



CITY OF OREGON CITY PLANNING COMMISSION AGENDA

Commission Chambers, Libke Public Safety Building, 1234 Linn Ave, Oregon City
Monday, December 12, 2022 at 7:00 PM

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

CALL TO ORDER

Planning Commission nominations and election of a Vice Chairperson

Article IV. Officers and Staffing

A. Officers. The officers consist of a chairperson and a vice-chairperson who shall be selected by the membership and who shall serve at the pleasure of the membership for one year. Nominations and election of new officers shall be taken from the floor at the Planning Commission's first meeting of the year. Officers may be re-elected. In the event that an officer is unable to complete the specified term, a special election shall be held for the completion of the term.

PUBLIC COMMENT

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

PUBLIC HEARING

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

COMMUNICATIONS

ADJOURNMENT

PUBLIC COMMENT GUIDELINES

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

As a general practice, the City Commission does not engage in discussion with those making comments. Electronic presentations are permitted but shall be delivered to the City Recorder 48 hours in advance of the meeting.

ADA NOTICE

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

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

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



CITY OF OREGON CITY

Staff Report

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

Item #1.

To: Planning Commission **Agenda Date:** 12.12.22
From: Christina Robertson-Gardiner, Senior Planner

SUBJECT:

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

STAFF RECOMMENDATION:

Review HB 2001 Package #2 code revision process, provide direction on policy questions identified for the hearing, and continue the hearing to January 9, 2023

EXECUTIVE SUMMARY:

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

Some of the topics can be implemented through code modifications recommended to the City Commission, while others are more complex and will need further direction from the City Commission, such as tiny homes and RVs, or were topics not ultimately recommended for implementation by the City Commission, such as lot averaging. These more complex topics will be forwarded in the form of a policy recommendations for a future workplan to the City Commission or a request for policy clarification.

Accelerated Schedule For Technical Revisions

Staff recommends that the following topics and revisions be forwarded to the City Commission for review at the next available City Commission Meeting. These revisions provide clarity to existing policies or are needed to process currently submitted building permit applications. If the Planning Commission supports the revisions, they should provide direction to Staff at the December 12, 2022 Hearing, with a formal vote at the January 9, 2023 Hearing, which provides the required 35 days' notice to the Department of Land Conservation and Development. At the January 9, 2023 Hearing, the Planning Commission can move to forward this small package to the City Commission and continue the hearing to review the remainder of the topics if desired.

Middle Housing Driveway Specifications

Coordinate with Public Works- Development Services to revise driveway widths to better align across code sections and meet policy goals. Please refer to the staff memo and Exhibit 3- December 5, 2022 Memo by Josh Wheeler, Assistant City Engineer.

Townhome Restriction in Middle Housing Land Division

Reduce the number of townhome units allowed through the Middle Housing Land Division process (four). Require review through the Subdivision or Expedited Land Division process for townhome proposals with more than four units.

Dimensional Standards Revisions For Mixed-Use Downtown And Mixed-Use Corridor Districts

Allowing an exemption of the maximum front yard setbacks and minimum density standards for standalone residential development of four units or less in the Mixed Use Corridor and Mixed Use Downtown Zoning Districts and creating a Type II Modification process for projects that need an adjustment to the middle housing design standards.

Parking Standards for Triplexes and Quadplexes

Technical clarifications to reflect that standards apply per development, not per unit. Consider relocating the standards to the triplex and quadplex design section. At this time, Staff does not recommend any revisions to the parking sections for Triplexes and Quadplexes and will review for any needed technical corrections as part of future needed compliance with [Climate-Friendly and Equitable Communities](#)

BACKGROUND:

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

OPTIONS:

- 1) Provide staff direction on policy questions identified for the December 12, 2022 hearing and continue GLUA 22-0002/LEG 22-00001 to the January 9, 2023 Planning Commission Hearing

To: Planning Commission
From: Christina Robertson-Gardiner, Senior Planner
RE: Package #2 of Legislative File: GLUA 22-0002/LEG-22-0001- HB 2001 Housing
Choice Code Update
December 12, 2022, Hearing Topics
Date: December 5, 2022

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

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

Hearings Process

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

December 12, 2022 Topics

Deliverable: Recommended redline code to the City Commission

Accelerated Schedule For Technical Revisions

Staff recommends that the following topics and revisions be forwarded to the City Commission for review at the next available City Commission Meeting. These revisions provide clarity to existing policies or are needed to process currently submitted building permit applications. If the Planning Commission supports the revisions, they should provide direction to Staff at the December 12, 2022 Hearing, with a formal vote at the June 9, 2023 Hearing, which provides the required 35 days' notice to the Department of Land Conservation and Development. At the January 9, 2023 Hearing, the Planning Commission can move to forward this small package to the City Commission and continue the hearing to review the remainder of the topics if desired.

Middle Housing Driveway Specifications

OCMC 16.12.034 MINIMUM PUBLIC IMPROVEMENTS AND DESIGN STANDARDS FOR DEVELOPMENT, DRIVEWAYS
OCMC 17.16 MIDDLE HOUSING DESIGN STANDARDS

Minimum Public Improvements And Design Standards For Development, Driveways

- Coordinate with Public Works- Development Services to revise driveway widths to better align across code sections and meet policy goals. Please refer to Exhibit 3- December 5, 2022 Memo by Josh Wheeler, Assistant City Engineer.

Middle Housing Design Standards

- Revise Figure 17.16.040.A.1 to show paired parking spaces and remove all dimensions from the figure. *The revised figure will be included in January 9, 2023 package.*
- Removed dimensional standards from OCMC 17.16.040 Parking standards. *This removes an unneeded cross reference.*

Parking Standards for Triplexes and Quadplexes

Technical clarifications to reflect that standards apply per development, not per unit. Consider relocating the standards to the triplex and quadplex design section. At this time, Staff does not recommend any revisions to the parking sections for Triplexes and Quadplexes and will review for any needed technical corrections as part of any future needed compliance with [Climate-Friendly and Equitable Communities](#).

Townhome Restriction in Middle Housing Land Division

OCMC 16.24 EXPEDITED AND MIDDLE HOUSING LAND DIVISIONS

Reduce the number of townhome units allowed through the Middle Housing Land Division process (four). Require review through the Subdivision or Expedite Land Division process for townhome proposals with more than four units.

The City has received additional direction from the Department of Land Conservation and Development (DLCD) that sizing caps can be added to the Middle Housing Land Division process, which is intended to support smaller infill middle housing development.

Townhomes developments have traditionally been reviewed through the City's subdivision process, which can require a higher level of street connectivity and infrastructure review. HB 2001 required cities to allow townhomes in all single-family residential zoning districts and include them in uses that can take advantage of Middle Housing Land Division process. However, with no upper cap, larger townhome development could potentially apply for a review under the Middle Housing Land Division process, which complicates the City's ability to require needed infrastructure improvements, including connecting to the neighboring street network. *OCMC16.24.050 Criteria Of Approval – Middle Housing Land Division* does look at needed street improvements- but the analysis does not scale appropriately for larger developments.

With this new guidance from DLCD, Staff recommends revisions to the Middle Housing Land Division that caps the number of townhome units allowed through the Middle Housing Land Division process to four. Larger projects (5 or greater units) will be reviewed through the subdivision or partition process. This change clarifies the existing city approach to middle housing, which caps Type I Review of infill development to 4 dwelling units unless part of a cluster housing proposal (up to 14 units).

Dimensional Standards Revisions For Mixed-Use Downtown And Mixed-Use Corridor Districts

OCMC 17.34 MUD MIXED-USE DOWNTOWN DISTRICT

OCMC 17.29 MUC MIXED-USE CORRIDOR DISTRICT

OCMC 17.12 SINGLE-FAMILY DETACHED AND DUPLEX RESIDENTIAL DESIGN STANDARDS

OCMC 17.16 MIDDLE HOUSING DESIGN STANDARDS

Allowing an exemption of the maximum front yard setbacks and minimum density standards for standalone residential development of four units or less in the Mixed Use Corridor and Mixed Use Downtown Zoning Districts and creating a Type II Modification process for projects that need an adjustment to the middle housing design standards.

The Mixed Use Downtown and the Mixed Use Corridor utilize maximum front yard setbacks of 5 feet. Commercial and multifamily (5+ units) development are allowed greater setbacks through a combination of landscaping and other amenities to ensure a strong pedestrian orientation to the street through a Type II noticed Site Plan and Design Review process. (OCMC 17.62.055D). While HB 2001 does not regulate middle housing in commercial zones, the City wanted to create one streamlined process for all middle housing, regardless of the zoning district, and moved what was previously a Type II review process to a Type I review as part of the June 2022 redline package. Unfortunately, this action has created a setback requirement (5 feet) with no path for applicants to request a setback reduction, barring a Planning Commission Variance. A code section exemption with additional direction on the modification process seems to be the best approach for this issue. Additionally, meeting the minimum density requirement of 17 units per acre could prove to be problematic for smaller lots or with existing development patterns onsite in the Mixed Use Corridor zone. At this time, Staff does not recommend the exemption of minimum density within the Mixed Use Downtown, which is part of Oregon City's Regional Center.

As a way to further differentiate middle housing proposals from multifamily or mixed-use proposals, Staff recommends the following redline code be added:

Mixed Use Corridor

- Standalone residential development of fewer than five units are exempt from maximum setbacks and minimum density requirements of the underlying zone.

Mixed Use Downtown

- Standalone residential development of fewer than five units are exempt from maximum setbacks of the underlying zone.

Single-Family Detached And Duplex Residential Design Standards

- Introduce review criteria for a Type II modification review.

Middle Housing Design Standards

- Introduce the existing Type II Modification Process found in the Single-Family Detached And Duplex Residential Design Standards, with new review criteria.
- Clarify that parking and parking isles are not allowed in front of dwelling units in commercial zones through a Type I process.
- Remove the 20,000 square foot lot allowance for parking in the front of the building in commercial zones and send those needing larger front yard parking areas to a Type II modification process. *The 20,000 square foot appears to be an arbitrary size created in the 2019 equitable housing process, which reviewed middle sizing in commercial zones through a Type II Site Plan process. Many lots along Molalla Avenue are smaller than 20,000 feet. This revised approach allows an option for a simple Type I building permit review along with an avenue for a Type II modification.*

Exhibits

1. HB 2001 Package #2 Hearing Topic Timeline – Updated
2. Public Comment Matrix- Updated
3. December 5, 2022 Memo by Josh Wheeler, Assistant City Engineer
4. Minimum Public Improvements and Design Standards For Development, Driveways. **Proposed Redlines**
5. Middle Housing Design Standards **Proposed Redlines**
6. Single-Family Detached And Duplex Residential Design Standards **Proposed Redlines**
7. Mixed-Use Downtown District **Proposed Redlines**
8. Mixed-Use Corridor District **Proposed Redlines**
9. Expedited And Middle Housing Land Divisions **Proposed Redlines**
10. October 15, 2022 Planning Commission Memo (Process Overview)
11. July 19, 2022, memo from Elizabeth Decker, JET Planning
12. [Oregon City Zoning Map](#)
13. [Housing Choices Code Update project page](#)

LEG 22-001 Package #2 Policy Questions		Issue	Potential Outcome	Hearing Date	Planning Commission Direction
Duplex Lot Coverage in Medium-Density Zones <ol style="list-style-type: none"> Should the City increase maximum building lot coverage for duplexes to match the current allowance for a single-family dwelling plus an ADU (60-65%) Should the City increase maximum building lot coverage across the board for specific middle housing types in rough proportion to increased numbers of units? If there is no consensus for code revisions for this topic, should the City review this question in 2-3 years to determine if lot coverage is a barrier to middle housing construction? 		Consider increasing building lot coverage for duplexes to match the current allowance for a single-family dwelling plus an ADU	Recommended redline code	November 14, 2022	<p>The Planning Commission did not recommend any code revision for this issue as part of Package #2.</p> <p>They found that there was a general uncertainty about the impact of the newly adopted middle housing code and, therefore, code revisions would be premature at this time.</p>
Lot Coverage in Low-Density Zones. <ol style="list-style-type: none"> Should the City increase maximum building lot coverage for duplexes to match the current allowance for a single-family dwelling plus an ADU (45%) Should the City increase maximum building lot coverage across the board for specific middle housing types in rough proportion to increased numbers of units? If there is no consensus for code revisions for this topic, should the City review this question 		Consider increasing maximum building lot coverage for specific middle housing types in rough proportion to increased numbers of units.	Recommended redline code	November 14, 2022	<p>The Planning Commission did not recommend any code revision for this issue as part of Package #2.</p> <p>They found that there was a general uncertainty about the impact of the newly adopted middle housing code and, therefore,</p>

LEG 22-001 Package #2 Policy Questions	Issue	Potential Outcome	Hearing Date	Planning Commission Direction
in 2-3 years to determine if lot coverage is a barrier to middle housing construction?				code revisions would be premature at this time.
<p>High-Density Zone Development Standards</p> <ol style="list-style-type: none"> 1. Should the City increase middle housing density standards in the R2 zone to match the allowed density of the medium-density (R3.5) residential zoning? Should it be higher? 2. Should the City increase the allowed density for multi-family projects in the R2 zone to be higher than the density for middle housing in the R2 zoning? If yes, should staff return with mitigation, location, or scaling strategies to reduce community impact? 3. Should the City remove or restrict townhomes/townhome subdivisions as an allowed use in the R2 zoning district but still allow tri/quad plexes on infill lots? 4. If there is no consensus for code revisions for this topic, should the City review this question in 2-3 years? 	With the introduction of middle housing at greater densities in the low and medium densities zone, there could be a broader discussion about the purpose and standards for the high density R-2 zone	Recommended redline code	November 14, 2022	<p>The Planning Commission did not recommend any code revision for this issue as part of Package #2.</p> <p>They found that there was a general uncertainty about the impact of the newly adopted middle housing code and, therefore, code revisions would be premature at this time.</p>
Land Use Affordability Incentives	More flexible code provisions for middle housing could be selectively targeted at projects meeting affordability requirements, both to improve feasibility of those projects and to	<p>Recommended redline code</p> <p>Policy or workplan</p>	November 28, 2022	

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

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

LEG 22-001 Package #2 Policy Questions	Issue	Potential Outcome	Hearing Date	Planning Commission Direction
Middle Housing Driveway Specifications.	Coordinate with Public works-Development Services to revise driveway widths to better align across code sections and meet policy goals.	Recommended redline code	December 12, 2022	
Technical Revisions	<p>Reduce the number of townhome units allowed through the Middle Housing Land Division process (four). Require review through the Subdivision or Expedite Land Division process for townhome proposals with more than four units.</p> <p>Allowing an exemption of the maximum front yard setbacks and minimum density standards for standalone residential development of four units or less in the Mixed Use Corridor and Mixed Use Downtown Zoning Districts and creating a Type II Modification process for projects that need an adjustment to the middle housing design standards.</p>	Recommended redline code	December 12, 2022	
Multiple ADUs per Lot	Consider the future role of ADUs and how ADU standards compare to plex standards. Consider whether to permit multiple ADUs per lot for greater parity with new provisions for plexes, which could be written to require one attached	Request for policy clarification	<p>January 9, 2023</p> <p>January 23, 2022</p>	

LEG 22-001 Package #2 Policy Questions	Issue	Potential Outcome	Hearing Date	Planning Commission Direction
	and one detached unit, or in any combination.			
Lot Averaging for Subdivisions	Consider whether and how lot averaging should apply to middle housing options beyond duplexes, and whether lot averaging remains a useful tool for new subdivisions along with middle housing opportunities	Request for policy clarification	January 9, 2023 January 23, 2022	

Date	Topic	Issue / Comment / Concern	Staff Comment	Has this been Addressed? How?
Paul Edgar 11.1.22 email 11.10.22 email 11.23.22 email	Tiny homes, Clustered, Safe & Rest Communities	We could create and build new master planned communities within a Manufactured Home Park mindset of design, with conventional and most importantly, affordable manufactured homes, prefabbed modular homes and also create communities of where very, very affordable tiny homes of under 200 Sq. Ft. with post and beam. We need the codes and zoning for building communities of all sizes, that have one thing in common, that permanent and semi-permanent dwelling/houses - structures that are under \$100,000	This policy question is scheduled for the November 28, 2022 January 9, 2023 Planning Commission meeting	

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

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

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

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

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

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

Hello,

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

Thank you!
 -Julia



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

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

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

Paul Edgar

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

Hello,

Thank you for your shed inquiry!

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

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

Sincerely,
 - David



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

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

My Live Chat

My Live Chat

LiveChat Offline Message Received

Dear Better Built,

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

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

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

Sincerely,
My Live Chat Team

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

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

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

Paul Edgar

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

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

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

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

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

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

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

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

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

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

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

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

From: [Paul O. Edgar](#)
To: [recorderteam](#); [Christina Robertson-Gardiner](#); [Aquilla Hurd-Ravich](#); [Pete Walter](#)
Cc: [Dirk Schagenhauser - OC Planning](#); [Denyse McGriff](#)
Subject: Re: What are the impacts of Inflation in Oregon City going to be and what type of affordable housing options will we need, and please include this as part of the record of the Planning Commission on the Middle Housing Considerations
Date: Thursday, November 10, 2022 9:27:20 PM
Attachments: [UaX8RIC9H71IssDq.png](#)

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

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

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

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

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

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

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

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

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

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

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

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

Paul Edgar

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

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

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

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

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

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

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



MEMORANDUM

December 5, 2022

To : Christina Robertson-Gardiner, Senior Planner

From : Josh Wheeler, PE, Assistant City Engineer

RE : Middle Housing Driveway Code 16.12.035

Oregon City Public Works has made recommended revisions to OCMC 16.12.035 due to the additions of middle housing to City Code.

Some revisions are clerical or clarifying in nature. Other revisions are directly related to the implementation of middle housing. Lastly, a couple of revisions are to enhance code based on experiences and questions we have encountered during permitting. The goal of most of these revisions is to provide flexibility but also limit the amount of driveways which ensures a safer travel environment. Note that driveways are defined as access from a public right-of-way to a private property. The portion of the access beyond the right-of-way on private property is not regulated. A summary of the most significant revisions is shown below :

- Requiring shared driveways when driveways cannot meet driveway spacing requirements
- Requiring a limit of maximum two driveways per frontage for all residential uses
- Limiting the number of driveways to properties with only one frontage to one driveway or two driveways, if the proposal meets the middle housing standards.
- Providing flexibility for the size of shared driveways
- Providing direction for cluster housing
- Providing an equitable, consistent regulation for middle housing that acts as or can easily be compared to a small subdivision or partition with individual lots
- Ensuring driveways on collectors or arterials do not allow for backing out onto these roadways. All movements must be forward-facing when leaving the property

- D. For the intersection of OR 213 and Beavercreek Road, the following mobility standards apply:
1. During the first, second and third hours, a maximum v/c ratio of 1.00 shall be maintained. Calculation of the maximum v/c ratio will be based on an average annual weekday peak hour.
- E. Until the city adopts new performance measures that identify alternative mobility targets, the city shall exempt proposed development that is permitted, either conditionally, outright, or through detailed development master plan approval, from compliance with the above-referenced mobility standards for the following state-owned facilities:
- I- 5/OR 99E Interchange.

State intersections located within or on the regional center boundaries.

1. In the case of conceptual development approval for a master plan that impacts the above references intersections:
 - a. The form of mitigation will be determined at the time of the detailed development plan review for subsequent phases utilizing the code in place at the time the detailed development plan is submitted; and
 - b. Only those trips approved by a detailed development plan review are vested.
2. Development which does not comply with the mobility standards for the intersections identified in OCMC 16.12.033 shall provide for the improvements identified in the transportation system plan (TSP) in an effort to improve intersection mobility as necessary to offset the impact caused by development. Where required by other provisions of the code, the applicant shall provide a traffic impact study that includes an assessment of the development's impact on the intersections identified in this exemption and shall construct the intersection improvements listed in the TSP or required by the code.

(Ord. No. 18-1009, § 1(Exh. A), 7-3-2019; Ord. No. 19-1008, § 1(Exh. A), 12-18-2019)

16.12.035 Driveways.

- A. All new development, redevelopment, and capital improvement projects shall meet the minimum driveway spacing standards identified in Table 16.12.035.A. Minor site plan and design review do not follow these standards unless a request is made to modify the driveway.

Table 16.12.035.A
Minimum Driveway Spacing Standards

Street Functional Classification	Minimum Driveway Spacing Standards	Distance
Major Arterial Streets	Minimum distance from a street corner to a driveway and between driveways for all uses other than detached <u>single</u> -family dwellings, duplexes, triplexes, quadplexes and townhouses	175 feet
Minor Arterial Streets	Minimum distance from a street corner to a driveway and between driveways for all uses other than detached single-family dwellings, duplexes, triplexes, quadplexes and townhouses	175 feet
Collector Streets	Minimum distance from a street corner to a driveway and between driveways for all uses other than detached single family dwellings, duplexes, triplexes, quadplexes and townhouses	100 feet

Local Streets	Minimum distance from a street corner to a driveway and between driveways <u>for all uses other than detached single family dwellings, duplexes, triplexes, quadplexes and townhouses.</u>	25 feet
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1. When driveways are shared (combined), the minimum driveway spacing shall be 20 feet.
 2. All driveways, except for shared driveways, shall be placed a minimum of 5 feet from the property line.
 - 1-3. The distance from a street corner to a driveway is measured along the right-of-way from the edge of the intersection (on the same side of the road) right-of-way to the nearest portion of the driveway and the distance between driveways is measured at the nearest portions of the driveway at the right-of-way.
- B. All detached single--family dwellings, duplexes, triplexes, quadplexes and townhouses shall have driveways which meet the minimum distance from a street corner standards except when the lot size is smaller than the minimum distance required. When minimum distance cannot be met due to lot size or due to the location of an overlay district, the driveway shall be located as far away from the intersection as possible, but no more than 5 feet to the neighboring property line, as approved by the city engineer.
- C. Nonresidential or multi-family residential use driveways that generate high traffic volumes as determined by a traffic analysis shall be treated as intersections and shall adhere to requirements of OCMC 16.12.020.
- D. For any detached single- family dwellings, duplexes, triplexes, quadplexes and townhouses or property developed with an ADU with multiple frontages, oOnly one driveway is allowed per street frontage classified as a local street and in no case shall more than two driveways (one per frontage) be allowed ~~for any single family detached residential or middle housing property, or property developed with an ADU with multiple frontages~~, unless otherwise approved by the city engineer.
1. Two driveways shall never be granted for any property with only one frontage on a local road for any single family detached residential property or property that contains and ADU unless required by Clackamas Fire District No. 1.
- E. Cluster housing properties may be granted more than one driveway per property and per frontage meeting the spacing standards. Driveways should be combined whenever possible to limit the amount of driveways per property.
1. Middle housing properties with only one building may be allowed one driveway for every two units, provided that spacing standards and/or driveway width requirements are met.
 2. Middle housing properties with more than one structure shall meet the cluster housing standards.
- F. Townhouses shall have one driveway approach for every two dwelling units(round up for townhouse structures with an odd number of dwellings).
- G. Driveways on collectors or arterials shall be provided in such a way that no backing of a vehicle will occur from the driveway to the collector or arterial.
- D-H. When a property fronts multiple roads, access shall be provided from and limited to the road with the lowest classification in the transportation system plan to minimize points of access to arterials and collectors. Access shall not be provided on arterial or collector roads unless there is no other alternative. At the discretion of the city engineer, properties fronting a collector or arterial road may be allowed a second driveway, for the creation of a circulation pattern that eliminates reverse maneuvers for vehicles exiting a property if applied for and granted through procedures in OCMC 16.12.013. All lots proposed with a driveway and lot orientation on a collector or minor arterial shall combine driveways into one joint access per two or more lots unless the city engineer determines that:
1. No driveway access may be allowed since the driveway(s) would cause a significant traffic safety hazard; or

2. Allowing a single driveway access per lot will not cause a significant traffic safety hazard.

E.I. All driveway approaches shall be limited to the dimensions identified in Table 16.12.035.D.

Table 16.12.035.D
Driveway Approach Size
Standards

Property Use	Minimum Driveway Approach Width		Maximum Driveway Approach Width
Single-Family Detached and Duplexes	10 feet		24 feet
Townhouses	10 feet		24 feet
Triplexes, Quadplexes and Cottage Clusters	10 feet		36 feet
Multi-Family	18 feet		30 feet
Commercial, Industrial, Office, Institutional, Mixed Use, and/or Nonresidential	One-Way 12 feet	Two-Way 20 feet	40 feet

1. Shared driveways for middle housing structures shall be minimum 18 feet and maximum 36 feet except when section J.4.a applies.

2. Driveway widths shall match the width of the driveway approach where the driveway meets sidewalk or property line but may be widened onsite (for example between the property line and the entrance to a garage). Groups of more than four parking spaces shall be so located and served by driveways so that their use will not require backing movements or other maneuvering within a street right-of-way other than an alley.

J. The city engineer reserves the right to require a reduction in the number and size of driveway approaches as far as practicable for any of the following purposes:

1. To provide adequate space for on-street parking;
2. To facilitate street tree planting requirements;
3. To assure pedestrian and vehicular safety by limiting vehicular access points; and
4. To assure that adequate sight distance requirements are met.
 - a. Where the decision maker determines any of these situations exist or may occur due to the approval of a proposed development for non-residential uses or attached or multi-family housing, a shared driveway shall be required and limited to twenty-four feet in width adjacent to the sidewalk or property line.

K. For all driveways, the following standards apply:

2. Each new or redeveloped curb cut shall have an approved concrete approach or asphalted street connection where there is no concrete curb and a minimum hard surface for at least ten feet back into the property as measured from the current edge of sidewalk or street pavement to provide for controlling gravel tracking onto the public street. The hard surface may be concrete, asphalt, or other surface approved by the city engineer.
3. Any driveway approach built within public right-of-way shall be built and permitted per city requirements as approved by the city engineer.
4. No driveway with a slope of greater than fifteen percent shall be permitted without approval of the city engineer.

L. Exceptions. The city engineer reserves the right to waive these standards or not allow driveway access, if the driveway(s) would cause a significant traffic safety hazard. Narrower or wider driveway widths may be considered where field conditions preclude use of recommended widths. When larger vehicles and trucks will be the predominant users of a particular driveway, turning templates may be utilized to develop a driveway width that can safely and expeditiously accommodate the prevalent type of ingress and egress traffic.

(Ord. No. 18-1009, § 1(Exh. A), 7-3-2019; Ord. No. 19-1008, § 1(Exh. A), 12-18-2019; Ord. No. 21-1007, § 1(Exh. A), 4-21-2021)

16.12.065 Building site—Grading.

Grading of building sites shall conform to the state of Oregon Structural Specialty Code, Title 18, any approved grading plan and any approved residential lot grading plan in accordance with the requirements of OCMC 13.12, 15.48, 16.12 and the public works stormwater and grading design standards, and the erosion control requirements of OCMC 17.47.

(Ord. No. 18-1009, § 1(Exh. A), 7-3-2019; Ord. No. 19-1008, § 1(Exh. A), 12-18-2019)

16.12.85 Easements.

The following shall govern the location, improvement and layout of easements:

- A. Utilities. Utility easements shall be required where necessary as determined by the city engineer. Insofar as practicable, easements shall be continuous and aligned from block-to-block within the development and with adjoining subdivisions or partitions.
 - 1. Specific public utility easements for water, sanitary or storm drainage shall be provided based on approved final engineering plans conforming to the requirements found within the applicable design standards.

Chapter 17.16 MIDDLE HOUSING DESIGN STANDARDS

17.16.010 Purpose.

The intention of these standards is to promote quality middle housing developments that include - physical and visual connection between units and the street, enhance the streetscape with attractive and varied front facades, minimize the prominence of garages and off-street parking areas, and promote compatibility with the surrounding neighborhood.

(Ord. No. 18-1009, § 1(Exh. A), 7-3-2019; Ord. No. 19-1008, § 1(Exh. A), 12-18-2019)

17.16.020 Applicability.

The standards of this chapter apply to townhouses, triplexes, quadplexes, and cottage clusters in any zone. The applications are processed as a Type I minor site plan and design review per OCMC 17.62.035 concurrently with a building permit application.

(Ord. No. 18-1009, § 1(Exh. A), 7-3-2019; Ord. No. 19-1008, § 1(Exh. A), 12-18-2019)

17.16.025 Review process.

Applications are processed as a Type I minor site plan and design review per OCMC 17.62.035 concurrently with a building permit application. Modifications to these standards are processed as a Type II application or may be requested as part of a concurrent Type II, III or IV land use application.

A. The review body may approve requested modifications if it finds that the applicant has shown that the following approval criteria are met:

1. The modification will result in a development that better meets the applicable design guidelines; and
2. The modification meets the intent of the standard. On balance, the proposal will be consistent with the purpose of the standard for which a modification is requested.

17.16.030 Townhouse design standards.

- A. Townhouses shall meet the dimensional and density standards of the underlying zoning district.
- B. Each townhouse shall comply with the residential design options in OCMC 17.14.030. For purposes of applying the standards in OCMC 17.14.030, the garage width shall be measured based on the foremost four feet of the interior garage walls.
- C. No more than six consecutive townhouses that share a common wall are allowed.
- D. The main entrance of each townhouse must:
 1. Be within eight feet of the longest street-facing wall of the dwelling unit, if the lot has public street frontage; and
 2. Either:
 - a. Face the street (see Figure 17.16.030.D.1);
 - b. Be at an angle of up to forty five degrees from the street (see Figure 17.16.030.D.2);
 - c. Face a common open space or private access or driveway that is abutted by dwellings on at least two sides (see Figure 17.16.030.D.3); or

- d. Open onto a porch that is at least twenty five square feet in area, and that has at least one entrance facing the street or have a roof (see Figure 17.16.030.D.4).

Figure 17.16.030.D.1

Main Entrance Facing the Street

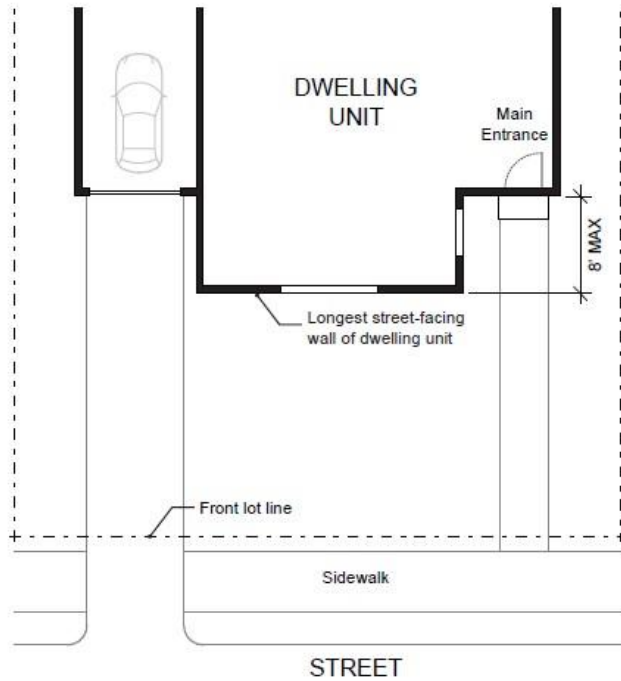


Figure 17.16.030.D.2

Main Entrance at Forty Five Degree Angle from the Street

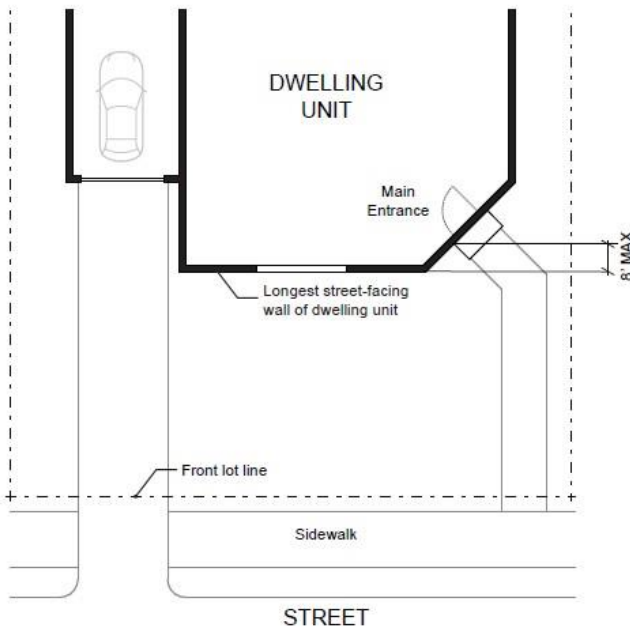


Figure 17.16.030.D.3
Main Entrance Facing Common Open Space

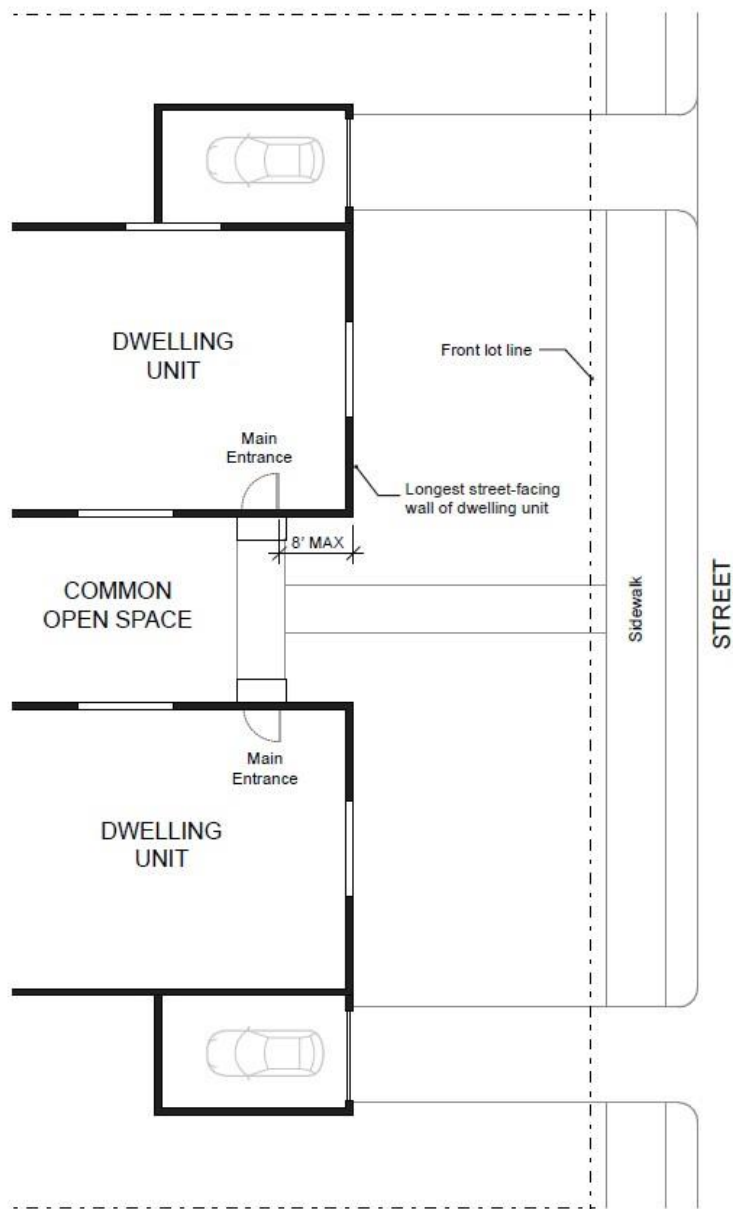
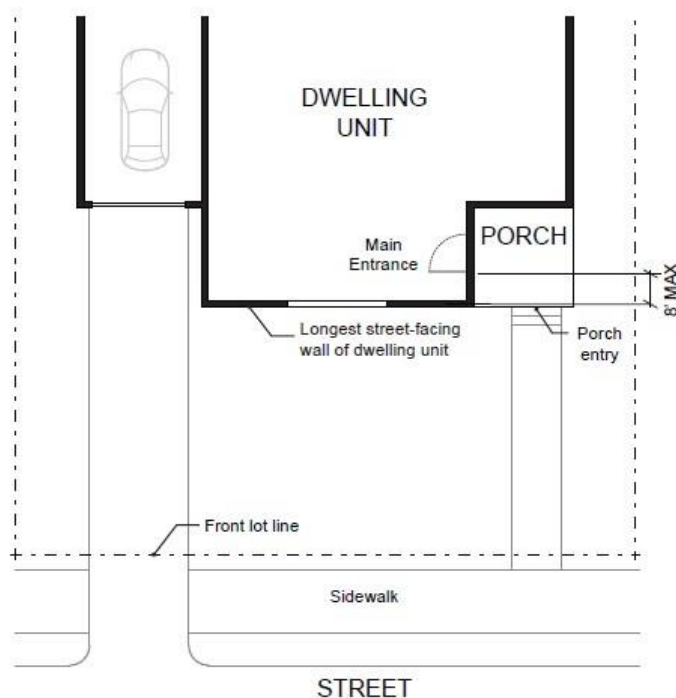


Figure 17.16.030.D.4
Main Entrance Opening onto a Porch



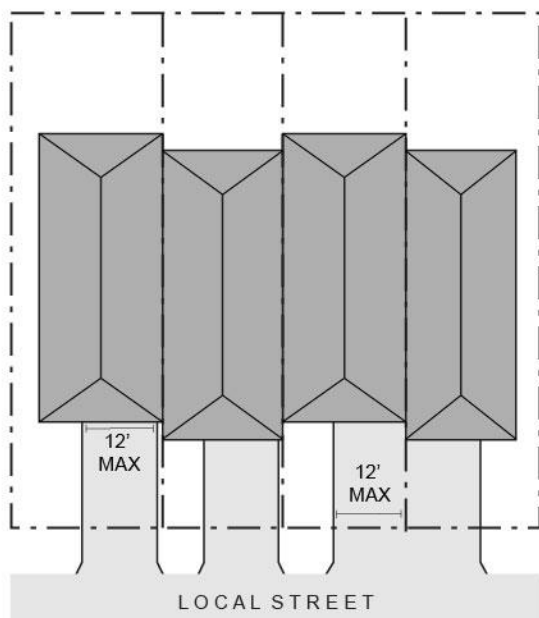
- E. Driveway access and parking shall comply with OCMC 17.16.040.
- F. Townhouses shall comply with the residential lot tree requirements in OCMC 17.14.080 and the street tree requirements in OCMC 17.14.090.

(Ord. No. 18-1009, § 1(Exh. A), 7-3-2019; Ord. No. 19-1008, § 1(Exh. A), 12-18-2019)

17.16.040 Townhouse driveway access and parking.

- A. Where townhouses have frontage on a public street, garages on the front façade of a townhouse, off-street parking areas in the front yard, and driveway accesses in front of a townhouse are permitted in compliance with the following standards (see Figure 17.16.030.E.1):
 1. All driveways shall comply with OCMC 16.12.035.
 2. Outdoor on-site parking and maneuvering areas shall not exceed twelve feet wide on any lot; ~~and~~
 - a. For two abutting lots in the same townhouse project, driveways are encouraged to be paired and abut along the lot line to create one shared driveway approach, ~~which may be between 20 to 24 feet in width,~~ meeting all other standards of OCMC 16.12.035.
 3. The garage width shall not exceed twelve feet.
 4. Each townhouse lot shall have a street frontage on a local street.

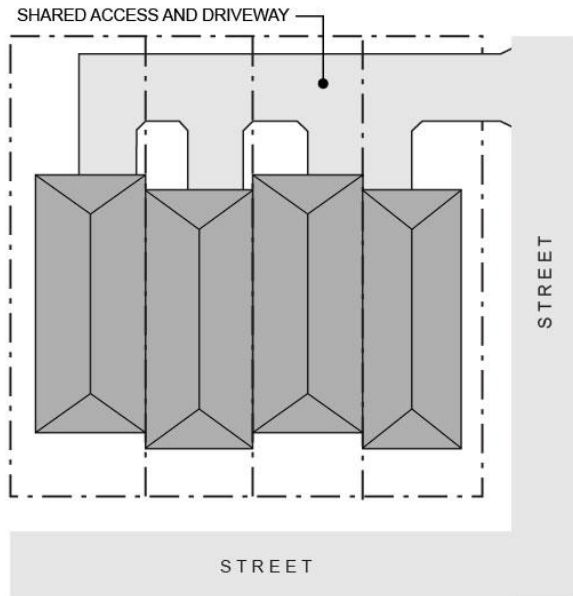
Figure 17.16.040.A.1
Townhouses with Parking in the Front Yard



Revised figure will show two
 paired driveways. Driveway
 measurements will be removed.

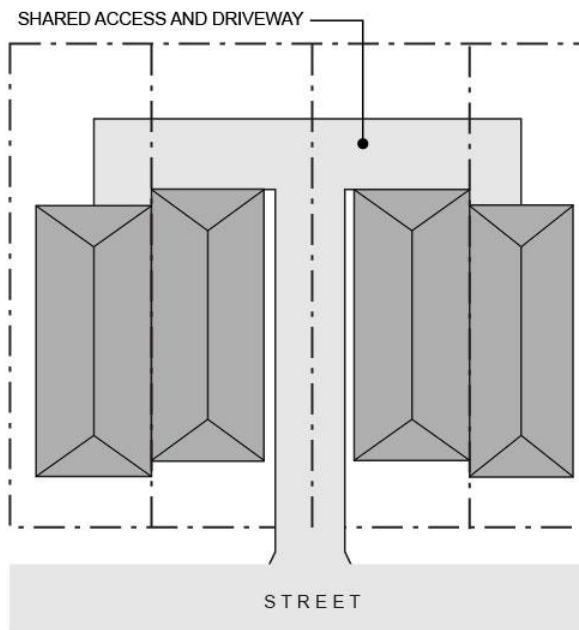
- B. Garages not on the front façade and townhouses which do not include off-street parking in the front yard are permitted in compliance with the following standards. The following driveway access and parking standards may also be voluntarily utilized for townhouses that could otherwise meet the standards in OCMC 17.16.040.A:
1. Off-street parking areas shall be accessed on the back façade or located in the rear yard. No off-street parking shall be allowed in the front yard or side yard.
 2. Development that includes a corner lot shall take access from a single driveway on the side of the corner lot. The city engineer may alter this requirement based on street classifications, access spacing, or other provisions. See Figure 17.16.040.B.2.

Figure 17.16.040.B.2
Development with Corner Lot Access



3. Development that does not include a corner lot shall consolidate access for all lots into a single driveway. The access and driveway are not allowed in the area directly between the front façade and front lot line of any of the single-family attached dwellings. See Figure 17.16.040.B.3.

Figure 17.16.040.B.3
Development with Consolidated Access



4. A development that includes consolidated access or shared driveways shall record access easements to allow normal vehicular access and emergency access.
 - C. Developments served by an alley providing access to the rear yard are exempt from compliance with OCMC 17.16.040.A and 17.16.040.B.
 - D. Driveways shall comply with the standards of OCMC 16.12.035.
- (Ord. No. 18-1009, § 1(Exh. A), 7-3-2019; Ord. No. 19-1008, § 1(Exh. A), 12-18-2019)

17.16.060 Triplex and quadplex development requirements.

- A. Triplexes and quadplexes shall meet the dimensional and density standards of the underlying zoning district.
- B. Each triplex or quadplex shall comply with the residential design options in OCMC 17.14.030. For purposes of applying the standards in OCMC 17.14.030, the width of any garage(s) shall be measured based on the foremost four feet of the interior walls of the garage(s).
- C. At least one main entrance for each triplex or quadplex structure must:
 1. Be within eight feet of the longest street-facing wall of the dwelling unit, if the lot has public street frontage; and
 2. Either:
 - a. Face the street (see Figure 17.16.030.D.1);
 - b. Be at an angle of up to forty-five degrees from the street (see Figure 17.16.030.D.2);
 - c. Face a common open space or private access or driveway that is abutted by dwellings on at least two sides (see Figure 17.16.030.D.3); or
 - d. Open onto a porch that is at least twenty five square feet in area, and that has at least one entrance facing the street or have a roof (see Figure 17.16.030.D.4).
- D. In residential zones, garages on the front façade and off-street parking areas in the front yard, are permitted in compliance with the following standards:
 1. Outdoor on-site parking and maneuvering areas shall not exceed a total of forty feet wide or fifty percent of the lot frontage, whichever is less; and
 2. The combined width of all garages shall not exceed forty feet or fifty percent of the lot frontage, whichever is less.
- E. In mixed-use and commercial zones, parking aisles or areas shall be located behind the building façade that is closest to the street, below buildings, or on one or both sides of buildings, except where the following conditions exist:
 1. The site does not abut a collector or arterial street (i.e. the site abuts a local street);
 2. The site is not a corner lot; and
 3. ~~The site is less than twenty thousand square feet in size; or~~
 4. There is an existing topographic constraint that precludes locating the parking area in conformance with this standard.
- F. Triplexes and quadplexes shall comply with the residential lot tree requirements in OCMC 17.14.080 and the street tree requirements in OCMC 17.14.090.

- G. The creation of a triplex or quadplex through conversion of an existing single-family detached residential unit is exempt from the standards of this section.

(Ord. No. 18-1009, § 1(Exh. A), 7-3-2019; Ord. No. 19-1008, § 1(Exh. A), 12-18-2019)

17.16.065 Detached triplexes

- A. Triplexes consisting of three detached dwelling units, or one detached and two attached dwelling units, are permitted provided that one dwelling unit on the lot is an existing dwelling unit that received final inspection at least five years ago.
- B. In the case of a triplex with detached dwelling units, each street-facing façade that is not separated from the street property line by a dwelling shall meet the standards in OCMC 17.14.030.
- C. Any detached dwelling unit that is not separated from the street property line by a dwelling along more than 50 percent of its street-facing façade shall provide at least one main entrance meeting the standards of OCMC 17.16.060.C.

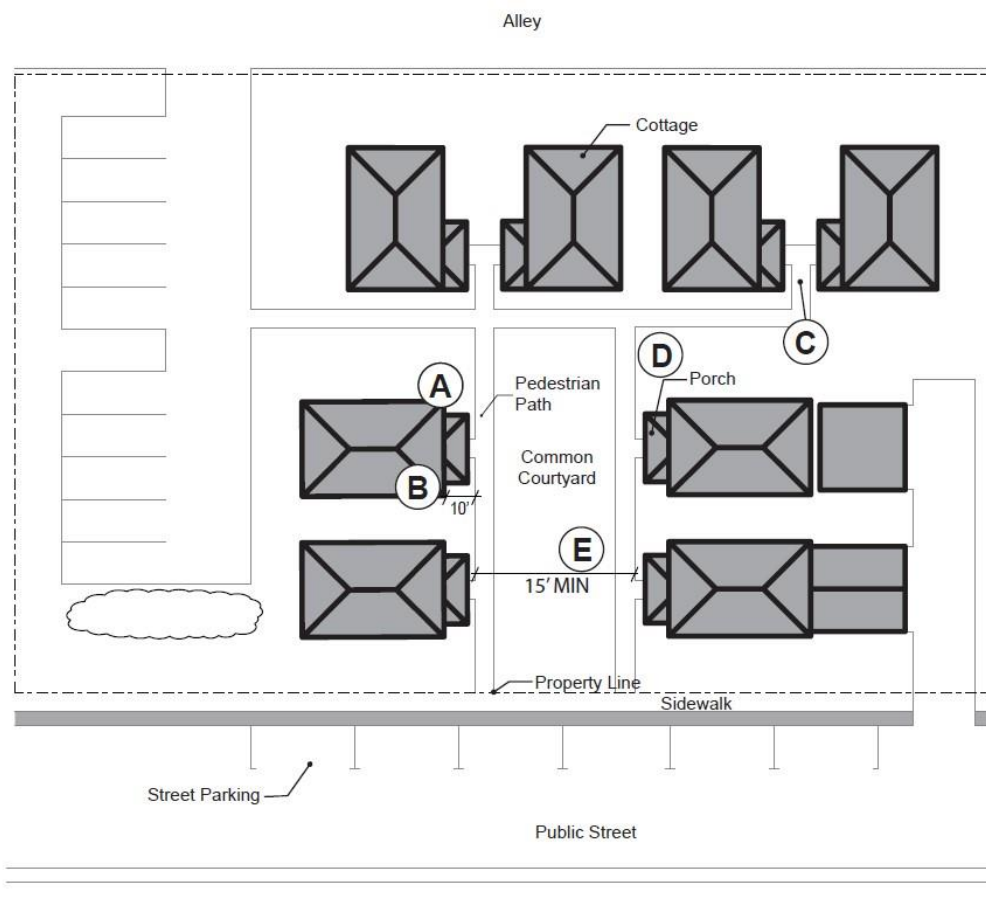
17.16.070 Cottage clusters.

- A. Intent.
1. To provide a variety of housing types that respond to changing household sizes and ages, including but not limited to retirees, small families, and single-person households.
 2. To encourage creation of more usable open space for residents of the development through flexibility in density and lot standards.
 3. To ensure that the overall size and visual impact of the cluster development be comparable to standard residential development, by balancing bulk and mass of individual residential units with allowed intensity of units.
 4. To provide centrally located and functional common open space that fosters a sense of community and a sense of openness in cluster housing developments.
 5. To ensure minimal visual impact from vehicular use and storage areas for residents of the cluster housing development as well as adjacent properties.
- B. Density Standards. Cottage clusters shall meet the density standards of the underlying zoning district.
- C. Dimensional Standards. Cottage clusters shall meet the dimensional standards of the underlying zoning district and the following standards.
1. Maximum building footprint: Nine hundred square feet per cottage cluster unit.
 2. Maximum average gross floor area: One thousand square feet per cottage cluster unit.
 3. Maximum gross floor area: One thousand five hundred square feet per cottage cluster unit.
 4. Setbacks for accessory buildings shall comply with OCMC 17.54.010.
 5. Minimum distance separating cottage cluster units (excluding attached dwellings and accessory structures): Ten feet.
 6. Cottage clusters shall contain a minimum of four and a maximum of twelve cottage cluster units per cluster to encourage a sense of community among the residents. A development site may contain more than one cluster, however only one cluster of up to twelve units per lot is eligible to utilize the middle housing land division process in OCMC 16.24.

- D. Cottage Orientation. Cottages must be clustered around a common courtyard, meaning they abut the associated common courtyard or are directly connected to it by a pedestrian path, and must meet the following standards (see Figure 17.16.070.D):
1. Each cottage cluster unit within a cluster must either abut the common courtyard or must be directly connected to it by a pedestrian path.
 2. A minimum of fifty percent of cottage cluster units within a cluster must be oriented to the common courtyard and must:
 - a. Have a main entrance facing the common courtyard;
 - b. Be within ten feet from the common courtyard, measured from the façade of the cottage to the nearest edge of the common courtyard; and
 - c. Be connected to the common courtyard by a pedestrian path.
 3. Cottages within twenty feet of a street property line may have their entrances facing the street.
 4. Cottages not facing the common courtyard or the street must have their main entrances facing a pedestrian path that is directly connected to the common courtyard.

Figure 17.16.070.D

Cottage Cluster Orientation and Common Courtyard Standards



- (A)** A minimum of 50% of cottages must be oriented to the common courtyard.
- (B)** Cottages oriented to the common courtyard must be within 10 feet of the courtyard.
- (C)** Cottages must be connected to the common courtyard by a pedestrian path.
- (D)** Cottages must abut the courtyard on at least two sides of the courtyard.
- (E)** The common courtyard must be at least 15 feet wide at its narrowest width.

E. Common Courtyard Design Standards.

- 1. Each cottage cluster must share a common courtyard in order to provide a sense of openness and community of residents.
- 1. The required minimum common courtyard is one hundred fifty square feet per cottage cluster unit.
- 2. Common courtyards must meet the following standards (see Figure 17.16.070.D):
 - a. The common courtyard must be a single compact, contiguous, central open space that:
 - i. Has a minimum dimension of fifteen feet.
 - ii. Abuts at least fifty percent of the cottage cluster units in the cottage cluster
 - b. The common courtyard shall be developed with a mix of landscaping and lawn area, recreational amenities, hard-surfaced pedestrian paths, and/or paved courtyard area. Impervious elements of the common open space shall not exceed seventy-five percent of the total common courtyard area.
 - c. Pedestrian paths must be included in a common courtyard. Paths that are contiguous to a courtyard shall count toward the courtyard's minimum dimension and area. Parking areas, required setbacks, and driveways do not qualify as part of a common courtyard.

F. Pedestrian Access. An accessible, hard-surfaced pedestrian path that is a minimum of four feet wide must be provided that connects the main entrance of each cottage cluster unit to the following:

- 1. The common courtyard;
- 2. Shared parking areas;
- 3. Community buildings; and
- 4. Sidewalks in public rights-of-way abutting the site or rights-of-way if there are no sidewalks.

G. Community Buildings. Cottage clusters may include community buildings for the shared use of residents that provide space for accessory uses such as community meeting rooms, guest housing, exercise rooms, day care, or community eating areas. Community buildings must meet the following standards:

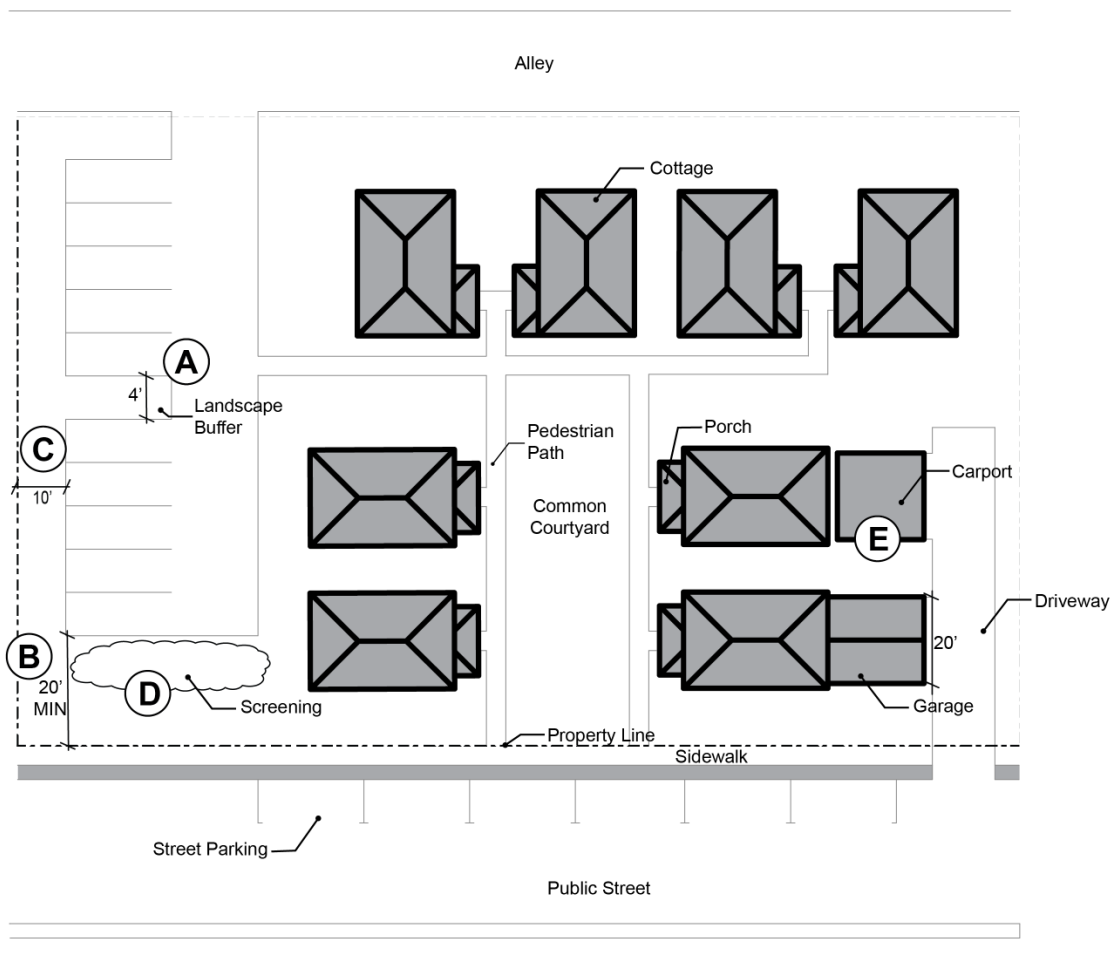
- 1. A cottage cluster is permitted one community building, which shall count towards the maximum one thousand square feet average floor area limitation,
- 2. A community building that meets the definition of a dwelling unit must meet the maximum nine hundred square foot building footprint limitation that applies to cottage dwelling units, unless a

covenant is recorded against the property stating that the structure is not a legal dwelling unit and will not be used as a primary dwelling.

H. Dwelling Types.

1. In the R-10, R-8 and R-6 zones: In addition to detached cottage cluster units groups of up to two units attached together are permitted in a cottage cluster
 2. In the R-5 and R-3.5 zones: In addition to detached cottage cluster units ~~and~~, groups of up to four units attached together are permitted in a cottage cluster.
 3. In the R-2 zone: In addition to detached cottage cluster units, ~~and~~ groups of up to six units attached together, are permitted in a cottage cluster
 4. Accessory dwelling units are not permitted as part of a cottage cluster.
- I. Each cottage cluster unit within twenty feet of a street property line shall comply with the residential design options in OCMC 17.14.030.
- J. Parking shall be provided pursuant to the following requirements (see Figure 17.16.070.J):
1. Parking shall be provided at a ratio of one parking space per dwelling unit minimum and 2.5 spaces per dwelling unit maximum.
 2. All parking shall be located on-site and shall not include shared parking or on-street spaces as allowed by OCMC 17.52.020.B.
 3. Landscaping, fencing, or walls at least three feet tall shall separate parking areas and parking structures from common courtyards and public streets.
 4. Parking shall be located in clusters of not more than five adjoining spaces (except where parking areas are adjacent to an alley).
 5. Parking clusters shall be separated by a landscaping planter that is a minimum of four feet in width.
 6. Parking spaces and vehicle maneuvering areas are prohibited:
 - a. In the front, interior or and side yard setback areas.
 - b. Within twenty feet of any street property line or within ten feet of any other property line, except alley property lines.
 - c. Between a street property line (excluding an alley) and the front façade of cottages located closest to the street property line.
 7. Drive aisles and access driveways are allowed in the side or rear yard setback, and within ten feet of other property lines.
 8. Detached parking structures/garages shall be six hundred square feet or less if shared by more than one cottage cluster unit, or four hundred square feet or less if exclusively used by a single cottage cluster unit. Such detached parking structures/garages shall not be counted as part of the allowed average or maximum gross floor area or building footprint of the cottage cluster units.
 9. Garages may be attached to cottage cluster units. Such garages shall not abut common open spaces, shall have garage doors of twenty feet or less in width shall not exceed two hundred square feet of gross floor area. The gross floor area of the garage shall not count towards the allowed average or maximum gross floor area or building footprint of the cottage cluster unit.
 10. Driveways shall comply with OCMC 16.12.035.

Figure 17.16.070.J
Cottage Cluster Parking Design Standards



- (A)** Parking allowed in clusters of up to 5 spaces. Clusters separated by minimum 4 feet of landscaping.
- (B)** No parking or vehicle area within 20 feet from street property line (except alley).
- (C)** No parking within 10 feet from other property lines (except alley). Driveways and drive aisles permitted within 10 feet.
- (D)** Screening required between clustered parking areas or parking structures and public streets or common courtyards.
- (E)** Garages and carports must not abut common courtyards. Garage doors for individual garages must not exceed 20 feet in width.

K. Fences.

1. All fences shall be no more than forty-two inches in height, except that fences within one foot of the side or rear property line and outside of the front setback area may be no more than six feet in height.
2. Chain link fences shall not be allowed.

- L. Existing Dwelling Unit On-Site. One existing single-family detached residential unit incorporated into a cottage cluster-that does not meet the requirements of this section is permitted to remain on a site developed for cottage cluster-and shall be considered a unit in the development. The size of the existing single-family detached residential unit may exceed the maximum building footprint and maximum gross floor area, and shall not be part of the average gross floor area calculations. The existing single-family detached residential unit shall be excluded from the calculation of orientation toward the common courtyard. Modifications or additions to the existing dwelling unit not consistent with the provisions of this section shall not be permitted.

17.16.080 Sufficient infrastructure.

- A. For all triplexes, quadplexes, townhouses and cottage clusters in residential zones, the city shall work with the applicant to ensure that sufficient infrastructure will be provided, or can be provided, to include:
1. Connection to a public wastewater system capable of meeting established service levels.
 2. Connection to a public water system capable of meeting established service levels.
 3. Access via public or private streets meeting adopted emergency vehicle access standards to a city's public street system.
 4. Storm drainage facilities capable of meeting established service levels for storm drainage.

Chapter 17.14 SINGLE-FAMILY DETACHED AND DUPLEX RESIDENTIAL DESIGN STANDARDS

17.14.010 Purpose.

The purpose of this chapter is to provide standards for single-family detached residential units and duplexes which are intended to:

- A. Enhance Oregon City through the creation of attractively designed housing and streetscapes.
- B. Ensure that there is a physical and visual connection between the living area of the residence and the street.
- C. Improve public safety by providing "eyes on the street".
- D. Promote community interaction by designing the public way, front yards and open spaces so that they are attractive and inviting for neighbors to interact.
- E. Prevent garages from obscuring or dominating the primary facade of the house.
- F. Provide clear and objective standards for good design at reasonable costs and with multiple options for design variety.

(Ord. No. 18-1009, § 1(Exh. A), 7-3-2019; Ord. No. 19-1008, § 1(Exh. A), 12-18-2019)

17.14.020 Applicability.

This chapter applies to all street-facing facades of all single-family detached residential units and duplexes, referred to herein as "residences," including manufactured homes not within a manufactured home park.

- A. New single-family detached residential units and duplexes or new garages or expansions of an existing garage on properties with this use require compliance with OCMC 17.14.030 through 17.14.050, OCMC 17.21 or OCMC 17.22 if applicable, as well as OCMC 17.14.080 and 17.14.090.
- B. Residences on a flag lot with a pole length of one hundred feet or greater are exempt from OCMC 17.14.030—17.14.050.
- C. Compliance with minimum public improvements standards in OCMC Chapter 16.12 is required.
- D. The creation of a duplex through conversion of an existing single-family detached residential unit is exempt from the standards of this chapter.

For the purpose of this chapter, garages are defined as structures, or portions thereof, used or designed to be used for the parking of vehicles, including carports. For purposes of this section, garages do not include detached accessory dwelling units which are not part of a detached garage. The garage width shall be measured based on the foremost four feet of the interior garage walls or carport cover.

(Ord. No. 18-1009, § 1(Exh. A), 7-3-2019; Ord. No. 19-1008, § 1(Exh. A), 12-18-2019)

17.14.025 Review process.

Applications are processed as a Type I minor site plan and design review per OCMC 17.62.035 concurrently with a building permit application. Modifications to these standards are processed as a Type II application or may be requested as part of a concurrent Type II, III or IV land use application.

A. The review body may approve requested modifications if it finds that the applicant has shown that the following approval criteria are met:

1. The modification will result in a development that better meets the applicable design guidelines; and

2. The modification meets the intent of the standard. On balance, the proposal will be consistent with the purpose of the standard for which a modification is requested.

(Ord. No. 18-1009, § 1(Exh. A), 7-3-2019; Ord. No. 19-1008, § 1(Exh. A), 12-18-2019)

17.14.030 Residential design options.

- A. A residence with no garage, a garage not on a street-facing façade, or a detached garage shall provide five of the residential design elements in OCMC 17.14.040.A on the front facade of the structure.
- B. A residence with a front-facing garage where the structure is less than twenty-four feet wide may be permitted if:
 - 1. The garage is no more than twelve feet wide and;
 - 2. The garage does not extend closer to the street than the furthest forward living space on the street-facing facade;
 - 3. Six of the residential design elements in OCMC 17.14.040.A are included on the front facade of the structure; and
 - 4. One of the following is provided:
 - a. Interior living area above the garage is provided. The living area shall be set back no more than four feet from the street-facing garage wall; or
 - b. A covered balcony above the garage is provided. The covered balcony shall be at least the same length as the street-facing garage wall, at least six feet deep and accessible from the interior living area of the dwelling unit;
- C. A residence with a garage that extends up to fifty percent of the length of the street-facing facade and is not closer to the street than the furthest forward living space on the street-facing facade may be permitted if:
 - 1. Six of the residential design elements in OCMC 17.14.040.A are included on the front facade of the structure.
- D. A residence with a garage that extends up to sixty percent of the length of the street-facing facade and is recessed two feet or more from the furthest forward living space on the street-facing facade may be permitted if:
 - 1. Seven of the residential design elements in OCMC 17.14.040.A are included on the front facade of the structure.
- E. A residence with a garage that extends up to sixty percent of the length of the street-facing facade may extend up to four feet in front of the furthest forward living space on the street-facing facade may be permitted if:
 - 1. Eight of the residential design elements in OCMC 17.14.040.A are included on the front facade of the structure; and
 - 2. One of the options in OCMC 17.14.040.B is provided on the front facade of the structure.
- F. A residence with a garage that extends up to fifty percent of the length of the street-facing facade may extend up to eight feet in front of the furthest forward living space on the street-facing facade if:
 - 1. Nine of the residential design elements in OCMC 17.14.040.A are included on the front facade of the structure; and
 - 2. One of the options in OCMC 17.14.040.B is provided on the front facade of the structure.
- G. A residence with a garage that is side-oriented to the front lot line may extend up to thirty-two feet in front of the furthest forward living space on the street-facing facade if:
 - 1. Windows occupy a minimum of fifteen percent of the lineal length of the street-facing wall of the garage; and
 - 2. Six of the residential design elements in OCMC 17.14.040.A are included on the front facade of the structure.

3. The garage wall does not exceed sixty percent of the length of the street-facing façade.

(Ord. No. 18-1009, § 1(Exh. A), 7-3-2019; Ord. No. 19-1008, § 1(Exh. A), 12-18-2019)

17.14.035 Corner lots and through lots.

- A. Residences on corner lots and through lots shall comply with one of the options in OCMC 17.14.030 for the front of the home
- B. The other street-facing side of the residence on a corner lot or through lot shall include the following:
 1. Windows and doors for a minimum of fifteen percent of the lineal length of the ground floor facade;
 2. Minimum four-inch window trim; and
 3. Three additional residential design elements selected from OCMC 17.14.040.A.

(Ord. No. 18-1009, § 1(Exh. A), 7-3-2019; Ord. No. 19-1008, § 1(Exh. A), 12-18-2019)

17.14.040 Residential design elements.

- A. The residential design elements listed below shall be provided as required in OCMC 17.14.030 above.
 1. The design of the residence includes dormers, which are projecting structures built out from a sloping roof housing a vertical window;
 2. The roof design utilizes a:
 - a. Gable, which is a roof sloping downward in two parts from a central ridge, so as to form a gable at each end; or
 - b. Hip, which is a roof having sloping ends and sides meeting at an inclined projecting angle.
 3. The building facade includes two or more offsets of sixteen inches or greater;
 4. A roof overhang of sixteen inches or greater;
 5. A recessed entry that is at least two feet behind the furthest forward living space on the ground floor, and a minimum of eight feet wide;
 6. A minimum sixty square-foot covered front porch that is at least five feet deep or a minimum forty square-foot covered porch with railings that is at least five feet deep and elevated entirely a minimum of eighteen inches;
 7. A bay window that extends a minimum of twelve inches outward from the main wall of a building and forming a bay or alcove in a room within;
 8. Windows and main entrance doors that occupy a minimum of fifteen percent of the lineal length of the front facade (not including the roof and excluding any windows in a garage door);
 9. Window trim (minimum four inches);
 10. Window grids on all street facing windows (excluding any windows in the garage door or front door).
 11. Windows on all elevations include a minimum of four-inch trim (worth two elements);
 12. Windows on all of the elevations are wood, clad wood, or fiberglass (worth two elements);
 13. Windows on all of the elevations are recessed a minimum of two inches from the facade (worth two elements);
 14. A balcony that projects a minimum of one foot from the wall of the building and is enclosed by a railing or parapet;

15. Shakes, shingles, brick, stone or other similar decorative materials shall occupy a minimum of sixty square feet of the street facade;
 16. All garage doors are a maximum nine feet wide;
 17. All garage doors wider than nine feet are designed to resemble two smaller garage doors;
 18. There are a minimum of two windows in each garage door;
 19. A third garage door is recessed a minimum of two feet;
 20. A window over the garage door that is a minimum of twelve square feet with window trim (minimum four inches);
 21. The living space of the dwelling is within five feet of the front yard setback; or
 22. The driveway is composed entirely of pervious pavers or porous pavement.
- B. If the garage projects in front of the furthest forward living space on the street facing facade, one of the residential design elements 1 or 2 below, shall be provided in addition to the residential design elements required in OCMC 17.14.040.A. Residential design elements utilized in OCMC 17.14.040.B can be additionally utilized in OCMC 17.14.040.A.
1. A minimum sixty square-foot covered front porch that is at least five feet deep; or a minimum forty square-foot covered porch with railings that is at least five feet deep and elevated entirely a minimum of eighteen inches.
 2. The garage is part of a two-level facade. The second level facade shall have a window (minimum twelve square feet) with window trim (minimum four inches).

(Ord. No. 18-1009, § 1(Exh. A), 7-3-2019; Ord. No. 19-1008, § 1(Exh. A), 12-18-2019)

17.14.050 Main entrances.

- A. The main entrance for each single-family detached residential unit, and the main entrance for at least one unit in a duplex shall:
1. Be located on a façade that faces a street; or
 2. Open onto a covered porch on a street-facing facade that is at least sixty square feet with a minimum depth of five feet.
- B. The main entrance of one or more dwelling units on a flag lot shall face either the front lot line or the side lot line adjoining the flag pole.

(Ord. No. 18-1009, § 1(Exh. A), 7-3-2019; Ord. No. 19-1008, § 1(Exh. A), 12-18-2019)

17.14.060 Detached duplexes

- A. Duplexes consisting of two detached dwelling units are permitted provided that one dwelling unit on the lot is an existing dwelling unit that received final inspection at least five years ago.

- B. In the case of a duplex with detached dwelling units, each street-facing façade that is can bee seen from the street shall meet the standards in OCMC 17.14.030.

17.14.080 Residential lot tree requirements.

The intent of this section is to encourage the retention of trees, minimize the impact of tree loss during development and ensure a sustainable tree canopy in Oregon City at the time of construction. Though not required, the use of large native and heritage tree species is recommended as detailed in this section. In no case shall any plant listed as a nuisance, invasive or problematic species on any regionally accepted plant list be used.

- A. Tree Requirement. All single-family detached residential units and middle housing developments shall comply with the requirements of this section. This requirement may be met using one or any combination of the three options below (tree preservation, tree planting, or tree fund). Table 17.14.080.A identifies the minimum number of inches of tree diameter per lot that shall be preserved, planted or paid into the tree fund. Adjustments from this section are prohibited. The applicant shall submit a residential tree plan for Options 1 and 2 demonstrating compliance with the requirements of this section.

Table 17.14.080.A
Tree Requirements

Lot Size (square feet)	Tree Diameter Inches Required to be Protected, Planted or Paid into Tree Fund
0—4,999	4"
5,000—7,999	6"
8,000—9,999	8"
10,000—14,999	10"
15,000 +	12"

1. Tree Preservation. The size of existing trees to be preserved shall be measured as diameter at breast height (DBH).
 - a. This standard shall be met using trees that are located on the lot. When this option is used, a tree preservation plan is required.
 - b. Trees to be preserved may be located anywhere on the lot, and shall be a minimum of two inches' caliper DBH.
 - c. Large Native or Heritage Tree Incentive. If a tree is preserved that is selected from the list in Table 17.14.080.A.2, the diameter of the tree may be doubled when demonstrating compliance with the minimum tree requirements indicated in Table 17.14.080.A. For example, an Oregon White Oak with a two-inch caliper at DBH may count as a tree diameter of four inches.
2. Tree Planting. All planted trees shall measure a minimum two-inch caliper at six inches above the root crown. When this option is used, a tree planting plan is required.
 - a. Trees may be planted anywhere on the lot as space permits.
 - b. Large Native or Heritage Tree Incentive. If a tree is planted that is selected from the list in Table 17.14.080.A.2, the diameter of the tree may be doubled when demonstrating compliance with the minimum tree requirements indicated in Table 17.14.080.A. For example, an Oregon White Oak with a two-inch caliper at six inches above the root crown may count as a tree diameter of four inches.

Table 17.14.080.A.2
Large Native and Heritage Tree List

Common Name	Scientific Name
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Oregon White Oak	Quercus garryana
Pacific willow	Salix lucida spp. lasiandra
Western red cedar	Thuja plicata
Western hemlock	Tsuga heterophylla
Northern Red Oak	Quercus rubra
Bur Oak	Quercus macrocarpa
Bigleaf Maple	Acer macrophyllum
Grand Fir	Abies grandis
Douglas Fir	Pseudotsuga menziesii
American Elm hybrids (disease resistant)	Ulmus spp.
Western yew	Taxus brevifolia

3. Tree Fund. This option may be used where site characteristics or construction preferences do not support the preservation or planting options identified above. The community development director may approve this option in-lieu-of or in addition to requirements of Option 1 and/or 2 above. The community development director may approve the payment of cash-in-lieu into a dedicated fund for the remainder of trees that cannot be replanted in the manner described above. The large native or heritage tree incentive does not apply when using this option to calculate the number of required inches.
- The cash-in-lieu payment per tree shall utilize the adopted fee schedule when calculating the total tree fund payment.
 - The amount to be paid to the tree fund shall be calculated by subtracting the total inches of trees preserved and planted per subsection 1 and 2 above from the minimum tree diameter inches required in Table 17.14.080.A, dividing the sum by two inches and multiplying the remainder by the adopted fee from the Oregon City fee schedule. For example:

Lot Size	a. Tree Requirement per Table 17.14.080.A (inches)	b. Trees Preserved (inches)	c. Trees Planted (inches)	d. To be mitigated (inches) a.—b.—c.	Number of trees owed to tree fund. d./2" minimum caliper tree
10,000—14,999	10"	2"	4"	4"	2

(Ord. No. 18-1009, § 1(Exh. A), 7-3-2019; Ord. No. 19-1008, § 1(Exh. A), 12-18-2019)

17.14.090 Street trees.

All new single-family detached residential units and middle housing developments, or additions of twenty-five percent or more of the existing square footage of the residence (including the living space and garage(s)) shall install one street tree in accordance with OCMC 12.08 if there is not at least one existing street tree for every thirty-five feet of property frontage.

(Ord. No. 18-1009, § 1(Exh. A), 7-3-2019; Ord. No. 19-1008, § 1(Exh. A), 12-18-2019)

Chapter 17.34 MUD MIXED-USE DOWNTOWN DISTRICT

17.34.010 Designated.

The mixed-use downtown (MUD) district is designed to apply within the traditional downtown core along Main Street and includes the "north-end" area, generally between 5th Street and Abernethy Street, and some of the area bordering McLoughlin Boulevard. Land uses are characterized by high-volume establishments constructed at the human scale such as retail, service, office, multi-family residential, lodging or similar as defined by the community development director. A mix of high-density residential, office and retail uses are encouraged in this district, with retail and service uses on the ground floor and office and residential uses on the upper floors. The emphasis is on those uses that encourage pedestrian and transit use. This district includes a downtown design district overlay for the historic downtown area. Retail and service uses on the ground floor and office and residential uses on the upper floors are encouraged in this district. The design standards for this sub-district require a continuous storefront façade featuring streetscape amenities to enhance the active and attractive pedestrian environment.

(Ord. No. 08-1014, §§ 1—3(Exhs. 1—3), 7-1-2009; Ord. No. 18-1009, § 1(Exh. A), 7-3-2019; Ord. No. 19-1008, § 1(Exh. A), 12-18-2019)

17.34.020 Permitted uses.

Permitted uses in the MUD district are defined as:

- A. Banquet, conference facilities and meeting rooms;
- B. Bed and breakfast/boarding houses, hotels, motels, and other lodging facilities;
- C. Child care centers and/or nursery schools;
- D. Indoor entertainment centers and arcades;
- E. Health and fitness clubs;
- F. Medical and dental clinics, outpatient; infirmary services;
- G. Museums, libraries and cultural facilities;
- H. Offices, including finance, insurance, real estate and government;
- I. Outdoor markets, such as produce stands, craft markets and farmers markets that are operated on the weekends and after six p.m. during the weekday;
- J. Postal services;
- K. Repair shops, for radio and television, office equipment, bicycles, electronic equipment, shoes and small appliances and equipment;
- L. Multi-family residential, triplexes and quadplexes;
- M. One or two units in conjunction with a nonresidential use provided that the residential use occupies no more than fifty percent of the total square footage of the development;
- N. Restaurants, eating and drinking establishments without a drive-through;
- O. Services, including personal, professional, educational and financial services; laundry and dry-cleaning;
- P. Retail trade, including grocery, hardware and gift shops, bakeries, delicatessens, florists, pharmacies, specialty stores provided the maximum footprint of a freestanding building with a single store does not exceed sixty thousand square feet (a freestanding building over sixty thousand square feet is allowed as long as the building contains multiple stores);

- Q. Seasonal sales;
- R. Residential care facilities, assisted living facilities; nursing homes and group homes for over fifteen patients licensed by the state;
- S. Studios and galleries, including dance, art, photography, music and other arts;
- T. Utilities: Basic and linear facilities, such as water, sewer, power, telephone, cable, electrical and natural gas lines, not including major facilities such as sewage and water treatment plants, pump stations, water tanks, telephone exchanges and cell towers;
- U. Veterinary clinics or pet hospitals, pet day care;
- V. Home occupations;
- W. Research and development activities;
- X. Temporary real estate offices in model dwellings located on and limited to sales of real estate on a single piece of platted property upon which new residential buildings are being constructed;
- Y. Transportation facilities;
- Z. Live/work dwellings;
- AA. After-hours public parking;
- BB. Marinas;
- CC. Religious institutions;
- DD. Mobile food units outside of the downtown design district.

(Ord. No. 08-1014, §§ 1—3(Exhs. 1—3), 7-1-2009; Ord. No. 18-1009, § 1(Exh. A), 7-3-2019; Ord. No. 19-1008, § 1(Exh. A), 12-18-2019)

17.34.030 Conditional uses.

The following uses are permitted in this district when authorized and in accordance with the process and standards contained in OCMC 17.56:

- A. Drive-through facilities;
- B. Emergency services;
- C. Hospitals;
- D. Outdoor markets that do not meet the criteria of OCMC 17.34.020.I;
- E. Parks, playgrounds, play fields and community or neighborhood centers;
- F. Parking structures and lots not in conjunction with a primary use on private property, excluding after-hours public parking;
- G. Retail trade, including grocery, hardware and gift shops, bakeries, delicatessens, florists, pharmacies and specialty stores in a freestanding building with a single store exceeding a foot print of sixty thousand square feet;
- H. Public facilities such as sewage and water treatment plants, water towers and recycling and resource recovery centers;
- I. Public utilities and services such as pump stations and sub-stations;
- J. Distributing, wholesaling and warehousing;
- K. Gas stations;

- L. Public and or private educational or training facilities;
- M. Stadiums and arenas;
- N. Passenger terminals (water, auto, bus, train), excluding bus stops;
- O. Recycling center and/or solid waste facility;
- P. Shelters, except within the downtown design district.

(Ord. No. 08-1014, §§ 1—3(Exhs. 1—3), 7-1-2009; Ord. No. 18-1009, § 1(Exh. A), 7-3-2019; Ord. No. 19-1008, § 1(Exh. A), 12-18-2019)

17.34.040 Prohibited uses.

The following uses are prohibited in the MUD district:

- A. Kennels;
- B. Outdoor storage and sales, not including outdoor markets allowed in OCMC 17.34.030;
- C. Self-service storage;
- D. Single-family detached residential units, townhouses and duplexes;
- E. Motor vehicle and recreational vehicle repair/service;
- F. Motor vehicle and recreational vehicle sales and incidental service;
- G. Heavy equipment service, repair, sales, storage or rental (including but not limited to construction equipment and machinery and farming equipment);
- H. Marijuana production, processing, wholesaling, research, testing, and laboratories;
- I. Mobile food units within the downtown design district unless a special event has been issued.

(Ord. No. 08-1014, §§ 1—3(Exhs. 1—3), 7-1-2009; Ord. No. 16-1008, § 1(Exh. A), 10-19-2016, ballot 11-8-2016; Ord. No. 18-1009, § 1(Exh. A), 7-3-2019; Ord. No. 19-1008, § 1(Exh. A), 12-18-2019)

17.34.050 Pre-existing industrial uses.

Tax lot 5400 located at Clackamas County Tax Assessors Map #22E20DD, Tax Lots 100 and two hundred located on Clackamas County Tax Assessors Map #22E30DD and Tax Lot 700 located on Clackamas County Tax Assessors Map #22E29CB have special provisions for industrial uses. These properties may maintain and expand their industrial uses on existing tax lots. A change in use is allowed as long as there is no greater impact on the area than the existing use.

(Ord. No. 08-1014, §§ 1—3(Exhs. 1—3), 7-1-2009; Ord. No. 18-1009, § 1(Exh. A), 7-3-2019; Ord. No. 19-1008, § 1(Exh. A), 12-18-2019)

17.34.060 Mixed-use downtown dimensional standards—For properties located outside of the downtown design district.

- A. Minimum lot area: None.
- B. Minimum floor area ratio: 0.30.
- C. Minimum building height: Twenty-five feet or two stories except for accessory structures or buildings under one thousand square feet.
- D. Maximum building height: Seventy-five feet, except for the following location where the maximum building height shall be forty-five feet:

1. Properties between Main Street and McLoughlin Boulevard and 11th and 16th streets;
 2. Property within five hundred feet of the End of the Oregon Trail Center property; or
 3. Property abutting single-family detached or attached units.
- E. Minimum required setbacks, if not abutting a residential zone: None.
- F. Minimum required interior side yard and rear yard setback if abutting a residential zone: Fifteen feet, plus one additional foot in yard setback for every two feet in height over thirty-five feet.
- G. Maximum Allowed Setbacks.
1. Front yard: Twenty feet.
 2. Interior side yard: No maximum.
 3. Corner side yard abutting street: Twenty feet.
 4. Rear yard: No maximum.
 5. Rear yard abutting street: Twenty feet.
- H. Maximum site coverage including the building and parking lot: Ninety percent.
- I. Minimum landscape requirement (including parking lot): Ten percent.
- J. Residential minimum net density of 17.4 units per acre, except that no minimum net density shall apply to residential uses proposed above nonresidential uses in a vertical mixed-use configuration or to live/work dwellings.
- K. Standalone residential development of fewer than five units are exempt from maximum setbacks of the underlying zone.

(Ord. No. 08-1014, §§ 1—3(Exhs. 1—3), 7-1-2009; Ord. No. 18-1009, § 1(Exh. A), 7-3-2019; Ord. No. 19-1008, § 1(Exh. A), 12-18-2019)

17.34.070 Mixed-use downtown dimensional standards—For properties located within the downtown design district.

- A. Minimum lot area: None.
- B. Minimum floor area ratio: 0.5.
- C. Minimum building height: Twenty-five feet or two stories except for accessory structures or buildings under one thousand square feet.
- D. Maximum building height: Fifty-eight feet.
- E. Minimum required setbacks, if not abutting a residential zone: None.
- F. Minimum required interior and rear yard setback if abutting a residential zone: Twenty feet, plus one foot additional yard setback for every three feet in building height over thirty-five feet.
- G. Maximum Allowed Setbacks.

 1. Front yard setback: Ten feet.
 2. Interior side yard setback: No maximum.
 3. Corner side yard setback abutting street: Ten feet.
 4. Rear yard setback: No maximum.
 5. Rear yard setback abutting street: Ten feet.

Public utility easements may supersede the minimum setback. Maximum setback may be increased per OCMC 17.62.055.D.

- H. Maximum site coverage of the building and parking lot: Ninety-five percent.
- I. Minimum landscape requirement (including parking lot): Five percent.
- J. Residential minimum net density of 17.4 units per acre, except that no minimum net density shall apply to residential uses proposed above nonresidential uses in a vertical mixed-use configuration or to live/work dwellings.
- K. Standalone residential development of fewer than five units are exempt from maximum setbacks and minimum density requirements of the underlying zone.

(Ord. No. 08-1014, §§ 1—3(Exhs. 1—3), 7-1-2009; Ord. No. 13-1003, § 1(Exh. 1), 7-17-2013; Ord. No. 18-1009, § 1(Exh. A), 7-3-2019; Ord. No. 19-1008, § 1(Exh. A), 12-18-2019; Ord. No. 21-1007, § 1(Exh. A), 4-21-2021)

17.34.080 Explanation of certain standards.

- A. Floor Area Ratio (FAR).
 - 1. Purpose. Floor area ratios are a tool for regulating the intensity of development. Minimum FARs help to achieve more intensive forms of building development in areas appropriate for larger-scale buildings and higher residential densities.
 - 2. Standards.
 - a. The minimum floor area ratios contained in OCMC 17.34.060 and 17.34.070 apply to all nonresidential and mixed-use building developments.
 - b. Required minimum FARs shall be calculated on a project-by-project basis and may include multiple contiguous blocks. In mixed-use developments, residential floor space will be included in the calculations of floor area ratio to determine conformance with minimum FARs.
 - c. An individual phase of a project shall be permitted to develop below the required minimum floor area ratio provided the applicant demonstrates, through covenants applied to the remainder of the site or project or through other binding legal mechanism, that the required density for the project will be achieved at project build out.
- B. Building Height.
 - 1. Purpose.
 - a. The Masonic Hall is currently the tallest building in downtown Oregon City, with a height of fifty-eight feet measured from Main Street. The maximum building height limit of fifty-eight feet will ensure that no new building will be taller than the Masonic Hall.
 - b. A minimum two-story (twenty-five feet) building height is established for the downtown design district overlay sub-district to ensure that the traditional building scale for the downtown area is maintained.

(Ord. No. 08-1014, §§ 1—3(Exhs. 1—3), 7-1-2009; Ord. No. 18-1009, § 1(Exh. A), 7-3-2019; Ord. No. 19-1008, § 1(Exh. A), 12-18-2019)

Chapter 17.29 MUC MIXED-USE CORRIDOR DISTRICT

17.29.010 Designated.

The mixed-use corridor (MUC) district is designed to apply along selected sections of transportation corridors such as Molalla Avenue, 7th Street, Beavercreek Road, and along Warner-Milne Road. Land uses are characterized by high-volume establishments such as retail, service, office, multi-family residential, lodging, recreation and meeting facilities, or a similar use as defined by the community development director. A mix of high-density residential, office, and small-scale retail uses are encouraged in this district. Moderate density (MUC-1) and high density (MUC-2) options are available within the MUC zoning district. The area along 7th Street is an example of MUC-1, and the area along Warner-Milne Road is an example of MUC-2.

(Ord. No. 08-1014, §§ 1—3(Exhs. 1—3), 7-1-2009; Ord. No. 18-1009, § 1(Exh. A), 7-3-2019; Ord. No. 19-1008, § 1(Exh. A), 12-18-2019)

17.29.020 Permitted uses—MUC-1 and MUC-2.

- A. Banquet, conference facilities and meeting rooms.
- B. Bed and breakfast/boarding houses, hotels, motels, and other lodging facilities.
- C. Child care centers and/or nursery schools.
- D. Indoor entertainment centers and arcades.
- E. Health and fitness clubs.
- F. Medical and dental clinics, outpatient; infirmary services.
- G. Museums, libraries and cultural facilities.
- H. Offices, including finance, insurance, real estate and government.
- I. Outdoor markets, such as produce stands, craft markets and farmers markets that are operated on the weekends and after six p.m. during the weekday.
- J. Postal services.
- K. Parks, playgrounds, playfields and community or neighborhood centers.
- L. Repair shops, for radio and television, office equipment, bicycles, electronic equipment, shoes and small appliances and equipment.
- M. Multi-family residential, triplexes and quadplexes.
- N. One or two dwelling units in conjunction with a nonresidential use, provided that the residential use occupies no more than fifty percent of the total square footage of the development.
- O. Restaurants, eating and drinking establishments without a drive-through.
- P. Services, including personal, professional, educational and financial services; laundry and dry-cleaning.
- Q. Retail trade, including grocery, hardware and gift shops, bakeries, delicatessens, florists, pharmacies, specialty stores, marijuana, and similar, provided the maximum footprint for a standalone building with a single store or multiple buildings with the same business does not exceed sixty thousand square feet.
- R. Seasonal sales.
- S. Residential care facilities, assisted living facilities; nursing homes and group homes for over fifteen patients licensed by the state.

- T. Studios and galleries, including dance, art, photography, music and other arts.
- U. Utilities: Basic and linear facilities, such as water, sewer, power, telephone, cable, electrical and natural gas lines, not including major facilities such as sewage and water treatment plants, pump stations, water tanks, telephone exchanges and cell towers.
- V. Veterinary clinics or pet hospitals, pet day care.
- W. Home occupations.
- X. Research and development activities.
- Y. Temporary real estate offices in model dwellings located on and limited to sales of real estate on a single piece of platted property upon which new residential buildings are being constructed.
- Z. Transportation facilities.
- AA. Live/work dwellings.
- BB. Accessory dwelling unit in conjunction with a legally established non-conforming single-family dwelling.
- CC. Duplex.
- DD. After-hours public parking.

(Ord. No. 08-1014, §§ 1—3(Exhs. 1—3), 7-1-2009; Ord. No. 13-1003, § 1(Exh. 1), 7-17-2013; Ord. No. 13-1017, § 1(Exh. 1), 4-16-2014; Ord. No. 16-1008, § 1(Exh. A), 10-19-2016, ballot 11-8-2016; Ord. No. 18-1005, § 1(Exh. A), 5-2-2018; Ord. No. 18-1009, § 1(Exh. A), 7-3-2019; Ord. No. 19-1008, § 1(Exh. A), 12-18-2019)

17.29.030 Conditional uses—MUC-1 and MUC-2 zones.

The following uses are permitted in this district when authorized and in accordance with the process and standards contained in OCMC 17.56:

- A. Drive-through facilities;
- B. Emergency service facilities (police and fire), excluding correctional facilities;
- C. Gas stations;
- D. Outdoor markets that do not meet the criteria of OCMC 17.29.020.I;
- E. Public utilities and services including sub-stations (such as buildings, plants and other structures);
- F. Public and/or private educational or training facilities;
- G. Religious institutions;
- H. Retail trade, including gift shops, bakeries, delicatessens, florists, pharmacies, specialty stores and any other use permitted in the neighborhood, historic or limited commercial districts that have a footprint for a standalone building with a single store in excess of sixty thousand square feet in the MUC-1 or MUC-2 zone;
- I. Hospitals;
- J. Parking not in conjunction with a primary use on private property, excluding after-hours public parking;
- K. Passenger terminals, excluding bus stops;
- L. Shelters.

(Ord. No. 08-1014, §§ 1—3(Exhs. 1—3), 7-1-2009; Ord. No. 18-1009, § 1(Exh. A), 7-3-2019; Ord. No. 19-1008, § 1(Exh. A), 12-18-2019)

17.29.040 Prohibited uses in the MUC-1 and MUC-2 zones.

The following uses are prohibited in the MUC district:

- A. Distributing, wholesaling and warehousing;
- B. Outdoor storage;
- C. Outdoor sales that are not ancillary to a permitted use on the same or abutting property under the same ownership;
- D. Correctional facilities;
- E. Heavy equipment service, repair, sales, storage or rentals (including but not limited to construction equipment and machinery and farming equipment);
- F. Kennels;
- G. Motor vehicle and recreational vehicle sales and incidental service;
- H. Motor vehicle and recreational vehicle repair/service;
- I. Self-service storage facilities;
- J. Marijuana production, processing, wholesaling, research, testing, and laboratories;
- K. Mobile food units, except with a special event permit.

(Ord. No. 08-1014, §§ 1—3(Exhs. 1—3), 7-1-2009; Ord. No. 13-1017, § 1(Exh. 1), 4-16-2014; Ord. No. 16-1008, § 1(Exh. A), 10-19-2016, ballot 11-8-2016; Ord. No. 18-1009, § 1(Exh. A), 7-3-2019; Ord. No. 19-1008, § 1(Exh. A), 12-18-2019)

17.29.050 Dimensional standards—MUC-1.

- A. Minimum lot areas: None.
- B. Maximum building height: Forty feet or three stories, whichever is less.
- C. Minimum required setbacks if not abutting a residential zone: None.
- D. Minimum required interior and rear yard setbacks if abutting a residential zone: Twenty feet, plus one foot additional yard setback for every one foot of building height over thirty-five feet.
- E. Maximum allowed setbacks.
 - 1. Front yard: Five feet.
 - 2. Interior side yard: None.
 - 3. Corner side setback abutting street: Thirty feet.
 - 4. Rear yard: None.

Public utility easements may supersede the minimum setback. Maximum setback may be increased per OCMC 17.62.055.D.

- F. Maximum lot coverage of the building and parking lot: Eighty percent.
- G. Minimum required landscaping (including landscaping within a parking lot): Twenty percent.
- H. Residential minimum net density of 17.4 units per acre, except that no minimum net density shall apply to residential uses proposed above nonresidential uses in a mixed-use configuration or to live/work dwellings.

I. Standalone residential development of fewer than five units are exempt from maximum setbacks and minimum density requirements of the underlying zone.

(Ord. No. 08-1014, §§ 1—3(Exhs. 1—3), 7-1-2009; Ord. No. 18-1009, § 1(Exh. A), 7-3-2019; Ord. No. 19-1008, § 1(Exh. A), 12-18-2019; Ord. No. 21-1007, § 1(Exh. A), 4-21-2021)

17.29.060 Dimensional standards—MUC-2.

- A. Minimum lot area: None.
- B. Minimum floor area ratio: 0.25.
- C. Minimum building height: Twenty-five feet or two stories except for accessory structures or buildings under one thousand square feet.
- D. Maximum building height: Sixty feet.
- E. Minimum required setbacks if not abutting a residential zone: None.
- F. Minimum required interior and rear yard setbacks if abutting a residential zone: Twenty feet, plus one foot additional yard setback for every two feet of building height over thirty-five feet.
- G. Maximum Allowed Setbacks.
 - 1. Front yard: Five feet.
 - 2. Interior side yard: None.
 - 3. Corner side yard abutting street: Twenty feet.
 - 4. Rear yard: None.
- H. Maximum site coverage of building and parking lot: Ninety percent.
- I. Minimum landscaping requirement (including parking lot): Ten percent.
- J. Residential minimum net density of 17.4 units per acre, except that no minimum net density shall apply to residential uses proposed above nonresidential uses in a mixed-use configuration or to live/work dwellings.

(Ord. No. 08-1014, §§ 1—3(Exhs. 1—3), 7-1-2009; Ord. No. 18-1009, § 1(Exh. A), 7-3-2019; Ord. No. 19-1008, § 1(Exh. A), 12-18-2019)

17.29.070 Floor area ratio (FAR).

Floor area ratios are a tool for regulating the intensity of development. Minimum FARs help to achieve more intensive forms of building development in areas appropriate for larger-scale buildings and higher residential densities.

- A. The minimum floor area ratios contained in OCMC 17.29.050 and 17.29.060 apply to all nonresidential and mixed-use building development, except standalone commercial buildings less than ten thousand square feet in floor area.
- B. Required minimum FARs shall be calculated on a project-by-project basis and may include multiple contiguous blocks. In mixed-use developments, residential floor space will be included in the calculations of floor area ratio to determine conformance with minimum FARs.
- C. An individual phase of a project shall be permitted to develop below the required minimum floor area ratio provided the applicant demonstrates, through covenants applied to the remainder of the site or project or through other binding legal mechanism, that the required density for the project will be achieved at project build out.

(Ord. No. 08-1014, §§ 1—3(Exhs. 1—3), 7-1-2009; Ord. No. 18-1009, § 1(Exh. A), 7-3-2019; Ord. No. 19-1008, § 1(Exh. A), 12-18-2019)

17.29.080 Additional standards for Thimble Creek Concept Plan Area.

- A. Applicability. This section applies to all development in the MUC-2 district within the Thimble Creek Concept Plan Area.
- B. Relationship of Standards. These standards apply in addition to and supersede the standards of the MUC-2 zone within the Thimble Creek Concept Plan Area. In the event of a conflict, the standards of this section control.
- C. Uses.
 - 1. Light industrial uses limited to the design, light manufacturing, processing, assembly, packaging, fabrication and treatment of products made from previously prepared or semi-finished materials are permitted.
 - 2. The following permitted uses, alone or in combination, shall not exceed twenty percent of the total gross floor area of all of the other permitted and conditional uses within the development site. The total gross floor area of two or more buildings may be used, even if the buildings are not all on the same parcel or owned by the same property owner, as long as they are part of the net developable portion of contiguous mixed-use corridor zoned lands.
 - a. Restaurants, eating and drinking establishments;
 - b. Services, including personal, professional, educational and financial services; laundry and dry-cleaning;
 - c. Retail trade, including grocery, hardware and gift shops, bakeries, delicatessens, florists, pharmacies, specialty stores, marijuana, and similar, provided the maximum footprint for a standalone building with a single store does not exceed twenty thousand square feet; and
 - d. Grocery stores provided the maximum footprint for a standalone building does not exceed forty thousand square feet.
 - 3. Drive-throughs are prohibited.
 - 4. Gas stations are prohibited.
 - 5. Bed and breakfast and other lodging facilities for up to ten guests per night are a conditional use.
 - 6. Tax Lot 00800, located on Clackamas County Map #32E10C has a special provision to allow the multifamily residential use permitted as of July 31, 2020 as a permitted use. This property may only maintain and expand the current use.
- D. Dimensional Standards.
 - 1. Minimum floor area ratio (FAR) shall be 0.35.
 - 2. Maximum allowed setback for corner side yard abutting street shall be five feet.
- E. Residential Uses. All residential uses, except live/work units, are limited to upper stories only, and may only be proposed as part of a single development application incorporating nonresidential uses allowed in the MUC-2 district on the ground floor.

(Ord. No. 21-1006, § 1(Exh. A), 7-1-2020)

Chapter 16.24 EXPEDITED AND MIDDLE HOUSING LAND DIVISIONS

16.24.010 Purpose and applicability.

- A. Purpose. The purpose of the expedited and middle housing land division process is to implement requirements in ORS 197.360 to 197.380 for expedited land divisions in residential districts, and 2021 Oregon Laws Ch. 103 (S.B. 458) regarding middle housing land divisions.
- B. Expedited Land Division Applicability. The procedures of this chapter are applicable to partitions and subdivisions within residential zoning districts as provided in ORS 197.365.
- C. Middle Housing Land Division Applicability. The procedures of this chapter are applicable to the following middle housing projects, or proposed middle housing projects, on an existing lot:
 - 1. A duplex.
 - 2. A triplex.
 - 3. A quadplex.
 - 4. A townhouse project (four units or fewer).
 - 5. A cottage cluster.

16.24.020 Expedited review.

- A. Expedited and middle housing land divisions are reviewed under a Type II procedure except as provided in this Chapter. Where the provisions of this Chapter conflict with the Type II procedures in OCMC 17.50, the procedures of this Chapter will prevail.
- B. Expedited and middle housing land divisions are not subject to pre-application conference requirements in OCMC 17.50.050.
- C. Expedited and middle housing land divisions are not a land use decision or limited land use decision under ORS 197.015.

16.24.030 Submittal requirements.

- A. An application for an expedited land division or middle housing land division is subject to the completeness review and one hundred and twenty-day rule requirements of OCMC 17.50.070 except as follows:
 - 1. The timeline for the completeness check in OCMC 17.50.070.A is twenty-one days, rather than thirty days.
 - 2. The notice of decision must be provided to the applicant and parties entitled to receive notice under OCMC 17.50.130.C within sixty-three days of a completed application.
- B. Mailed notice of an application for an expedited land division or middle housing land division must be provided in the same manner as for a Type II decision, as specified OCMC 17.50.090.A, to the following persons:
 - 1. The applicant.
 - 2. Owners of record of property, as shown on the most recent property tax assessment roll, located within one-hundred feet of the property that is the subject of the notice.
 - 3. Any state agency, other local government, or special district responsible for providing public facilities or services to the development area.

- C. A notice of decision must be provided to the applicant and to all parties who received notice of the application. The notice of decision must include:
1. A written determination of compliance or non-compliance with the criteria of approval in OCMC 16.24.040 for an expedited land division or OCMC 16.24.050 for a middle housing land division.
 2. An explanation of the right to appeal the community development director's decision to a city-appointed hearings referee, as provided in ORS 197.375.

16.24.040 Criteria of approval – expedited land division.

- A. The community development director will approve or deny an application for expedited land division within sixty-three days of receiving a complete application, based on whether it satisfies the applicable criteria of approval. The community development director may approve the land division with conditions to ensure the application meets the applicable land use regulations.
- B. The land subject to the application is within the R-10, R-8, R-6, R-5, R-3.5 and R-2 districts.
- C. The land will be used solely for residential uses, including recreational or open space uses that are accessory to residential use.
- D. The land division does not provide for dwellings or accessory buildings to be located in the following areas:
1. The Willamette River Greenway Overlay District;
 2. The Historic Overlay District;
 3. The Natural Resources Overlay District.
- E. The land division satisfies the minimum public improvement and design standards for development in OCMC 16.12.
- F. The land division satisfies the following development standards contained in this code or in an applicable Master Plan:
1. Applicable lot dimensional standards;
 2. Applicable standards that regulate the physical characteristics of permitted uses, such as building design standards;
 3. Applicable standards in this code for transportation, sewer, water, drainage and other facilities or services necessary for the proposed development, including but not limited to right-of-way standards, facility dimensions and on-site and off-site improvements.
- G. The land division will result in development that either:
1. Creates enough lots to allow building residential units at 80 percent or more of the maximum net density permitted by the zoning designation of the site; or
 2. Will be sold or rented to households with incomes below 120 percent of the median family income for Clackamas County.

16.24.050 Criteria of approval – middle housing land division.

- A. The community development director will approve a tentative plan for middle housing land division based on whether it satisfies the following criteria of approval:
1. The application provides for the development of middle housing in compliance with the Oregon residential specialty code and land use regulations applicable to the original lot allowed under ORS 197.758 (5).
 2. Separate utilities are provided for each dwelling unit.

3. The applicant provides for easements necessary for each dwelling unit on the plan for:
 - i. Locating, accessing, replacing and servicing all utilities;
 - ii. Pedestrian access from each dwelling unit to a private or public road;
 - iii. Any common use areas or shared building elements;
 - iv. Any dedicated driveways or parking; and
 - v. Any dedicated common area;
4. The applicant proposes exactly one dwelling unit on each resulting lot, except for lots, parcels or tracts used as common areas.
5. The applicant demonstrates that buildings or structures on a resulting lot will comply with applicable building codes provisions relating to new property lines and, notwithstanding the creation of new lots, that structures or buildings located on the newly created lots will comply with the Oregon residential specialty code.
6. The original lot dedicated and improved the abutting street right of way sufficient to comply with minimum right of way and improvement standards of OCMC 16.12, or dedication and/or improvements of the abutting street right of way are proposed that meet the standards of OCMC 16.12.
7. The type of middle housing developed on the original lot shall not be altered by a middle housing land division. For example, cottage cluster units within a cottage cluster do not become single-family detached residential units after a middle housing land division.

16.24.060 Conditions of approval - expedited and middle housing land division.

- A. The community development director may add conditions of approval of a tentative plan for a middle housing land division or expedited land division as necessary to comply with the applicable criteria of approval. Conditions may include but are not limited to the following:
- B. A condition to prohibit the further division of the resulting lots or parcels.
- C. A condition to require that a notation appear on the final plat indicating that the approval was given under Section 2 of Senate Bill 458 (2021) as a middle housing land division.
- D. A condition to require recording of easements required by the tentative plan on a form acceptable to the City, as determined by the City Attorney.

16.24.070. Final plat for expedited and middle housing land division.

- A. An expedited land division or middle housing land division is subject to the final plat standards and procedures as specified in OCMC 16.08.100 to 16.08.105, except as specifically provided otherwise in this section.
- B. A notice of middle housing land division for each middle housing lot shall be recorded with the county recorder that states:
 1. The middle housing lot may not be further divided.
 2. No more than one unit of middle housing may be developed on each middle housing lot.
 3. The dwelling developed on the middle housing lot is a unit of middle housing and is not a single family detached residential unit, or any other housing type.
- C. A final plat is not required prior to issuance of building permits for middle housing proposed with a middle housing land division.

- D. A middle housing land division tentative plan is void if and only if a final plat is not approved within three years of the tentative approval. Expiration of expedited land division tentative plans shall comply with the provisions of OCMC 17.50.200.

16.24.080 Appeals.

The procedures in OCMC 17.50.190 do not apply to appeals of an expedited land division or middle housing land division. Any appeal of an expedited land division or middle housing land division must be as provided in ORS 197.375. The Approval Authority for any appeal of an expedited land division or middle housing land division is a city-appointed hearings referee.



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

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

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

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

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

Package #2 Policy Questions

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

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

Hearings Process

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

Topics

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

High-Density Zone Development Standards

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

Middle Housing Driveway Specifications

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

Parking Standards for Triplexes and Quadplexes

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

Duplex Lot Coverage in Medium-Density Zones

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

Lot Coverage in Low-Density Zones

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

Technical Revisions

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

Request Policy Direction from the City Commission

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

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

Land Use Affordability Incentives

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

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

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

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

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

Parking Standards for Triplexes and Quadplexes

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

Consider increasing or eliminating the maximum parking standard.

Multiple ADUs per Lot

City Commission did not recommend further consideration.

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

Lot Averaging for Subdivisions

City Commission did not recommend further consideration.

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

Exhibits

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



MEMO

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

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

POLICY ISSUES

A. Multiple ADUs per Lot

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

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

Planning Commission: Recommended for further consideration

City Commission: Not recommended for further discussion

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

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

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

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

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

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

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

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

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

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

Planning Commission: Recommended for further consideration

City Commission: No discussion

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

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

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

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

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

C. Lot Averaging for Subdivisions

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

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

Planning Commission: Recommended for further consideration

City Commission: Not recommended for further discussion

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

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

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

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

D. Affordability Code Incentives

Existing Policy: Various

Additional Policy Options: Various

Planning Commission: Recommended for further consideration

City Commission: No discussion

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

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

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

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

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

E. Duplex Lot Coverage in Medium Density Zones

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

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

Planning Commission: Recommended for further consideration

City Commission: No discussion

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

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

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

F. Lot Coverage in Low Density Zones.

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

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

Planning Commission: Recommended for further consideration

City Commission: No discussion

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

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

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

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

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

G. Middle Housing Driveway Specifications.

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

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

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

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

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

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

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

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

H. Parking Standards for Triplexes and Quadplexes

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

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

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

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

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

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

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

J. Tiny Homes and Recreational Vehicle Occupancy Options

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

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

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

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

City of Oregon City

GEOGRAPHIC INFORMATION SYSTEM

Zoning Map

Ordinance No. 08-1014

Adopted July 1, 2009

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

ZONING DESIGNATIONS

Low Density Residential Districts

- R-10 3.5 - 4.4 du/acre
- R-8 4.4 - 5.4 du/acre
- R-6 5.8 - 7.3 du/acre

Medium Density Residential Districts

- R-5 7 - 17.4 du/acre
- R-3.5 10 - 21.8 du/acre

High Density Residential District

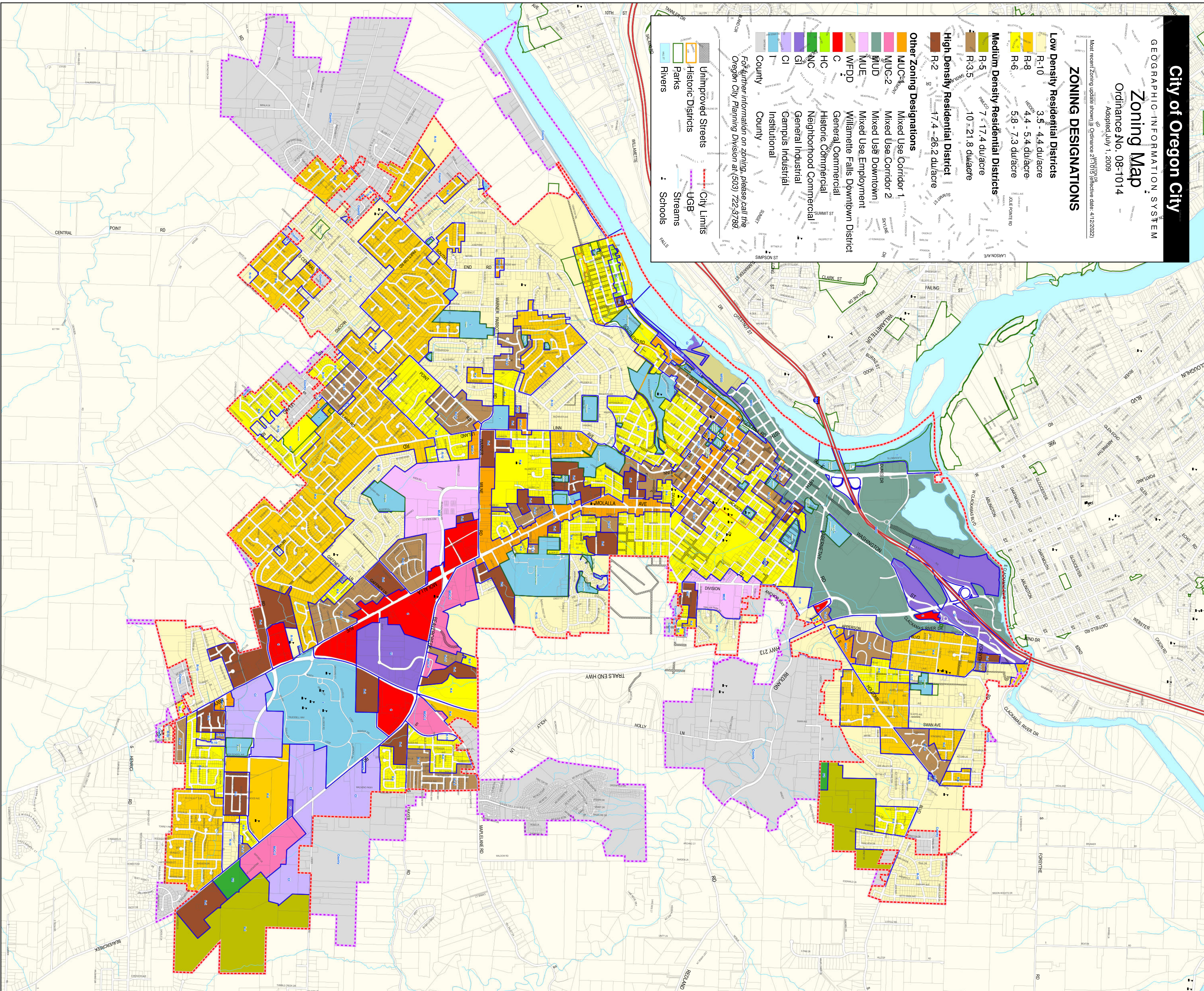
- R-2 17.4 - 26.2 du/acre

Other Zoning Designations

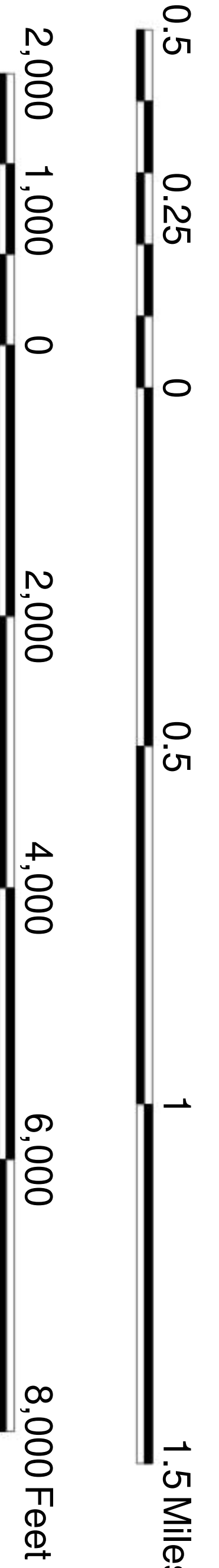
- MUC-1 Mixed Use Corridor 1
- MUG-2 Mixed Use Corridor 2
- MUD Mixed Use Downtown
- MUE Mixed Use Employment
- WFPD Willamette Falls Downtown District
- HC General Commercial
- NC Historic Commercial
- GI General Industrial
- CI Campus Industrial
- I Institutional
- C County

For further information on zoning, please call the Oregon City Planning Division at (503) 722-8789.

- Unimproved Streets
- Historic Districts
- Parks
- Rivers
- City Limits
- UGB
- Streams
- Schools



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



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Housing Choices Code Update (House Bill 2001)

Package #2

Christina Robertson-Gardiner, Senior Planner
Planning Commission Hearing
December 12, 2022

GLUA 22-0002/LEG 22-00001 Housing Choices Code Update



Planning Commission Hearing

- Staff Presentation
- Public Comment
- Planning Commission Questions
- Planning Commission Direction on Technical Revisions
- Continuation Of Hearing to January 9, 2023



GLUA 22-0002/LEG 22-00001

Housing Choices Code Update Package #2

Policy Topics

Tentative Planning Commission Meetings

November 14, 2022- Worksession Topic R2 density, lot coverages

December 12, 2022- Worksession Topic Technical Revisions: *townhomes, MUC/MUD setbacks, driveways*

January 9, 2023- Formal Vote: Technical Revisions

Worksession Topic affordability incentives (land use), RVs, tiny homes

January 23, 2023- Worksession Topic: lot averaging, multiple ADUs per lot, wrap up



GLUA 22-0002/LEG 22-00001

Housing Choices Code Update Package #2

What is HB 2001?

- ❖ HB 2001, the middle housing law, was passed by the Oregon legislature in 2019, as a partial solution addressing Oregon's housing shortage
- ❖ Related SB 458 creates expedited land division option for middle housing created under HB 2001
- ❖ The law applies to “Medium Cities” over 10,000 and “Large Cities” over 25,000 (and all Metro-area cities over 1,000)
- ❖ City codes must be updated by June 30, 2022



GLUA 22-0002/LEG 22-00001

Housing Choices Code Update Package #2

House Bill 2001 Implementation Direction

1. Comply with HB 2001 and SB 458 –code effective June 30, 2022
2. Package #2 October 24, 2022- Outstanding code sections and policy questions

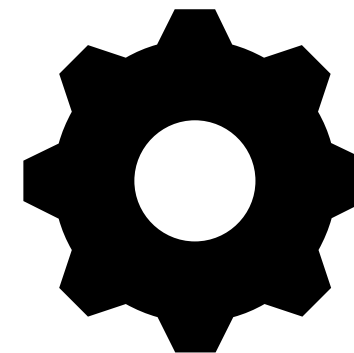
Narrow focus for code updates in first round to meet the June 30 deadline and fully comply with state requirements. Package #2 can be reviewed as time allows through winter 2022-2023



GLUA 22-0002/LEG 22-00001

Housing Choices Code Update Package #2

Potential Outcomes

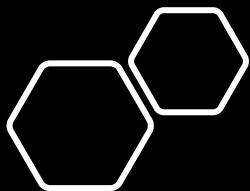


- Recommended redline code to City Commission
- Policy or workplan request to City Commission for more complex items
- Request for policy clarification to City Commission



GLUA 22-0002/LEG 22-00001

Housing Choices Code Update Package #2



Policy Tracker Form

Planning Commission Recommendations

LEG 22-001 Package #2 Policy Questions	Issue	Potential Outcome	Hearing Date	Planning Commission Direction
Duplex Lot Coverage in Medium-Density Zones <ol style="list-style-type: none">1. Should the City increase maximum building lot coverage for duplexes to match the current allowance for a single-family dwelling plus an ADU (60-65%)2. Should the City increase maximum building lot coverage across the board for specific middle housing types in rough proportion to increased numbers of units?3. If there is no consensus for code revisions for this topic, should the City review this question in 2-3 years to determine if lot coverage is a barrier to middle housing construction?	Consider increasing building lot coverage for duplexes to match the current allowance for a single-family dwelling plus an ADU	Recommended redline code	November 14, 2022	
Lot Coverage in Low-Density Zones. <ol style="list-style-type: none">1. Should the City increase maximum building lot coverage for duplexes to match the current allowance for a single-family dwelling plus an ADU (45%)2. Should the City increase maximum building lot coverage across the board for specific middle housing types in rough proportion to increased numbers of units?3. If there is no consensus for code revisions for this topic, should the City review this question	Consider increasing maximum building lot coverage for specific middle housing types in rough proportion to increased numbers of units.	Recommended redline code	November 14, 2022	

Direction to Staff



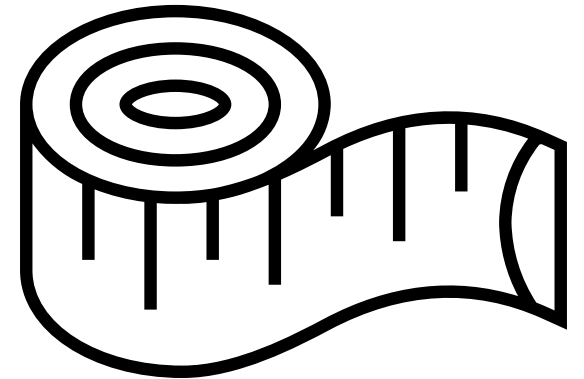
If you do not think you have enough information to provide staff general direction, please let staff know your questions or what additional information would be needed for you to provide direction at a future hearing date.



GLUA 22-0002/LEG 22-00001
Housing Choices Code Update Package #2

Middle Housing Setbacks in Commercial Districts

- The Mixed Use Downtown and the Mixed Use Corridor utilize maximum front yard setbacks of 5 feet.
- Commercial and multifamily (5+ units) development are allowed greater setbacks through Type II Site Plan process. June 30, 2022 HB 2001 Code Amendments created a Type I process for Middle Housing in commercial districts with no avenue to increase the setbacks.
- Middle Housing Design standards already restrict parking areas in front of the building.
- A code section exempting maximum setbacks with additional direction on the modification process seems to be the best approach for this issue.



Technical Revisions

Middle Housing Setbacks in Commercial Districts

Mixed Use Corridor

- Standalone residential development of fewer than five units are exempt from maximum setbacks and minimum density requirements of the underlying zone.

Mixed Use Downtown

- Standalone residential development of fewer than five units are exempt from maximum setbacks of the underlying zone.



Technical Revisions: Code Sections

Middle Housing Setbacks in Commercial Districts

SINGLE-FAMILY DETACHED AND DUPLEX RESIDENTIAL DESIGN STANDARDS

- Introduce review criteria for a Type II modification review. Previously just highlighted process.

Middle Housing Design Standards

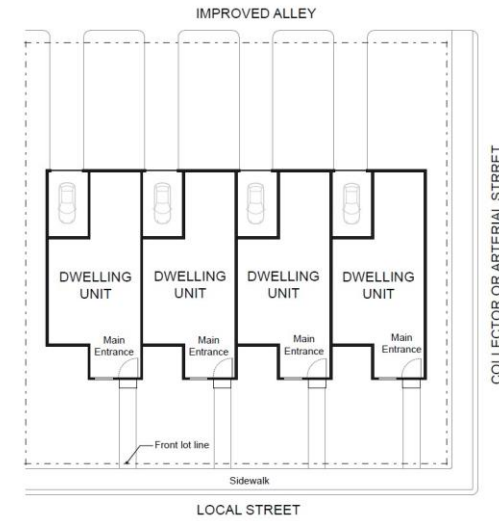
- Introduce the existing Type II Modification Process found in the Single-Family Detached And Duplex Residential Design Standards, with new review criteria.
- Clarify that parking and parking isles are not allowed in front of dwelling units in commercial zones through a Type I process.
- Remove the 20,000 square foot lot allowance for parking in the front of the building in commercial zones and send those needing larger front yard parking areas to a Type II modification process. *The 20,000 square foot appears to be an arbitrary size created in the 2019 equitable housing process, which reviewed middle sizing in commercial zones through a Type II Site Plan process. Many lots along Molalla Avenue are smaller than 20,000 feet. This revised approach allows an option for a simple Type I building permit review along with an avenue for a Type II modification.*



Technical Revisions: Code Sections

Townhomes & Middle Housing Land Division

- The City has received additional direction from the Department of Land Conservation and Development (DLCD) that sizing caps can be added to the Middle Housing Land Division process, which is intended to support smaller infill middle housing development.
- Reduce the number of townhome units allowed through the Middle Housing Land Division process (four).
- Require review through the Subdivision or Expedite Land Division process for townhome proposals with more than four units.



Technical Revisions

Townhomes & Middle Housing Land Division

Chapter 16.24 EXPEDITED AND MIDDLE HOUSING LAND DIVISIONS

- C. Middle Housing Land Division Applicability. The procedures of this chapter are applicable to the following middle housing projects, or proposed middle housing projects, on an existing lot:
1. A duplex.
 2. A triplex.
 3. A quadplex.
 4. A townhouse project (four units or fewer).
 5. A cottage cluster.

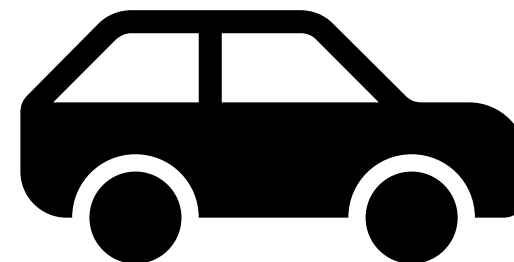


Technical Revisions: Code Sections

Driveways

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

- Some revisions are clerical or clarifying in nature. Other revisions are directly related to the implementation of middle housing.
- A couple of revisions are to enhance code based on experiences and questions we have encountered during permitting.
- The goal of most of these revisions is to provide flexibility but also limit the amount of driveways which ensures a safer travel environment.



Technical Revisions

Driveways

Middle Housing Design Standards

- Revise Figure 17.16.040.A.1 to show paired parking spaces and remove all dimensions from the figure. *The revised figure will be included in January 9, 2023 package.*
- Removed dimensional standards from OCMC 17.16.040 Parking standards. *This removes an unneeded cross reference.*



Technical Revisions: Code Sections

Driveways

OCMC 16.12.035- Driveways

- Requiring shared driveways when driveways cannot meet driveway spacing requirements
- Requiring a limit of maximum two driveways per frontage for all residential uses
- Limiting the number of driveways to properties with only one frontage to one driveway or two driveways, if the proposal meets the middle housing standards.
- Providing flexibility for the size of shared driveways
- Providing direction for cluster housing
- Providing an equitable, consistent regulation for middle housing that acts as or can easily be compared to a small subdivision or partition with individual lots
- Ensuring driveways on collectors or arterials do not allow for backing out onto these roadways. All movements must be forward-facing when leaving the property



Technical Revisions: Code Sections

Policy Topics

Tentative Planning Commission Meetings

November 14, 2022- Worksession Topic R2 density, lot coverages

December 12, 2022- Worksession Topic Technical Revisions: *townhomes, MUC/MUD setbacks, driveways*

January 9, 2023- Formal Vote: Technical Revisions

Worksession Topic affordability incentives (land use), RVs, tiny homes

January 23, 2023- Worksession Topic: lot averaging, multiple ADUs per lot, wrap up



GLUA 22-0002/LEG 22-00001

Housing Choices Code Update Package #2

Planning Commission Hearing

- Staff Presentation
- Public Comment
- Planning Commission Questions
- Planning Commission Direction on Policy Questions
- Continuation Of Hearing to January 9, 2023



GLUA 22-0002/LEG 22-00001

Housing Choices Code Update Package #2