



Lebanon Development Code Update Project Advisory Committee Meeting #2 Summary Notes

Tuesday, October 22, 2024

9:00 – 11:00 AM

Location: Hybrid – Santiam Travel Station & remote attendance

Attendees:

Tammy Dickey, Planning Department

Shawn Eaton, Building Department

Brian Vandetta, Udell Engineering

Bryan Eilers, Lebanon Community School District

Ken Foster, Fire Department

Kelly Hart, Community Development Director

Dala Johnson, Police Department

Planning Commissioner Lory Gerig-Knurowski

Laura LaRoque, Udell Engineering

William Lewis, Lebanon Community School District

Thien Lieu, Western University

Councilor KJ Ullfers

Ron Whitlatch, Engineering Department

Patrick Wingard, DLCD Regional Representative (attending remotely)

Councilor Dave Workman

Consultants (attending remotely): Brandon Crawford, Darci Rudzinski – MIG

1. Welcome and Agenda Overview

- Kelly welcomed participants and provided background on the project. The PAC met for the first time on July 16, today the group is convening to consider the first initial review of the recommended code amendments.
- Brandon, Darci and Patrick introduced themselves as part of the consultant and project management team. Attendees introduced themselves.
- Brandon shared the agenda, including project updates/status, comprehensive plan and code update recommendations/discussion, additional updates to consider, and next steps.

2. Project Updates, Status, and Timeline

- At the City Council/Planning Commission briefing, August 14, we shared the PAC discussion points, including requiring off-street parking and the group's recommendation requiring two spaces per unit.
- The team drafted the higher priority code amendments that were identified in the code review memo.
- Project is now at about the mid-way mark, with another two PAC meetings, with adoption sometime in April.

3. Code Update Recommendations and Discussion

Comprehensive Plan Recommendations

- The project management team didn't find anything major and had just a few recommended policy "tweaks."
- The new language focuses on the City allowing prefabricated dwellings (State requirement); encouraging cottage clusters as a specific housing types; and supporting infill development.
- These are largely minor language changes to existing policies.

High Priority Recommendations from Code Review

- Brandon reviewed the high priority recommendations from the Housing Production Strategy addressed in the Draft Code Update Memo.

Small Lot Single Unit options

- Brandon displayed a slide with a summary of the proposed standards, including allowing small lot single units in RM, RH, an MU zones outright; minimum lot size of 2,500 sf; height 25 feet; lot coverage 60%; rear setback reduction of 10 feet. He introduced other tools that the City could consider to help ensure that small lot-single unit dwellings are small.
- Laura asked why a rear lot reduction of 10 feet couldn't be considered for all residential zones. Kelly said that our project is focused on the HPS recommendations to include new housing tools and was not to make universal code changes impacting all housing types.
- Kelly asked if the code amendments appropriately capture the PAC comments from the first meeting, noting that small lots are intended to achieve more workforce housing.
- She confirmed that the proposed lot coverage, with the height limitations, will allow for 2 story construction.
- Brian asked how the code defines building height; the answer was to the midpoint of the roof.
- Laura asked if corner lots would still require 15-foot setbacks and asked that this be considered.
- Kelly noted that the other proposed changes support small lot single unit development. Setbacks from 10-15' would need to consider impacts to vision clearance.
- Kelly mentioned that the parking requirements were discussed at the work session and that the Planning Commission and City Council support the recommendation.

- It was noted that small lots still need to accommodate parking (illustration is a little misleading). Kelly said we can add this to the list to clarify. Darci said that the illustration on the slide and page 12 of the memo was intended to be illustrative, not codified.
- Lory asked about the 2,500 sf limitation. The height and 60% lot coverage restrictions seems to address the need for smaller houses, but the Commissioners have heard concerns from the community regarding infilling. Brandon said this is based on precedent and best practices.

Cottage Cluster options

- The City hasn't hit the population threshold so these housing types aren't required yet, but the State standards are best practice.
- Brandon provided an overview of the proposed requirements, including allowing cottage clusters in all residential zones; minimum lot size of 7,000 sf (the largest the minimum can be per State requirements); minimum of one parking space per unit; minimum setbacks of 10 feet (front and rear) and 5 feet (sides).
- Brandon explained common courtyard and open space standards including requiring 150 sf per unit; minimum widths, and pedestrian paths.
- He shared Happy Valley, Silverton, and Milwaukie examples.
- Brian found it odd that this is recommended in RL zone. Cottage clusters don't seem compatible. Kelly explained that a RL restriction was the initial recommendation discussed at the first meeting. The general direction was to comply with State rules, which is to allow cottage clusters wherever single family homes are allowed.
- The population threshold is 25,000 population. Staff's recommendation to require a minimum width of 20' (vs. model code's 15 ') is an example of how the City could modify State standards to implement this housing type before it hits the population threshold. The PAC could make a recommendation to either go with the model code standards or revise them.
- Kelly shared that the City's current population is just over 20,000, per the Portland State projections this year. The RL zone is largely built out.
- There was a discussion regarding how many bedrooms could be accommodated in a 900 sf cottage, with the consensus that there could be 2-3 bedrooms.
- The code recommendation is 1,400 sf /du, maximum average, and a maximum 900 sf footprint.
- There were concerns over one off-street parking space. There was a question if the requirement could be based on square footage. Kelly indicated the better practice was to tie parking to bedroom count.
- Kelly noted that if the units are intended to be a more affordable housing type, accommodating parking can add to construction costs.
- Instead of having a maximum that allows unit size to average out to 1,400 sf, the City could put a cap on unit size.
- Kelly noted that the City could modify the model code for the community now, then convert to state requirements later.
- Brandon mentioned that requiring 2 spaces per unit, in addition to open space requirements, is a major constraint to fitting enough units to make it pencil. He also noted that potential residents, such as senior citizens, have lower car ownership typically. These smaller units might not have a lot of occupants.
- In response to the question when do State requirements for no off-street parking apply, Kelly answered CFEC requirements are metro area standards and don't apply to Lebanon.

- One participant mentioned that the city has a lack of on-street parking and only one space per unit may not be sufficient.
- Ken likes the concept of maximum floor area, which will provide better opportunity for smaller units and will counterbalance having too many cars on a lot.
- A pitch for the model code standards is that they promote cottage cluster development. Once the model code standards were adopted, jurisdictions began to get cottage cluster applications and development. The model code was developed through thorough vetting and designed and intended to spur development. These standards are realistic and likely to be implemented.
- Laura said that the City should make an exception to the maximum footprint, and a cap on square footage, for areas that aren't livable space.
- Kelly noted that currently the City doesn't consider an attached garage as livable space. She would assume those wouldn't be "livable space" in cottage clusters. Darci noted that the code language could be made unambiguous.
- This clarification could be in the Accessory Structure definition. Also, in a cottage cluster, it should be "dwelling" not "structure" footprint to help clarify that the garage is not counted in the square footage calculation.
- Kelly summarized the concerns about the average of 1,400 sf, which allows a mixture of sizes and the number of parking spaces. The standards should help ensure affordability and also allow for density.
- Laura noted that the average size also includes a community building.
- Participants confirmed the concern that the bigger the building, the greater the parking need and the more cars there will be. As an example, a 1,600 sf home would need multiple parking spaces.
- Brandon noted that, given averaging across all units and the proposed maximum building footprint, to reach 1,400 sf the cottage would have to have a second story. The City could lower the maximum height, ensuring less floor area overall. One could also reduce the average floor area of unit size; cities are allowed to deviate from State standards as long as they not more restrictive than the model code.
- One participant was against lowering the height, because it will lower density.
- In response to a question about the goal of the cottage clusters, Kelly said providing work force housing and that they are great starter homes, and for senior housing as well.
- Councilor Ullfers said that they are going to need more than one parking space per unit. Lebanon doesn't have the transit and people are commuting via car. The result will be large parking lots, or vehicles will end up on the street. He said the City has to allow for two spots at least, even if it is for a 900 sf place.
- Kelly suggested that not all housing will be for all people and asked if the City should plan for the likely acceptable user.
- Councilor Ullfers said the City should plan for the realistic and requirements can be revisited as the population grows. He doesn't want to add a constraint that isn't needed, noting that residents tend to drive, and drive bigger vehicles.
- Darci interjected that the objectives of the code amendments were to allow and enable more housing types and create more opportunities for more housing that is affordable to everyone in the community.
- Brandon said the tradeoff for 2 spaces is that the City is less likely to see this housing type be developed. The reason various communities started seeing more cottage cluster development in the State is because of local implementation of the model code. In developing the model code, it was revealed that one of the biggest barriers was requiring too much off street parking; it takes up a lot of space and adds costs.

- Councilor Ullfers noted the importance of maintaining the quality of life of the people. He asked if you require two spaces, how much buildable land are you losing?
- Kelly said that specific information isn't available. Brandon emphasized that the model code was informed by market studies and its content is based on what is financially feasible for cottage cluster development.
- In response to the question of what is the demographic breakdown of cottage cluster residents, Darci responded that to her knowledge this data is not available. She pointed out that it would not be a City function to determine who the purchaser or end user of these units could be. Although there is no available data on the demographics of cottage cluster residents, several cottage clusters throughout the state have been developed as senior living communities, which implies this housing type is largely intended for smaller household sizes (e.g., seniors).
- Kelly reiterated that the project management team is looking for PAC guidance and that feedback is appreciated. Cottage clusters are an alternative to the type of housing the City has today. She asked for some realistic changes that the PAC would recommend that would make the code viable.
- In response a member said that reducing the square footage would more align with a use for individuals. He recommended they be capped at 900 sf.
- If the goal is affordability, and considering the cost of the land, another member suggested the City cap the size and make it more realistic that one or two people live there, and they won't need as many parking spaces. You don't see a lot of walkers or cyclists in Lebanon. The City should shrink the square footage if we have to have only one parking space.
- Kelly said the project management team will workshop the concept and bring it back to the PAC.

Manufacture Dwelling

- Brandon reviewed the proposed modifications, including updating the "single family" definition to include manufactured home or prefabricated dwelling; adding a definition for prefabricated dwelling; and removing some placement standards.
- He posed the question whether building widths and garages should be a requirement for all detached housing development.
- One comment was that not everyone has a garage, nor needs one. The PAC member does not think the City needs these requirements.
- Another commentor remarked that they have seen some creative designs less than 20 feet that have looked fine.
- Kelly said the current code does not allow for single wide manufactured homes in residential zones – which is not compliance with State requirements. If the City doesn't maintain that minimum width, then they would be authorized in all residential areas. The typical single-wide is 18-20 feet. She mentioned that there could be an exception for small lot single family.
- Another commentor noted that there are some nice looking singlewides available and wouldn't support a minimum width restriction.
- In an opposing view, another member liked the idea of garages; singlewides looks pretty bare. A used manufactured home can also be unattractive, based on personal experience in his neighborhood.
- A member of the development community noted that additions like garages adds cost to home building and could be added down the line. Some communities have instituted

design standards, requiring amenities such as overhangs and porches. She suggests an approach with design standards.

- Another member commented that he likes the restrictions.
- Kelly noted that the current code doesn't have any design standards. The options include do nothing, keep the proposed requirements, or add design elements; she said the project management team will look at all three options.
- A participant suggested requiring specific design standards for buildings that do not have a garage or are under a certain width.
- Brandon went over some proposed changes for Manufactured Parks, allowing prefabricated dwellings, allowing them through the AR process, and removing standards that aren't clear and objective.
- Other recommended updates he explained included removing infill development standards and allowing specific residential types through the AR process (a change from CU).

4. Additional Code Updates

- Brandon shared additional proposed updates for PAC Meeting #3, covering the "medium priority" outstanding items from Code Review. From the HPS items that will be addressed next, the first priority is restructuring zoning incentives for income-restricted units. Also, the team will be creating code language for Tiny Homes on Wheels (THOWs) and modifications to bring the City into compliance with State housing-related state rules and recent legislation.
- In answer to whether the City is going to allow THOWs, Kelly responded yes, as part of ADU or manufactured dwelling homes.
- Brian Vandetta asked if the City is looking at some kind of limiting factor for the number of units in smaller lot subdivisions. Kelly said that the conversation from last meeting was that the HPS process confirmed that the base zoning was to remain, but that the small lot single family would become an option. A developer could propose a subdivision that is 100% small lot, but that wouldn't change the underlying base zoning.
- A PAC member's concern was that it will become the norm if it is allowed. The City will be seeing small single-family lots, given that developers are looking at getting the most money out of the property.
- Kelly noted that the City allows lot size averaging and asked if the PAC wanted to require that a certain number of lots in a subdivision meet the underlying lot size.
- Darci noted that the City can revisit the small lot tool and open the code to make some additional restrictions at a future date. She said that the proposed code addresses the HPS recommendation, and she advocated for trying it to see if resulting development meets the City's needs.

5. Next Steps

- Share recommendations with PC/CC and PAC discussion and recommendations.
- Revise Code Update recommendations based on PC/CC and PAC input.
- Draft additional code amendments that were not addressed in this round of updates.

Meeting Materials:

- Draft Code Update Memo – Advisory Committee Review Draft