leaving 283 empty stalls in the usable on-street inventory.

At 10:00 AM, 142 vehicles were observed parking in the on-street supply. This represents an occupancy of 31.5%, with 310 empty stalls available within the useable on-street inventory.

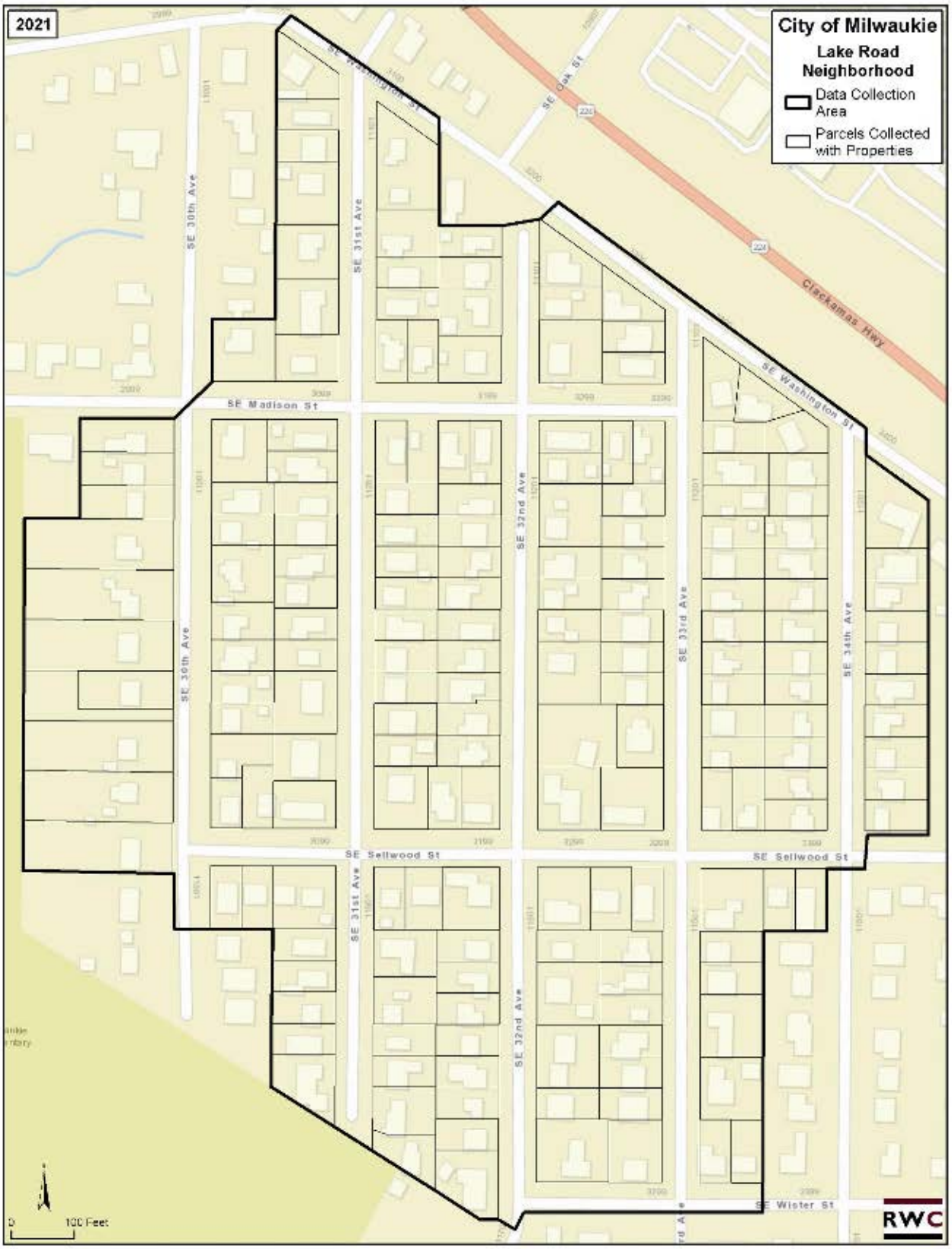
**Table 2** summarizes occupancy counts associated with the on-street supply.

***Table 2: Observed Occupancies – On-street Supply***

| Performance Measure | Parking Demand Observations | |
|---|---|---|
| | On-Street Parking Supply: **451 stalls** | |
| Collection Hour | **2:00 AM** | 10:00 AM |
| Occupancy | **37.5%** | 31.5% |
| Parked Vehicles | **168[4]** | 141[5] |
| RV/ Trailers | **1** | 1 |
| Construction/ Obstruction | - | - |
| **Empty stalls (unused supply)** | **283** | **309** |

[2] An additional 160 stalls of "capacity" were estimated during the inventory in doored garages.
[3] Residential parking stalls only. "Other" and Garage uses excluded from this summary.
[4] Of the total vehicles parked at 2:00 AM, nine (9) were parked illegally (including the one RV/Trailer).
[5] Of the total vehicles parked at 10:00 AM, three (3) were parked illegally (including the one RV/Trailer).

***Figure A: Lake Road Neighborhood Study Area Boundary and Parcel Map***



### On-Site Parking Demand (within parcels)

Use of on-site parking in the neighborhood is summarized in **Table 3.** In the Lake Road neighborhood, there are 332 on-site parking stalls. This is all driveway capacity as there are no surface lots serving residential uses in this neighborhood.

At the 2:00 AM hour, 219 vehicles were observed parked within residential parcels, an occupancy of 66.3%. At 2:00 AM, there were 113 empty parking stalls within the on-site supply. At 10:00 AM, occupancies dropped to 52.1% with 173 vehicles parked and 159 empty stalls.

***Table 3: Observed Occupancies – On-site supply***

| Performance Measure | Parking Demand Observations | |
|---|---|---|
| | On-Site Parking Supply: **332 stalls** | |
| | 2:00 AM | 10:00 AM |
| Occupancy | **66.3%**[6] | 52.1%[7] |
| Parked Vehicles | **219** | 173 |
| **Empty stalls (unused supply)** | **113** | **159** |

### Residential Parking Demand per Unit

**Table 4** summarizes observed occupancy data per unit for the entire 783 stall supply using observed vehicle occupancy numbers provided in **Tables 2** and **3** above. The table also allocates the demand for each unit between on-street and on-site occupancies to illustrate demand by stall type.

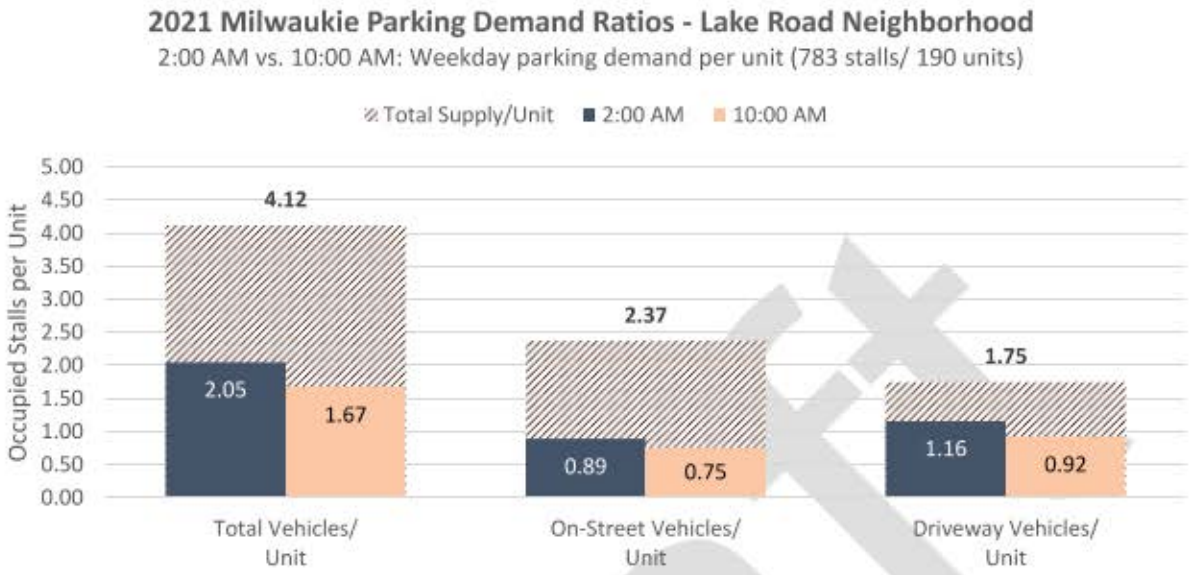
***Table 4: Residential Parking Demand per Unit***

| Performance Measure | Parking Demand per Unit | |
|---|---|---|
| | Residential Units: **190 Units** | |
| | 2:00 AM | 10:00 AM |
| **On-Street Vehicles/Unit** (Supply: 2.37 stalls/unit) | 0.89 | 0.75 |
| **Driveway Vehicles/Unit** (Supply: 1.75 stalls/unit) | 1.16 | 0.92 |
| **Surface Lot Vehicles/Unit** (Supply: N/A) | N/A | N/A |
| **Total Vehicles/Unit** (Supply: 4.12 stalls/unit[8]) | **2.05** | **1.67** |

As the table indicates, peak hour (2:00 AM) residential demand is 2.05 vehicles per unit. Of that total, 0.89 per unit is generated from vehicles parking on-street. Observed on-site demand is 1.16 vehicles per unit. At 10:00 AM, combined demand for parking is 1.67 vehicles per unit; with 0.75 and 0.92 of demand derived on-street and on-site, respectively. These demand ratios can be contrasted to the built supply of parking (excluding garage capacity), which combined, totals 4.12 stalls of capacity serving a demand of 2.05 and 1.67 vehicles/unit, for the 2:00 AM and 10:00 AM occupancy periods. This is illustrated in **Figure B.**

[6] Of the vehicles parked at 2:00 AM, seven (7) are parked somewhere on-site other than the driveway.
[7] Of the vehicles parked at 10:00 AM, six (6) are parked somewhere on-site other than the driveway.
[8] This does not include potential garage capacity, which totaled 160 stalls, which would raise the built ratio to 4.96.

***Figure B: Summary of Parking Demand and Built Supply***




## Heat Map Summary

**Figures C** and **D** provide a graphic illustration of occupancies at 2:00 AM and 10:00 AM, respectively. Data is provided for both the on-street system and the on-site systems. Map colors define occupancy in five color bands, ranging from purple (indicating greater than 100% occupancy[9]), red (100% - 85%), orange (84% - 70%), yellow (69% - 55%), and green (less than 55%).

### On-street

At the 2:00 AM hour, 34 of 36 on-street block faces fall within the yellow and green color bands. This demand range is consistent across the study area. That said, one block face on the east side of 34th Avenue paralleling the parcels on block 412 has occupancies more than 85%, though the block face on the west of the same street is green (less than 55%). One block face, the west side of SE 32nd Avenue, paralleling the parcels on block 404 is orange (85% - 70%). At this hour, the heat maps would indicate there is an abundance of on-street parking available, and access to it is convenient.

At the 10:00 AM hour, 34 of 36 on-street block faces fall within the yellow and green color bands. This demand range is consistent across the study area. There are two block faces that fall within the orange color band: the east side of 34th Avenue paralleling the parcels on block 412 and the north side of SE Sellwood Street paralleling the parcels on block 409. At this hour, the heat maps would indicate there is an abundance of on-street parking available and convenient access to it.

### On-site

The Lake Road study area totals 13 parcel blocks serving 190 unique residential units. For purposes of this discussion, occupancy data is aggregated to the *parcel block* level. Use at the *individual parcel level* is not displayed to ensure that individual residential sites remain anonymous.

At the 2:00 AM hour, 2 of 13 parcel blocks have occupancies greater than 85%. Parking occupancy in the parcels in block 407 exceed the functional supply (greater than 100%). Also, the parcels in block 412 fall within the red band. Four parcel blocks (402, 403, 404, and 411) have occupancies between 84% and 70%

[9] An occupancy of greater than 100% would indicate that when illegally parked vehicles are added to a supply total (on-street or within a parcel), the demand (parked vehicles) exceeds the functional supply (safe stalls).

(orange), with the remaining seven blocks in the yellow and green bands. At this hour, the heat maps would indicate that parcels within blocks can meet their parking demand on-site. Two parcel blocks have demand that approaches or exceeds observed supply, but adequate parking is adjacent to them on-street.

At the 10:00 AM hour, one parcel block (407), falls within the red band (100% - 85%). Two parcel blocks (403 and 412) have occupancies in the orange range. The remaining ten parcel blocks are within the yellow and green bands. At this hour, the heat maps would indicate that parcels within blocks can meet their parking demand on-site. One parcel block has demand greater than 85%, but adequate parking on-street.

***Figure C: Parking Occupancy Heat Map – 2:00 AM***

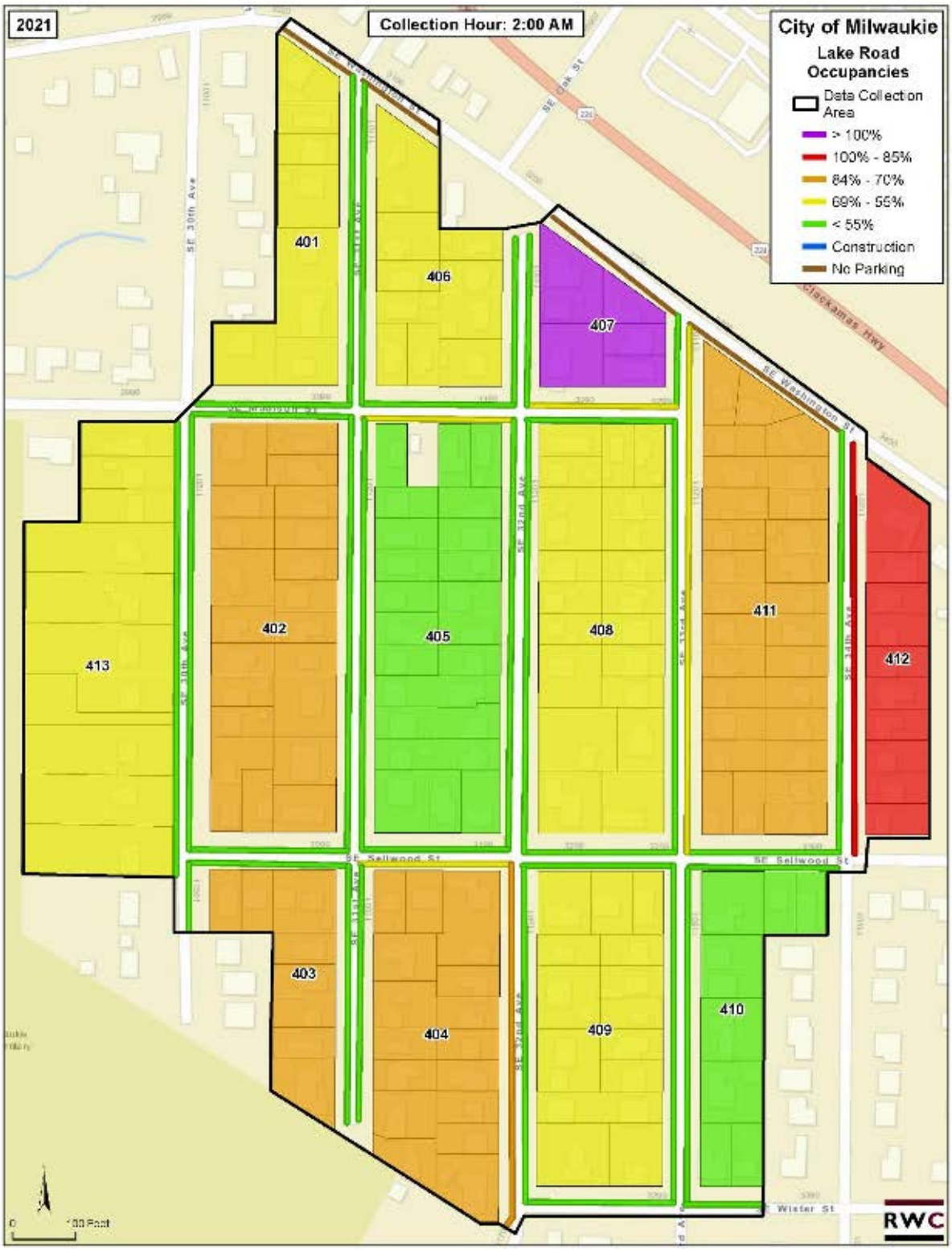
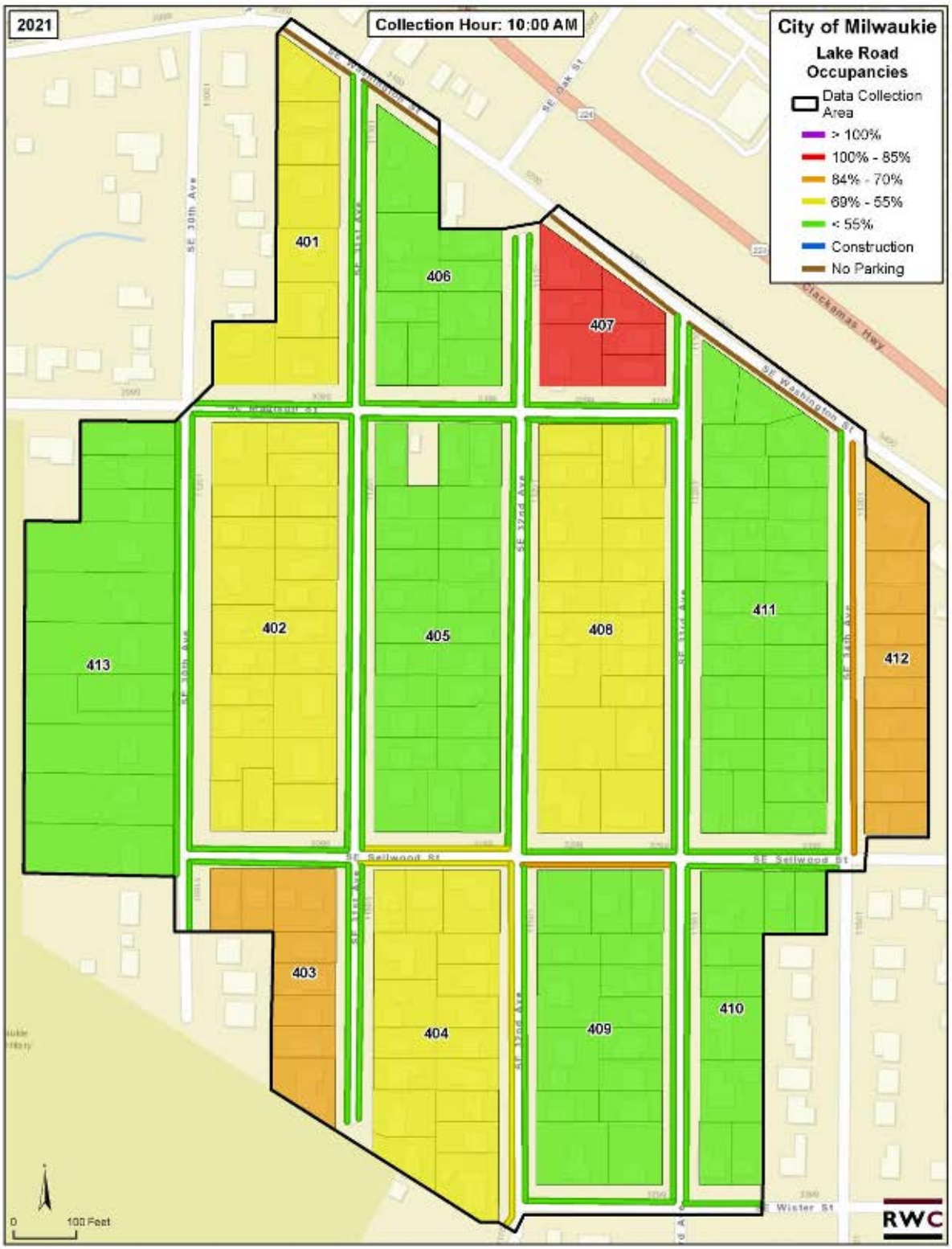


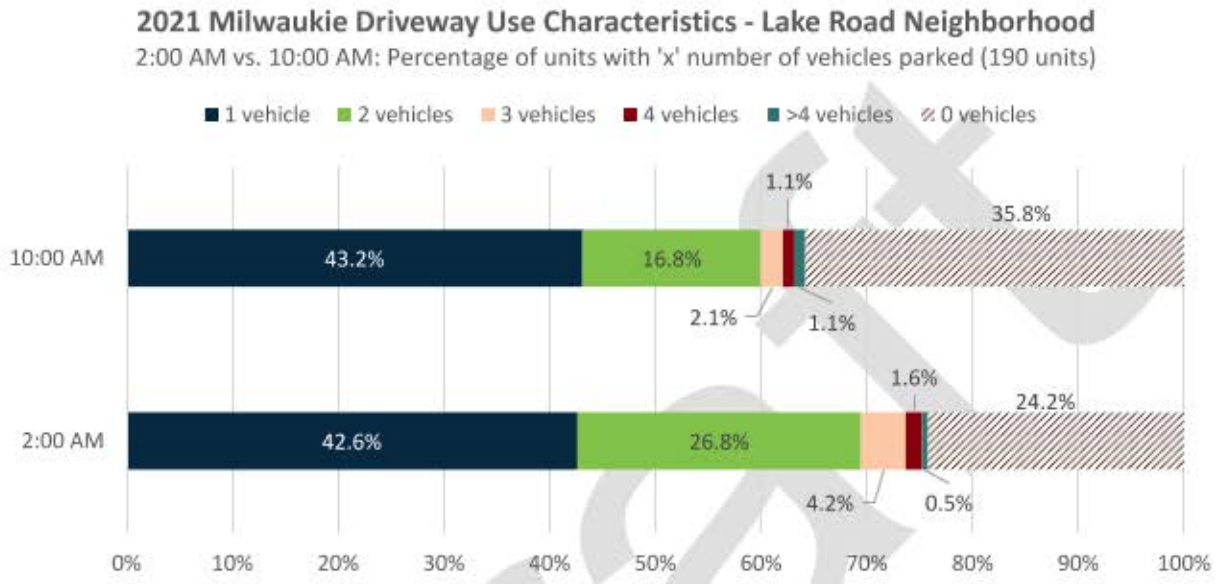
***Figure D: Parking Occupancy Heat Map – 10:00 AM***



## Number of Vehicles Parked On-Site – By Individual Parcels

Use of observed on-site capacity on individual parcels within a parcel block can influence the color band for use at an aggregated parcel block. Given this, **Figure E** provides a summary of the percentage of vehicles parked on-site at unique residential parcels within the Lake Road study area.

***Figure E: Summary of Use of Observed On-site Supply***




As the figure indicates, the majority of vehicles parked at individual residential units ranges from zero (35.8%) to one (43.2%) at 10:00 AM. Units with 2 observed vehicles represented 16.8% of vehicles parked. Only 4.3% of units were observed to park 3 or more vehicles on-site during this data collection hour.

At 2:00 AM, the majority of vehicles parked at individual residential units ranges from zero (24.2%) to one (42.6%). Units with 2 observed vehicles represented 16.8% of vehicles parked. The drop from zero at this hour as compared to 10:00 AM likely reflects vehicles returning from daytime trips (e.g., work, shopping, etc.). This is also reflected in the increase in 2 observed vehicles (26.8%) and units with 3 or more observed vehicles (raising to 6.3%).

## Summary – Lake Road

Data collected indicates that occupancies within the study zone are higher at the 2:00 AM hour, reflecting the minimum true demand for parking per residential unit: 2.05 vehicles/unit. There is higher overnight use of the on-site supply: 1.16/unit at 2:00 AM versus 0.89/unit at 10:00 AM. In both the on-street and on-site parking supplies there is a sizable supply of empty and available capacity, both overnight and during the day.

While there are a few specific block faces (on-street) and parcel blocks (on-site) that have occupancies that exceed 85%, the number is very small, and convenient, available parking is usually immediately adjacent to these areas on-street.

## 1.5 LEWELLING NEIGHBORHOOD

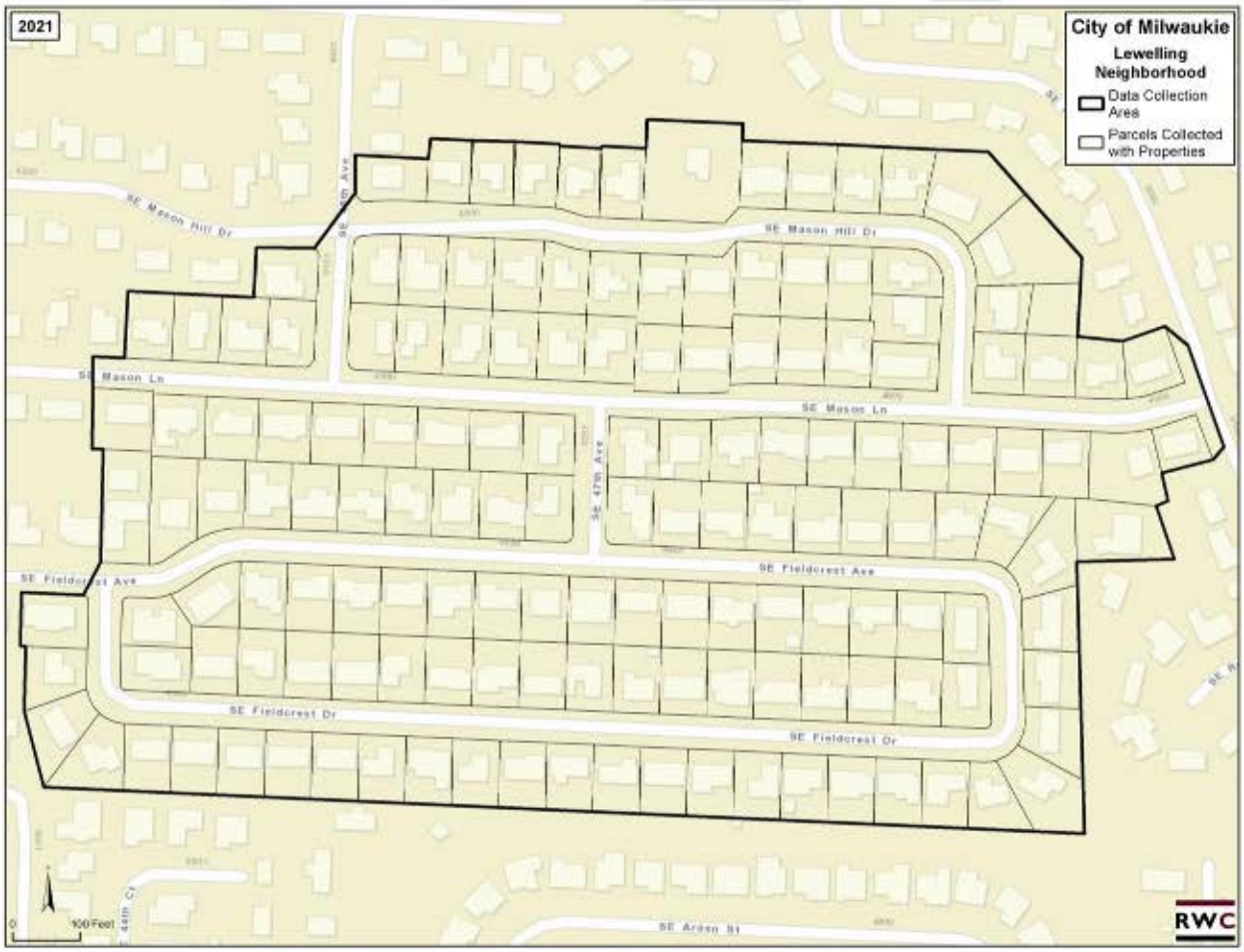
### Study Area and Occupancy Count Inventory

The sample study area for the Lewelling neighborhood is illustrated in **Figure F**. The survey area for this neighborhood is comprised of 154 residential units, served by 759 parking stalls. Of the total stalls observed during data collection, 406 were on-street and 353 were in driveways/carport stalls.[10] There were no surface lot stalls in this neighborhood. This is summarized in **Table 5.**

***Table 5: Lewelling Neighborhood – Breakout of observed stalls and residential units***

| | Lewelling Neighborhood |
|---|---|
| **Total Parking Stalls Studied[11]** | 759 |
| **On-Street Stalls** | 406 |
| **Driveway Stalls** | 353 |
| **Surface Lot Stalls** | - |
| **Residential Units** | 154 |

***Figure F: Lewelling Neighborhood Study Area Boundary and Parcel Map***




[10] An additional 242 stalls of "capacity" were estimated during the inventory in doored garages.
[11] Residential parking stalls only. "Other" and Garage uses excluded from this summary.

## Summary of Parking Occupancies

### On-Street Parking Demand

There are 406 on-street parking stalls within the Lewelling neighborhood study area. At the 2:00 AM data collection hour, 45 vehicles were observed parked in the on-street supply. This represents occupancy of 11.1%, leaving 361 empty stalls in the usable on-street inventory.

At 10:00 AM, 32 vehicles were observed parked in the on-street supply. This represents an occupancy of 8.0%, with 374 empty stalls available within the useable on-street inventory.

**Table 6** summarizes occupancy counts associated with the on-street supply.

***Table 6: Observed Occupancies – On-street Supply***

| Performance Measure | Parking Demand Observations | |
|---|---|---|
| | On-Street Parking Supply: **406 stalls** | |
| Collection Hour | **2:00 AM** | 10:00 AM |
| Occupancy | **11.1%** | 8.0% |
| Parked Vehicles | **45**[12] | 31[13] |
| RV/ Trailers | **0** | 1 |
| Construction/ Obstruction | - | 8[14] |
| **Empty stalls (unused supply)** | **361** | **374** |

### On-Site Parking Demand (within parcels)

Use of on-site parking in the neighborhood is summarized in **Table 7.** In the Lewelling neighborhood, there are 353 on-site parking stalls. This is all driveway/carport capacity as there are no surface lots serving residential uses in this neighborhood.

At the 2:00 AM hour, 247 vehicles were observed parked within residential parcels, an occupancy of 70.0%. At this hour, there were 106 empty parking stalls within the on-site supply. At 10:00 AM, occupancies dropped to 57.2%, with 202 vehicles parked and 151 stalls empty.

***Table 7: Observed Occupancies – On-site supply***

| Performance Measure | Parking Demand Observations | |
|---|---|---|
| | On-Site Parking Supply: **353 stalls** | |
| Collection Hour | **2:00 AM** | 10:00 AM |
| Occupancy | **70.0%**[15] | 57.2%[16] |
| Parked Vehicles | **247** | 202 |
| **Empty stalls (unused supply)** | **106** | **151** |

[12] Of the total vehicles parked at 2:00 AM, zero are parked illegally.
[13] Of the total vehicles parked at 10:00 AM, two (2) are parked illegally (includes the one RV/Trailer).
[14] These are what would be useable stalls but have been temporarily removed from the supply since the inventory for construction.
[15] Of the vehicles parked at 2:00 AM, three (3) are parked somewhere on-site other than the driveway.
[16] Of the vehicles parked at 10:00 AM, three (3) are parked somewhere on-site other than the driveway.

## Residential Parking Demand per Unit

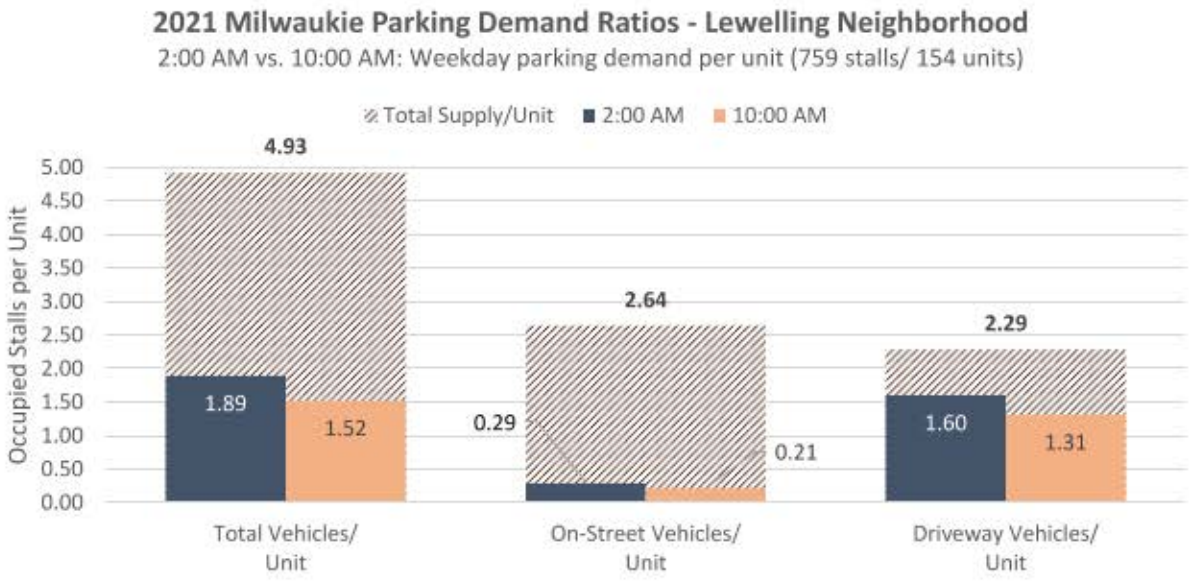
**Table 8** summarizes occupancy data into per unit demand ratios using the entire 759 stall supply using observed vehicle occupancy numbers provided in **Tables 6** and **7** above. The table also allocates the demand for each unit between on-street and on-site occupancies to illustrate demand by stall type.

***Table 8: Residential Parking Demand per Unit***

| Performance Measure | Parking Demand per Unit | |
|---|---|---|
| | Residential Units: **154 Units** | |
| | 2:00 AM | 10:00 AM |
| **On-Street Vehicles/Unit** (Supply: 2.64 stalls/unit) | 0.29 | 0.21 |
| **Driveway Vehicles/Unit** (Supply: 2.29 stalls/unit) | 1.60 | 1.31 |
| **Surface Lot Vehicles/Unit** (Supply: N/A) | N/A | N/A |
| **Total Vehicles/Unit** (Supply: 4.93 stalls/unit[17]) | **1.89** | **1.52** |

As the table indicates, peak hour (2:00 AM) residential demand is 1.89 vehicles per unit. Of that total, 0.29 per unit is generated from vehicles parking on-street. Observed on-site demand is 1.60 vehicles per unit. At 10:00 AM, combined demand for parking is 1.52 vehicles per unit; with 0.21 and 1.31 of demand derived on-street and on-site, respectively. These demand ratios can be contrasted to the built supply of parking (excluding garage capacity), which combined, totals 4.93 stalls of capacity serving a demand of 1.89 and 1.52 vehicles/unit, for the 2:00 AM and 10:00 AM occupancy periods. This is illustrated in **Figure G.**

***Figure G: Summary of Parking Demand and Built Supply***




[17] This does not include potential garage capacity, which totaled 242 stalls, which would raise the built ratio to 6.50.

## Heat Map Summary

**Figures H** and **I** provide a graphic illustration of occupancies at 2:00 AM and 10:00 AM, respectively. Data is provided for both the on-street system and the on-site systems using the demand color band formula described in the Lake Road summary (**Page 7**).

### On-street

At the 2:00 AM hour, 18 of 20 on-street block faces fall within the green color band (less than 55% occupancy). One block face on the west side of 45th Avenue paralleling the parcels on block 201 has occupancies in the orange range (70% - 84%) though the block face on the east side of the same street is green (less than 55%). One block face, the east side of SE Mason Hill Drive Avenue, paralleling the parcels on block 203 is yellow (69% - 55%). At this hour, the heat maps would indicate there is an abundance of on-street parking available and access to it is convenient.

At the 10:00 AM hour, all on-street block faces fall within the green color band (less than 55%). At this hour, the heat maps would indicate there is an abundance of on-street parking available with convenient access.

### On-site

This study area has very large parcel blocks, totaling 10 blocks and 154 unique units. For purposes of this discussion, occupancy data is aggregated to the *parcel block* level. Use at the *individual parcel level* is not displayed to ensure that individual residential sites remain anonymous.

At the 2:00 AM hour, one of the parcel blocks (208) is falls within the red band (100% - 85%). Four of 20 parcel blocks fall within the orange band (84% - 70%); this includes parcel blocks 200, 205, 207, and 209. Three parcel blocks (202, 204, and 206) have occupancies between 69% and 55%. The remaining parcel blocks (201 and 203) are green (less than 55%).

At this hour, the heat maps would indicate that parcels within blocks can meet their parking demand on-site. Only one parcel block has demand that approaches observed supply, and as stated above, there is an abundance of empty on-street parking.

At the 10:00 AM hour, one parcel block (208) falls within the red band (100% - 85%). Three parcel blocks (200, 205, and 207) have occupancies in the yellow range. The remaining six parcel blocks are within the green band. At this hour, the heat maps would indicate that parcels within blocks can meet their parking demand on-site. Only one parcel block has demand that approaches observed supply, and, as stated above, there is an abundance of empty on-street parking.

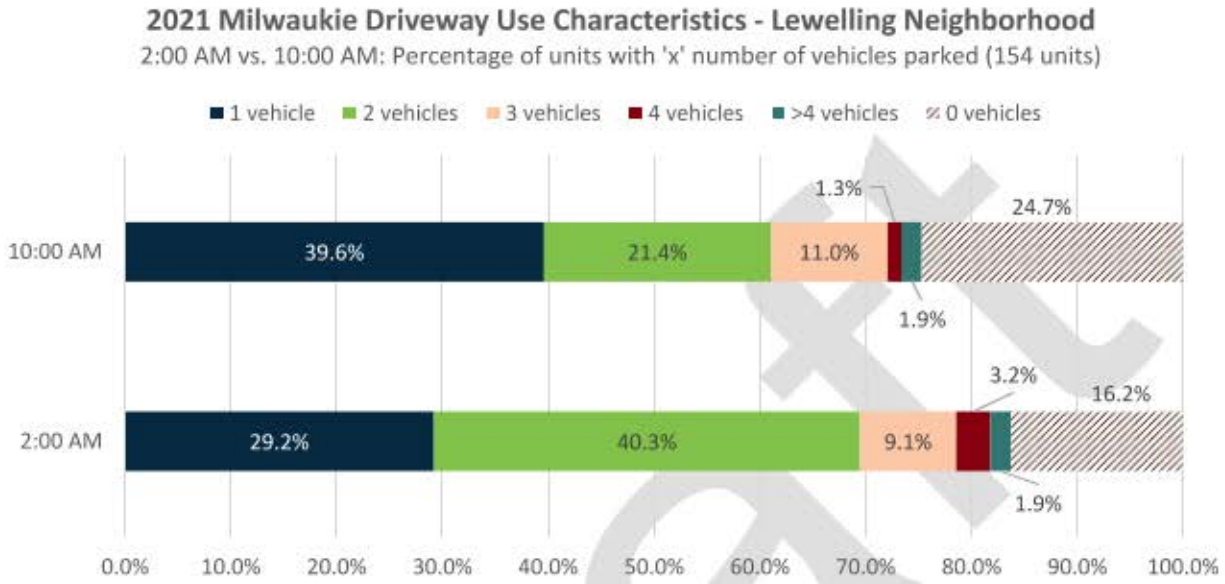
***Figure H: Parking Occupancy Heat Map – 2:00 AM***

***Figure I: Parking Occupancy Heat Map – 10:00 AM***

## Number of Vehicles Parked On-site – By Individual Parcels

**Figure J** provides a summary of the percentage of vehicles parked on-site at unique residential parcels within the Lewelling study area.

***Figure J: Summary of Use of Observed On-site Supply***




As the figure indicates, most vehicles parked at individual residential units ranges from zero (24.7%) to one (39.6%) at 10:00 AM. Units with 2 observed vehicles represented 21.4% of vehicles parked. The percentage of units observed to park 3 or more vehicles on-site during this data collection hour totals 14%, a much higher percentage than the Lake Road study area.

At 2:00 AM, the percentage of vehicles parked between 0 and 1 vehicles was 16.2% and 29.2%, respectively. Units with 2 observed vehicles represented 40.3% of vehicles parked (the largest use category). As with the Lake Road data above, the drop from 0 and 1 at this hour as compared to 10:00 AM likely reflects vehicles returning from daytime trips (e.g., work, shopping, etc.). This is also reflected in the large increase in 2 observed vehicles. Units with 3 or more observed vehicles remained constant at 14.2%

## Summary – Lewelling Neighborhood

Data collected indicates that occupancies within the study zone are higher at the 2:00 AM hour, reflecting what is likely the minimum true demand for parking per residential unit – 1.89 vehicles/unit – an hour when few (if any) non-residential vehicles are in the neighborhood. Not surprisingly, there is higher use of the on-site supply at the 2:00 AM peak; 1.60/unit versus 1.31/unit (10:00 AM). In both supplies (and at both occupancy hours), the study showed that there is a sizable supply of empty and available capacity. For the Lewelling neighborhood, it also appears that there is very low use of the on-street system to meet parking demand, with only 45 vehicles (11.1%) using the street at the 2:00 AM peak hour.

## 1.6 ARDENWALD NEIGHBORHOOD

### Study Area

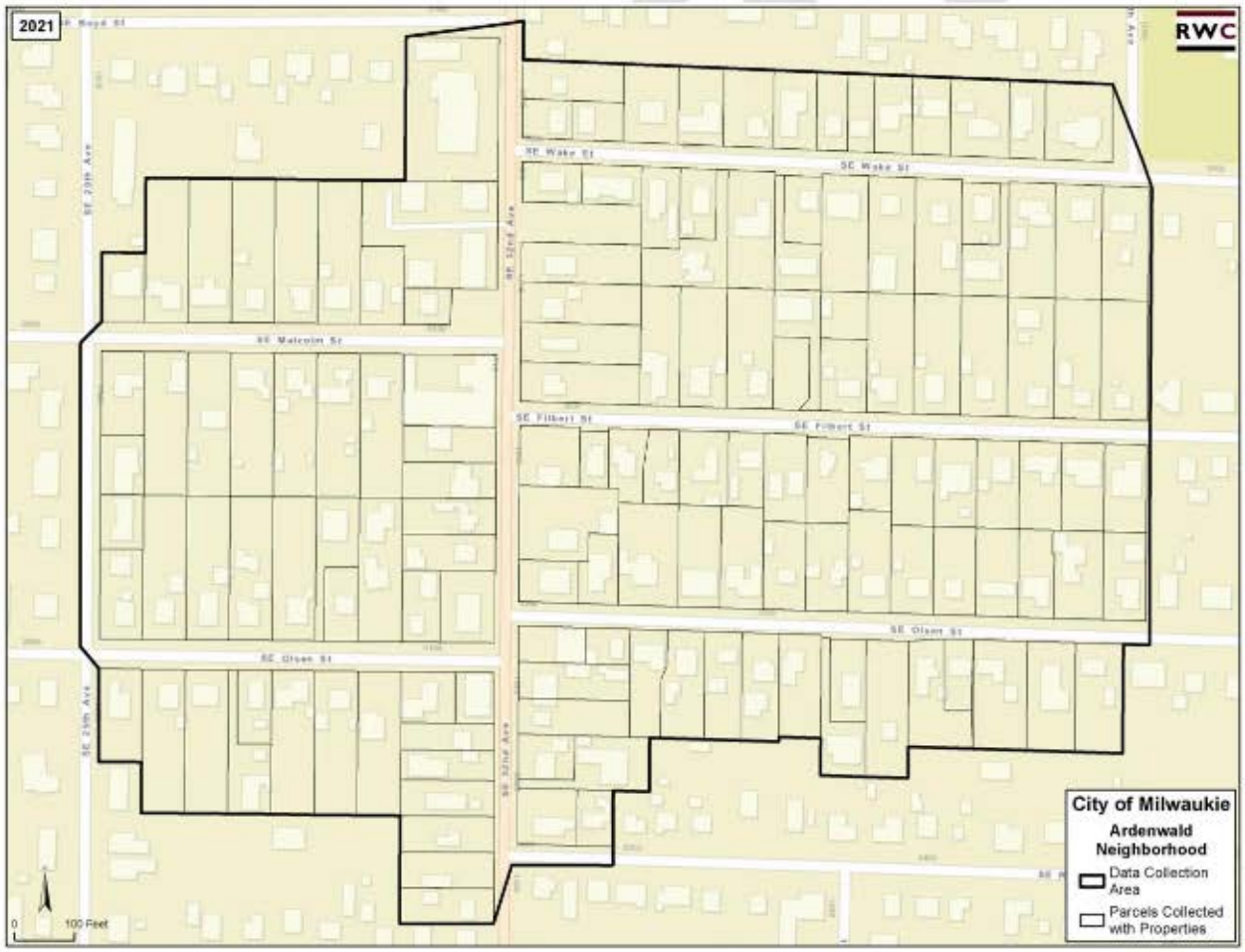
The sample study area for the Ardenwald neighborhood is illustrated in **Figure K.**

The survey area for this neighborhood is comprised of 171 residential units, served by 535 parking stalls. Of the total stalls observed during data collection, 205 were on-street, 287 were in driveways/carport stalls, and 43 were on surface lots.[18] This is summarized in **Table 9.**

***Table 9: Ardenwald Neighborhood – Breakout of observed stalls and residential units***

| | Ardenwald Neighborhood |
|---|---|
| **Total Parking Stalls Studied**[19] | 535 |
| **On-Street Stalls** | 205 |
| **Driveway Stalls** | 287 |
| **Surface Lot Stalls** | 43 |
| **Residential Units** | 171 |

***Figure K: Ardenwald Neighborhood Study Area Boundary and Parcel Map***




[18] An additional 156 stalls of residential "capacity" were estimated during the inventory in doored garages.
[19] Residential parking stalls only. "Other" and Garage uses excluded from this summary.

## Summary of Parking Occupancies

### On-Street Parking Demand

There are 205 on-street parking stalls within the Ardenwald neighborhood study area that serve residential uses. At the 2:00 AM data collection hour, 50 vehicles were observed parked in the on-street supply. This represents occupancy of 24.2%, leaving 157 empty stalls in the usable on-street inventory.

At 10:00 AM, 43 vehicles were observed parking in the on-street supply. This represents an occupancy of 20.8%, with 164 empty stalls available within the useable on-street inventory.

**Table 10** summarizes occupancy counts associated with the on-street supply.

***Table 10: Observed Occupancies – On-street Supply***

| Performance Measure | Parking Demand Observations | |
|---|---|---|
| | On-Street Parking Supply: **205 stalls** | |
| Collection Hour | **2:00 AM** | 10:00 AM |
| Occupancy | **24.2%** | 20.8% |
| Parked Vehicles | **49**[20] | 43[21] |
| RV/ Trailers | **1** | - |
| Construction/ Obstruction | - | - |
| **Empty stalls (unused supply)** | **157** | **164** |

### On-Site Parking Demand (within parcels)

Use of on-site parking in the neighborhood is summarized in **Table 11**. In the Ardenwald neighborhood, there are 330 on-site parking stalls, 287 in driveway/carports and 43 stalls on surface lots serving residential uses in this neighborhood.

At the 2:00 AM hour, 299 vehicles were observed parked within residential parcels, an occupancy of 90.6%. At this hour, there were 31 empty parking stalls within the on-site supply. At 10:00 AM, occupancies dropped to 74.5%, with 246 vehicles parked and 84 stalls empty.

***Table 11: Observed Occupancies – On-site supply***

| Performance Measure | Parking Demand Observations | |
|---|---|---|
| | On-Site Parking Supply: **330 stalls** | |
| Collection Hour | **2:00 AM** | 10:00 AM |
| On-site Occupancy (combined) | **90.6%** | 74.5% |
| Parked Vehicles (driveway/carport) | **269**[22] | 226[23] |
| Parked Vehicles (surface lot) | **30** | 20 |
| **Empty stalls (unused supply)** | **31** | **84** |

## Residential Parking Demand per Unit

**Table 12** summarizes occupancy data into parking demand per residential unit. Data is based on use within the entire 535 stall supply using observed vehicle occupancy numbers provided in **Tables 10** and **11** above.

[20] Of the total vehicles parked at 2:00 AM, one (1) is parked illegally (includes the RV/Trailer).
[21] Of the total vehicles parked at 10:00 AM, one (1) is parked illegally.
[22] Of the vehicles parked, 24 are parked somewhere on-site other than the driveway.
[23] Of the vehicles parked, ten (10) are parked somewhere on-site other than the driveway.

The table also allocates the demand for each unit between on-street and on-site occupancies to illustrate demand by stall type.

***Table 12: Residential Parking Demand per Unit***

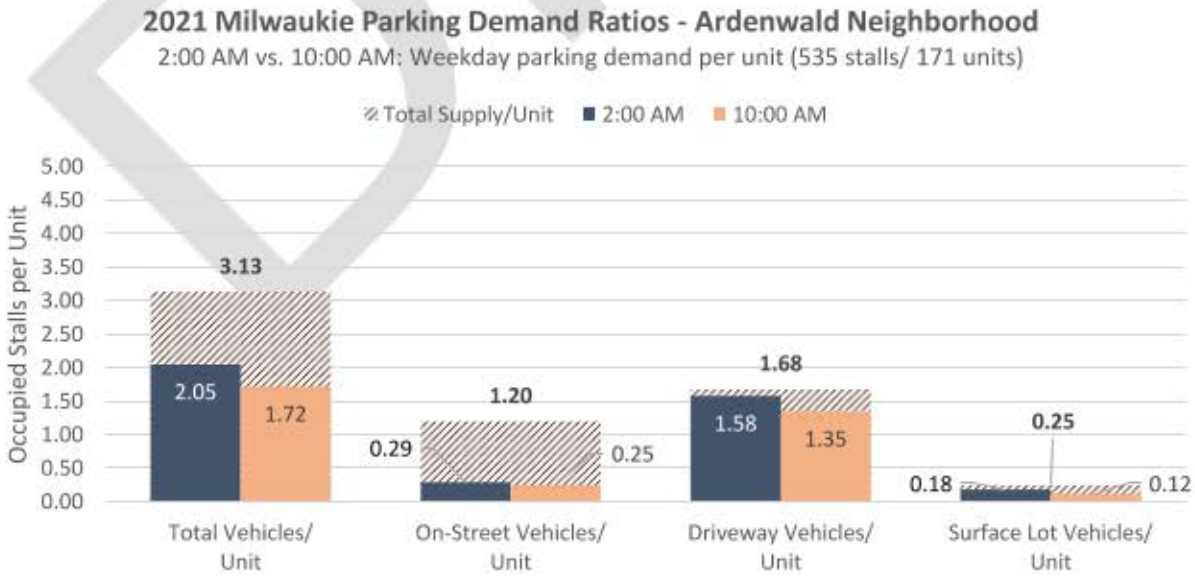
| Performance Measure | Parking Demand per Unit | |
|---|---|---|
| | Residential Units: **171 Units** | |
| | 2:00 AM | 10:00 AM |
| **On-Street Vehicles/Unit** (Supply: 1.20 stalls/unit) | 0.29 | 0.25 |
| **Driveway Vehicles/Unit** (Supply: 1.68 stalls/unit) | 1.58 | 1.35 |
| **Surface Lot Vehicles/Unit** (Supply: 0.25/unit) | 0.18 | 0.12 |
| **Total Vehicles/Unit** (Supply: 3.13 stalls/unit[24]) | **2.05** | **1.72** |

As the table indicates, peak hour (2:00 AM) residential demand is 2.05 vehicles per unit. Of that total, 0.29 per unit is generated from vehicles parking on-street. Observed on-site demand is 1.76 vehicles per unit (1.58 in driveway/carports and 0.18 in surface lots). Unlike Lake Road and Lewelling, demand and supply of driveway/carport stalls are very close, particularly at the 2:00 AM hour. This underscores the occupancy numbers in **Table 11,** which show on-site (2:00 AM) occupancies of 90.6%.

At 10:00 AM, combined demand for parking is 1.72 vehicles per unit; with 0.25, 1.35, and 0.12 of demand derived on-street, in driveways/carports, and on surface lots, respectively.

**Figure L** illustrates demand ratios when contrasted to the built supply of parking (excluding garage capacity). For Ardenwald, combined supply totals 3.13 stalls of capacity serving a demand of 2.05 and 1.72 vehicles/unit, for the 2:00 AM and 10:00 AM occupancy periods, respectively.

***Figure L: Summary of Parking Demand and Built Supply***




[24] This does not include potential residential garage capacity, which totaled 156 stalls, which would raise the built ratio to 4.04.

## Heat Map Summary

**Figures M** and **N** provide a graphic illustration of occupancies at 2:00 AM and 10:00 AM, respectively. Data is provided for both the on-street system and the on-site systems using the demand color band formula described in the Lake Road summary (**Page 7**).

### On-street

Twelve of 19 block faces in the study area allow parking; seven block faces do not allow parking.[25] At the 2:00 AM hour, all 12 block faces with parking fall within the green color band (less than 55% occupancy). At this hour, the heat maps would indicate there is an abundance of on-street parking available and access to it is convenient, except those seven block faces where no parking is allowed.

At the 10:00 AM hour, 11 of the 12 on-street block faces with parking fall within the green color band (less than 55%). One block face on SE Rockwood Street (paralleling parcel block 315) falls within the orange band (84% - 70%). At this hour, the heat maps would indicate there is an abundance of on-street parking available and access to it is convenient, except those seven block faces where no parking is allowed.

### On-site

As with the Lewelling study area, the Ardenwald study area has very large parcel blocks, totaling just 7 blocks and 171 unique residential units. For purposes of this discussion, occupancy data is aggregated to the *parcel block* level. Use at the *individual parcel level* is not displayed to ensure that individual residential sites remain anonymous.

At the 2:00 AM hour, one of the parcel blocks (307) has demand that falls within the purple band, with the number of parked vehicles exceeding the observed supply. Three of 7 parcel blocks fall within the red band (100% - 85%); this includes parcel blocks 308, 313, and 314. One parcel block (315) has occupancies in the orange band (84% - 70%). The remaining parcel blocks (309 and 312) are yellow (69% - 55%).

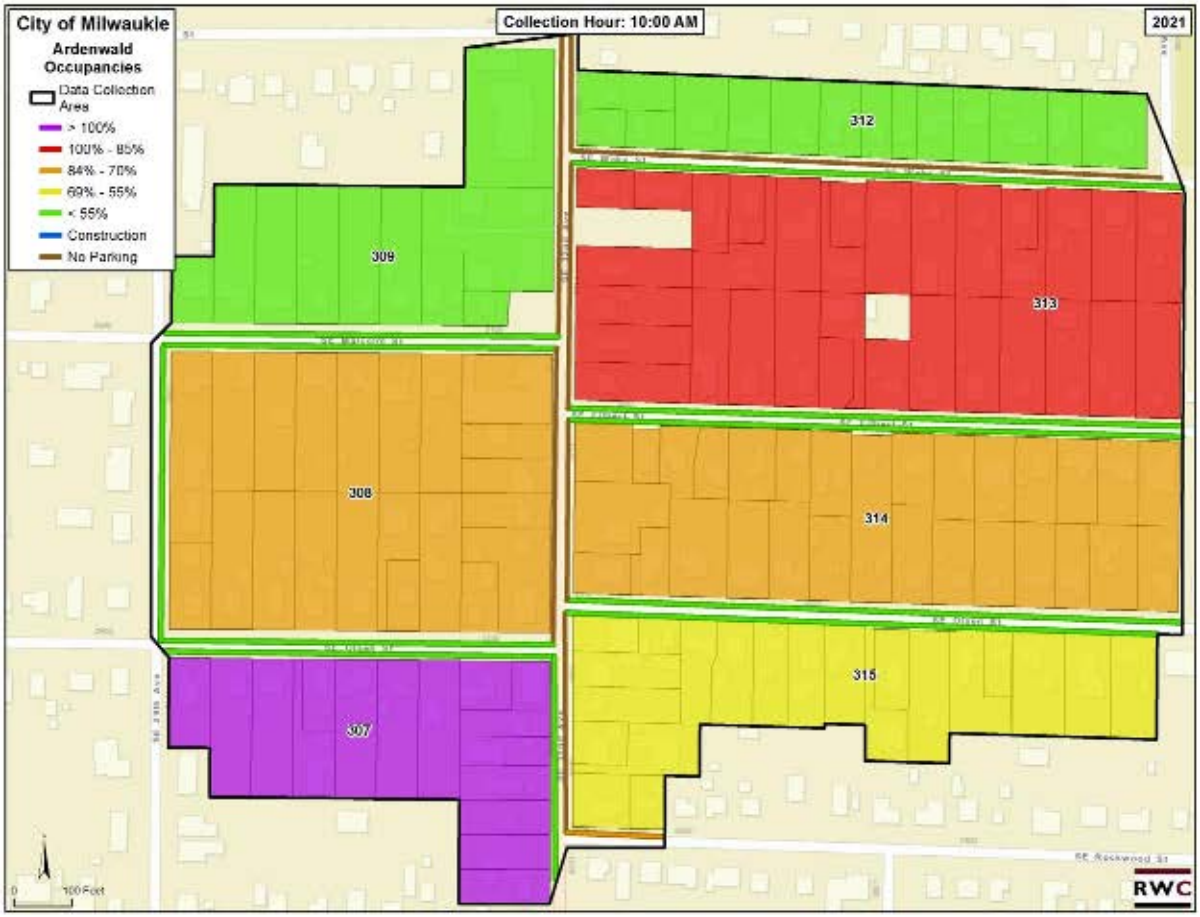
At 2:00 AM, the heat maps indicate that parcels within certain blocks contain their parking demand on-site at a level that nearly matches supply. This was particularly true on parcel blocks 307, 308, 313, and 314. The remaining parcels appear to be containing their demand on-site given the overall low use of the on-street supply in the study area.

At the 10:00 AM hour, the heat maps provide visual evidence of residential vehicles leaving the area as there are noticeable drops in on-site occupancies in five of the seven parcels blocks. Only blocks 307 and 313 remain within the red or purple bands.

[25] There are 19 total block faces in the study area. Of this total, 7 block faces do not allow parking. This is for a number of reasons, which includes bus access along SE 32nd Avenue and narrow streets in other areas. We state this here as an anecdotal indicator of why on-site occupancies are higher than the other neighborhood study areas as parcel blocks abutting no-parking streets are more likely in the position of containing all their demand on-site.

***Figure M: Parking Occupancy Heat Map – 2:00 AM***

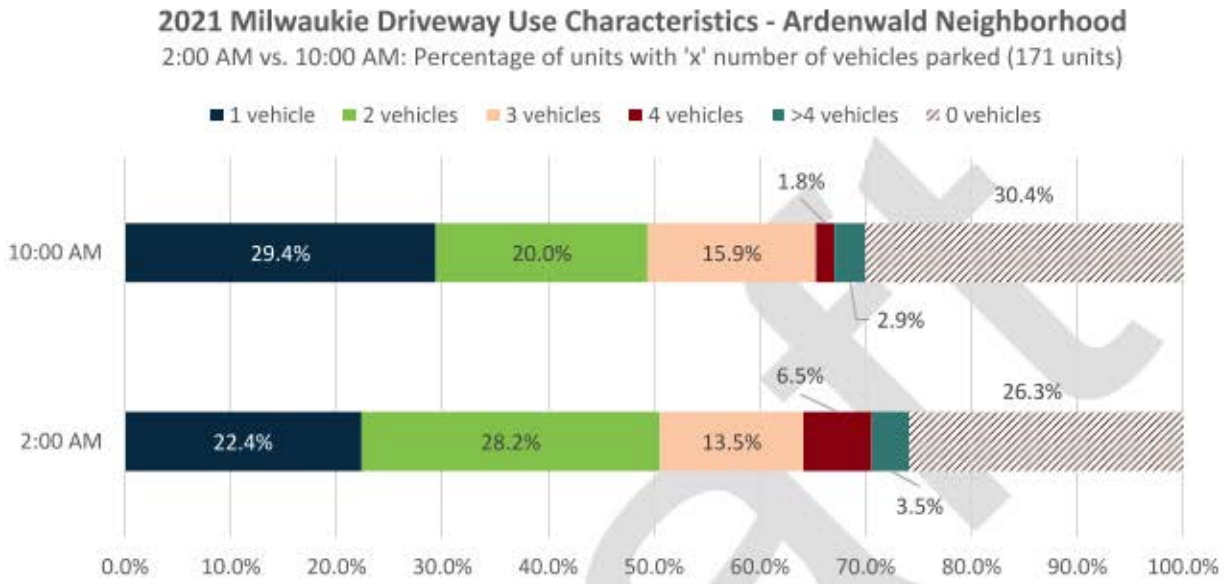
***Figure N: Parking Occupancy Heat Map – 10:00 AM***



## Number of Vehicles Parked On-site – By Individual Parcels

**Figure O** provides a summary of the percentage of vehicles parked on-site at unique residential parcels within the Ardenwald study area.

***Figure O: Summary of Use of Observed On-site Supply***




As the figure indicates, most vehicles parked at individual residential units ranges from zero (30.4%) to one (29.4%) at 10:00 AM. Units with 2 observed vehicles represented 20.0% of vehicles parked. The percentage of units observed to park 3 or more vehicles on-site during this data collection hour totals 20.6%, the highest percentage of all neighborhood study areas.

At 2:00 AM, the percentage of vehicles parked between 0 and 1 vehicles was 26.3% and 22.4%, respectively. As evidenced in the other study areas, the drop from 0 and 1, at this hour as compared to 10:00 AM, likely reflects residents returning from daytime trips (e.g., work, shopping, etc.). This is also reflected in the increase in 2 observed vehicles (raising to 28.2%) and units with 3 or more observed vehicles (raising to 23.5%).

## Summary – Ardenwald Neighborhood

Data collected indicates that occupancies within the study zone are higher at the 2:00 AM hour, reflecting the minimum true demand for parking per residential unit: 2.05 vehicles/unit. There is higher overnight use of the on-site supply: 1.58/unit at 2:00 AM versus 1.35/unit at 10:00 AM. Notably, the 2:00 AM number is very near the total capacity of 1.68/unit on-site. Surveyors noted that in this study area, there was a high level of on-site vehicle storage (3 or more vehicles observed) than was evidenced in the Lake Road and Lewelling study areas.

The on-street system is not highly utilized by residential demand; there are 157 empty stalls at the 2:00 AM peak hour and 164 at 10:00 AM. Unlike other study areas, there are several block faces that do not allow parking, which may influence the high occupancy numbers on-site on several parcel blocks.

## 1.7 ISLAND STATION NEIGHBORHOOD

### Study Area

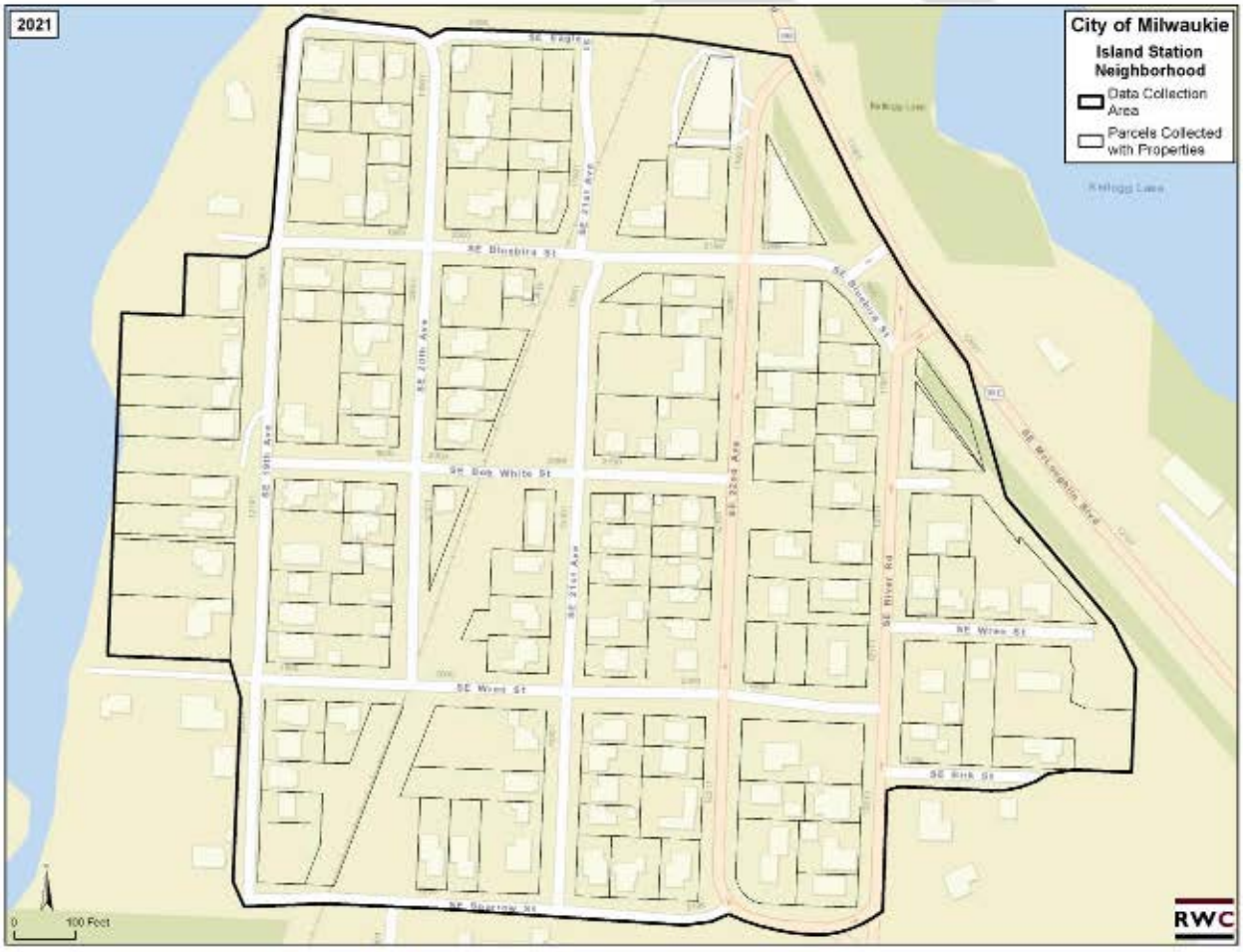
The sample study area for the Island Station neighborhood is illustrated in **Figure P**.

The survey area for this neighborhood is comprised of 131 residential units, served by 541 parking stalls. Of the total stalls observed during data collection, 285 were on-street, 238 were in driveways/carport stalls, and 18 were on surface lots.[26] This is summarized in **Table 13.**

***Table 13: Island Station Neighborhood – Breakout of observed stalls and residential units***

| | Island Station Neighborhood |
|---|---|
| **Total Parking Stalls Studied[27]** | 541 |
| **On-Street Stalls** | 285 |
| **Driveway Stalls** | 238 |
| **Surface Lot Stalls** | 18 |
| **Residential Units** | 131 |

***Figure P: Island Station Neighborhood Study Area Boundary and Parcel***




[26] An additional 148 stalls of residential "capacity" were estimated during the inventory in doored garages.
[27] Residential parking stalls only. "Other" and Garage uses excluded from this summary.

## Summary of Parking Occupancies

### On-Street Parking Demand

There are 285 on-street parking stalls within the Island Station neighborhood study area that serve residential uses. At the 2:00 AM data collection hour, 42 vehicles were observed parked in the on-street supply. This represents occupancy of 16.5%, leaving 212 empty stalls in the usable on-street inventory.

At 10:00 AM, 51 vehicles were observed parked in the on-street supply. This represents an occupancy of 20.1%, with 203 empty stalls available within the useable on-street inventory.

**Table 14** summarizes occupancy counts associated with the on-street supply.

***Table 14: Observed Occupancies – On-street Supply***

| Performance Measure | On-Street Supply | |
|---|---|---|
| | On-Street Parking Supply: **285 stalls** | |
| Collection Hour | **2:00 AM** | 10:00 AM |
| Occupancy | **16.5%** | 20.1% |
| Parked Vehicles[28] | **42** | 51 |
| RV/ Trailers | **-** | - |
| Construction/ Obstruction | **31** | 31 |
| **Empty stalls (unused supply)** | **212** | **203** |

### On-Site Parking Demand (within parcels)

Use of on-site parking in the neighborhood is summarized in **Table 15.** In the Island Station neighborhood, there are 256 on-site parking stalls, 238 in driveway/carports, and 18 stalls on surface lots serving residential uses in this neighborhood.

At the 2:00 AM hour, 209 vehicles were observed parked within residential parcels, an occupancy of 81.6%. At this hour, there were 47 empty parking stalls within the on-site supply. At 10:00 AM, occupancies dropped to 77.7%, with 199 vehicles parked and 57 stalls empty.

***Table 15: Observed Occupancies – On-site supply***

| Performance Measure | Parking Demand Observations | |
|---|---|---|
| | On-Site Parking Supply: **256 stalls** | |
| Collection Hour | **2:00 AM** | 10:00 AM |
| On-site Occupancy (combined) | **81.6%** | 77.7% |
| Parked Vehicles (driveway/carport) | **195[29]** | 182[30] |
| Parked Vehicles (surface lot) | **14** | 17 |
| **Empty stalls (unused supply)** | **47** | **57** |

## Residential Parking Demand per Unit

**Table 16** summarizes occupancy data into parking demand per residential unit. Data is based on use within the entire 541 stall supply using observed vehicle occupancy numbers provided in **Tables 14** and **15** above. The table also allocates the demand for each unit between on-street and on-site occupancies to illustrate demand by stall type.

[28] Zero vehicles parked illegally.
[29] Of the vehicles parked, 24 are parked somewhere on-site other than the driveway.
[30] Of the vehicles parked, 15 are parked somewhere on-site other than the driveway.

***Table 16: Residential Parking Demand per Unit***

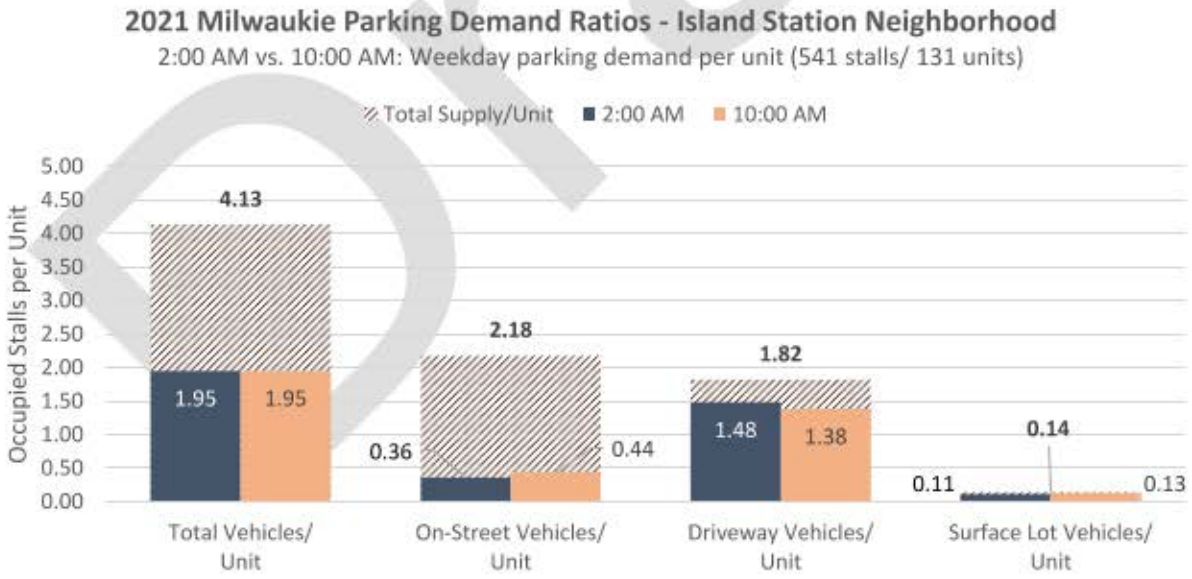
| Performance Measure | Parking Demand per Unit | |
|---|---|---|
| | Residential Units: **131 Units** | |
| | 2:00 AM | 10:00 AM |
| **On-Street Vehicles/Unit** (Supply: 2.18 stalls/unit) | 0.36 | 0.44 |
| **Driveway Vehicles/Unit** (Supply: 1.82 stalls/unit) | 1.48 | 1.38 |
| **Surface Lot Vehicles/Unit** (Supply: 0.14/unit) | 0.11 | 0.13 |
| **Total Vehicles/Unit** (Supply: 4.13 stalls/unit[31]) | **1.95** | **1.95** |

As the table indicates, peak hour (2:00 AM) residential demand is 1.95 vehicles per unit. Of that total, 0.36 per unit is generated from vehicles parking on-street. Observed on-site demand is 1.59 vehicles per unit (1.48 in driveway/carports and 0.11 in surface lots).

At 10:00 AM, combined demand for parking is also 1.95 vehicles per unit; with 0.44, 1.38, and 0.13 of demand derived on-street, in driveways/carports, and on surface lots, respectively.

**Figure Q** illustrates demand ratios when contrasted to the built supply of parking (excluding garage capacity). For Island Station, combined supply totals 4.13 stalls of capacity serving a demand of 1.95 vehicles/unit for the 2:00 AM and 10:00 AM occupancy periods.

***Figure Q: Summary of Parking Demand and Built Supply***




[31] This does not include potential residential garage capacity, which totaled 148 stalls, which would raise the built ratio to 5.26.

## Heat Map Summary

**Figures R** and **S** provide a graphic illustration of occupancies at 2:00 AM and 10:00 AM, respectively. Data is provided for both the on-street system and the on-site systems using the demand color band formula described in the Lake Road summary (**Page 7**).

### On-street

There are 55 block faces in the study area. Eleven block faces do not allow parking, and at the time of the survey, 3 block faces were not available for parking because of construction (mainly on SE 22nd Avenue and SE River Road, between SE Wren and SE Bluebird Streets).

At the 2:00 AM hour, 42 of the 44 block faces that allow parking fall within the green color band (less than 55% occupancy). One block face fell within the red band (85% - 100%). This block face is located on east side of SE River Road, paralleling parcel block 122.[32] Another block face, on the north side of SE Bluebird Street (paralleling parcel block 103) fell into the yellow band (69% - 55%). At this hour, the heat maps indicate there is an abundance of on-street parking available. Interestingly, the parcel blocks most affected by lack of on-street parking (e.g., blocks 116 and 117) have moderate on-site parcel demand.

At the 10:00 AM hour, 41 of 44 block faces that allow parking fall within the green color band (less than 55% occupancy). Two block faces fall within the red band (85% - 100%); located on the east side of SE River Road, paralleling parcel block 122 and on the north side of SE Bluebird Street paralleling parcel block 113. One block face falls within the yellow band (69% - 55%) at the south side of SE Bluebird Street paralleling parcel block 104. As with the 2:00 AM counts, the heat maps indicate there is an abundance of on-street parking available at 10:00 AM.

### On-site

The Island Station study area totals 17 parcel blocks serving 131 unique residential units. For purposes of this discussion, occupancy data is aggregated to the *parcel block* level. Use at the *individual parcel level* is not displayed to ensure that individual residential sites remain anonymous.

At the 2:00 AM hour, three parcel blocks (108, 112, 115) fall within the purple band, with total parcel block demand in excess of observed supply (greater than 100%). This likely indicates high vehicle ownership and storage on parcels, which impact the overall parcel block demand number for those high demand blocks.[33]

Another five parcel blocks fall within the red band (100% - 85%); this includes parcel blocks 103, 104, 111, 118, and 123). Four parcel blocks (105, 116, 117, and 122) are yellow (69% - 55%). The remaining five parcel blocks fall within the green band (less than 55%).

At the 10:00 AM hour, three parcel blocks (112, 115, 123) fall within the purple band (greater than 100%), a slight change from the 2:00 AM count when parcel block 108 was purple and parcel block 123 was red. Two parcel blocks remain red at the 10:00 AM hour (108 and 111). Three parcel blocks (104, 117, and 118) fall within the orange band (70% - 84%), and two (105 and 116) fall within the yellow band (69% - 55%). The remaining seven parcel blocks fall within the green band (less than 55%).

The heat maps provide visual evidence of residential vehicles shifting both out of and within the study zone, based on the overall per unit demand levels for parking (1.95 vehicles/unit) staying consistent between the two occupancy counts (see **Table 16** and **Figure S**).

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[32] Occupancy on this block face may have been influenced by the adjacent construction.
[33] As noted above in footnotes 29 and 30 (**Page 27**), surveyor field notes indicated a high number of vehicles parked on parcels in excess of reasonable driveway/carport capacity.

***Figure R: Parking Occupancy Heat Map – 2:00 AM***

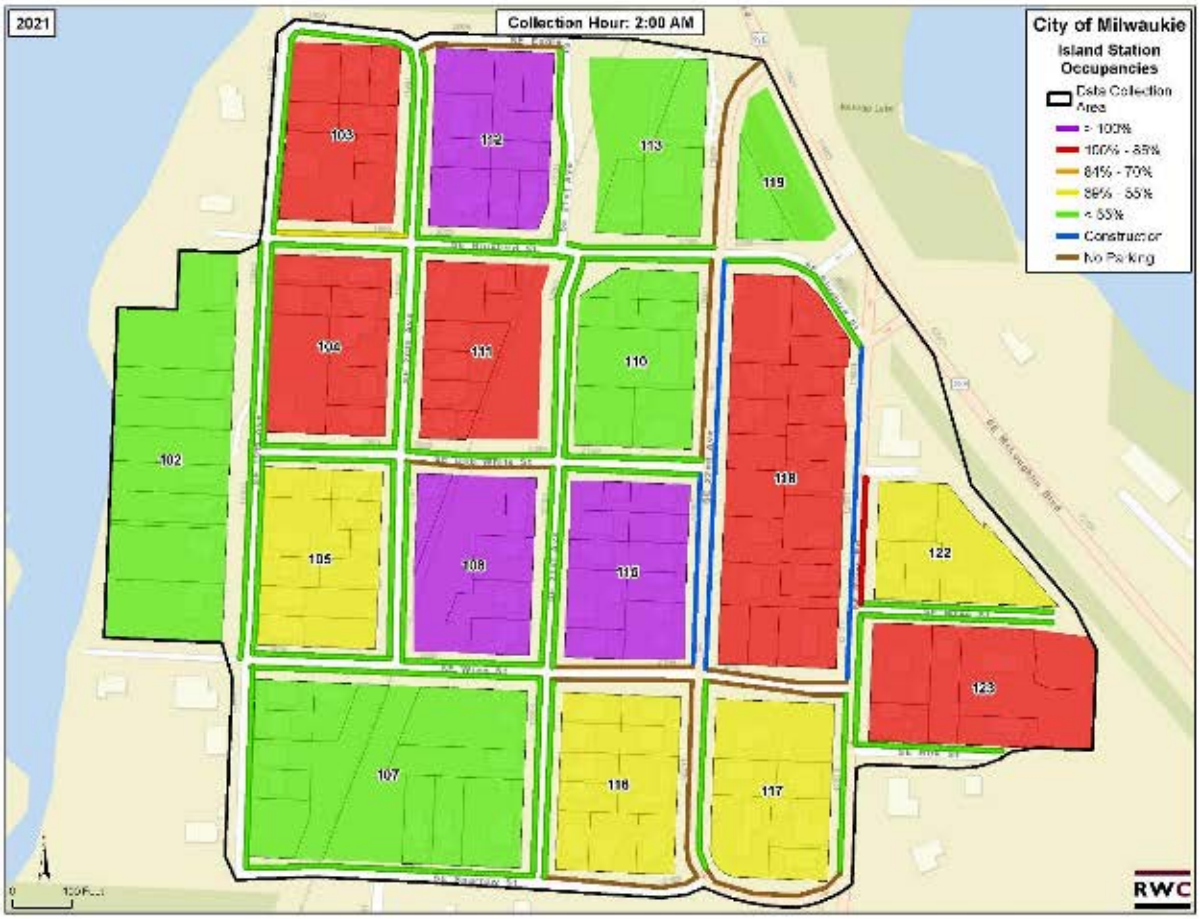
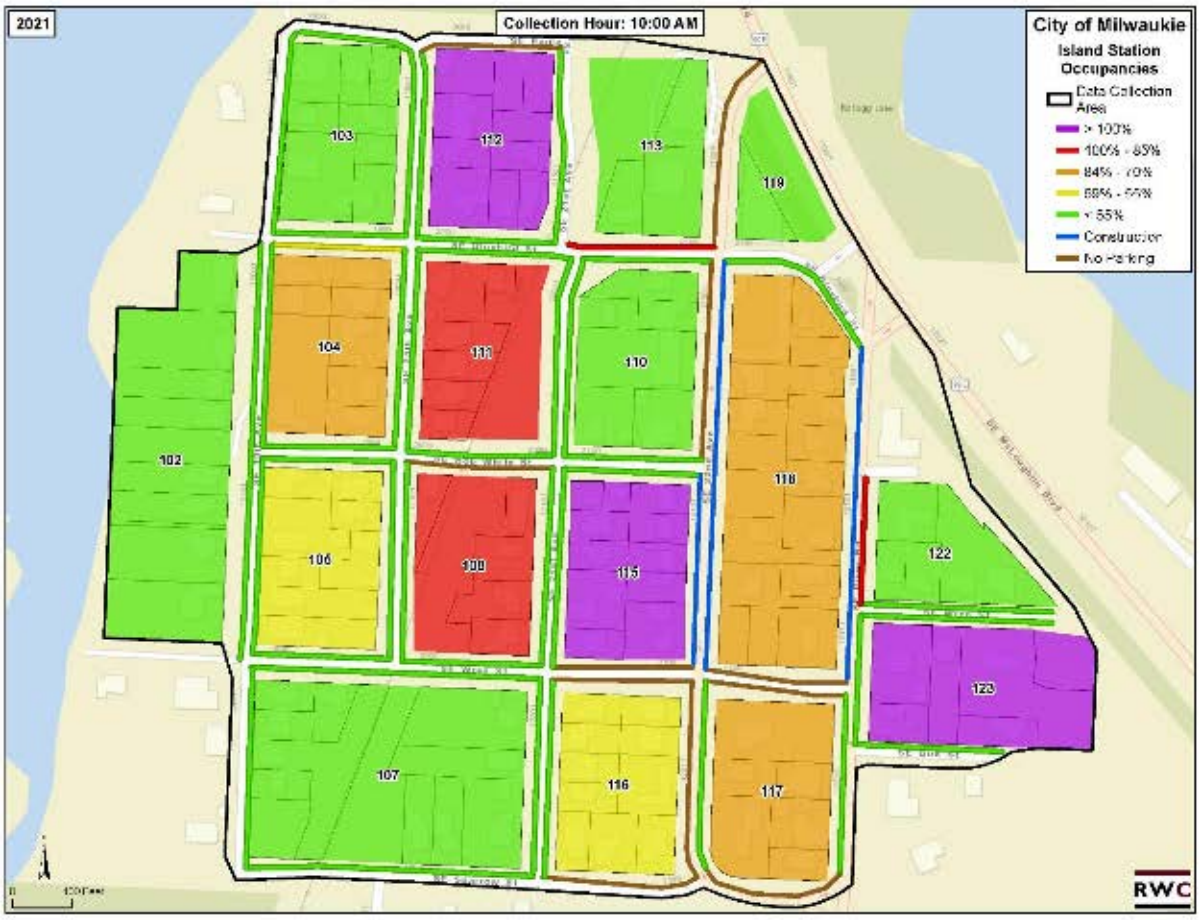


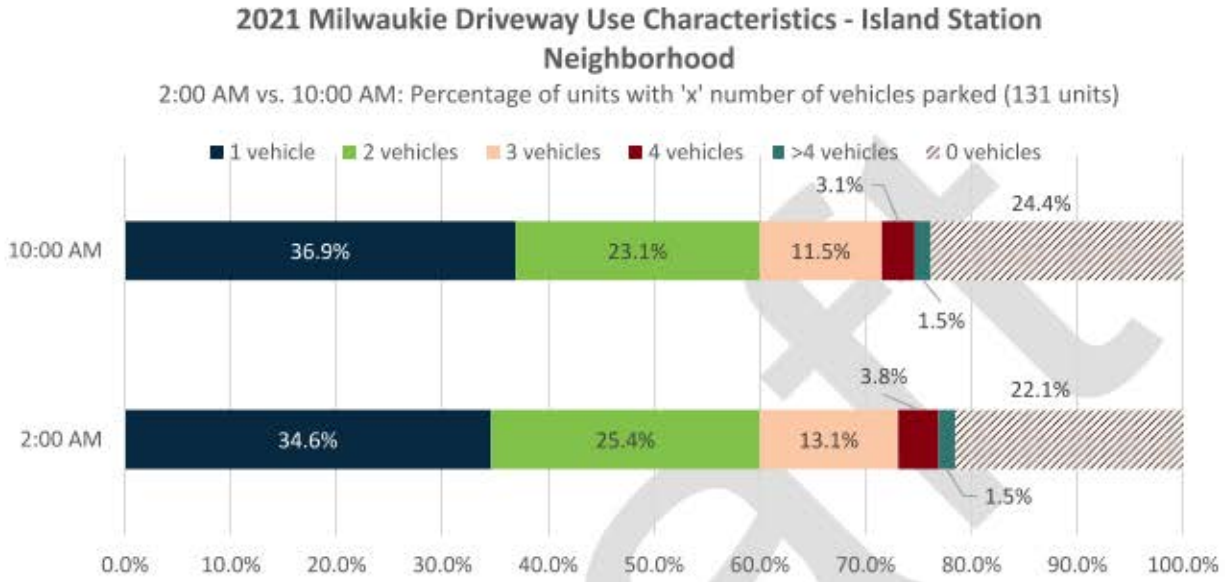
***Figure S: Parking Occupancy Heat Map – 10:00 AM***



## Number of Vehicles Parked On-site – By Individual Parcels

**Figure T** provides a summary of the percentage of vehicles parked on-site at unique residential parcels within the Island Station study area.

***Figure T: Summary of Use of Observed On-site Supply***




As the figure indicates, most vehicles parked at individual residential units ranges from zero (24.4%) to one (36.9%) at 10:00 AM. Units with 2 observed vehicles represented 23.1% of vehicles parked. The percentage of units observed to park 3 or more vehicles on-site during this data collection hour totals 16.1%.

At 2:00 AM, the percentage of vehicles parked between 0 and 1 vehicles was 22.1% and 34.6%, respectively. As evidenced in the other study areas, the drop from 0 and 1, at this hour as compared to 10:00 AM, likely reflects vehicles returning from daytime trips (e.g., work, shopping, etc.). This is also reflected in the increase in 2 observed vehicles (raising to 25.4%) and units with 3 or more observed vehicles (raising to 18.4%).

## Summary – Island Station Neighborhood

Data collected indicates that occupancies within the study zone are constant with the minimum true demand for parking per residential unit at 1.95 vehicles/unit. At the 2:00 AM peak hour, nearly half of all parcel blocks (8 of 17) have demand in the red and purple range. Surveyors did note that like the Ardenwald study area, there was a higher level of on-site vehicle storage than was evidenced in other neighborhood study areas (i.e., Lake Road and Lewelling).

The on-street system is not highly utilized by residential demand; there are 212 empty stalls at the 2:00 AM peak hour and 203 at 10:00 AM. Like Ardenwald, there are several block faces that do not allow parking. Also, three block faces were not available for use due to construction at the time of the survey, which may be influencing the high occupancy numbers on-site on some parcel blocks. Additionally, on-street parking in the Island Station neighborhood is not well-delineated, with many areas requiring residents to park on grass or gravel; this environment likely contributes to reduced on-street demand.

## 1.8 SUMMARY

Averaged over all four study areas, the combined **minimum residential peak parking demand** during the overnight peak hour, including on-street and visible on-site parking, was found to be **1.99 vehicles per residential unit.** On-street parking contributes 0.48 vehicles per unit, and on-site parking (including driveways and surface lots) contribute the remaining 1.51 vehicles per unit. Parking demand in garages could not be observed or estimated in the field. However, it is known that additional demand in garages could contribute anywhere from 0.00 additional vehicles per residential unit (assuming no parking demand in garages) up to 1.09 additional vehicles per unit (if all garage stalls are completely occupied with vehicles).

Each neighborhood has unique characteristics, but on-site parking (excluding garage demand) makes up **at least 75% of the total residential parking demand** on average (ranging from 57% to 86% of the observed demand within each neighborhood).

Additionally, the on-site system is much more heavily utilized than the on-street parking system. On average, on-site parking stalls were found to be **77% occupied** during the peak hour, averaged over all four study areas. By contrast, the on-street system was found to be **23% occupied** during the peak hour across all four study areas. Overall, the entire observable residential parking system (excluding garages) was found to be **49% occupied** during the overnight peak hour.

The following table summarizes the supply and demand across all four neighborhoods. Demand observations shown represent the 2:00 AM overnight hour, which was found to be the peak hour for all four neighborhoods[34].

***Table 17: Overall Residential Parking Demand per Unit***

| | | Lake Road | Lewelling | Ardenwald | Island Station | Total |
|---|---|---|---|---|---|---|
| | **Residential Units** | 190 | 154 | 171 | 131 | **646** |
| **Supply** | **On-Street Stalls/Unit** | 2.37 | 2.64 | 1.20 | 2.18 | **2.09** |
| | **Driveway Stalls/Unit** | 1.75 | 2.29 | 1.68 | 1.82 | **1.87** |
| | **Surface Lot Stalls/Unit** | - | - | 0.25 | 0.14 | **0.09** |
| | **[35]Total Stalls Studied/Unit** | [36]4.12 | [37]4.93 | [38]3.13 | [39]4.13 | [40]**4.05** |
| **Demand*** | **On-Street Vehicles/Unit** | 0.89 | 0.29 | 0.29 | 0.36 | **0.48** |
| | **Driveway Vehicles/Unit** | 1.16 | 1.60 | 1.58 | 1.48 | **1.44** |
| | **Surface Lot Vehicles/Unit** | - | - | 0.18 | 0.11 | **0.07** |
| | **[41]Total Vehicles/Unit** | 2.05 | 1.89 | 2.05 | 1.95 | **1.99** |

*All demand observations shown represent the 2:00 AM overnight peak hour.

[34] On-street and surface lot demand were slightly higher at 10:00 AM for the Island Station neighborhood, but overall demand was equivalent at both 2:00 AM and 10:00 AM so the 2:00 AM hour is used in the summary table for consistency with other neighborhoods.
[35] Residential parking stalls only. "Other" and garage uses excluded from this summary.
[36] This does not include 0.84 residential garage stalls per unit, which would raise the built ratio to 4.96.
[37] This does not include 1.57 residential garage stalls per unit, which would raise the built ratio to 6.50.
[38] This does not include 0.91 residential garage stalls per unit, which would raise the built ratio to 4.04.
[39] This does not include 1.13 residential garage stalls per unit, which would raise the built ratio to 5.26.
[40] This does not include 1.09 residential garage stalls per unit (combined average for all neighborhoods), which would raise the built ratio to 5.14.
[41] Residential parking only. "Other" and garage parking excluded from this summary.

TERAGAN & ASSOCIATES, INC.
ARBORICULTURAL CONSULTANTS

**MEMORANDUM**

**DATE:** April 8, 2021

**TO:** Marcy McInelly (Urbsworks)

**FROM:** Todd Prager, RCA #597, ISA Board Certified Master Arborist

**RE:** Updated Tree Code Draft Outline

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The following is an updated draft outline of the tree code with additional detail:

1. Purpose
    - A. Describe benefits of trees
        - a) Essential part of vibrant community
        - b) Improve health outcomes
        - c) Provide stormwater quality and quantity benefits
        - d) Provide increased property values
        - e) Provide air quality benefits
        - f) Tool for combating climate change
    - B. Connect code regulations to Comp Plan and Urban Forest Management Plan
        - a) Implement Comp. Plan Goal 3.4 (Healthy Urban Forest)
        - b) Implement Urban Forest Management Plan Focus Areas for Forest Size, Forest Health, and Age and Species Diversity
    - C. Describe need for regulating trees in residential zones
        - a) 80% of tree canopy is on private property
        - b) Vast majority of land in Milwaukie is zoned residential
        - c) City goal is to reach 40% tree canopy by 2035
        - d) Need to maximize preservation of existing tree canopy with increased density of needed housing
        - e) Need to ensure adequate future tree canopy is provided with the development of needed housing to support City goals
2. Applicability
    - A. Zones where regulations apply
        - a) R-1
        - b) R-1-B
        - c) R-2; R-2PD
        - d) R-2.5
        - e) R-3
        - f) R-5
        - g) R-7; R-7PD
        - h) R-10; R-10PD



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B. Types of development where regulations apply
    a) Land divisions
    b) Increased dwelling units on lots of record (i.e. duplex, triplex, quadplex development where there is a single dwelling)
    c) Construction of new dwelling units on vacant lots
    d) Demolition and construction of new dwelling units (even when number of dwelling units does not increase)

3. Tree Preservation Standards
    A. Trees subject to preservation
        a) Trees over 6-inch trunk diameter (DBH)
        b) Slow growing, rare, or threatened species such as Oregon white oak and Pacific madrone that are less than 6-inch DBH
    B. Minimum tree preservation standards (e.g. % or # of trees)
        a) Identify and rank priority tree species and site locations
            i. Healthy native climax species
            ii. Healthy native groves of primarily climax species
            iii. Healthy non-native, non-nuisance climate resilient and long-lived species
            iv. Large diameter healthy native and non-native/non-nuisance climate resilient and long-lived trees
            v. Healthy native and non-native/non-nuisance climate resilient and long-lived trees that buffer natural resource areas, screen new and existing development, and provide shading for new and existing development
            vi. Other healthy earlier successional native groves of trees where climax species are not dominant
        b) Removal of priority species only approved for construction of improvements, required grading, and utilities
        c) No less than 33% of existing priority tree canopy may be removed at a site
        d) Recommend pre-screening meeting with City Arborist to identify priority trees as part of preapplication process (administrative procedure, not in code)
    C. Mitigation requirements if preservation standards are not met
        a) Fee in lieu of preservation based on caliper inch of largest priority trees that would meet 33% threshold if preserved
        b) Use City of Portland fee in lieu as model
        c) Use administrative fee rather than including fee in code
        d) Fees can be used by City of Milwaukie for offsite mitigation which can include preservation of existing trees and/or planting of new trees in identified priority areas (e.g. areas with low tree canopy cover, priority watersheds, etc.)
    D. Discretionary review alternative if preservation standards are not met
        a) As an alternative to mitigation fees for preservation, applicants can propose equivalent environmental or public benefits

b) Process could be a variance (MMC 19.911) with the Tree Board serving in an advisory role to the Planning Commission
c) Alternatives could include:
    i. Techniques that minimize hydrological impacts beyond regulatory requirements (e.g. porous pavement, green roofs, infiltration planters/rain gardens, flow through planters, LIDA swales, vegetated filter strips, vegetated swales, extended dry basins, and constructed water quality wetlands)
    ii. Techniques that minimize reliance on fossil fuels and production of greenhouse gases beyond regulatory requirements through the use of energy efficient building technologies and on-site energy production technologies
    iii. Techniques that preserve and enhance wildlife habitat beyond regulatory requirements, including, but not limited to, the use of native plant species in landscape design, removal of invasive plant species, and restoration of native habitat and preservation of habitat through the use of conservation easements or other protective instruments

E. Tree protection standards for trees to be retained
    a) Requires tree protection fencing and other standards to protect trees that are retained to meet preservation requirements
    b) Use prescriptive path (from City of Portland Code)
    c) If prescriptive path is not feasible, use performance path developed by certified arborist (from City of Portland Code)

4. Tree Canopy Standards
    A. Minimum tree canopy requirements (e.g. % canopy per lot)
        a) Establish a minimum tree canopy coverage requirement per project
        b) Can be met through preservation of existing tree canopy and planting new tree canopy
        c) Consensus not yet reached on specific tree canopy percentages but 40% coverage has been discussed for consistency with Comp. Plan and Urban Forest Management Plan
        d) Canopy standards can be tiered based on allowed density for residential zoning districts
    B. How tree canopy requirements can be met (i.e. through preservation of existing trees and planting new trees)
        a) Existing tree canopy that is preserved and protected is eligible for canopy coverage credit
        b) New priority native and non-native/non-nuisance climate resilient trees are eligible for credit based on their mature canopy sizes



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c) Street trees that are adjacent to the site are eligible for 50% canopy credit
d) Create standards for adequate tree spacing and building setbacks

C. Soil volume requirements for new tree planting
   a) Require access to 1,000 cubic feet of adequate soil volume per tree
   b) Soil volumes for tree planting must be protected during construction in similar manner as soils surrounding existing trees are protected
   c) If protection is not possible, soil improvement for tree planting must be implemented and verified by certified arborist to ensure adequate drainage, nutrients, and compaction levels to support newly planted trees
D. Mitigation requirements if canopy standards are not met
   a) Fee in lieu of canopy based on the square footage of canopy that would be needed to meet minimum canopy %
   b) Use City of Tigard fee in lieu as model
   c) Use administrative fee rather than including fee in code
   d) Fees can be used by City of Milwaukie for offsite mitigation which can include preservation of existing trees and/or planting of new trees in identified priority areas (e.g. areas with low tree canopy cover, priority watersheds, etc.)
E. Discretionary review alternative if canopy standards are not met
   a) As an alternative to mitigation fees for providing tree canopy, applicants can propose equivalent environmental or public benefits
   b) Process could be a variance (MMC 19.911) with the Tree Board serving in an advisory role to the Planning Commission
   c) Alternatives could include:
      i. Techniques that minimize hydrological impacts beyond regulatory requirements (e.g. porous pavement, green roofs, infiltration planters/rain gardens, flow through planters, LIDA swales, vegetated filter strips, vegetated swales, extended dry basins, and constructed water quality wetlands)
      ii. Techniques that minimize reliance on fossil fuels and production of greenhouse gases beyond regulatory requirements through the use of energy efficient building technologies and on-site energy production technologies
      iii. Techniques that preserve and enhance wildlife habitat beyond regulatory requirements, including, but not limited to, the use of native plant species in landscape design, removal of invasive plant species, and restoration of native habitat and preservation of habitat

through the use of conservation easements or other protective instruments

5. Tree Plan Submittal Requirements
    A. Arborist requirements
        a) ISA certified arborist
        b) ISA qualified tree risk assessor (TRAQ)
        c) Sufficient knowledge and experience in tree preservation, planting, and soil volume techniques to meet tree code requirements
    B. Site plan requirements
        a) Tree inventory
            i. Table of tree species, size (dbh), crown spread, condition, identification of priority species, pertinent comments, and treatment (remove or retain)
            ii. Tree inventory numbers must correlate to numbers on site plans
        b) Tree protection plan
            i. Site plan drawn to scale
            ii. Exiting tree locations with tree numbers
            iii. Tree canopy to scale
            iv. Tree/soil protection fencing dimensions to scale
            v. Proposed construction impacts including demolition, construction, grading, utilities, paving, and other disturbances that can impact trees
            vi. Protection notes by project arborist on plans for use by contractors in the field
        c) Tree planting (canopy) plan with soil volumes
            i. Site plan drawn to scale
            ii. Existing tree canopy to scale
            iii. Proposed canopy of newly planted trees to scale
            iv. Soil volume areas for each tree to be planted to ensure protection and/or improvement/access to 1,000 cubic feet of soil volume
            v. Calculations that demonstrate percent tree canopy that will be provided
6. Definitions (list of defined terms when needed for clarity)
7. Enforcement
    A. Describes penalties for non-compliance with code provisions
    B. Specifies that City is ultimate decision maker to define items such as what constitutes priority trees, adequate tree protection, and whether preservation and canopy standards are met
8. Potential non-development regulations to prevent pre- and post-development tree removal (may not be in development code)
    A. Non-development permits required to remove priority trees in residential zones



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B. Establish administrative criteria for tree removal including but not limited to dead, dying, high risk, forest health management
C. Discretionary option may be included to allow for relandscaping, construction of building additions, etc. and Tree Board may serve as review body (not a land use process)



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urbsworks

**Date:** 07 April, 2021

**Subject:** Milwaukie Comprehensive Plan Implementation – Residential Neighborhood Open Space Ideas

**To:** CPIC Members, City of Milwaukie Project Management Team

**From:** Marcy McInelly AIA, Urbsworks, Inc.

### Background

Concern has been raised by CPIC members that the re-zone of residential zones to permit middle housing types will preclude preservation of open space. Private open space is currently found both on larger parcels and on smaller parcels developed with small footprint residential uses. The value of this open space is multifold; it offers an important connection to nature and Milwaukie's agricultural history; it provides tree canopy and important habitat corridors, and opportunities for and access to urban agriculture. The CPIC believes that the goals of increasing housing options while maintaining areas of open space are not mutually exclusive.

The question has been asked: While we are rethinking single family zoning and have been asked to "think big and be bold," can open space be created within the single family residential zones? In seeking an answer, it is important to clarify that creating open space on land that has already been platted and is privately owned is limited by property ownership issues. Most, if not all, of the land area that is the focus of this phase of the Comprehensive Plan Implementation Project is currently in private ownership. Obviously one way that open space could be created is through condemnation and a "taking" (taking property out of private ownership), but that is a strategy most cities try to avoid.

Outside of condemnation and property takings, there are a few examples, and this memo describes some of them. A few links are provided below to examples of relevant examples of creative ideas, individuals, and approaches that have been taken to address similar concerns.

## Preserving open space on non-profit or publicly owned land

One approach is for a non-profit or municipality to own property and hold in perpetuity to achieve open space, ecological or agricultural goals.

### Conservancies and trusts for preservation of agricultural land and heritage

Zenger Farms –A non-profit leases land from the City of Portland in partnership with the Bureau of Environmental Services to protect watershed from development and provide environmental and sustainable urban agriculture education. https://zengerfarm.org
Luscher Farm – City of Lake Oswego purchased 150-acres to establish a rural buffer from surrounding development within the Urban Growth Boundary. Master Plan emphasizes preserving the area's rural feel and history while creating recreation opportunities and increasing agriculture through community gardens and farms.

https://www.oregonlive.com/lake-oswego/2013/07/lake_oswego_adopts_plan_preser.html and https://www.luscherfriends.org/our-mission

### Acquiring land for natural resource protection

Johnson Creek Willing Sellers Program – The City of Portland established a "willing sellers" program to buy residential property for the purposes of restoring Johnson Creek in SE Portland. It is a program managed by Bureau of Environmental Sciences, funded by FEMA, HUD grants, and City of Portland stormwater funding. It purchases the properties, removes housing from the floodplain and restores Johnson Creek wetland and floodplain habitat. http://nrcsolutions.org/johnson-creek-restoration-portland-oregon/ and https://pamplinmedia.com/sb/74-news/125024-willing-sellers-help-restore-johnson-creek-floodplain



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North Coast Land Conservancy – This is an example of a nonprofit organization (land conservancy) formed to protect natural areas. NCLC has conserved thousands of acres of land by acquiring outright or by acquiring conservation easements on private land, as well as transferring lands to public ownership. Recently the trust transferred ownership of a habitat area to the Clatsop-Nehalem Confederated Tribes to address the Tribe's historic displacement from the land. https://www.dailyastorian.com/news/local/tribes-regain-foothold-in-south-county/article_d29870aa-8ee5-11ea-9e97-7f13ef59ae12.html

## Preserving open space on individually owned land

Creative ownership arrangements and site designs can be used to preserve private open space. Mostly these involve clustering homes together to preserve open space and/or designing the open space as a centerpiece of the development. Specific designs include cohousing, cottage clusters, and ADUs . Cohousing is an ownership structure, not a land use or a defined housing type, therefore it is not limited by zoning – now or under HB 2001. Additionally, there is nothing in the definition of "household" in Milwaukie's code that now or will require household members to be related, as is the case in other cities.

### Cohousing

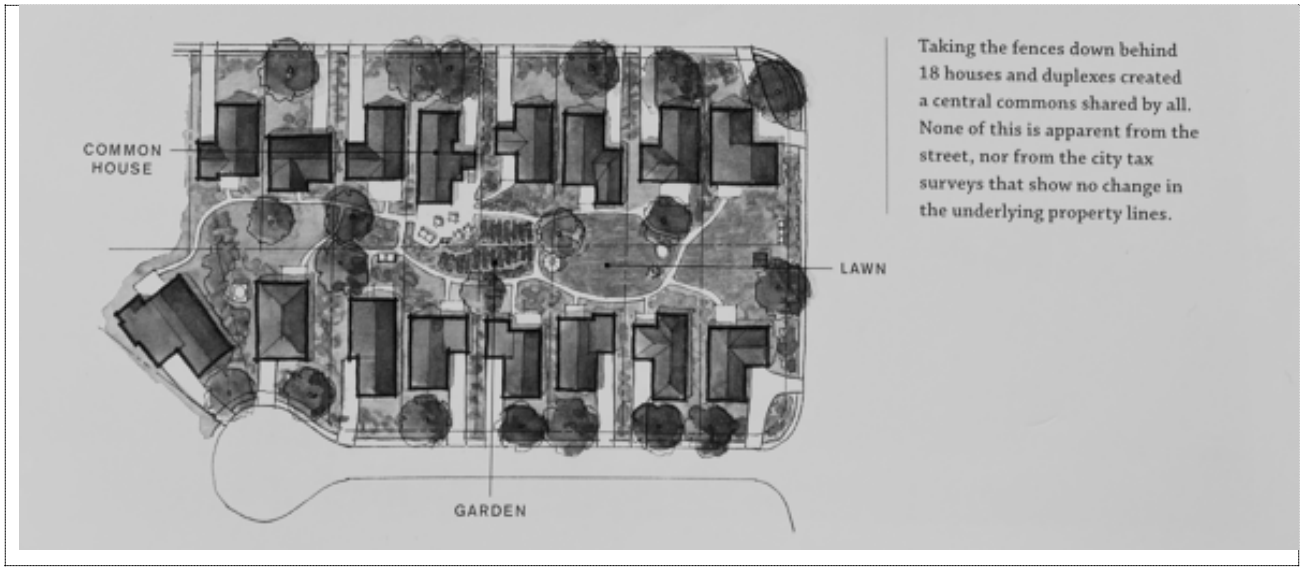
As an ownership and legal structure, cohousing is not dependent on lot size or zoning regulations to exist. Below are two examples in Portland, Oregon. The first is urban in form and transit-served; the second is on larger lots and is more rural in character. Both are examples of clustering homes to preserve open space and promote agricultural activities.

Daybreak Cohousing - Small lot, dense cohousing—Multigenerational cohousing for 30 households on 2/3 of an acre; located on a transit corridor in compact, stacked form. https://www.daybreakcohousing.org

Cully Grove - Large lot cohousing – Multigenerational cohousing with 16-units on 2-acre lot oriented around shared open space and garden. https://cullygrove.org/#

### Creative site designs

Sharing backyards – originally a typical subdivision constructed in the 1950s was transformed over time as one individual purchased two homes and removed fences. Over time, he has established a "retro-fit" co-housing community that adds one house at a time as they become available and takes down the fences to integrate the backyards into a shared common open space. http://nstreetcohousing.org and https://lifeedited.com/whats-right-with-this-picture/




Source: *Pocket Neighborhoods, Creating Small-scale Community in a Large-scale World*, Ross Chapin, Taunton Press (2011)

Sharing ADUs –In this example an architect designed three lots to share ADUs at the back of lots, while providing access with shared drive. The design preserves existing lot lines while breaking up the massing into a finer scale and character and permitting more flexibility in use.


Source: *Pocket Neighborhoods, Creating Small-scale Community in a Large-scale World*, Ross Chapin, Taunton Press (2011)

**Milwaukie Comprehensive Plan Implementation Project**
**Comprehensive Plan Implementation Project Committee Meeting #6**
**March 18, 2021 6:00-9:00 pm**

# Meeting Summary

**Members Present**

- Joel Bergman
- Micah Meskel
- Nicole Zdeb
- Renee Moog
- Sharon Johnson
- Celestina DiMauro
- Daniel Eisenbeis
- Matthew Bibeau
- Stephan Lashbrook
- Eugene Zaharie
- Jennifer Dillan
- Lauren Loosveldt
- Lisa Batey, City Councilor

**Members Not Able to Attend**

- Dominique Rossi
- Joseph Edge, Planning Commissioner
- Ada Gonzalez

**City of Milwaukie**

- Vera Kolias, Senior Planner
- Mary Heberling, Assistant Planner
- Natalie Rogers, Climate Action Plan and Sustainability Manager
- Peter Passarelli, Public Works Director
- Leila Aman, Community Development Director
- Laura Weigel, Planning Manager

**Consultant Team**

- Marcy McInelly, Urbsworks
- Pauline Ruegg, Urbsworks
- Kimi Sloop, Barney & Worth

The meeting began at 6:05 pm.

**Public Engagement**

Kimi Sloop, Barney & Worth, gave an overview of the upcoming public engagement scheduled for March, which includes a virtual open house and survey on Engage Milwaukie, and several meeting-in-a-box presentations. She noted that nine meetings have been completed to date and two additional meetings are scheduled, including one in Spanish. There was discussion about the CPIC reaching out to people to encourage participation in the community survey, the opportunity to hold additional meeting-in-a-box presentations, and efforts made for increasing participation and equity in the participation.

Vera Kolias, Project Manager with the City of Milwaukie, summarized how the Engage Milwaukie open house/survey is being advertised. She said that she would provide a list to CPIC members of who was sent a direct invitation to participate in the open house/survey as well as an email invitation that CPIC members can modify to invite others to participate in the open house/survey. She noted that she had not heard from CPIC members with an interest in hosting additional meetings, and that staff is willing to hold more meetings if CPIC members are interested.

Kimi Sloop gave a preview of the community survey. She noted that the purpose of the questions is to seek input on the public's preference on prioritization of housing, trees and parking and the trade-offs required, and to introduce the concept of a flexible code.

CPIC discussed the survey question related to code flexibility in the context of the committee charge – what elements of the Comprehensive Plan is the CPIC looking at? Concern was expressed that if the project only considers comprehensive plan changes to the middle housing requirements, it is not going far enough. Several members expressed a desire to have the code recommendations look beyond housing to the larger concepts addressed in the code - more of a holistic approach to looking at all code policies. Staff noted that the project is looking at the code concepts, beyond House Bill 2001, and a context-sensitive approach to be able to address multiple topics, including housing, trees and parking. This project is the first phase of implementation. There are other projects addressing other elements of the code. It was suggested that the open house include the key policies from the comprehensive plan that are being furthered by the code concepts under discussion by the CPIC.

CPIC members also made suggestions to clarify language in other questions. How CPIC input versus public input is being weighed in the process was discussed. It was noted that the information and questions for input come before the CPIC for discussion before it has been taken to the community. The CPIC input frames the feedback sought from the community.

**Expanded FAQ**

Vera Kolias and Marcy McInelly, Urbsworks Project Manager, reviewed several topics from the expanded FAQ document in response to previous CPIC member inquiries. Vera noted that the expanded FAQ did not adequately address home ownership in the sense that although the code can't require home ownership, it can encourage it. The FAQ document will be updated.

HB 2001

Marcy McInelly reviewed what is required under HB 2001. Middle housing types are permitted in any zone that also permits single detached homes. Duplexes are permitted on all lots that also permit single detached homes. Other middle housing types are permitted on lots based on minimum lot size rather than zone. Marcy commented that at the last meeting, the CPIC talked about reducing the number of residential zones in the City. There appeared to be general agreement of reducing the number of zones from the current eight to three. The question on the table is whether or not R-10 should remain its own zone or be consolidated with R-5 and R-7.

The CPIC discussed what is occurring in R-10 zones today, and what could occur in the future, the history behind having different zones in cities, and if the unintended consequences of combining the zones. The CPIC also discussed how open space and agriculture is thought of with zoning, especially R-10, and how to preserve open space on private property. It was noted that larger designated lots may have been zoned for agricultural uses, not just housing, and have historical significance.

The CPIC discussed smaller lots and parking issues. They discussed the benefits of locating smaller lots near transit, the ability to consolidate lots for more dense housing, how many dwellings are feasible on different sized lots, and how higher density does not necessarily mean affordable. It was noted that some residential zones allow commercial uses, and how that is addressed with consolidated zones is still to be determined.

Tree Code

Marcy McInelly explained that the tree code being created as part of this project will apply to private, residential property, and will not apply to commercial or industrial uses. The code requirements will address both currently vacant and developed lots. She noted that more details about the draft tree code will be presented at the April meeting. It was noted that the Tree Board has looked at the code concepts, but not seen actual code language.

Parking Study

Marcy McInelly explained that the parking study is a technical analysis of where parking is available and how it is being used. She described the general methodology and noted that Rick Williams will be at the April meeting to present his findings, discuss what it means for a prototypical Milwaukie neighborhood and how COVID impacts the study.

Zoning 201

Vera Kolias explained the development process and how zoning fits the process. She said that, with the updated zoning code, middle housing would be allowed by right, meaning that only a building permit is needed. Currently, there are provisions that duplexes, rowhouses or ADUs in certain zones require a type II or III review process. Those provisions would be eliminated. She noted that since the use will be allowed outright, the development and design standards are increasingly important to get the type of development desired – the desired development should be the easiest thing to do in that zone.

Vera noted there are significant cost implications of development with system development changes in the range of $10,000 to $17,000 per unit. Depending on lot, the development may also need street frontage improvements which cost approximately $310 per linear foot. Utilities infrastructure (water, sewer, stormwater) for the dwellings must also be provided.

CPIC members asked about the ability to subdivide parcels, and whether not merging the zones would result in lost opportunity with certain types of housing that are better suited for larger lots. Cottage clusters were given as an example. Staff noted that the large lots are currently located in different zones all over the city. Not all parcels are appropriate for subdividing easily. Land division requires subdivision plans, construction of right of way and public review through a public hearing process. Currently, planning commission approval is required to subdivide a parcel. The new code language may allow multiple units on one lot and avoid the subdivision process. The group discussed the opportunity to foster/promote home ownership with the type of housing allowed and the ease/ability to subdivide the parcel.

**Next Steps**

The staff and consultant team provide a summary of next steps:

- Public outreach starts March 22. CPIC members were asked to spread the word and to let Vera Kolias know if they are interested in hosting a meeting-in-a-box.
- There will be discussions to talk about trees, parking and housing with the City Engineer, City Attorney and others.
- The next meeting is scheduled for April 15. The tentative agenda includes tree code, parking study and community survey results.

**CPIC Open Discussion**

CPIC members noted that they have provided a lot of input, but have not reached consensus on any issues. The Project Team noted that the Committee Charge is not to develop a consensus opinion but rather to provide input and feedback. As a way of formalizing that input, several questions were raised to the CPIC members and responses summarizes in a Zoom poll:

Question 1: Zone consolidation of R-10 into R-5 and R-7.

| | |
|---|---|
| 75% | I support consolidating R-10 into R-5 and R-7 |
| 0% | I do not support consolidating R-10 into R-5 and R-7 |
| 25% | I need more information |

CPIC is interested in getting more information of how to preserve large lots from subdividing.

Question 2: Zone consolidation of smaller lots (R-1, R-2, R-1B, R-2.5, R-3 into one zone)

| | |
|---|---|
| 91% | I support consolidating R-1, R-2, R-1B, R-2.5, R-3 into one zone |
| 0% | I don't support consolidating R-1, R-2, R-1B, R-2.5, R-3 into one zone |
| 9% | I need more information |

Question 3: Triplexes in one high density zone. This would mean less than one parking space per unit. On smaller than 5,000 sq ft lot, there could only be two parking spaces. This goes above and beyond HB 2001.

67% Yes, I support triplexes in one high density zone.
17% No, I do not support triplexes in one high density zone
17% I need more information

CPIC members discussed the ability of the code to promote community within the City.

The meeting was adjourned at 8:45 pm.

Oregon
Kate Brown, Governor

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October 29, 2020

TO: Land Conservation and Development Commission

FROM: Jim Rue, Director
Gordon Howard, Community Services Division Manager
Ethan Stuckmayer, Senior Housing Planner
Robert Mansolillo, Housing Planner
Sean Edging, Housing Policy Analyst

SUBJECT: **Agenda Item 4, November 12-13, 2020, LCDC Meeting**

# MIDDLE HOUSING LARGE CITIES MODEL CODE AND MINIMUM STANDARDS

## I. AGENDA ITEM SUMMARY

**Purpose.** This agenda item presents background for the second public hearing by the Land Conservation and Development Commission (LCDC or commission) on proposed Oregon Administrative Rules (OARs) for middle housing as required by HB 2001 (Attachment A), applying to Large Cities with a population over 25,000. To assist the commission in the review and the eventual adoption of the OARs for large cities, the Department of Land Conservation and Development (DLCD or department) has attached the proposed Oregon Administrative Rules (Attachment B), and the Large Cities Middle Housing Model Code (Attachment C). The required Fiscal and Housing Impact Statements for a new Administrative Rule are included as Attachment D. The Rulemaking Advisory Committee (RAC) appointed for this rulemaking has reviewed the Fiscal and Housing Impact Statements.

As a result of public comments on draft proposed OAR language and based on commission guidance, department staff have made refinements to the rules that were proposed to the commission at its September 2020 meeting. This staff report and the subsequent staff presentation will detail the specific recommended changes to the large cities rules and model code for commission consideration and adoption.

**Outcome.** Staff recommends the commission take action on this agenda item. At this meeting, upon closing the public hearing and completing their review of the updated proposed rules, the commission can make a motion for adoption of the model code and associated OARs using the recommended language in Section III.G of this report. These rules apply to cities outside of a metropolitan service district boundary with a population more than 25,000, a city with a population over 1,000 within the Portland

Metro boundary, or county unincorporated urbanized areas within the Portland Metro boundary.

## II. BACKGROUND

In 2019, the Oregon Legislature passed, and Governor Brown signed into law, House Bill 2001. This bill was passed with the intent to increase housing choice and supply.

HB 2001 requires middle housing to be allowed in all areas zoned for single-family residential development for cities with population above 10,000 and, within the Portland Metro Urban Growth Boundary (UGB), all cities with population greater than 1,000 and urbanized portions of counties. Non-Metro cities ("medium cities") between 10,000 and 25,000 population must allow a duplex on all lots or parcels where single-family detached residences are currently allowed by city zoning. Cities greater than 25,000 population and the affected Portland Metro Area jurisdictions ("large and metro communities") must, in addition to the duplex requirement noted above, allow triplexes, quadplexes, townhomes, and cottage clusters in areas zoned for single-family residential development. The bill has various other provisions that modify or are peripheral to these basic requirements. This staff report concerns the adoption elements for the large city code. The commission adopted medium city code requirements at their meeting in July 2020.

## III. IMPLEMENTATION MEASURES

In September 2019, with a charge developed by LCDC, department staff initiated a joint HB 2001/HB 2003 rulemaking process. With commission guidance, the department convened a rulemaking advisory committee (RAC) and a series of technical advisory committees (TACs) to assist in the development of the rules. The advisory committees consisted of a wide variety of housing, planning, and advocacy stakeholders and were co-chaired by two commission liaisons – Commissioner Anyeley Hallová and former Commission Chair Jerry Lidz.

At the time of this staff report, the advisory committee process is complete. The RAC met a total of ten times to discuss all aspects of the HB 2001 rulemaking process, including proposed OAR 660-046, the Medium and Large Cities Model Codes, and related Fiscal and Housing Impact Statements. The technical advisory committee tasked with reviewing the middle housing model code and rules met a total of nine times. At each of these meetings, the technical advisory committee provided feedback and comments on draft versions of proposed OAR Chapter 660, Division 46. For commission consideration, summaries of these meetings are included as Attachments E and F to this report. Department staff are grateful to RAC and TAC members for their extensive review, guidance and participation. A list of RAC and TAC members is included in Attachments M and N.

## A. STAKEHOLDER AND COMMUNITY ENGAGMENT

To inform the rule and committee guidance, staff conducted extensive community outreach via webinar and in meetings throughout Oregon. This outreach effort included a series of six community conversations on housing held in McMinnville, Medford, Beaverton, Milwaukie, Hermiston, and Redmond. Summaries of these events are also included as attachments to this report. Summaries of these events are included as Attachment G and had been previously provided to commission in May.

Department staff have also sought guidance from other communities who historically may not have been able to or been asked to participate in the rulemaking process. These outreach efforts include focus groups with community organizations across the state, ensuring and supporting space for community members on the advisory committee roster.

In an effort to reach various perspectives that have traditionally been disproportionately impacted by housing policies, department staff allocated funds for several priority populations to engage in focus groups or rulemaking advisory committee meetings. Organizations representing or serving these populations included:

- Native American Youth and Family Center (NAYA)
- Portland African American Leadership Forum (PAALF)
- Community Alliance of Tenants (CAT)
- Lane Independent Living Alliance (LILA)
- Portland State University Homelessness Research & Action Collaborative (HRAC)

Department staff also established a separate email address – housing.dlcd@state.or.us – to collect additional written comments. Any comments the department received through this email address where provided to the rulemaking advisory committee and technical advisory committee for their consideration. The comments are also available to LCDC in Attachment H.

Additionally, department staff coordinated a Speaker's Bureau to present information and receive feedback for the process. Speaker's Bureau events included various planning or housing committee or organization meetings including the Metro Technical Advisory Committee, city planning commission or city council meetings, League of Oregon Cities, and Oregon Chapter of the American Planning Association events.

## B. FRAMEWORK FOR MIDDLE HOUSING RULEMAKING

Section (3)(2) of HB 2001 directs the Land Conservation and Development Commission to develop a model middle housing ordinance each for the medium cities and the large cities no later than December 31, 2020. This report discusses the Large Cities Model Code. Medium cities are required to allow duplexes in single-family zoned areas, while

Large Cities are required to allow duplexes and, in addition, triplexes, quadplexes, townhomes, and cottage clusters in single-family zoned areas. Development of the Large Cities Model Code serves two purposes: 1) the ordinance will provide guidance to cities in implementing code provisions that comply with the intent of HB 2001, and 2) it will apply directly to a city that does not adopt a code that is consistent with HB 2001 provisions and the provisions of any administrative rule adopted by the commission before the applicable statutory deadline.

To be in compliance with the provisions of HB 2001, a Large City must adopt updated local land use regulations by June 30, 2022. Prior to this adoption, the city must also submit code amendments through the post-acknowledgement plan amendment process for DLCD review and comment, pursuant to OAR 660-018. During the post-acknowledgement plan amendment process, department staff will review the proposed land use regulations and assess whether they comply with land use statutes and the statewide land use planning goals, including administrative rules and the provisions of Oregon Revised Statute Chapter 197 (Section 2 of HB 2001 is codified in ORS 197.758). If the code is not found to comply with the statute and rules noted above, DLCD staff will provide written comment to the submitting local government through the typical post-acknowledgement plan amendment process. Ultimately, any department appeal, or appeal by another party of a local government's middle housing code provisions would be heard and decided by the Land Use Board of Appeals (LUBA), with potential for appeal of LUBA's decision to Oregon's appellate courts.

As outlined in HB 2001, a Large City may either adopt the Large Cities Model Code as-is, either intentionally or through inaction. The city may also adopt other code provisions outside of the Large Cities Model Code so long as the standards are in compliance with the intent of HB 2001 and do not, individually or cumulatively, cause unreasonable cost and delay to the development of middle housing. The Large Cities Model Code is drafted such that all of its standards do not cause unreasonable cost or delay. However, in order for department staff to review for compliance the proposed code amendments that may differ from the standards of the Large Cities Model Code, the department must establish a set of baseline criteria or "minimum compliance standards" to compare with adopted local government middle housing codes.

To implement the bill, the department presents two products: 1) a model code that can provide guidance to cities and must be applied directly cities who do not take action to comply with HB 2001 and 2) Oregon Administrative Rule Chapter 660 Division 46 which outlines the middle housing rules applicable to medium and large cities and establishes middle housing minimum compliance standards that can be used to determine if middle housing land use regulations comply with HB 2001.

Throughout the development of both products as applied to Large Cities, the advisory committees, department staff, the project consultant, and the advisory committees held several core concepts at the forefront:

- The model code must define how middle housing other than duplexes should be allowed in areas that are zoned for residential use and also allow for the development of single-family dwellings. As with Medium Cities, Large Cities must allow duplexes on every lot or parcel zoned for residential use.

- The standards within the model code must not individually or cumulatively cause unreasonable cost and delay to the development of middle housing in Large Cities.

- The standards should be specific, clear, and objective.

Both of these products are described in more detail below and are provided for LCDC review. Both products are subject to comment during the public hearing scheduled during this agenda item.

1. **Large Cities Middle Housing Oregon Administrative Rules**

Oregon Administrative Rules Chapter 660, Division 46 - Middle Housing in Medium and Large Cities (OAR 660-046) is a new set of rules to implement HB 2001. The draft rules were collaboratively developed by DLCD staff and a consultant team from Angelo Planning Group (APG), EcoNorthwest, and SERA Architects (project team). The Rulemaking and Technical Advisory Committee reviewed and provided comments on the preliminary versions of the minimum compliance standards in Division 46.

Division 46 establishes the minimum standards that a city must meet to be deemed compliant with the provisions of HB 2001. The standards outlined in Division 46 constitute the range of reasonable siting and design standards that local governments may adopt to regulate the development of middle housing. These standards are intended to allow local governments more flexibility than the standards included in the Large Cities Model Code.

In addition to reasonable siting and design standards, Division 46 outlines important process and enforcement rules such as division applicability, definitions, implementation, and noncompliance.

2. **Large Cities Model Code**

The Large Cities Model Code was developed in conjunction with the minimum compliance standards of Division 46. The content of the Large Cities Model Code is similar to Division 46. However, whereas Division 46 provides flexibility to local governments in how they regulate middle housing within the parameters of the minimum compliance standards, the model code is a set of specific standards a Large City can apply without further interpretation or amendments.

Large Cities may also apply the model code in a modular fashion. A Large City is allowed to develop their own standards, adhering to the minimum compliance standards in Division 46, for most regulations but can apply the model code to other sections. A large city can apply all sections of the model code, or just the sections that will fit its unique implementation of HB 2001.

The model code is formatted and written so that it would operate as stand-alone chapters of a local development code including purpose, definitions, applicability, development standards, design standards, and middle housing conversion sections.

## C. CHANGES TO OAR CHAPTER 660, DIVISION 046

At the meeting on September 25, 2020, the department presented the commission with a draft version of the proposed Division 46 rules for large cities. The commission made comments on the draft rules and kept the public hearing open until November 12, 2020 to gather additional comments and feedback from the public. Since the September commission meeting, department staff have reconvened the Rulemaking Advisory Committee and Middle Housing Model Code Technical Advisory Committee to further discuss the draft rules. Along with comments from the commission, staff used this final meeting with the advisory committees to refine and update the Division 46 rules for Large Cities.

Department staff proposes several changes to the proposed rules since the commission last reviewed them in September. These changes are described in more detail below.

### 1. Master Planned Communities

The commission received public comments on how the draft rules address “master planned communities.” None of the comments received included any objections to providing some sort of exemption for the initial buildout of existing master planned communities. However some commenters recommended eliminating the provisions related to new master-planned communities, arguing that they were unnecessary and continued patterns of exclusion.

The department continues to believe that the administrative rules need a special provision for new master-planned communities. For such communities, which involve large amounts of new development on larger, undeveloped and un-serviced sites, local governments must plan for provision of adequate public facilities, including transportation, utilities, parks, and public services. In planning these new communities, local governments need to know the approximate number of total new dwelling units proposed in master planned communities in order to provide adequate public facilities and infrastructure. While communities can expect incremental and modest increases in middle housing types in existing neighborhoods, the economics of development are much different for large undeveloped parcels, where middle housing allowances could

lead to wide variations of up to four times the number of eventual residential units in such areas. Therefore, the department believes that a master plan area provision allowing local governments to set overall dwelling unit numbers is necessary.

Other comments questioned the definition of a "master plan," adopted by a local government, questioning whether it would include a "concept plan" adopted by resolution, not ordinance, for an area not yet annexed to a city, or whether it would include a "community plan" that is adopted for areas that are already mostly or partially developed and have existing urban services. The department proposes modifications to the definition, shown below, that clarify a "master plan" is a plan that is adopted by resolution or ordinance as an amendment to a city's existing comprehensive plan or land use regulations, and that is for an area that is not currently developed with urban-intensity residential uses.

The rule, as written, does not allow cities to prohibit redevelopment of housing in master planned communities with middle housing types once initial development has occurred. Staff received feedback that this will upset the balance of uses and planning with the community. The department's recommendation is based upon the fact that, once these neighborhoods are initially built, they become like any other neighborhood within the local government. It would be highly unusual to expect significant redevelopment of newly developed housing for decades beyond initial development, at which point the initial conditions that led to approval and development of a master planned community would have changed significantly.

One comment staff and commission received noted problems with the draft rule language in that it does not distinguish between housing subject to HB 2001 and other housing types, such as multi-family development and manufactured homes in manufactured home parks. The department proposes revisions to correct this problem.

"Master Planned Communities" are defined in OAR 660-046-0020 as follows (changes are underlined):

*10. "Master Planned Community" means a site that is any one of the following:*

*a. Greater than 20 acres in size within a Large City or adjacent to the Large City within the urban growth boundary that is zoned for or proposed to be Zoned For Residential Use, and which is not currently developed with urban residential uses, for which a Large City proposes to adopt, by resolution or ordinance, a master plan or a plan that functions in the same manner as a master plan;*

*b. Greater than 20 acres in size within a Large City or adjacent to the Large City within the urban growth boundary for which a Large City adopted, by resolution or ordinance, a master plan or a plan that functions in the same manner as a master plan after the site was incorporated into the urban growth boundary; or*

*c. Added to the Large City's urban growth boundary after January 1, 2021 for which the Large City proposes to adopt, by resolution or ordinance, a master plan or a plan that functions in the same manner as a master plan.*

OAR 660-046-0205(2)(c) includes the following provisions regarding Master Planned Communities:

*c. Master Planned Communities: Large Cities may regulate or limit the development of Middle Housing in Master Planned Communities as follows:*

*A. If a Large City has adopted a master plan or a plan that functions in the same manner as a master plan after January 1, 2021, it may not limit the development of any Middle Housing type on lands where detached single-family dwellings are also allowed, but may limit overall net residential density within the master plan area provided that the allowed net residential density is least 15 dwelling units per acre. A Large City may designate areas within the master plan exclusively for other housing types, such as multi-family residential structures of five dwelling units or more or manufactured home parks. A Large City may not limit future conversion or redevelopment of already constructed detached single-family dwellings or Middle Housing dwelling units to any Middle Housing type.*

*B. If a Large City has adopted a master plan or a plan that functions in the same manner as a master plan before January 1, 2021, it may limit the development of Middle Housing other than Duplexes provided it authorizes, in the entire master plan area, a net residential density of at least eight dwelling units per acre and allows all dwelling units, at minimum, to be detached single-family dwellings or Duplexes. A Large City may only apply this restriction to portions of the area not developed as of January 1, 2021, and may not apply this restriction after the initial development of any area of the master plan or a plan that functions in the same manner as a master plan, except that a Large City may prohibit redevelopment of other housing types, such as multi-family residential structures and manufactured home parks.*

## 2. Goal Protections

Since the September commission meeting, several edits have been made to OAR 660-046-0010(3) to reflect conversations with various goal experts. Revisions include the following:

1. Goal 5 Natural Resources: These revisions reflect discussions with DLCD's Goal 5 Natural Resource specialist. The section and the revisions are intended to prevent additional development pressure near sensitive natural resources. The section also includes a provision for jurisdictions that do not have Goal 5 protections, because the regulatory mechanism that ensured jurisdictions apply Goal 5 protection (Periodic Review) is unfunded.

   *OAR 660-046-0010(3)(a)(A):*

   *A. Goal 5 Natural Resources – Pursuant to OAR 660-023-0050 through 660-023-0110, Medium and Large Cities must adopt land use regulations to protect water quality, aquatic habitat, and the habitat of threatened, endangered and sensitive species. This includes regulations applicable to Middle Housing to comply with protective measures adopted pursuant to Goal 5.*
      *i. Medium and Large Cities may apply regulations to duplexes that apply to detached single-family dwellings in the same zone;*
      *ii. Medium and Large Cities may limit the development of Middle Housing other than Duplexes in significant resource sites identified and protected pursuant to Goal 5; and*
      *iii. If a Medium of Large City has not adopted land use regulations pursuant to OAR 660-023-0090, it must apply a 100-foot setback to Middle Housing developed along a riparian corridor.*

2. Goal 6 Air, Water, and Land Quality: This revision is intended to better reflect the responsibility local jurisdictions have to fulfill federal and state air, water, and land quality laws and regulations.

   *OAR 660-046-0010(3)(b):*

   *b. Goal 6: Air, Water and Land Resources Quality – Pursuant to OAR 660-015-0000(6), a Medium or Large City may limit development within an urban growth boundary to support attainment of federal and state air, water, and land quality requirements. Medium and Large Cities may apply regulations adopted pursuant to Goal 6 to the development of Middle Housing.*

3. Goal 9 Economic Development: Staff from the City of Portland raised the need for a narrow exemption to limit Middle Housing development on lands that are zoned for single-family detached residential use but designated for future industrial/employment uses, as redevelopment with Middle Housing would be in conflict with the area's intended future use and comprehensive plan designation.

*OAR 660-046-0010(3)(d):*

*d. Goal 9: Economic Development - Pursuant to OAR 660-009-0025, Medium and Large Cities must adopt measures adequate to implement industrial and other employment development policies, including comprehensive plan designations. Medium or Large Cities may limit the development of Middle Housing on Lots or Parcels Zoned For Residential Use designated for future industrial or employment uses.*

4. Goal 15 Willamette Greenway: Goal 15 requires local jurisdictions review intensifications, changes of use or developments to insure their compatibility with the Willamette River Greenway. Many of these standards were adopted prior to the establishment of clear and objective development standards applied to housing (ORS 197.307). While the bill does not require addressing this apparent conflict, this section leaves a pathway for jurisdictions to allow the development of Middle Housing in the Greenway, provided that applicable standards conform to both ORS 197.307 and Goal 15.

   *OAR 660-046-0010(3)(e):*

   *e. Goal 15: Willamette Greenway – Pursuant to OAR 660-015-0005, Medium and Large Cities must review intensifications, changes of use or developments to insure their compatibility with the Willamette River Greenway. Medium and Large Cities may allow and regulate the development of Middle Housing in the Willamette Greenway, provided that applicable regulations adopted pursuant to Goal 15 comply with ORS 197.307.*

Staff would also like to clarify an important point on how Goal Protected Lands interact with higher Middle Housing requirements. Staff feels it is important to recognize that goal protections do not constitute full exemptions from higher Middle Housing requirements. Rather, the proposed OARs are drafted such that local governments can maintain the right to regulate higher Middle Housing in goal areas in conjunction with existing goal protections as provided in OAR 660-046-0010. While certain goals, including Goal 5 Natural Resources, Goal 6, Goal 7, Goal 9, and Coastal Goals allow reasonable limitations on Middle Housing development, Goal 15 provides a path to allow Middle Housing (and count lands towards compliance). Additionally, Goal 5 Historic Resources provisions do not allow for the prohibition of higher Middle Housing types, but do allow jurisdictions to apply standards that protect the integrity of historic resources.

The provision in Goal 5 Historic Resources is particularly important to prevent the misuse of historic district designations by neighborhoods that seek to fortify patterns of exclusion. Historic Preservation experts including Kim Fitzgerald – City of Salem, State of Oregon Historic Preservation Office staff, Carrie Richter – Restore Oregon, and others indicated that standards related to use and the number of dwelling units do not relate to the historic integrity of a structure. Rather, standards related to the façade, form, and design of structures and districts are the elements that relate to historic integrity. While historic resources/districts may not exclude Middle Housing uses, local governments will still be able to apply to Middle Housing the same procedural, form, and design standards as they apply to other structures to ensure historic integrity of a resource/district is maintained.

### 3. Infrastructure Constrained Lands

Participants have expressed concerns that the previous definition Infrastructure Constrained Lands included subjective language that made it difficult for a local government to know how to demonstrate that an area is subject to an infrastructure constraint and therefore triplexes, quadplexes, townhomes, and cottage clusters should not be allowed. It is true that the definition includes a number of subjective terms that will have to be evaluated by the department, such as “where it is not feasible”, “acceptable services”, and “limitations that a local government cannot correct”. However, it is impossible to anticipate all the factors that may contribute to an infrastructure constraint. Likewise, it is very challenging to develop clear and objective standards that would be appropriate for all affected cities. Circumstances will vary widely between cities regarding their infrastructure systems. Considering the range of circumstances that may exist on the ground, the burden of proof will necessarily be on the local government to demonstrate that the infrastructure constraint is a limitation that could not be addressed through the IBTER process, nor by proportionate improvements that would be required in conjunction with middle housing development. It will not be sufficient for a local government to claim an infrastructure constrained area without producing findings demonstrating how the infrastructure limitation qualifies as a constraint that cannot be corrected.

The existing definition for an “infrastructure constraint” follows:

*OAR 660-046-0020 Definitions* (from proposed “Large City” rules)

7. *“Infrastructure Constrained Lands” means lands where it is not feasible to provide acceptable water, sewer, storm drainage, or transportation services to serve new Triplexes, Quadplexes, Townhouses, or Cottage Cluster development; where the local government is not able to correct the infrastructure limitation by utilizing the process outlined in OAR 660-046-0300 through OAR 660-046-0370 due to cost, jurisdictional, or other limitations;*

*and which cannot be remedied by future development of Middle Housing on the subject Lot or Parcel.*

To further clarify these issues, the following amended language has been added to the infrastructure constrained lands portion of OAR 660-046-0205 (additional language is *underlined*):

2. *A Large City must allow for the development of Triplexes, Quadplexes, Townhouses, and Cottage Clusters, including those created through conversion of existing detached single-family dwellings, in areas zoned for residential use that allow for the development of detached single-family dwellings. A Large City may regulate or limit development of these types of Middle Housing on the following types of lands:*

*[…]*

a. *Infrastructure Constrained Lands: Large Cities may limit the development of Middle Housing other than Duplexes on Infrastructure Constrained Lands. In order to demonstrate that an area is an Infrastructure Constrained Land, the Large City must either adopt findings in conjunction with the adoption of required Middle Housing allowances and limitations, or otherwise demonstrate to the Department that already adopted allowances and limitations are consistent with the definition provided in OAR 660-046-0020, could not be addressed through the process provided OAR 660-046-0300, and could not be addressed with required improvements that would be expected with Middle Housing development. The Large City may not consider an area to be infrastructure constrained based on any lack of improvements beyond those listed in OAR 660-046-0340.*

4. **Cottage Cluster Standards**

Staff received comments on the Division 46 minimum compliance standards regarding cottage cluster siting and design standards. Cottage clusters are a unique development type and require extra consideration of development feasibility in the drafting of minimum compliance standards. Comments received from the Advisory Committees, the City of Portland, and the Homebuilder's Association intend to make this development type more feasible in Large Cities.

The minimum and maximum number of cottages in a cluster development has been an ongoing discussion by advisory committee members. Staff have reiterated that the minimum compliance standards should not allow a Large City to institute an unreasonably high minimum number of units for each cottage cluster development. Likewise, the minimum compliance standards should provide guidance to Large Cities

on how many cottages should be allowed around a single common courtyard. Lastly, it is important to note that it is not necessary to provide parity between the number of cottages allowed on a lot or parcel compared to a triplex or quadplex. A developer could build as few as three units in a cottage cluster. It is important to create a framework where cities could provide this opportunity.

OAR 660-046-0205(4)(d) is amended as such (underlines show new language):

> *4. Pursuant to OAR 660-046-0205 through OAR 660-046-0230, the following numerical standards related to Middle Housing types apply:*
>
> *[…]*
>
> *d. Cottage Clusters –*
>
> *A. A Large City is not required to set a minimum number of dwelling units in a Cottage Cluster, but if it chooses to, it may require a minimum of three, four, or five dwelling units in a Cottage Cluster. A Large City may allow but may not require greater than five dwelling units in a Cottage Cluster.*
> *B. A Large City must allow up to eight cottages per common courtyard subject to applicable siting or design standards as provided in OAR 660-046-0220 through OAR 660-046-0235. Nothing in this section precludes a Large City from permitting greater than eight dwelling units clustered per common courtyard.*

The Division 46 standards for cottage clusters state that a city "*may not apply lot or parcel coverage or floor area ratio standards to cottage cluster developments*". The City of Portland has expressed concerns that the cottage cluster standards related to lot coverage and floor area ratio could lead to a scenario that would preclude the city from regulating cottage cluster development to ensure stormwater catchment and runoff mitigation. Here it is important to again note that this provision, as with any other provision in Division 46, does not impact the city's ability to review, approve, approve with conditions, or deny a building permit on any number of factors, including due to insufficient stormwater detention and mitigation of the site due to development. Staff does not recommend changes to the Division 46 language on these grounds.

### 5. Performance Metric Approach Analysis

At the commission meeting in September, commissioners heard extensive testimony from stakeholders about the Performance Metric Approach during the public hearing. Generally, the comments could be organized into two categories: 1) a call for additional flexibility and clarity in the process that will allow cities the ability to regulate middle housing within their own context, and 2) a description of how processes that provide flexibility for local governments to further regulate middle housing are counter to the intent of HB 2001 and should be removed from the proposed rules altogether.

At the meeting in September, members of the commission generally agreed that the Performance Metric Approach, as a concept, was a workable solution to arguments on both sides. Commissioners were sensitive to the concept of providing local governments the opportunity to “right size” middle housing standards while remaining true to the intent of HB 2001 to increase housing options beyond what exists today.

To better refine the approach and ground the performance metrics, the commission asked staff to conduct an analysis of the approach in a few cities to determine if it was workable or if the percentages needed to be modified. Staff chose to analyze data from the cities of Albany and Beaverton. This analysis will give staff an idea of how the approach could be used to determine where middle housing is allowed in a city, based on both the minimum standards and the Performance Metric Approaches. The department appreciates both cities’ cooperation and assistance in the analysis.

The analysis began by collecting zoning, tax lot, goal protected and infrastructure constrained Geographic Information System (GIS) data. The first step was to identify all residentially zoned lots, then to remove lots and parcels within the 100-year floodplain and infrastructure constrained areas. The 100-year floodplain, a Goal 7 - Natural Hazards protected resource, was the only goal protected area that was removed from the analysis. Other goal protections allow a city to regulate, but not restrict the development of Middle Housing. The next step in the analysis is to remove Infrastructure Constrained Lands from the subset of lots and parcels. The City of Albany has a Residential Reserve zoning district where adding middle housing would be impossible, due to the lots being on well and septic, and a large portion of this zoning district is within the 100-year floodplain. The City of Beaverton did not identify any Infrastructure Constrained Lands to be removed.

The remaining subset of lots and parcels were the basis of further analysis. Using the minimum lot sizes in Division 46 (functionally 5,000 square feet for triplexes and 7,000 square feet for quadplexes and cottage clusters), the analysis can determine the “baseline” of lots where Middle Housing typically would be allowed under the minimum compliance standards. It can also identify the percentage of affected lots based on lot size, and how that relates to the percentages for each Middle Housing type identified in the Performance Metric Approach.

City of Albany Analysis

In the city of Albany, 86% of eligible residential lots are 5,000 square feet or larger, which corresponds to the minimum lot size for triplexes under Division 46. In the Performance Metric Approach, cities are required to allow triplexes on 80% of eligible lots or parcels.

Only 52% of the city of Albany’s eligible residential lots are 7,000 square feet or larger, the minimum lot size for quadplexes and townhouses in Division 46. In the Performance Metric Approach, 70% of lots are required to allow quadplex development. This is a

significant differential between the two approaches, and Albany would have a choice as to which approach to take regarding quadplexes.

In Division 46, Cottage Cluster development requires a minimum lot size of 7,000 square feet. The Performance Metric Approach requires a city to allow cottage clusters on 50% of lots. In Albany, 52% of eligible lots meet the 7,000 square foot minimum. This is very close to the required percentage in the Performance Metric Approach.

City of Beaverton Analysis

In the city of Beaverton, 83% of eligible lots are 5,000 square feet or larger. In the Performance Metric Approach, cities are required to allow triplexes on 80% of eligible lots or parcels.

Residential lots 7,000 square feet or larger, the minimum lot size for quadplexes and townhouses in Division 46, comprise 66% of the city's eligible lots. In the Performance Metric Approach, 70% of lots are required to allow quadplex. Unlike Albany, there is only a minor difference in results using the two alternative methods in Beaverton for both triplexes and quadplexes.

Cottage cluster development also requires a minimum lot size of 7,000 square feet in Division 46. If Beaverton chose to use the minimum standards, they would be allowing cottage clusters on 66% of their lots, vs. only 50% of lots under the Performance Metric approach. This is a significant difference in results.

Other Cities

Attachment J contains lot size data on most cities in Oregon that are classified as "Large Cities" and thus subject to these rules regarding middle housing. While department staff completed a more refined analysis for Albany and Beaverton, excluding lots in the 100-year floodplain and infrastructure-constrained lots, the percentages in each city changed very little from the base percentages in Attachment J, which did not exclude floodplain and infrastructure-constrained lots. For Albany, this represented a change from 88% to 86% of lots greater than 5,000 square feet; change from 56% to 52% of lots greater than 7,000 square feet. Thus, staff concludes that we can reasonably use and analyze the data in Attachment J as a proxy for the other cities surveyed to determine the individualized differences between the Performance Metric and Minimum Lot Size Approaches as it regards triplexes, quadplexes, and cottage clusters.

The following table is a comparison for different cities, based upon the information in Attachment J:

| | | | | | |
|---|---|---|---|---|---|
| **Albany**: | | | **Bend**: | | |
| Triplex: | Performance Metric: | 80% | Triplex: | Performance Metric: | 80% |
| | Lot Size over 5,000SF: | 88% | | Lot Size over 5,000SF: | 85% |
| Quadplex: | Performance Metric: | 70% | Quadplex: | Performance Metric: | 70% |
| | Lot Size over 7,000SF: | 56% | | Lot Size over 7,000SF: | 58% |
| Cottage Cluster: | Performance Metric: | 50% | Cottage Cluster: | Performance Metric: | 50% |
| | Lot Size over 7,000SF: | 56% | | Lot Size over 7,000SF: | 58% |
| **Corvallis**: | | | **Eugene**: | | |
| Triplex: | Performance Metric: | 80% | Triplex: | Performance Metric: | 80% |
| | Lot Size over 5,000SF: | 84% | | Lot Size over 5,000SF: | 90% |
| Quadplex: | Performance Metric: | 70% | Quadplex: | Performance Metric: | 70% |
| | Lot Size over 7,000SF: | 66% | | Lot Size over 7,000SF: | 68% |
| Cottage Cluster: | Performance Metric: | 50% | Cottage Cluster: | Performance Metric: | 50% |
| | Lot Size over 7,000SF: | 66% | | Lot Size over 7,000SF: | 68% |
| **Fairview**: | | | **Gladstone**: | | |
| Triplex: | Performance Metric: | 80% | Triplex: | Performance Metric: | 80% |
| | Lot Size over 5,000SF: | 97% | | Lot Size over 5,000SF: | 94% |
| Quadplex: | Performance Metric: | 70% | Quadplex: | Performance Metric: | 70% |
| | Lot Size over 7,000SF: | 91% | | Lot Size over 7,000SF: | 66% |
| Cottage Cluster: | Performance Metric: | 50% | Cottage Cluster: | Performance Metric: | 50% |
| | Lot Size over 7,000SF: | 91% | | Lot Size over 7,000SF: | 66% |
| **Grants Pass**: | | | **Gresham**: | | |
| Triplex: | Performance Metric: | 80% | Triplex: | Performance Metric: | 80% |
| | Lot Size over 5,000SF: | 91% | | Lot Size over 5,000SF: | 95% |
| Quadplex: | Performance Metric: | 70% | Quadplex: | Performance Metric: | 70% |
| | Lot Size over 7,000SF: | 77% | | Lot Size over 7,000SF: | 79% |
| Cottage Cluster: | Performance Metric: | 50% | Cottage Cluster: | Performance Metric: | 50% |
| | Lot Size over 7,000SF: | 77% | | Lot Size over 7,000SF: | 79% |
| **Keizer**: | | | **Happy Valley**: | | |
| Triplex: | Performance Metric: | 80% | Triplex: | Performance Metric: | 80% |
| | Lot Size over 5,000SF: | 93% | | Lot Size over 5,000SF: | 92% |
| Quadplex: | Performance Metric: | 70% | Quadplex: | Performance Metric: | 70% |
| | Lot Size over 7,000SF: | 62% | | Lot Size over 7,000SF: | 78% |
| Cottage Cluster: | Performance Metric: | 50% | Cottage Cluster: | Performance Metric: | 50% |
| | Lot Size over 7,000SF: | 62% | | Lot Size over 7,000SF: | 78% |

| | | | | | |
|---|---|---|---|---|---|
| **Lake Oswego**: | | | **McMinnville**: | | |
| Triplex: | Performance Metric: | 80% | Triplex: | Performance Metric: | 92% |
| | Lot Size over 5,000SF: | 93% | | Lot Size over 5,000SF: | 85% |
| Quadplex: | Performance Metric: | 70% | Quadplex: | Performance Metric: | 70% |
| | Lot Size over 7,000SF: | 85% | | Lot Size over 7,000SF: | 70% |
| Cottage Cluster: | Performance Metric: | 50% | Cottage Cluster: | Performance Metric: | 50% |
| | Lot Size over 7,000SF: | 85% | | Lot Size over 7,000SF: | 70% |
| **Medford**: | | | **Milwaukie**: | | |
| Triplex: | Performance Metric: | 80% | Triplex: | Performance Metric: | 80% |
| | Lot Size over 5,000SF: | 94% | | Lot Size over 5,000SF: | 94% |
| Quadplex: | Performance Metric: | 70% | Quadplex: | Performance Metric: | 70% |
| | Lot Size over 7,000SF: | 77% | | Lot Size over 7,000SF: | 71% |
| Cottage Cluster: | Performance Metric: | 50% | Cottage Cluster: | Performance Metric: | 50% |
| | Lot Size over 7,000SF: | 77% | | Lot Size over 7,000SF: | 71% |
| **Oregon City**: | | | **Portland**: | | |
| Triplex: | Performance Metric: | 80% | Triplex: | Performance Metric: | 80% |
| | Lot Size over 5,000SF: | 92% | | Lot Size over 5,000SF: | 77% |
| Quadplex: | Performance Metric: | 70% | Quadplex: | Performance Metric: | 70% |
| | Lot Size over 7,000SF: | 74% | | Lot Size over 7,000SF: | 41% |
| Cottage Cluster: | Performance Metric: | 50% | Cottage Cluster: | Performance Metric: | 50% |
| | Lot Size over 7,000SF: | 74% | | Lot Size over 7,000SF: | 41% |
| **Redmond**: | | | **Salem**: | | |
| Triplex: | Performance Metric: | 80% | Triplex: | Performance Metric: | 80% |
| | Lot Size over 5,000SF: | 93% | | Lot Size over 5,000SF: | 87% |
| Quadplex: | Performance Metric: | 70% | Quadplex: | Performance Metric: | 70% |
| | Lot Size over 7,000SF: | 62% | | Lot Size over 7,000SF: | 56% |
| Cottage Cluster: | Performance Metric: | 50% | Cottage Cluster: | Performance Metric: | 50% |
| | Lot Size over 7,000SF: | 62% | | Lot Size over 7,000SF: | 56% |
| **Springfield**: | | | **Troutdale**: | | |
| Triplex: | Performance Metric: | 80% | Triplex: | Performance Metric: | 80% |
| | Lot Size over 5,000SF: | 94% | | Lot Size over 5,000SF: | 93% |
| Quadplex: | Performance Metric: | 70% | Quadplex: | Performance Metric: | 70% |
| | Lot Size over 7,000SF: | 61% | | Lot Size over 7,000SF: | 80% |
| Cottage Cluster: | Performance Metric: | 50% | Cottage Cluster: | Performance Metric: | 50% |
| | Lot Size over 7,000SF: | 61% | | Lot Size over 7,000SF: | 80% |
| **Washington County (unincorporated)**: | | | **West Linn**: | | |
| Triplex: | Performance Metric: | 80% | Triplex: | Performance Metric: | 80% |
| | Lot Size over 5,000SF: | 81% | | Lot Size over 5,000SF: | 96% |

| | | | | | |
|---|---|---|---|---|---|
| Quadplex: | Performance Metric: | 70% | Quadplex: | Performance Metric: | 70% |
| | Lot Size over 7,000SF: | 64% | | Lot Size over 7,000SF: | 80% |
| Cottage Cluster: | Performance Metric: | 50% | Cottage Cluster: | Performance Metric: | 50% |
| | Lot Size over 7,000SF: | 64% | | Lot Size over 7,000SF: | 80% |
| **Wilsonville**: | | | **Wood Village**: | | |
| Triplex: | Performance Metric: | 80% | Triplex: | Performance Metric: | 80% |
| | Lot Size over 5,000SF: | 89% | | Lot Size over 5,000SF: | 99% |
| Quadplex: | Performance Metric: | 70% | Quadplex: | Performance Metric: | 70% |
| | Lot Size over 7,000SF: | 60% | | Lot Size over 7,000SF: | 84% |
| Cottage Cluster: | Performance Metric: | 50% | Cottage Cluster: | Performance Metric: | 50% |
| | Lot Size over 7,000SF: | 60% | | Lot Size over 7,000SF: | 84% |

In summary:

For triplexes, 23 of the 24 cities would allow triplexes on more lots under the Minimum Lot Size approach. Only Portland would allow triplexes on more lots under the Performance Metric approach.

For quadplexes, 12 of the 24 cities would allow quadplexes on more lots under the Minimum Lot Size approach, while 12 would allow quadplexes on more lots under the Performance Metric approach.

For cottage clusters, 23 of 24 cities would allow cottage clusters on more lots under the Minimum Lot Size approach. Only Portland would allow cottage clusters on more lots under the Performance Metric approach.

Three Proposed Performance Metric Approaches for Commission Consideration

*Option 1: Leave the Performance Metric Approach standards for middle housing type allowances as-is. 80% for triplexes, 70% for quadplexes, 60% for townhouses, and 50% for cottage clusters.*

*Option 2: Leave the Performance Metric Approach standards for middle housing type allowances as-is for triplexes at 80%, quadplexes at 70%, townhouses at 60%, and increase cottage clusters from 50% to 70% to match the Performance Metric percentage for quadplexes.*

*Option 3: Alter the Performance Standards Approach standards for middle housing type allowances to reflect the existing percentages of lots that are 5,000 square feet and over for triplexes (86% in Albany and 83% in Beaverton) and*

*7,000 square feet and over for quadplexes and cottage clusters (52% in Albany and 66% in Beaverton).*

The Performance Metric Approach, as written, gives cities the ability to choose to apply the Performance Metric percentages to one or more Middle Housing types. The Performance Metric Approach requires additional considerations not related to lot size or maximum, where analysis of Middle Housing allowances are subject to the "equitable distribution" check as described in OAR 660-046-0205(3)(b)(F).

As an example, a sample city could choose to regulate the minimum lot size of cottage clusters in conjunction with the allowable minimum compliance standards but could choose to regulate the minimum lot size for quadplexes differently subject to the Performance Metric Approach. In this case, the sample city would be choosing to utilize the Performance Metric Approach only for quadplexes and not for cottage clusters. For quadplexes, the sample city would be required to show that quadplexes are allowed on 70% of eligible lots (while also meeting the "equitable distribution" test as provided in OAR 660-046-0205(3)(b)(F)). The sample city would not need to do this same analysis for cottage clusters because they are choosing to utilize the minimum lot size acceptable in the minimum compliance standards of Division 46.

Option 1 maintains this underlying structure of the Performance Metric Approach. It gives cities the ability to allow various housing types at the "high end" or "low end" of the acceptable ranges within either the Performance Metric or the Minimum Lot Size approach to reflect local policy preferences. However, for both approaches, a majority, and in most cases a substantial majority, of lots would accommodate triplexes and quadplexes (except the City of Portland, which has already adopted a high standard regulating Middle Housing through the Residential Infill Project). Additionally, the Performance Metric approach under this option would be relatively administratively easy to measure on an ongoing basis, as prescribed in the proposed rules.

Option 2 (recommended option): This option maintains the Performance Metric Approach as described in Option 1, but increases the acceptable Performance Metric percentage for cottage cluster allowances from 50% to 70%. The increase is related to the correlation of the minimum lot size of 7,000 square feet for both quadplexes and cottage clusters in the minimum compliance standards of Division 46. The functional difference, in terms of space and developable land needed for all required site features, between a detached quadplex development and a cottage cluster development of three to five units seems to be marginal.

The department's analysis of eligible lots in both the city of Albany and the city of Beaverton highlighted a potential policy deficiency in the existing Performance Metric Approach: if a detached quadplex can be built on a 7,000 sf lot, given the footprint limitations and design efficiencies inherent cottage cluster developments, it is likely that there is a similar potential that a property owner could develop a cottage cluster on that same 7,000 sf lot. Consequently, there may be limited justification to establish an

allowable Performance Metric percentage for cottage cluster that is different from the allowable Performance Metric percentage for quadplexes. Because of this, staff recommends altering the Performance Metric percentage for cottage clusters from 50% to 70%.

If the commission intends to maintain the existing tiered Performance Metric Approach, the decision between Option 1 and Option 2 represents a policy decision on the parity or overlap between where Large Cities could and should allow quadplex and cottage cluster developments.

Option 3 moves away from the existing tiered Performance Metric Approach. Option 3 would be more precisely equitable in balancing the Performance Metric and Minimum Lot Size approaches for a city. Instead of allowable Performance Metric percentages that tier from “triplexes allowed on 80% of lots and parcel, quadplexes allowed on 70% of lots and parcels, etc”, Option 3 would instead peg the acceptable Performance Metric percentages to the existing percentages of eligible lots of 5,000 sf and 7,000 sf. In this option, the city knows precisely the “target” percentage of lots that need to accommodate triplexes, quadplexes, and cottage clusters.

Using the City of Albany and Beaverton analysis, Option 3 would functionally change the acceptable Performance Metric percentage for triplexes from 80% to 86% (Albany) and 83% (Beaverton) – the city-specific percentages of eligible lots 5,000 sf or larger. For quadplexes and cottage cluster, Option 3 would functionally change the acceptable Performance Metric percentage from 70% (quadplexes) and 50% (cottage clusters) to 52% in Albany and 66% in Beaverton.

The advantages of this option is first that it removes the issue in the existing issue where, in some cases, the minimum compliance standards would allow less Middle Housing compared to the Performance Metric Approach (as described in the previous section). Secondly, it ensures that, at a minimum, cities are required to achieve at least the same amount of middle housing allowances as is acceptable under the minimum compliance standards. This is also the disadvantage of this approach, in that it would significantly limit city flexibility in making the decision as to where to allow various types of middle housing units.

Consideration of Options

The question raised by comparing Option 1, 2, and 3 is one of policy: is the additional flexibility provided by Option 1 and 2, which will vary among cities based upon their existing residential characteristics, too great? The department comes to the conclusion that it is not too great, at least regarding triplexes and quadplexes. While all but one city surveyed would allow more triplexes under the Minimum Lot Size standard than under the Performance Metric standard, the base percentage of the former, 80%, is very high to begin with. For quadplexes, the fact that half of the cities surveyed would allow more quadplexes under the Minimum Lot Size standard and half would allow more

quadplexes under the Performance Metric standard would indicate that the 70% base percentage of the former is a reasonable median number, and in all but one city surveyed (Portland for the minimum lot size alternative) more than half of the city's lower density residential lots would allow quadplex development.

Cottage Clusters present an interesting issue: in all but one city the percentage of lots allowing cottage clusters would be greater, in some cases significantly greater, under the Minimum Lot Size standard vs. the Performance Metric standard. Staff does not believe there is a legitimate policy reason for cities to be allowed the flexibility to place greater limits on cottage cluster development as compared to quadplexes, and therefore recommends the commission adopt Option 2.

### 6. Alternative Siting and Design Standards

DLCD recognizes that some cities across the State have already been active in encouraging the development of middle housing, even before HB 2001 was passed into law. These existing development code standards and incentives may or may not be in compliance with Division 46. Rather than adjusting the rules to suit a select suite of existing provisions, staff, with the guidance of Advisory Committee members, have constructed the Alternative Siting and Design Standards. This section is intended to allow Large Cities the ability to prove that their existing standards are producing a substantial amount of middle housing already and the Large City should therefore be able to continue using those standards.

OAR 660-046-0235(1) establishes a test for Large Cities to show that existing siting or design standards have resulted in the "substantial production" of Middle Housing in areas where the standard has been applied. OAR 660-046-0235(2) establishes a second test for Large Cities to show that other siting or design standards, other than what is already provided in Division 46, do not cause unreasonable cost or delay to the development of middle housing.

<u>Definition for Siting and Design Standards</u>

Staff has developed this approach to give jurisdictions more flexibility in how to apply siting and design standards without causing unreasonable cost or delay. However, a consequence of that flexibility is needing more clarification as what is a "siting" vs. a "design" standard, as each is now regulated separately in the rules. Defining these terms more clearly delineates how standards will be regulated, especially if they fall outside of the categories of standards identified in rule. Each term is defined briefly and includes examples of what is considered a "siting" or a "design" standard:

1. *"Siting standard" means a standard related to the position, bulk, scale, or form of a structure or a standard that makes land suitable for development. Siting standards include, but are not limited to, standards that regulate perimeter*

*setbacks, dimensions, bulk, scale, coverage, minimum and maximum parking requirements, utilities, and public facilities.*

2. *"Design standard" means a standard related to the arrangement, orientation, materials, appearance, articulation, or aesthetic of features on a dwelling unit or accessory elements on a site. Design standards include, but are not limited to, standards that regulate entry and dwelling orientation, façade materials and appearance, window coverage, driveways, parking configuration, pedestrian access, screening, landscaping, and private, open, shared, community, or courtyard spaces.*

Measuring Substantial Production

OAR 660-046-0235 was developed to avoid penalizing jurisdictions that have adopted land use regulations that allow middle housing, provided the jurisdiction can demonstrate some reasonable threshold of Middle Housing production. However, RAC members have had significant discussion regarding the correct approach for the provision regulating existing alternative siting or design standards outlined in OAR 660-046-0235(1). The primary intent of this standard is to better accommodate cities that have already adopted workable middle housing development provisions prior to the passage of HB 2001.

To suit that intent, the standard must be written narrowly, such that a standard applied to middle housing may *only* apply to that middle housing type in the areas where it currently applies if the jurisdiction can demonstrate 3% production of the applicable middle housing type in that area over at least a two year timeframe. The city may not apply that standard citywide.

Department staff also responded to a point raised by the City of Hillsboro staff who expressed interest in utilizing design standards that had undergone significant public process to other zones. Because Division 046 limits design standards to the Model Code or standards that apply to single-family detached dwellings, early adopters have limited options to continue the application of design standards they have worked to develop or use them in other zones. DLCD staff was concerned that applying these standards flatly across many zoning districts had the potential to cause unreasonable cost or delay. Accordingly, staff have drafted the provision to allow the application of only design standards to other zones where any standards that scale by dwelling unit (e.g. minimum open space requirements) scales proportionately by the minimum lot size of the underlying zone. Existing siting standards such as building setbacks, open space requirements, or similar standards that produce substantial production of middle housing cannot be expanded outside of existing areas and cannot be expanded to other zoning districts.

In other words, the way the rule is currently constructed allows a city to apply design standards to other middle housing types in the city – such as open space or façade regulations, but *does not permit a local jurisdiction to apply siting standards such as*

*parking, setbacks, minimum lot size, maximum density, height, bulk, scale, coverage, or similar to Middle Housing citywide.*

Opposition to Proposed OAR 660-046-0235 Alternative Siting and Design Standards and Proposed Alternative Rules

Staff has heard many concerns about the original provision in OAR 660-046-0235, including:

- The metric does not accurately reflect anticipated development as outlined in House Bill 2001 (3% middle housing development expectation over twenty years). It compares Middle Housing building permits to single-family building permits, which can vary significantly annually, punish jurisdictions with strong housing markets, and reward jurisdictions with relatively weak housing markets;
- An inaccurate metric can result in the effective undermining of parameters of Administrative Rules, especially those related to siting, which have direct and well-documented impacts on housing feasibility and affordability. Additionally, such standards would be "locked in place" after the initial determination;
- The metric was not intended by the Legislature to be utilized as a "safe harbor" for acceptable Middle Housing development, and providing a safe harbor removes a core functional component of House Bill 2001 in which unreasonable standards can be challenged through appeal; and
- Many of the jurisdictions the standard was seeking to accommodate are not able to utilize the standard, including the City of Bend, due to significant single-family detached development and the City of Portland with a limited time frame to demonstrate "substantial production" due to only recently adopting the Residential Infill Project (2020).

To address these, department staff have prepared a series of alternatives for commission consideration. Specific rule language with revisions is included in Attachment L.

Option 1 revises the rule language to incorporate the following changes:

1. Changes to the "substantial production" metric to better reflect an expectation for 3% production of Middle Housing over a twenty-year time horizon. Because most standards have been applied for less than twenty years, the percentage would be an annualized fraction of 3% based on the length of time the particular standard has been effective. Additionally, the metric now looks at the totality of an area, rather than the building permits for that particular year;
2. Establishes a routine check-in of "substantial production" similar to that of the check-in period established for the Performance Metric Approach in OAR 660-046-0205(3)(b);
3. Limits the application of siting standards, ensuring that the bar to meet is high and that standards cannot be applied in areas that are not already subject to the particular standard.

4. Provides an option for early adopters to “test” their design standards, with the expectation that they meet the more rigorous definition of “substantial production” at a designated check-in period. This allows for an iterative approach in which design standards that facilitate good housing outcomes can be incorporated into the Model Code, and will provide a longer time period to better understand the full scope of unreasonable cost or delay from design standards.

The outcome of this option is that early adopters will be able to continue application of siting standards in areas where they meet “substantial production”, or at least 3% of the applicable middle housing type over twenty years. They will also be able to retain and expand design standards to other zones without meeting the initial threshold to “test” them over a period of time, with an expectation that design standards either 1) achieve substantial production, 2) are incorporated into the Model Code, or 3) sunset over time.

Option 2 includes revisions listed above, but removes the provision allowing for the continued application of siting standards. This option retains the provision that allows for flexibility and continued dialogue for design standards with future expectations to achieve meaningful results, but it will remove the ability for early adopters to continue application of siting standards that are not in compliance with Division 046. Department staff recommends this option.

Option 3 removes OAR 660-046-0235(1). The outcome of this option is that all early adopters will be required to meet minimum compliance for siting and design standards outlined in Division 046, or demonstrate that their siting or design standard(s) do not cause unreasonable cost or delay as provided in OAR 660-046-0235(2).

Department staff seek confirmation on which option the commission feels should be adopted into OAR 660-046-0235. Department staff recommend adopting Option 2.

## D. CHANGES TO THE LARGE CITIES MODEL CODE

Department staff has received fewer public comments and testimony related to the Large and Metro Cities Model Code than the rest of Division 46. Comments received were mostly related to a need for further clarity of standards or minor adjustments to how the standards operate. Staff received written letters on the model code from the City of Portland and the Oregon Homebuilders Association.

A comment received from the Homebuilder’s Association requested allowing an exemption in building square footage for an attached garage. The definition of “building footprint” in the draft Model Code states that attached garages and carports are included in the building footprint calculation (which only applies to cottage clusters). The Homebuilder’s Association recommended that up to 400 square feet of attached garage space be exempted from the 900 square feet footprint limit mandated by HB 2001. The argument hinged on that by including garage floor area in the footprint calculation it would excessively limit the remaining floor area that is available for living space.

Staff is proposing to exempt up to 200 square feet of attached garage/carport space from the maximum building footprint, but still include it in the overall floor area calculation. Two hundred square feet is equivalent to a 1-car garage (10 ft by 20 ft). Given the footprint limitation, this would provide a bit more flexibility for inclusion of a modest garage. We recommend continuing to include garage area in the total floor area calculation, for the purpose of calculating average unit size in a cottage cluster. The total floor area of the cottage would still be subject to the maximum average unit size of 1,400 square feet for the overall cottage cluster.

Related, department staff also recommend placing some limits on detached garages and accessory structures, as suggested in comments from the City of Portland. Currently, the draft Model Code does not limit the size of detached garages, sheds, or other accessory structures. Since the draft Model Code does not limit floor area ratio (FAR) or lot coverage for cottage clusters, this creates opportunities for excessively large accessory structures. The code could set an absolute limit on the floor area, and possibly height, of these structures, or could include them in the cottage floor area (but not footprint) calculation.

## E. OFF-STREET PARKING

At the meeting on September 25, 2020, staff presented members of the commission seven major rulemaking highlights, one of which was off-street parking. Commissioners did not give staff any additional guidance with respect to the approach recommended by staff. Commissioner Lelack expressed concern that cities may not have the ability to require enough off-street parking. Staff have since met with Commissioner Lelack to explain the reasoning behind the draft rules as written.

Committee discussions regarding off-street parking highlighted the need to balance the impact of off-street parking requirements and middle housing development viability. Zoning codes that require too many off-street parking spaces cause an unreasonable cost and delay to the development of middle housing.

Another consideration in the parking discussion was the difference between appropriate Large Cities Model Code standards and the minimum compliance standards in Division 46.

The DLCD staff team conducted an extensive literature review to better understand the costs of accommodating off-street parking spaces within middle housing developments. While there is limited specific literature on parking in conjunction with middle housing, there is a plethora of information that provides insight into how minimum parking requirements affect housing development. To summarize this information succinctly - minimum parking requirements substantially increase the costs of housing and development both directly and indirectly.

The cost imposed by minimum parking requirements is several thousand dollars per space for surface parking and more for garage or covered spaces. Households that bear the costs imposed by minimum parking standards are disproportionately renter and lower-income households as well as households with fewer vehicles. Furthermore, such requirements place a cost on housing development that results in fewer units produced, especially for smaller and more affordable housing types.

Furthermore, Governor Brown's Climate Executive Order 20-04 directs the Department to "exercise any and all authority and discretion vested in them by law to help facilitate Oregon's achievement of the greenhouse gas emissions reduction goals set forth in paragraph 2 of this Executive Order". There is a correlation with minimum parking standards and increased automobile mode share, and evidence that greater minimum parking standards are a cause, in addition to a symptom, of increased automobile mode share.

Given all of these factors, off-street parking requirements clearly play a major role in the overall development cost of housing, and especially middle housing. Additional costs incurred during the development of housing are passed on to the eventual occupant of that housing, making it less affordable.

Committee concerns remained over where residents would park their vehicles if off-street parking requirements were reduced or eliminated. Research shows that, when left to market conditions, developers typically provide some degree of off-street parking if their market analysis shows the need for it – even without the presence of off-street parking requirements. In cities like Seattle and Portland, where a smaller percentage of all households have vehicles, where the value of buildable land is high, and where off-street parking requirements have been reduced or eliminated, developers continue to provide some off-street parking spaces. In Seattle, about 70% of developments with no city-required parking included off-street parking spaces. In Portland, developers of multi-family housing in walkable areas well served by transit provide an average of 0.7 off-street parking spaces per unit in their development plans. Similarly, in Eugene, developers in downtown report that the lenders generally require developments to include off-street parking for marketability and financial viability reasons. In Corvallis, developers of new edge developments often exceed the city's mandated parking ratios. And in Salem, multi-family developers recently testified they would provide 1.75 spaces per unit even when off-street parking requirements were reduced or eliminated. The point of the department's recommendation on this issue is that provision of off-street parking should be a decision made by a project developer based upon the needs of the project, not a mandated city requirement.

## F. FISCAL IMPACT STATEMENT / HOUSING IMPACT STATEMENT

The changes to the proposed rules as outlined above do not alter or change the Fiscal and Housing Impact Statements that were provided to the commission as part of its most recent meeting in September.

The statements are provided for commission review in Attachment C of this Agenda Item.

## G. RECOMMENDED ACTION

The department recommends that the commission:

1) Review the proposed changes to administrative rules (660-046) and the proposed changes to Large Cities Middle Housing Model Code;

2) Consider the input of the rulemaking advisory committee and its technical advisory committee;

3) Consider public comment on the draft rules, draft model code, and associated fiscal and housing impact statements provided in conjunction with both the September 2020 commission meeting and this meeting;

4) Provide the department direction regarding any questions or issues for which the commission needs further information in order to make a final decision; and

5) Adopt the proposed administrative rules and large cities middle housing code, with appropriate amendments, as necessary.

**Sample Motions for Adoption:**

*"I move that the Land Conservation and Development Commission adopt Oregon Administrative Rule Chapter 660, Division 46, including the Large Cities Middle Housing Model Code and minimum compliance standards, as drafted in Attachments A and B of Agenda Item 4."*

*"I move that the Land Conservation and Development Commission adopt Oregon Administrative Rule Chapter 660, Division 46, including the Large Cities Middle Housing Model Code and minimum compliance standards, as drafted in Attachments A and B of Agenda Item 4 with the following amendments…."*

## IV. ATTACHMENTS

**A. ENROLLED HOUSE BILL 2001**

**B. PROPOSED MIDDLE HOUSING OREGON ADMINISTRATIVE RULES (660-046)**

**C. PROPOSED LARGE CITIES MIDDLE HOUSING MODEL CODE**

**D. FISCAL IMPACT STATEMENT / HOUSING IMPACT STATEMENT**

**E. RULEMAKING ADVISORY COMMITTEE SUMMARIES**

**F. MIDDLE HOUSING TECHNICAL ADVISORY COMMITTEE SUMMARIES**

**G. COMMUNITY CONVERSATIONS ON HOUSING SUMMARIES**

**H. WRITTEN COMMENTS RECEIVED ON HOUSE BILL 2001**

**I. MIDDLE HOUSING DEVELOPMENT FEASIBILITY ANALYSES**

**J. ANALYSIS OF LOT SIZES IN LARGE AND METRO CITIES AND COUNTIES**

**K. ALTERNATE OPTIONS FOR OAR 660-046-0205(3)(B) – THE PERFORMANCE METRIC APPROACH**

**L. ALTERNATE OPTIONS FOR OAR 660-046-0235 – ALTERNATIVE SITING AND DESIGN STANDARDS**

**M. ROSTER OF RULES ADVISORY COMMITTEE (RAC) MEMBERS**

**N. ROSTER OF MIDDLE HOUSING CODE TECHNICAL ADVISORY COMMITTEE (MCTAC) MEMBERS**

April 27, 2021
Planning Commission Meeting

Dear Planning Commission:

There is an insane amount of work-in-process one everyone's plate and everything to do with zoning code reformation is being crammed to try and get done a full year in advance of the actual June 2022 deadline for HB2001. All of us who are deeply involved residents are keenly aware of this AND of all the hard work that is being done by everyone involved in the Comprehensive Plan process that is underway (and it's deficiencies).

Sadly, the results of the current CPIC "too much, too fast" process (why the huge hurry?) is resulting in "All big, no bold" (see further on for why this is due to CPIC meeting design, impossible deadlines, and continuing ineffective public engagement). But I'd rather start with some BOLD IDEAS, from several Milwaukie residents, and light up your brains UP today rather than drag them down with the same old problems.

These are the sorts of things CPIC should be coming up with, but the process and nonsensical limited time just don't encourage or make space for.

## Where's the "Bold"? HERE'S THE BOLD!

While the CPIC meetings are BIG…full of information overload…there is not much BOLD coming out of them. Here are three actual BOLD ideas for consideration (from different Milwaukie residents I've sat down with and presented some of our conundrums to) to solve crucial problems we are facing with the huge increase in density and number of housing units:

### CARS, TREES, & PARKING

**Problem**: How do we manage available space to save trees (and plant more), allow HB2001 units, and have enough on-site car parking?
**Everyday thinking:** To save mature trees and accommodate enough on-site parking, allowing developers to go up to 3 floors or allowing higher lot coverage through a second building, was presented. Allowing an on-street parking space to count toward parking requirements was also presented. (and parking consultant found that there is an average of TWO vehicles per residential unit across Milwaukie and that the parking ratio should **not** be less than 1 space : 1 unit).

**Creative thinking:** If developers want to build a third floor (for any reason, whether to save trees, keep lot coverage down, maintain on-site parking, or green yard space) they can g**o down instead of up**.

Most older house foundations cannot support another floor (much less two) and the house has to be put on jacks and the old foundation removed and a new foundation put in. Developers could easily excavate and put in "daylit garden" level to get a third floor/unit for middle housing.

***Benefits & Bonuses***: *These units would be MORE energy efficient than third floor additions. This is 1. better for tenants' expenses, better for the environment on 3 counts (2. save trees/more space to plant trees, 3. More green space/carbon sink, and 4. reduced carbon emissions), and 5. maintain the city's goal of neighborhood livability.* ***It's a quintuple win.***

## INCREASED DEMAND FOR STREET PARKING DUE TO INCREASED AMOUNT OF HOUSING

Given the parking consultant's conclusions that, in practical reality, there is an *average of 2 cars per residential unit*, demand for street parking is going to skyrocket with the addition of residential infill. All we have to do is look at *any* urban center that is a couple of steps ahead of us with development to see the hard truth of this. (I've searched for exceptions and have found none). As long as people need cars to get things done, and transit is insufficient, inconvenient, and deemed unsafe, people will choose to own and drive personal cars.

**Everyday thinking:** Reduce parking requirements to make it harder to own a car (without concomitant irresistible transit options that make it a no-brainer).

**Creative thinking:** "Parking Parks." We all know the streets are going to fill up with parked cars (and many of us know that we do need to use the on-street spaces available, but are concerned that there just won't be enough in some neighborhoods). And, in the longer-term, self-driving vehicles are coming. Also, electric vehicles and their need for charging will become a larger part of the picture in the mid-term. One local resident had a really great idea that combines likely short-term, mid-term, *and* long-term parking needs into account as well as addressing the lack of open space coming our way. What if the city bought some of the open space properties in our neighborhoods and made them into "Parking Parks." These lots could be "paved" with some kind of pervious surface to provide more parking, be planted with some large trees, and include a few benches for neighbors crossing paths who want to stop and chat. Electrical charging stations could be placed in them as well so we don't end up with long extension cords running form houses to the curb. As the need for parking reduces over time, the pervious pavement could be pulled and these lots could be converted into parks!

***Benefits & Bonuses***: Enough parking to meet *actual practical demand* as unit and resident densities and vehicles increase. Electric car charging stations. Open space preserved. Trees preserved/multiplied. City livability also increased by neighbors crossing paths and getting to know one another. ***Another quintuple win.***

## FLAG LOTS, MULTIPLEX DEVELOPMENT & CARS

**Problem:** How to deal with flag lots. There are a LOT of them.

**Everyday thinking:** Allow narrower "poles" to the "flags" for vehicle (and utility) access.

**Creative thinking:** All parking at street & residents walk in. Keep as much space as possible for trees, setbacks, and green spaces. Require a "green easement" where utilities can be run to back lot. Require some kind of minimal width gravel/pervious paver path for walking/bicycling in, and for rolling furniture in on hand carts, and vehicles could get in for utility type repairs (or just for moving in/out, but not for parking).

This can work for many building configurations: If front house is to be taken down and *any kind of multiplex units are to be put in vis-à-vis HB2001.*

If front house is to be maintained and owner wants to sell their back lot: allow parallel parking on street in current right of way.

If front house is to be taken down and entire lot developed, parking can also be relegated to right of way and to front of property.

Side Note: Realize this may not work everywhere, depending on existing street, but dedicated spots in Parking Parks could also pick up some slack for cars to these units. And there could be many more ideas that can be brought to light as well. An idea that could use more work, but it's a place to start for these sequestered lots.

*Benefits & Bonuses:* More room for setbacks for open green space and trees, less pavement, maintaining privacy, and keeping vehicle noise down for all residents on these narrow lots, and no need to build more parking for cars that may well go away in the long-term. ***It's a sextuple win!***

And now…

## Here Are The Concerns

And, as ever, we all have MANY concerns at this juncture about the intensely rushed processes and poor community involvement due to continuing ineffective public outreach These concerns presented here are all in regards to the CPIC meetings and the public outreach surveys related to current CPIC activities regarding housing zoning code reformation. All comments in this missive are based on numerous conversations with both "the usual cadre" of deeply involved resident activists (CPIC meetings & surveys), as well as about two dozen neighbors spoken to independently as they walk by on the street (re online surveys).

### CPIC Online Surveys

The new Engage Milwaukie website IS a great idea, but due to poor conception and construction the CPIC survey content it is performing poorly on several metrics:

- Extremely low participation numbers (last CPIC survey gleaned a participation rate of 0.009%).

- Questionable survey results due to egregiously poor construction of online surveys. Visit numbers are decent, but page abandon rates are high. People visit to check out the surveys (from public outreach efforts…mainly via city email lists), but very few have completed the CPIC housing code/zoning surveys.

Which begs a few important questions:

- What is the intention/goal of these surveys?
- How will data from these surveys be used? By CPIC? By city commissions, elected, staff?
- Why are surveys not being adequately front-end tested by a variety of people before release to the general public? (If they were, they would not be so confusing…in every way; text content, visual layout, arrangement of material…many people are complaining and telling us they simply abandoned the surveys either before getting to them or in the process of trying to take them. Feedback has been submitted to staff and requests that some sort of survey design standards be applied to surveys, but clearly none have been.)
- Why are there no questions asked of participants to evaluate the clarity, effectiveness, and ease of taking the surveys? (for example: Do you feel you understood the information presented for this section? Do you feel you were able to answer the survey questions easily? What can we do to improve this survey? Will you recommend this survey to others? How did you find out about this survey?)
- Why is there no page abandon pop-up asking why the visitor is not completing the information pages or survey?

**This leads to an item of concern on today's agenda regarding "Changes to the Planning Commission Bylaws" on page 52:**

"CIAC may be formed by the City Council. Each Commissioner shall be considered appointed to the CIAC at the same time as he or she is appointed to the Commission and shall serve on the CIAC for the duration of their term **or until December 31, 2022 when a separate CIAC may be formed**. Upon the formation of a separate CIAC, the Commission shall no longer serve as the CIAC.

a. The CIAC shall implement the City's Citizen Involvement Program pursuant to the requirements and relevant guidelines set forth in Statewide Planning Goal 1 and the Comprehensive Plan. The Planning Commission reserves time on every agenda **to meet if needed as the CIAC,** and holds **at least one** annual meeting to review the Citizen Involvement Guidelines and program as it relates to land use."

Q1: Where are the above-referenced "citizen involvement guidelines?" And what "program" is being referred to here? Where can I read about it please?

Q2: Why is Planning Commission continuing to be tapped as the CIAC (at least through Dec 31, 2022) when, *by their own repeated comments in public meetings, they have openly admitted zero interest in the job and little to no expertise in the area of public outreach and communications?* What does the Planning Commission actually do, in practical terms (other than holding a 1x per year meeting) about community involvement?

The city is making good efforts at upping the game over citizen involvement. What's interesting is that these efforts are magnifying the same root deficiency that has been problematic all along: the city does not have anyone with community public communications and outreach expertise and/or someone with a successful real-world applied experience in such. A bigger "megaphone" is great and an important piece of what's needed, but without well-crafted effective content it's just a larger iteration of what the tech world calls GIGO ("garbage in, garbage out"). The one place where there is some useful data is in the discussion section of the surveys (where it has been included). And it is problematic because it is subject to much (mis)interpretation that formal surveys are best-suited to handle. And participation in these discussion is still too low to be statistically significant for use in justifying zoning code reformation decisions (if such is one of the intents of the surveys).

## Concerns About CPIC Meetings/Process

**"Way too much, way too fast."**

**Minimal time for creativity, whole group work or brainstorming, thoughtfulness, group consensus, stopping to see if everyone understands topics being presented.**

The big question that comes out of all the concerns is:

**Code Reformation Deadline: WHAT IS THE HURRY?**
HB2001 mandates the deadline of **June 30, 2022**, more than a year from now, for cities within the metropolitan service district to adopt land use regulations to implement HB2001. **WHY is Milwaukie trying to get it done an entire year in advance?**

**Why this question is being asked in light of CPIC meetings:**

**CPIC Meetings Mostly "Force Feeding"**

There is little to no time for questions, clarifications, or discussions. Meetings are extremely packed with and constrained by presentations and very little discussion time…particularly no discussion time as an entire group. CPIC members requested more time for these things and 30 minutes was added to meeting times, but it has not resulted in any dedicated time for CPIC members to engage in further understanding of material and issues presented. Instead, the 30 minutes has consistently been filled up with even more presentation time. Things are always "on-script" due to lack of time. Many CPIC members are lost due to rapid-fire information overload and therefore can't participate in an informed manner.

When substantive questions are asked in the meetings when entire group is together, they are often brushed off or dodged. Nothing is put together by the group as a whole, the results of break out groups are only summarized. No cohesive delineation of the group's consensus is happening on any of the issues.

As with most city processes that are supposed to be about "community involvement," participants are being relegated to the role of "spectating" for the majority of the time and are asked to participate only within **extremely tightly controlled parameters**. Creative thinking and thoughtfulness are being stifled when it is needed most to face and find solutions to the massive changes coming to our city.

CPIC members are participating less and less with each passing meeting. Most recently, only 2-3 participants even attempt to speak up. Cameras are increasingly turned off and more CPIC members are leaving the meetings early. When participants in any process are excluded from dialogue it is natural for them to start to "tune-out." This is a problem of the process itself, not that of uncommitted committee members. As with the surveys: is this the intent of the CPIC? To do a bunch of one-way presentations to an audience who just sits and listens passively? And how will so-called "conclusions drawn" be used to justify the zoning code decisions that will be made?

**Public Comment Time:** Non-CPIC resident participants are relegated to 10 minutes (at best…if it is not used up by presentations) of comment time at the END of the meeting. Questions and concerns that have arisen are well-informed and relevant. These participants are all residents who have been involved for many years more than many of the CPIC members, are more conversant and steeped in city codes, zoning, the comp plan, HB2001, and all the city's aspirational documents, reports, and studies relevant to the to the complex topics at-hand. But there is zero time for answers or any discussion. Basically, there is no reason for any non-CPIC member to bother bringing anything up in the last 10 minutes because the meeting is already OVER. These knowledgeable, thoughtful, creative, and resourceful participants are rushed along and pressured because they are "keeping everyone overtime" at an overloaded meeting that has already gone on for 3 solid hours.

**"Changes will be incremental…"** This is being repeated ad-naseum as a way to dismiss real questions and concerns that participants do manage to bring up. It comes across as a put down of participants' concerns and a dismissal of the realities we all see happening around us every day. And why do those who use the phrase assume it is even true given:

A. the rapidity of development right next door in Portland, there is no evidence that changes will be "incremental." Developers seek out the *least expensive property* to re-develop. Milwaukie's land and Clackamas property taxes are both less expensive than all of Portland's that is a comparable distance to downtown and the concentration of activities and amenities of "inner Portland" (i.e. inside 82nd). Particularly in the Ardenwald neighborhood west of SE 32nd, many residents are already bombarded by offers to sell their properties to developers wanting to subdivide (or merge) the large lots. Developers

are just waiting to glean the higher profits, to be made on Milwaukie's preponderance of larger than 10K ftsq lots.

B. In-migration to our region is not going to stop. Bigger high paying white collar businesses—and their jobs—have already begun moving from larger high-cost cities and people who want to work at them will continue relocating here. The pressures on housing will continue unabated, which will keep rents and home prices at the highest market-rate. It seems Milwaukie does not have any solid plan to address middle and low income affordability in any significant numbers. There is much talk about "affordable" or "attainable" housing, but little solid planning given how unlikely it is that sheer increases in units alone will increase anything but market rate housing.

C. The goal of the CPIC is to think of the impacts of today's policy making 20-40 years from now. Even if changes DO turn out to be "incremental," why is thinking about the potential results in the future (once those "incremental" changes have occurred) not a valid topic to bring up? Isn't this the GOAL of the CPIC? To consider the possible accumulation of development and whether it is going to move us toward our stated vision and goals 20-40 years out?

D. In addition, "Incremental" is not an accurate descriptor for residents who WILL have a front row seat to much more dense development sooner rather than later (by mass, height, number of units, number of vehicles, etc.) going up next door and/or across the street, especially on all of our larger lots. There is nothing "incremental" about this scenario for all of the neighbors to the larger multi-plex "cottage cluster" developments that HB2001 and our zoning code will allow. The immediate loss of privacy and solar access and increases in noise and traffic at the development site are not "incremental." The dismissive use of "but it will be incremental" is counterproductive to the CPIC's mission and discourages big picture thinking and the creative ideas so badly needed if Milwaukie actually does not want to simply become "Sellwaukie."

E. And who says many of our lots won't sell fast and be developed quickly? Just look at Sellwood. Nothing "incremental" going on there, just 1 mile away.

**No Equity Expert at CPIC Meetings**

Why has city's new DEI staff member not attended CPIC meetings? The word "equity" is thrown around at CPIC meetings, but there has been no explanation of what "equity lens" is being applied to the current housing zoning code reformation process or how it is being employed and applied. As housing accessibility and affordability is the most fundamental issue for creating true equity and diversity (for all races, socioeconomic classes, and more) to creating the equitable and inclusive Milwaukie according to the city's visioning process, where is it in the CPIC process and why isn't it more explicit? Why has there been no dedicated pro-active addressing of potential equity issues in regard to middle housing?

Thank you, as ever~

Ronelle Coburn
Ardenwald Resident
**Milwaukie RIP**
milwaukierip@gmail.com

CITY OF MILWAUKIE

# Memorandum

**To:** **City of Milwaukie Planning Commission**

**From:** **Laura Weigel, Planning Manager**

**Date:** **April 19, 2021**

**Re:** **Planning Commission Meeting with NDA Leadership**

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On December 10, 2019 the Planning Commission held a joint meeting with NDA leadership. One of the topics raised was the idea of having an annual joint meeting, which was recently captured in the update to the Planning Commission by-laws which are being reviewed by the City Council on April 20, 02021.

Additionally, as discussed briefly at the Planning Commission meeting on March 23, 2021, staff is proposing to hold the joint NDA leadership meeting at the Planning Commission meeting scheduled for May 11, 2021.

At the meeting in December 2019 a preliminary list of topics were identified for discussion and included in the email that was sent out to NDA leadership prior to the joint meeting. The questions were as follows:

- The Planning Commission would like to schedule an annual meeting with NDA leaders. Is that something you would find useful? Would you be a willing participant? Should others be invited?
- What are the roles and responsibilities of NDAs in the planning and public engagement process? What is required by City policies? How can NDAs help encourage diverse, equitable, and inclusiveparticipation?
- What are the planning-related issues that are currently important to the NDAs? How closely haveyou been tracking work on the Comprehensive Plan?
- Do you have any suggestions or thoughts about what can be done to better inform communitymembers about issues they might consider important?
- Is there anything the Planning Commission or the City staff could do to make it easier for NDAopinions to be heard?

Topics raised by the NDA leaders in December of 2019 are listed below:

- The benefits of a meeting, no less than annually, between NDA leadership and the Planning Commission.
- Work being done on Linwood Avenue
- The perceived ease with which variances are approved by the Planning Commission

- The need for community members to be involved earlier in the land use process, potentially including the distribution of preapplication conference reports to NDAs
- The benefits of explicitly zoned open space
- Redrawing NDA boundaries
- Bringing development to neighborhoods, including neighborhood hubs, without transforming the character of those neighborhoods
- The future of SE Mullan St and other similarly "unconnected" streets
- Neighborhood walkability, particularly east of Highway 224
- The challenge of timing public notices with NDA meeting dates so that the NDAs can meet to formulate comments

Based on the questions/discussions from the last joint meeting as well as work that has occurred since that time are there specific topics the Planning Commission would like to discuss with NDA leadership at the joint meeting on May 11, 2021?