

City of Boardman, Oregon Zoning Code Amendment to Development Code

Applicant:
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Application Type:
Legislative: Type IV Decision

Applicant's Representative
Lori Timmons
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Introduction

Applicant's Request:
Hardeep Singh of Unity Partners, LLC is proposing an amendment to the Boardman Development Code to allow for more dense housing developments than are currently allowed by the Development Code.

Proposal
The Applicant is proposing a language amendment to Chapter 2 Land Use District/Zone R – Residential. The proposed language creates a new category of residential development that can occur in any residential zone. To this end, new high-density residential design and development standards have been created – See proposed language 2.1.700 High-Density Residential.

Discussion
This following section will help decision makers better understand how the Comprehensive Plan and other guidance documents contend with different housing densities and what they have to say about the need for affordable housing for workers, our elders, and young people looking for a first home they can afford.

Housing – Boardman’s Guidance

Statewide Planning Goals

Oregon’s Statewide Goal 10: Housing states that communities provide for the housing needs of the citizens of the state. Through the coordination and work of the planning entities of Oregon Department of Land, Conservation and Development (DLCD) and the individual cities, including Boardman, comprehensive plans and housing needs assessments are created to ensure the housing goals of the State are implemented. Morrow County and its individual communities implemented the Housing Needs Assessment in 2019 (please see below). The subject code amendment proposal makes progress within the framework of Goal 10 to bring more affordable housing to the City of Boardman

Oregon’s Model Code

Oregon’s model code language refers to minimum and maximum residential density standards within the comprehensive code languages of Oregon cities. The model code refers to smaller lot detached houses, or higher density residential as to be “set between 50 and 80 percent of the maximum densities.” A review of a sample of Oregon small cities’ comprehensive plans (Umatilla, Prineville, and Ontario, as well as Boardman’s) does not reveal specific maximum density criteria for residential uses. When mentioned, density of housing was divided into 3 types: high, medium and low densities – and those types were not defined within the comprehensive code languages. Boardman has a minimum density for single-family residential uses, which is 8,000 square feet. If the City were to set a standard for high-density at the recommended 50 percent of the minimum lot size, the high-density standard would be 4,000 square feet. The developer is asking for a minimum of 3,000 square feet.

Comprehensive Plan

Chapter 10 of Boardman's Comprehensive Plan – Housing Policies support the planning and development of higher density housing. The following will highlight supporting quotes.

- “With the increase in construction costs for single-family homes in recent years, this type of home is no longer within the economic reach of many potential buyers. Alternative types of housing must be provided for and given equal consideration in Boardman’s housing scheme. Alternatives to single family detached homes are mobile homes, modular homes, apartments, condominiums, planned unit developments, and other forms of cluster housing.” (from Background Information, 2nd paragraph)
- “The City shall provide a variety of living environments to meet regional housing needs for those of different family size and income.” (Goal X: Housing Policies #1.)

- “Encourage new development concepts to meet changing housing demands and to provide self contained recreation facilities.” (Goal X: Housing Policies #3.)
- “The City shall give consideration to development of alternative residential construction both in form and layout for such reasons as aesthetics, energy conservation, reduced development costs and provision of open space.” (Goal X: Housing Policies #9.)

The Comprehensive Plan, while recognizing the need for and encouraging the City to provide alternative types of housing, higher density single-family housing is not specifically mentioned. Nevertheless, this proposal meets the spirit of the Plan’s guidance to provide alternative, affordable housing for people of lower family size and income. The important goals of aesthetics and provision of open space will be honored within the language of this Code Amendment proposal.

Housing Needs Assessment

Morrow County and the local cities prepared the 20-year Housing Needs Assessment in 2019. According to the numbers provided in the Assessment, most people in Boardman own their homes rather than renting. There was an ownership inventory of 361 owned homes for people with income levels between 35,000 and 100,000 (price range \$160,000 to \$360,000.) In 2019 the current need was estimated at 503 homes. That was an unmet need of 142 homes. Boardman is expected to grow at an annual rate of 1.34 percent so it can be projected that this year, to have met the ownership housing demand, Boardman needed to add an estimated 183 homes (Six years of annual growth at a rate of 1.34 percent is 41 units plus the 142 homes that were already needed.)

In the section titled “Policy and Development Code Strategies,” the following pertains to Boardman:

- Strategy 1: Adopt Supportive and Inclusive Comprehensive Plan Policies. Included within this category with specificity to Boardman are
 - Affirm Fair Housing Goals
 - Reference and support ADUs
 - Support manufactured homes
 - Maintain, repair existing housing
 - Balance housing needs with natural resources & hazards
- Strategy 3: Establish Minimum Density Standards
This language encourages each community to adopt minimum density standards that can be tailored to local conditions and needs and recommends it be set at between 50

and 80 percent (see model code, above) of the maximum density standard in the zone, which is also not defined in Boardman.

- **Strategy 4: Incentivize Affordable and Workforce Housing**
This strategy encourages the cities in Morrow County to offer concessions on regulatory standards to provide meaningful economic value to a development project in exchange for the development dedicating a minimum proportion of the units in the development to be affordable to people with lower or moderate incomes. The incentives may include expedited permitting or relief from certain development standards such as height, parking, setbacks, minimum open space, or maximum density.

The Housing Needs Assessment calls out the need for housing for people in low to middle income levels. This Code Amendment proposal will allow for housing that can better meet this need, especially in the present era of super-unaffordable housing for low to middle income families.

The Assessment calls for clear and objective housing regulations that support the documented needs of each community. Minimum density standards are specifically called out as well as the need for affordable and workforce housing. This code change proposal will allow for denser yet less expensive residential uses. Care has been taken to account for aesthetics, open space, and the ability of the City to meet the resources requirements of higher density developments.

Applicable Criteria

Meeting Boardman’s Requirements for a Code Change

The following sections of Boardman’s Development Code have been extracted as they have been deemed to be applicable to the proposal. Following each **bold** applicable criteria or design standard, the Applicant has provided a series of findings. The intent is providing code and detailed responses is to document with certainty that the proposed amendment has satisfied the approval criterial for a Language Amendment.

4.1.600, Type IV Procedure - Legislative Amendments

G. Decision-Making Considerations. The recommendation by the Planning Commission and the decision by the City Council shall be based on consideration of the following factors:

- 1. Approval of the request is consistent with the Statewide Planning Goals;**
- 2. Approval of the request is consistent with the Comprehensive Plan; and**
- 3. The property and affected area is presently provided with adequate public facilities, services and transportation networks to support the use, or such facilities, services and transportation networks are planned to be provided concurrently with the development of the property.**

(G) Decision Making Considerations.

1. The subject code amendment proposal makes progress within the framework of Goal 10 to bring more affordable housing to the City of Boardman. For example, in B. Implementation 4. The Goal states that: *“Ordinances and incentives should be used to increase population densities in urban areas taking into consideration (1) key facilities, (2) the economic, environmental, social and energy consequences of the proposed densities and (3) the optimal use of existing urban land particularly in sections containing significant amounts of unsound substandard structures.”* The proposed code amendment asks that Boardman allow for increased densities of residential housing to meet a need for more affordable worker housing. The language will take into account the ability of the City to provide key facilities and account for economic, environmental, social and energy consequences in that denser housing will need the City’s approval regarding its plans to connect with City services.
2. The Comprehensive Plan’s policies support creating opportunities to develop affordable, needed housing. Please refer to the discussion regarding the Comprehensive Plan above.

4.7.600 Transportation Planning Rule Compliance

A. TPR Compliance. When a development application includes a proposed comprehensive plan amendment or land use district change, the proposal shall be reviewed to determine whether it significantly affects a transportation facility, in accordance with Oregon Administrative Rule (OAR) 660-012-0060, the Transportation Planning Rule. “Significant” means the proposal would:

- 1. Change the functional classification of an existing or planned transportation facility. This would occur, for example, when a proposal causes future traffic to exceed the capacity of “collector” street classification, requiring a change in the classification to an “arterial” street, as identified by the Transportation System Plan; or**
- 2. Change the standards for implementing a functional classification system; or**

3. Allow types or levels of land use that would result in levels of travel or access that are inconsistent with the functional classification of a transportation facility; or

4. Reduce the level of service of the facility below the minimum acceptable level identified in the Transportation System Plan.

All new developments, regardless of the underlying zone would potentially warrant a traffic impact study to be conducted. Compliance with the Transportation Planning Rule helps ensure public safety, optimizes traffic flow and reduces congestion. Traffic studies help prevent negative consequences for the City into the future as they support long-term planning and growth. In this proposal, any new, high-density development will be required to be assessed as to how the local transportation network would be impacted.