

# LEBANON JOINT CITY COUNCIL AND PLANNING COMMISSION WORK SESSION AGENDA

November 13, 2024 at 4:30 PM

Santiam Travel Station – 750 3rd Street, Lebanon, Oregon

#### **MISSION STATEMENT**

The City of Lebanon is dedicated to providing exceptional services and opportunities that enhance the quality of life for present and future members of the community.

Mayor: Kenneth Jackola

Council President Michelle Steinhebel | Councilor Wayne Dykstra | Councilor Carl Mann Councilor Jeremy Salvage | Councilor Kim Ullfers | Councilor Dave Workman

#### 4:30 PM - CALL TO ORDER WORK SESSION

City of Lebanon Work Sessions are less formal meetings that enable the Council to focus on and explore in detail a topic with staff and/or consultants. Like regular Council meetings, citizens are encouraged to attend and observe work sessions. Unlike regular Council meetings, work sessions do not include public hearings or other opportunities for citizen comments. Should action be required, that topic would be brought back to the next available regular session, at which time citizens would have the opportunity to comment before a formal action is taken.

#### **DISCUSSION ITEMS**

1. Housing Production Strategy Code Updates

**ADJOURN WORK SESSION** 



925 S. Main Street Lebanon, Oregon 97355

TEL: 541.258.4906 cdc@ci.lebanon.or.us www.ci.lebanon.or.us

# **MEMORANDUM**

Community Development

To: Mayor Jackola and City Council Date: November 5, 2024

From: Kelly Hart, Community Development Director

Subject: Joint City Council-Planning Commission Work Session of Development Code Updates

#### I. INTRODUCTION

This is the second joint work session of the city council and planning commission to discuss the code update process to implement the housing production strategy. Since the first joint work session, the consultant team has been developing a preliminary draft code for review by the project advisory committee, the planning commission, and the city council.

#### II. CURRENT REPORT

The project advisory committee (PAC) met in October to review the proposed draft and provide comments. For the work session, staff will present the draft code and the PAC recommendations and request the city council and planning commission to give direction on the PAC recommendations and preliminary code draft. There are several documents for review:

- Summary and discussion guidance memo
- Draft code and comprehensive plan compliance memo
- Project advisory committee meeting summary

The work session will provide an overview of each document, so if prioritization of review is required, it is recommended that you review the summary and discussion guidance memo.

#### III. RECOMMENDATION

Receive and file report, and provide staff with direction.



# memo

to City of Lebanon City Council and Planning Commission

from Brandon Crawford and Darci Rudzinski, MIG

re Draft Code Update Summary and Discussion Guidance Memo, November 13 Work Session Lebanon Code Update

date 10/29/2024

The purpose of the Lebanon Code Update project is to implement Code update recommendations from the City's 2023 Housing Production Strategy (HPS). The Code updates will be divided into three phases, the first of which focuses on high priority implementation actions. The project team has completed a first draft of Code updates for these high priority actions, which is the subject of the Joint Worksession agenda item for the project. This memo supplements the Draft Code Update memo (dated 10/29/24), which contains detailed recommendations related to these and other topic areas. For a complete summary of the Code Update recommendations, see page 3 of the Code Update memo.

This memo summarizes some key decision points on Code Update recommendations for the City Council and Planning Commission consideration and feedback at the November 13 work session. City Council and Planning Commission input is requested on proposed requirements related to cottage cluster development and single unit residential standards.

The key decision points were discussed at the Project Advisory Committee (PAC) meeting on October 22, 2024. The PAC discussion and recommendations are also summarized in this memo. For a complete summary of the PAC discussion, see the meeting summary memo included in the work session meeting packet.

### Cottage Cluster Unit Size and Parking

The initial recommendation limited individual cottage *footprints* to 900 square feet and allowed an average floor area (inclusive of second story and basement) of 1,400 square feet per cottage in a cottage cluster development. In addition, the project team recommended requiring one off street parking space per cottage unit. These recommendations are consistent with the state Model Code standards for cottage clusters. Following model code standards now will help ensure the City meets state requirements for cottage clusters when Lebanon's population increases to meet the state's definition for "large city" (i.e., population greater than 25,000).

The PAC raised some concerns relating to larger unit (cottage) sizes and the assumed corollary to increased off-street parking demand. PAC members suggested that larger cottage units are more likely to have multiple cars, and therefore will need additional off-street parking space. To help ensure that cottage units remain small, thereby reducing household sizes and off-street parking demand, some PAC members suggested limiting total cottage floor area to 900 square feet. Alternatively, the City could consider requiring two off-street spaces per unit for any cottage that is over 900 square feet.

The project team does not recommend requiring two spaces per unit regardless of size. Multiple spaces per unit will reduce site design flexibility, increase costs for developers and end users, and reduce overall feasibility for cottage cluster development. The impetus for this Code update project is to implement the Housing Production Strategies recommendations. Improving opportunities for cottage clusters implements one of the high priority strategies; proposed code amendments aim to increase housing options that are affordable and available to a broad range of residents.

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Discussion: If the unit size is limited, can off-street parking needs be satisfied with one parking space per cottage? Is 900 square feet a reasonable size limit? Should the City continue to require two parking spaces per unit for larger units (over 900 square feet)?

#### Single Unit Lot Width and Design Standards

The state requires cities to allow manufactured homes and prefabricated dwellings on any lot or parcel that allows single unit homes. The project team recommends certain standards to help ensure that manufactured homes and prefabricated dwellings are developed to the same standard as detached single-unit homes. The City does not currently require a minimum building width for single-unit dwellings. At issue is whether a minimum width of 20 feet will help ensure compatibility where prefabricated and manufactured housing product is siting on an in-fill lot.

While single-unit residential buildings are usually at least 20 feet wide, adopting a minimum requirement may limit site design flexibility for small lot single units and increase overall development costs. Some PAC members suggested that, if a minimum width is codified, the City also include the option of incorporating certain design elements in lieu of meeting the standard. Elements such as porches, roof overhangs, and window trim could ensure the home has a similar appearance to more traditional single-unit detached homes.

Discussion: Should the City require minimum building widths for all single unit development? Should the City provide an option for, or require, specific design elements for any building that is less than 20 feet wide?

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# memo

to City of Lebanon Planning Commission and City Council

from Brandon Crawford and Darci Rudzinski, MIG

re Draft Code Update

Lebanon Code Update

date 10/30/2024

#### Introduction and Background

The purpose of this memo is to propose draft amendments to the Lebanon Comprehensive Plan (Comprehensive Plan) and Lebanon Development Code (LDC or "Code") to promote housing production and support the City's housing goals. The proposed amendments are informed by a code review/audit that identified potential updates, which was completed during a previous phase of this project. The Lebanon Code Update project is funded by a Department of Land Conservation and Development (DLCD) technical assistance grant to help communities update policies and regulations to support housing production.

The memo is organized into three separate parts: Comprehensive Plan modifications that support the recommended Code changes, the Code Update summary, and the recommended Code amendments.

The Code Update Summary table identifies the actions that will implement recommendations from the City's 2023 Housing Production Strategy (HPS). Suggested Code amendments presented in this memo primarily focus on *high priority* HPS implementation actions, which includes the following:

- Encourage smaller, single-family detached houses (Action 1.1)
- Promote cottage cluster housing (Action 1.2)
- Simplify infill design standards (Action 1.3)
- Allow manufactured home parks as an outright use and remove subjective criteria (Action 1.5)

Note that the Policy and Code review identified a wide breadth of potential amendments for consideration. The recommendations were prioritized in part because it is unlikely that all the proposed amendments will be addressed within the scope and timeframe of this project. However, subsequent phases of this project will address some of the medium- and low-priority HPS actions, as well as other Code update goals identified by the City, including modifications to:

- Provide more flexibility for housing in commercial zones (Action 1.4)
- Allow Tiny Homes on Wheels (THOW) as permanent dwellings under certain conditions (Action 1.6)
- Restructure zoning incentives for income-restricted units (Action 2.4)
- Compliance with housing-related state rules and recent legislation.
- Other potential updates to LDC challenges identified by the City.

The last section of this memo includes potential housing policy amendments for the City to consider. These policy amendments are intended to strengthen Comprehensive Plan language that underlies and supports City housing development requirements.

#### **Draft Comprehensive Plan Amendments**

The recommended Code updates are intended to improve opportunities for a variety of housing types and will remove regulatory barriers to housing production. The Policy and Code Review memo found that the adopted Comprehensive Plan policies are generally supportive of housing production and promote housing variety, consistent with Code amendment recommendations. However, the City could strengthen support for a wider variety of housing types by providing more specific policy language. Proposed changes support prefabricated housing, expanding housing options, and infill development. Recommended policy language is shown in **bold/underlined** text following an explanation of the proposed changes.

Currently the City does not use the term "prefabricated." Pursuant to state law, policies that support manufactured housing or manufactured dwellings also supports *prefabricated* dwellings (HB 4064/ORS 197.478). The state requires cities to allow prefabricated dwellings in manufactured dwelling parks and wherever single-family detached dwellings are allowed.

- **Policy P-1**: Allow manufactured housing <u>and prefabricated dwellings</u>, subject to state building code requirements and City placement requirements, in all residential zones, while maintaining historical and architectural conformity with the established historic neighborhoods.
- Policy P-32: Recognize condominium ownership, manufactured housing, <u>prefabricated housing</u>, and attached single-family homes as legitimate and affordable housing alternatives and permit their development within the City.

Some existing policies explicitly list some of the housing types that the City should support to promote housing variety and options. Because this Code update aims to encourage certain housing types, such as cottage clusters and small lot single-family homes, language could be updated to list these housing types among those the City supports. The City may consider the following policy amendments:

- Policy P-42: In order to assure choices of housing types and costs, provide the opportunity to
  develop detached and attached single-family units, duplexes, garden apartments, <u>cottage</u>
  <u>clusters</u>, town houses, multiplex units and boarding houses, lodging, or rooming houses, <del>and</del>
  manufactured housing, <u>and prefabricated housing</u>.
- Policy P-43: In order to assure choices of housing types and costs, provide the opportunity to
  develop detached and attached single-family units, duplexes, garden apartments, <u>cottage</u>
  <u>clusters</u>, town houses, multiplex units and boarding houses, lodging, or rooming houses, <u>and</u>
  manufactured housing, <u>and prefabricated housing</u>.

Because this project's objectives include encouraging infill housing, the proposed new policy reflects community support for this type of development.

 Policy P-53: Encourage efficient land use patterns and opportunities for infill development for all types of housing

Note that the current Comprehensive Plan policies do not pose any critical issues or contradictions with the HPS recommendations or anticipated Code updates. Therefore, the potential Comprehensive Plan amendments are just an option for the City to consider to strengthen the relationship between local housing policies and land use regulations.

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# Code Update Summary

The following table summarizes the High Priority Code amendments as they relate to HPS implementation actions. The table identifies the Code section, what the amended text will reflect once updated (column 2), and the HPS implementation action (column 3).

Note that there are recommended terms in Section 16.32.020, Meaning of Words and Terms, that are shown as changed or added wherever these terms are used in the LDC. Modified terms include single-unit (in place of single family) and manufactured dwelling park (replacing manufactured home park). The explanations for these changes can be found in text boxes associated with the last Code section in this memorandum, starting on page 29.

Code Chapter/Section	Update Summary	HPS Implementation Action
16.05.040 – Allowed Residential Uses	<ul> <li>Allow small lot single-unit dwellings in the RM and RH zones.</li> <li>Allow cottage clusters through AR process.</li> <li>Allow manufactured dwelling parks through AR process.</li> </ul>	<ul> <li>Small lot single family         (Action 1.1)</li> <li>Cottage clusters         (Action 1.2)</li> <li>Manufactured home         parks (Action 1.5)</li> </ul>
16.05.090 – Residential Development Standards	<ul> <li>Include a minimum lot size, lot width, coverage, setback, and height standards for small lot single-units.</li> <li>Reduce minimum lot size for cottage clusters.</li> </ul>	<ul> <li>Small lot single-unit (Action 1.1)</li> <li>Cottage clusters (Action 1.2)</li> </ul>
16.05.110 – Residential Infill Standards	Remove all infill standards.	• Infill standards (Action 1.3)
16.05.150 – Residential Special Use Standards	<ul> <li>Update manufactured dwelling parks standards to be consistent with state statute and remove discretionary standards.</li> <li>Add specific development and design standards for cottage clusters based on state model code.</li> </ul>	<ul> <li>Manufactured home parks (Action 1.5)</li> <li>Cottage clusters (Action 1.2)</li> </ul>
16.06.050 – Residential Uses in Mixed Use Zone	<ul> <li>Provide the same updates that were included for the residential zones – allow small lot single-unit, cottage clusters, prefabricated dwellings, and manufactured dwelling parks in the MU zone.</li> <li>Change review/approval procedures from CU to AR for other housing types in the NMU zone.</li> </ul>	<ul> <li>Small lot single-unit         (Action 1.1)</li> <li>Cottage clusters         (Action 1.2)</li> <li>Manufactured home         parks (Action 1.5)</li> </ul>
16.07.050 – Residential Uses in Neighborhood Mixed Use Zone	<ul> <li>Provide the same updates that were included for the residential zones – allow small lot single-unit, cottage clusters, prefabricated dwellings, and manufactured dwelling parks in the NMU zone.</li> <li>Change review/approval procedures from CU to AR for other housing types in the NMU zone.</li> </ul>	<ul> <li>Small lot single-unit         (Action 1.1)</li> <li>Cottage clusters         (Action 1.2)</li> <li>Manufactured home         parks (Action 1.5)</li> </ul>

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Code Chapter/Section	Update Summary	HPS Implementation Action
		Compliance with state housing rules
16.14.070 – Minimum Parking Requirements	Set minimum parking requirements for small lot single-unit and cottage clusters.	<ul> <li>Small lot single-unit         <ul> <li>(Action 1.1)</li> </ul> </li> <li>Cottage clusters         <ul> <li>(Action 1.2)</li> </ul> </li> </ul>
16.15 – Landscaping	<ul> <li>Exempt cottage clusters from any landscaping standards in which single-unit and duplexes are exempt. Proposed model code standards already include landscaping requirements for cottage clusters.</li> </ul>	• Cottage clusters (Action 1.2)
16.19.040 – Manufactured Dwelling Placement Standards	<ul> <li>Remove standards that do not apply to single-unit detached dwellings, consistent with state statute.</li> <li>Consider replacement standards that apply to all single-unit detached dwellings.</li> </ul>	Manufactured home parks (Action 1.5)
16.32.020 – Meaning of Words and Terms	<ul> <li>Add a definition for cottage clusters.</li> <li>Add a definition for small lot single-unit dwellings.</li> <li>Update definition/term single family detached to single-unit_detached and add a definition for "household."</li> <li>Add prefabricated dwellings and manufactured homes to definition for single-unit dwellings.</li> <li>Update definition for manufactured home park to manufactured dwelling park and include prefabricated dwellings in the definition.</li> </ul>	<ul> <li>Small lot single-unit         (Action 1.1)</li> <li>Cottage clusters         (Action 1.2)</li> <li>Manufactured home         parks (Action 1.5)</li> <li>Compliance with state         housing rules</li> </ul>

#### **Draft Code Amendments**

Proposed Code modifications are presented in **bold <u>underline</u>/strikeout**-legislative amendment format, where underlined text indicates new text, and strikeout indicates existing, adopted text recommended for removal. Proposed amendments are organized under existing Code chapters/sections and implement the "Code Update Summary" table bullets. A description and summary of the proposed updates are provided in the gray text boxes for each section. In addition, specific "discussion items" may be included where the project team is seeking specific input from the Project Advisory Committee (see "PAC Discussion Item"). Other Code text may be included for context and reference, otherwise the only sections that are shown are those that have recommended amendments.

#### 16.05.040 RESIDENTIAL USES ALLOWED IN THE RESIDENTIAL ZONES

**Small Lot Single-unit Dwellings** 

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The HPS recommends allowing small lot single-unit homes in Lebanon's medium to high density zones and mixed use zone. Through the HPS planning process, the City expressed an interest in retaining standards for lower density single-unit zones. Therefore, the simplest way to maintain existing standards while also encouraging smaller single-unit homes is to create a new use type for "small lot single-unit" and only allow them in the RM, RH, and MU zones. In addition, the City should consider changing the term "single-family" to "single-unit" throughout the Code; see further discussion regarding the name change in the definitions commentary (Section 16.32.020).

#### **Manufactured Dwelling Parks**

Oregon cities cannot require discretionary review/approval procedures for any type of housing, including manufactured homes and manufactured home/dwelling parks (ORS 197A.420). In addition, the State requires cities to allow manufactured dwelling parks to be allowed in any zone with a planned density of 6-12 dwelling units per acre (ORS 197.480). In Lebanon, this applies to all residential zones.

#### **Manufactured and Prefabricated Dwellings**

HB 4064/ORS 197A.420 requires the City to allow prefabricated dwellings and manufactured homes on any lot or parcel that is zoned to allow single-unit dwellings. To simplify compliance with and implementation of state rules for manufactured homes and prefabricated dwellings on individual lots, the City should include manufactured dwellings and prefabricated dwellings in the definition for single-unit dwellings. Therefore, "Manufactured Dwelling" does not need to be listed as a separate use type in in Table 16.05-2. See commentary and recommendations in the definitions section for more information (Section 16.32.020).

#### **Cottage Clusters**

The City cannot require discretionary review/approval procedures for any type of housing; cottage cluster development cannot be reviewed through a conditional use approval process. The recommendation is to permit cottage clusters through an Outright Permitted (OP) process, consistent with State requirements for Cities with a population of 25,000 or greater, a threshold Lebanon is approaching. Alternatively, the City could require an Administrative Review until the population reaches the requirement level, which will (also) allow cottage cluster approval through a clear and objective process, one that is similar to that of single-unit homes. In addition, proposed Table 16.05-2 amendments reflect that cottage clusters are allowed in every zone that allows single-unit detached homes, consistent with State requirements.

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<sup>&</sup>lt;sup>1</sup> ORS 197 Comprehensive Land Use Planning, https://www.oregonlegislature.gov/bills laws/ors/ors197.html

Table 16.05-2: Residential Land Uses Allo	wed in Residential Zo	ones	
Land Uses (Examples of uses are in Chapter 16.03; definitions are in the Glossary, Chapter 16.32.)	Residential Low Density Zone (Z-RL)	Residential Mixed Density Zone (Z-RM)	Residential High Density Zone (Z-RH)
Section 16.05.110 contains Residential Infill Sta	andards that are Applic	cable in all Residential Z	Zones
Residential Uses with <u>Class I</u> Impacts:		_	_
Single Family Unit Dwellings	OP	OP	OP
Small Lot Single-unit Dwellings	<u>N</u>	<u>OP</u>	<u>OP</u>
Accessory Dwelling	OP	OP	OP
Accessory Structures (with a permitted use):		OP	
<ul> <li>no taller than 25ft. and no larger than 1,000 square feet of building footprint</li> <li>taller than 25 ft.(up to Zone Limit in Table 16.05.8) or larger than 1,000 sqft of building footprint</li> </ul>		AR	
Duplex (2 dwellings sharing a common wall on one lot (not inclusive of a primary dwelling and accessory dwelling unit)) One duplex on a lot	ОР	ОР	ОР
Manufactured Dwelling	<del>OP</del>	<del>OP</del>	<del>OP</del>
Other Residential Uses such as Bed & Breakfasts, Home Occupations	MR	MR	MR
Other Residential Uses such as Hospice Facilities	AR	AR	AR
Residential Uses with Class II Impacts:			
Town House/Rowhouse (2 or more common-wall single family dwellings), each on its own lot,	N	AR 19 DU or less- Staff Review 20 DU or more- Planning Commission Hearing	AR 19 DU or less- Staff Review 20 DU or more- Planning Commission Hearing
Cottage Cluster (2-4 single family on one lot)	<del>N</del> -AR	<del>CU</del> <u>AR</u>	<del>CU</del> <u>AR</u>
Zero Lot Line Housing (may include one common wall)	<del>CU</del> - <u>AR</u>	AR	AR
Multifamily (3 or more dwellings on lot), includes Triplexes, Apartments, Senior Housing, Assisted Living, & Single Room Occupancies, Boarding or Rooming Facilities	N	AR 19 DU or less- Staff Review 20 DU or more- Planning Commission Hearing	AR 19 DU or less- Staff Review 20 DU or more- Planning Commission Hearing
Other Residential such as Nursing and Convalescent Homes, Retirement Center Apartments	MR	MR	MR

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Manufactured Dwelling Park	<u>AR</u>	<u>AR</u>	<u>AR</u>
Residential Uses with Class III Impacts:			
State Regulated Special Residential Group Living			
Homes (5 or fewer)		OP	
Group Facility (6+)	N	OP	OP
Manufactured Home Park	N	<del>CU</del>	N
Other Residential uses such as Dormitories, and Houseboats	<del>CU</del> <u>AR</u>	<del>CU</del> <u>AR</u>	<del>CU</del> <u>AR</u>

Key: OP = Outright Permitted (Building Permit issued after a site review); MR = Ministerial Review; AR = Permitted with Administrative Review; CU = Conditional Use approval required (Chapter 16.21); N = Not permitted; \* = Number of Units following an AR or CU designation. Also see Table 16.05-1: Characteristics of Major Land Use Actions Matrix -- Projects in a Residential Zone Requiring a Planned Development Review (Chapter 16.23).

#### 16.05.090 RESIDENTIAL ZONES – DEVELOPMENT STANDARDS

#### **Small Lot Single-unit**

The City should consider a minimum lot size of 2,500 square feet for small lot single-unit homes along with a maximum coverage of 60%, maximum height of 25 feet, and lot width of 30 feet. A maximum footprint of 60% would allow a maximum building footprint of about 1,500 square feet. These standards will help ensure that units are relatively small and improve opportunities for development of starter homes. Note that these standards are comparable to small lot single unit standards that have been implemented in other Oregon cities, as discussed in the previous Code Review memo.

#### **Cottage Cluster**

Cottage clusters can fit on relatively small lots; minimum lot size requirements for this housing type should reflect this fact and not be excessively large. It is considered best practice for cluster housing lot sizes to be comparable to single-unit detached lot sizes. This increases opportunities to site this type of housing within the community and will help enable properties with existing single-unit homes to accommodate cottages. The recommendation is to be consistent with state HB 2001 requirements and set the minimum lot size at 7,000 square feet. The City may also consider lowering the minimum lot size for triplexes and multifamily because they are comparable in scale and intensity to cottage clusters. (This change has not been made in the Development Standards table pending further discussion.)

Pursuant to State rules for cottage clusters, cities generally cannot apply development standards to cottage clusters that are more restrictive than the standards that apply to single-unit homes, with a few exceptions. Therefore, minimum lot width would need to be the same as the lot width for single-unit, and setbacks cannot exceed 10 feet for cottage clusters. In addition, state requirements prohibit cities from applying a maximum lot coverage to cottage clusters.

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#### Table 16.05-7: Development Standards for Residential Zones Minimum Lot Area and Lot Width

#### (Except as modified by Residential Infill Standards)

Standard Z-RL Z-RM Z-RH

#### Minimum Lot Area (square feet)

LOT AREA: The total surface area (measured horizontally) within the lot lines of a lot exclusive of public and private streets and easements of access to other property.

Single <b>Family</b> <u>Unit</u> , not attached	6,000	5,000	5,000
		(See Lot Size Averaging 16.05.140)	Options, Section
Small Lot Single-unit, not attached	<u>NA</u>	<u>2,500</u>	<u>2,500</u>
Townhouse/Rowhouse	NA	2,500	2,500
Zero Lot Line Housing	5,000	3,500	3,500
Duplex	6,000	5,000	5,000
Multiple-Family <u>, or</u> Triplex <del>, or</del>	NA	9,000	9,000
Cottage Cluster Cottage Cluster			
	<u>7,000</u>	<u>7,000</u>	<u>7,000</u>
Non-Residential Uses	6,000	6,000	6,000

Corner Lots for All of the Above (Except Single Family not attached/Duplexes in Z-RL): Add 500 square feet

Flag Lot: Driveway portion of lot is not included in the Minimum Lot Area calculations.

Minimum Lot Width						
Standard	Z-RL	Z-RM	Z-RH			
Single Family Unit, not attached	60 ft	50 ft	50 ft			
Small Lot Single-unit, not attached	<u>NA</u>	<u>30 ft</u>	<u>30 ft</u>			
Townhouse/Rowhouse	NA	20 ft	20 ft			
Zero Lot Line Housing	50 ft	40 ft	40 ft			
Duplex	60 ft	50 ft	50 ft			
Multiple-Family <u>or</u> Triplex <del>, or</del>	NA	60 ft	50 ft			
Cottage Cluster	<u>60 ft</u>	<u>50 ft</u>	<u>50 ft</u>			
Non-Residential Uses	20 ft	20 ft	20 ft			
Corner Lots (All Residential Above)	65 ft	60 ft	60 ft			

For flag lots, width is measured at the front building line.

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<sup>\*</sup>Lot area must conform to the standards above. Lot dimensions may be reduced for Flag Lots.

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Table 16.05-8: Development Standards for Residential Zones -- Building/Structure Height

Building/Structure Height							
Standard	Z-RL	Z-RM	Z-RH				
Level Site (slope less than 15%), maximum height	25 ft	40 ft <sup>1</sup>	40 ft <sup>1</sup>				
Sloping Site (15% or greater), maximum height	Highest Point of Site + 1 story (maximum of 2 stories)	Highest Point of Site + 1 story (maximum of 3 stories)	Highest Point of Site + 1 story				
<u>Fences, Retaining/Garden Walls</u> Max.			(maximum of 3 stories)				
Height. – Front Yard Max. Height. – Interior Side Max. Height – Rear Yard Max. Height – Street Side Max. Height – Reverse Frontage Lot (rear)	3 ft 8 ft 8 ft 3 ft 3 ft 3 ft, or up to 8 ft with 5 ft landscape buffer, if there is excess ROW (e.g., a minimum of 15 feet between sidewalk and property line on fully improved site).	3 ft 8 ft 8 ft 3 ft 3 ft, or up to 8 ft with 5 ft landscape buffer, if there is excess ROW (e.g., a minimum of 15 feet between sidewalk and property line on fully improved site).	3 ft 8 ft 8 ft 3 ft 3 ft, or up to 8 ft with 5 ft landscape buffer, if there is excess ROW (e.g., a minimum of 15 feet between sidewalk and property line				
			on fully improved site).				

#### 1. The maximum building height for small lot single-unit dwellings and cottage clusters is 25 feet.

- Eight foot (8') fences or walls are allowed, but any height over six feet (6') requires a building permit.
- Using a Class 1 Variance process (Ministerial Review), the City's Planning Official may grant variations to the above height limitations and set back requirements on fences and walls, if such variations do not infringe upon the clear vision triangle requirements at intersections of streets or at the intersections of driveways and streets. If the requested variations do not meet the above criteria, the Planning Official shall direct the applicants for the variations to the fence/wall standards to use either a Class 2 or Class 3 variance process. See Chapter 16.29 for Variance requirements and processes.
- Gates are required in fences to access the area beyond the fence for maintenance.

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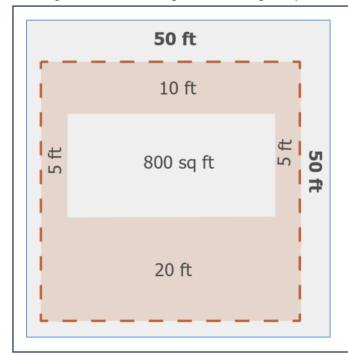
Table 16.05-9: Development Standards for Residential Zones Lot Coverage and Minimum Setbacks						
Lot Coverage [(two options)]						
Standard Z-RL Z-RM Z-RH						
1. Max. Building Coverage Building Footpri	nt only (NOT all imp	ervious s	urfaces) as % of	site area		
Single Family Dwelling	40%		60%		60%	
Small Lot Single-unit	<u>NA</u>		60%		60%	
Town House	NA		80%		80%	
Single Family Unit – Zero Lot Line	60%		70%		70%	
Duplex	60%		60%		60%	
Multifamily Use or Cottage Cluster	NA.		60%		60%	
Civic/Institutional	60%		60%		60%	
Other Non-Residential	60%		60%		60%	
2. Coverage Bonus – applies only to Multi-family and non-residential development.	(1/2) square j area that is p material (i.e., square foot f (1) square foo	foot for e aved usin allowing or every ot of City-	very one (1) squ g a City-approve g stormwater in one	are foot o d porous/ filtration) quality tre	ratio of one-half f required parking permeable paving or one-half (1/2) ratment area (e.g., ment site.	
Minimum Landscape Area	See Chapt 16.15	ter	See Chapter	16.15	See Chapter 16.15	
Cottage clusters are exempt from le	ot coverage requir	ements.				

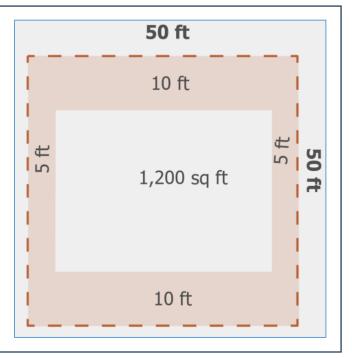
#### **Small Lot Setbacks**

The recommendation is to allow a 10-foot rear yard setback for small lot single-unit homes. As illustrated in Figure 1, a 20-foot rear yard setback, as is required today for single-unit home lots, would significantly reduce the buildable footprint on a small lot. Setbacks of greater than 10 feet on small lots and the resulting small building footprint allowed may also decrease the viability of single-story construction. For consideration is the needed separation between structures that is guaranteed by specific setbacks and the potential buildable area available on small lot.

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Figure 1: Small Lot Single-unit Building Footprint Examples





Minimum Setbacks (feet): *Table 16.05-9 continued*						
Front	15 ft	Interior Lots: 10 ft Corner Lots: 10/15 ft <sup>1</sup>	Interior Lots: 10 ft Corner Lots: 10/15 ft <sup>1</sup>			
Side	5 ft -min. & 15 ft - both	5 ft	5 ft			
Street Side	15 ft	10/15 ft <sup>1</sup>	10/15 ft <sup>1</sup>			
Rear	Dwellings: 20 ft	Dwellings: 20 ft	Dwellings: 20 ft			
	Others: 10 ft	Others: 10 ft	Others: 10 ft			

- 1. If front one yard setback (Street or Street Side) is 15 feet, then the other can be less than 15 feet but not less than 10 feet. For irregularly shaped lots, the average setback for Street and Street Side Yards shall be 7.5 feet with no setback less than 5 feet.
- 2. For Duplexes, the rear setback may be reduced to 15 feet if on-site parking above the required minimum parking is provided.
- 3. For Small Lot Single-unit, the rear yard setback may be reduced to 10 feet, and a street side setback may be reduced to 15 feet.
- 4. For Cottage Clusters, all front, rear, and side street setbacks may be reduced to 10 feet.
- A. Select collectors and arterial streets have greater front yard setbacks
- **B.** Accessory structures < or = 20 ft high: 5 ft rear and side yard setback
- C. All garage doors and vehicle access openings shall be setback at least 20 ft from the closest adjacent property line or sidewalk.

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#### **Infill Standards**

The HPS describes some of the challenges and limitations associated with the City's infill standards. Based on discussions with the Project Advisory Committee, it is recommended that the City remove these standards altogether, as they are difficult to implement and pose barriers to infill development. It is important to note that removing infill standards does not mean that infill development will no longer be subject to zoning or development regulation. Rather, these lots will no longer be subject to additional regulations and will only have to comply with standard zoning regulations that would normally apply to other lots in the City.

#### 16.05.110 INFILL STANDARDS FOR RESIDENTIAL ZONES

#### A. Overview

The following process or methodology is to be used for determining whether or not a proposed infill development fits the existing residential neighborhood in which the development would be located. As used in this Code, *infill* is the use of vacant or underdeveloped lots or parcels within existing developed residential areas. Infill lots are 1 acre or less in size, before redevelopment including any land division process.

#### **B.** Applicability

- **1.** The Infill Standards apply only to sites that are 1 acre in size or less in an existing residential neighborhood.
- **2.** The Infill Standards apply only to land use requests that require one or more of the following review processes: Ministerial, Administrative, Conditional Use, Subdivision, Partition or Planned Development.
- 3. Single family dwellings, duplexes, and accessory dwelling units are out right permitted uses in the residential zones. Therefore, the Infill standards do not apply to single family dwellings, duplexes or accessory dwelling units that are proposed as infill developments.

#### C. Imposing Conditions Related to Critical Design Features

In approving an infill development in an existing residential neighborhood, the Planning Official or Planning Commission may impose, in addition to those standards and requirements expressly specified by the Lebanon Development Code, additional conditions related to critical design features that are considered necessary to ensure that they fit the site, the neighborhood and nearby land uses.

#### **D.** Criteria and Review Methodology

The application and proposed infill development in an existing residential neighborhood shall be approved (deemed fitting with the neighborhood and nearby land uses) if *the objective characteristics of the listed critical design features* (see below in 16.05.110.E and 16.05.110.F) of the proposal are within the <u>range</u> of characteristics exhibited by the characteristics of the existing features<sup>1</sup> of the development on the adjacent properties in the same land use zone <u>and</u> the properties abutting the adjacent properties in the same land use zone, <u>and</u> such features and/or characteristics are <u>not</u> prohibited by other

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provisions of the Lebanon Development Code or other City Ordinances.

#### **E.** Objective Characteristics

The objective characteristics of features considered in this provision are the following:

- 1. Physical Dimensions (width, length, height).
- 2. Number
- 3. Location
- 4. Magnitude
- 5. Duration
- 6. Frequency
- 7. Time(s) of Occurrence
- 8. Composition.

#### Critical Design Features

The Critical Features considered in this provision are the following:

- 1. Building height and footprint
- 2. Lot Area Coverage
- 3. Open Space and Outdoor Recreation Areas
- 4. Fencing, Screening, and Landscaping
- 5. Signage
- 6. Vehicular, Pedestrian, and Bicycle Traffic Load and Access Points
- 7. Vehicular, and Bicycle Parking
- 8. Full City Services and Public Improvements in place or proposed
- **9.** Provision of public improvements (and granting necessary easements), such as streets, sidewalks, public utility facilities, drainage facilities and other basic services that are directly benefiting the proposed development or, requiring participation in an improvement district to insure provision of basic services, parks, or streets and sidewalks directly benefiting the proposed development.

#### F. Additional Criteria

All development, infill included, must also meet all applicable requirements set forth in the following:

- 1. Building Code
- **2.** Fire Code Requirements (such requirements on a proposed development are determined by the Lebanon Fire District, not the City).
- **G.** Table 16.05-10: Matrix for Determining If Residential Infill Development Fits an Existing Neighborhood

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All development, infill included, must also meet all applicable requirements set forth in the following:

- 1. Building Code
- **2.** Fire Code Requirements (such requirements on a proposed development are determined by the Lebanon Fire District, not the City).

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Objective Characteristics (See 16.05.10.1)								
<del>Critical Design Features (See</del> <del>16.05.10.2)</del>	(a) Physical Dimensions (w, I, h)	<del>(b)</del> Number	<del>(c)</del> Location	<del>(d)</del> <del>Magnitude</del>	<del>(e)</del> Duration	<del>(f)</del> <del>Frequency</del>	<del>(g)</del> Time(s) of Occurrence	(h) Composition
(1) Building Height and Footprint				NA	NA	NA	NA	NA
2) Lot Area Coverage	NA	NA	NA		NA	NA	NA	NA
(3) Open Space & Outdoor Recreation Areas				NA	NA	NA	NA	
4) Fencing, Screening, and andscaping				NA	NA	NA	NA	
( <del>5)</del> Signage					NA	NA	NA	
(6) Vehicular, Pedestrian, & Bicycle Traffic Load, and Access Points								NA
7) Vehicular, And Bicycle Parking						NA	NA	
8) Full City Services and Public mprovements in Place or Proposed					NA		NA	
9) Provision of Public mprovements (and Granting lecessary Easements)					NA		NA	

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#### Notes:

1. Not all of the Objective Characteristics are applicable to all of the Critical Design Features. For example, Magnitude, Duration, Frequency, Time(s) of Occurrence and Composition are not applicable to Building Height and Footprint.

- 2. NA Not Applicable.
- 3. The cross referencing of a Design Feature and a Characteristic is reviewable if not listed as NA.

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#### 16.05.150 RESIDENTIAL ZONES SPECIAL USE STANDARDS

The above sections of this Chapter provide standards for specific land uses and building types within the Residential Zone. The standards in this Section supplement the afore mentioned standards. This Section applies to the following uses and building types, as specified below:

- **Accessory Dwellings**
- **Accessory Structures**
- Group Living (Residential Care Homes and Facilities)
- Manufactured/Mobile Home Parks Dwelling Parks
- Multiple Family Housing
- Zero-Lot Line Housing (not common wall).
- **Cottage Clusters**

Cities cannot require subjective development or design criteria for any housing type, nor can cities require discretionary review/approval criteria (ORS 197A.400). The City's "Perimeter Landscaping" and "Exterior siding/roofing" requirements include subjective criteria (e.g., "similar or superior to") that rely on the discretion of the review authority to interpret whether what is proposed is adequate. The recommendation is to remove the discretionary criteria for establishing a manufactured dwelling.

[...]

#### **E.** Manufactured/Mobile Home Parks Dwelling Parks

Manufactured/mobile home dwelling parks (not including recreational vehicles) are permitted on parcels of one (1) acre or larger, subject to compliance with subsections 1-5, below:

- a. Permitted uses: Single family unit residences, manufactured home dwelling park manager's office, home occupations, and accessory structures that are necessary for the operation and maintenance of the manufactured dwelling park (e.g., landscape maintenance).
- b. Space. The minimum size pad or space for each dwelling is 2,500 square feet, provided that the overall density of the park does not exceed 12 units per acre. Each space shall be at least 30 feet wide and 40 feet long.
- c. Setbacks and Building Separation. The minimum setback between park structures and abutting properties is 5 feet. The minimum setback between park structures and public street right-of-way is 15 feet. At least a 10-foot separation shall be provided between all dwellings. Dwellings shall be placed a minimum of 14 feet apart where flammable or combustible fuel is stored between units. Park structures shall be placed no closer than 5 feet to a park street or sidewalk/pathway. An accessory structure shall not be located closer than 6 feet to any other structure or dwelling, except that a double carport or garage may be built which serves 2 dwellings. When a double carport/garage is built, the carport/garage shall be separated from all adjacent structures by at least 3 feet.

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d. Perimeter landscaping. When manufactured dwellings are oriented with their back or side yards facing a public right-of-way, the City may require installation of fencing and planting of a 10 foot wide landscape buffer between the right-of-way and a manufactured home dwelling park is required for the privacy and security of residents or aesthetics of the streetscape.

- e. Dwelling design (for parks smaller than 3 acres). Manufactured dwellings in parks smaller than 3 acres shall meet the following design standards:
  - i. The manufactured dwelling shall have a pitched roof with a slope not less than 3 feet in height for each 12 feet in width (14 degrees); and
  - ii. The manufactured dwelling shall have exterior siding and roofing which in color, material and appearance are similar or superior to the exterior siding and roof material used on nearby residences (e.g., horizontal wood or woodappearance siding is considered "superior" to metal siding and roofing).
  - iii. Exception: Subsections a-b, above, do not apply to manufactured home parks that existed within the City prior to the effective date of this Code.

#### **F.** Cottage Clusters

The recommended cottage cluster Code section is intended to facilitate cottage cluster housing development in Lebanon. It is adapted from DLCD's Middle Housing Model Code and includes provisions for dwelling size, a shared courtyard area, community buildings, pedestrian connections, parking design, and other issues unique to cottage cluster housing. The Model Code text embodies "best practice" for enabling cottage cluster development; proposed text for Lebanon reflects modifications assumed appropriate for local circumstances.

Cottage clusters shall meet the standards of this section in addition to any other applicable zoning or development standards. Wherever these standards conflict with requirements in other sections, the standards of this section shall take precedence.

- 1. <u>Building Separation. Cottages shall be separated by a minimum distance of six (6) feet. The minimum distance between all other structures, including accessory structures, shall be in accordance with building code requirements.</u>
- 2. <u>Maximum Floor Area. The maximum floor area for a cottage within a cottage cluster is 900 square feet.</u>
- 3. Building Height. The maximum building height for all structures is 25 feet.
- 4. <u>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:</u>

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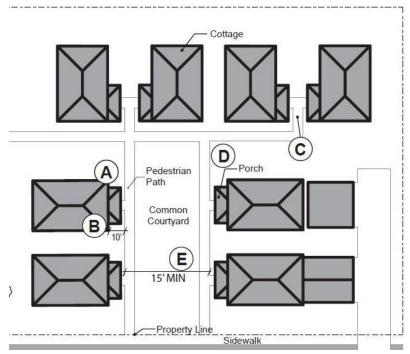
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a. <u>Each cottage within a cluster must either abut the common courtyard or must be directly connected to it by a pedestrian path.</u>

- b. A minimum of 50 percent of cottages within a cluster must be oriented to the common courtyard and must:
  - (1) Have a main entrance facing the common courtyard;
  - (2) Be within 10 feet from the common courtyard, measured from the façade of the cottage to the nearest edge of the common courtyard; and
  - (3) Be connected to the common courtyard by a pedestrian path.
- c. Cottages within 20 feet of a street property line may have their entrances facing the street. Such street-facing cottages shall count toward the minimum 50 percent orientation requirement in subsection 5.b of this section.
- d. 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.
- 5. <u>Common Courtyard Design Standards. Each cottage cluster must share a common courtyard in order to provide a sense of openness and community of residents. Common courtyards must meet the following standards:</u>
  - a. An individual common courtyard must be a single, contiguous piece.
  - b. Cottages must abut the common courtyard on at least two sides of the courtyard.
  - c. An individual common courtyard must contain a minimum of 150 square feet per cottage within the associated cluster (as defined in subsection 5).
  - d. The common courtyard must be a minimum of 20 feet wide at its narrowest dimension.
  - e. The common courtyard shall be developed with a mix of landscaping, lawn area, pedestrian paths, and/or paved courtyard area, and may also include recreational amenities. Impervious elements of the common courtyard shall not exceed 75 percent of the total common courtyard area.
  - f. 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.

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- A minimum of 50% of cottages must be oriented to the common courtyard.
- Cottages oriented to the common courtyard must be within 10 feet of the courtyard.
- Cottages must be connected to the common courtyard by a pedestrian path.
- Cottages must abut the courtyard on at least two sides of the courtyard.
- The common courtyard must be at least 20 feet wide at its narrowest width.
  - 6. Community Buildings. Cottage cluster projects may include community buildings for the shared use of residents that provide space for accessory uses such as community meeting rooms, exercise rooms, day care, or community eating areas. Community buildings must meet the following standards:
    - a. Each cottage cluster is permitted one community building, which shall count towards the maximum average floor area, pursuant to subsection (3).
  - 7. Pedestrian Access.

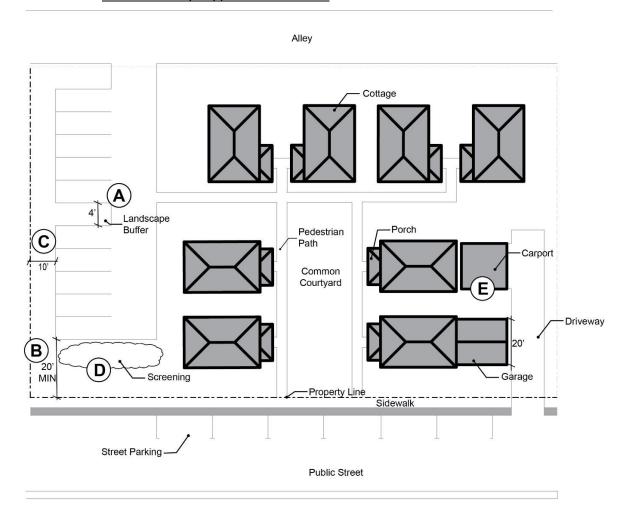
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- a. An accessible pedestrian path must be provided that connects the main entrance of each cottage to the following:
  - (1) The common courtyard;
  - (2) Shared parking areas:
  - (3) Community buildings; and
  - (4) Sidewalks in public rights-of-way abutting the site or rights-of-way if there are no sidewalks.
- b. The pedestrian path must be all-weather hard-surfaced and a minimum of four (4) feet wide.
- 8. Parking Design.
  - a. Clustered parking. Off-street parking may be arranged in clusters, subject to the following standards:
    - (1) Cottage cluster projects with fewer than 16 cottages are permitted parking clusters of not more than five (5) contiguous spaces.
    - (2) Cottage cluster projects with 16 cottages or more are permitted parking clusters of not more than eight (8) contiguous spaces.
    - (3) Parking clusters must be separated from other spaces by at least four (4) feet of landscaping.
    - (4) Clustered parking areas may be covered.
- 9. Parking location and access.
  - a. Off-street parking spaces and vehicle maneuvering areas shall not be located:
    - (1) Within of 20 feet from any street property line, except alley property lines;
    - (2) Between a street property line and the front façade of cottages located closest to the street property line. This standard does not apply to alleys.
  - b. Off-street parking spaces shall not be located within 10 feet of any other property line, except alley property lines. Driveways and drive aisles are permitted within 10 feet of other property lines.
- 10. Screening. Landscaping, fencing, or walls at least three (3) feet tall shall separate clustered parking areas and parking structures from common courtyards and public streets.
- 11. Accessory Structures. Accessory structures must not exceed 400 square feet in floor area.
- 12. Existing Structures. On a lot or parcel to be used for a cottage cluster project, an existing detached single-unit dwelling or duplex on the same lot at the time of proposed development of the cottage cluster may remain within the cottage cluster project area under the following conditions:
  - a. The existing dwelling may be nonconforming with respect to the requirements of this code.

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b. The existing dwelling may be expanded up to the maximum height in subsection 4; however, existing dwellings that exceed the maximum height and/or footprint of this code may not be expanded.

- c. The floor area of the existing dwelling shall not count towards the maximum average floor area of a cottage cluster.
- 13. The existing dwelling shall be excluded from the calculation of orientation toward the common courtyard, per subsection 5.a.



#### 16.06.050 RESIDENTIAL USES ALLOWED IN THE MIXED USE ZONE

Most residential uses are allowed in the City's mixed use zones, and these zones defer to residential development standards. The recommendation is to adopt corresponding amendments for residential uses in the mixed use zones.

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Table 16.06-2: Residential Land Uses Allowed in the Mixed Use Zone	
Land Uses	
(Examples of land uses are in Chapter 16.03; definitions are in the Glossary,	Mixed Use Zone (Z-MU)
Chapter 16.32.)	
(See page 8 of Chapter 16.03 for further details and listings regarding Residential Use	es)
Residential Uses with <u>Class I</u> Impacts:	
Single <del>Family</del> <u>Unit (</u> not attached)	OP
Small Lot Single-unit (not attached)	<u>OP</u>
Accessory Dwelling	OP
Accessory Structures (with a permitted use)	
• no taller than 25ft. and no larger than 1,000 square feet of building footprint	OP
• taller than 25 ft. or larger than 1,000 square feet of building footprint	
Duplex (2 dwellings sharing a common wall on one lot) One duplex on a lot	OP
Manufactured Dwelling	<del>OP</del>
Family Child Care in a Home	OP
Other Residential Uses such as Bed & Breakfasts, Home Occupations	MR
Other Residential Uses such as Hospice	AR
Residential Uses with <u>Class II</u> Impacts:	
	AR
Town House/Rowhouse (2 or more common-wall single family dwellings), each on its own lot	19 DU or less- Staff Review 20 DU or more-
	Planning Commission Hearing
Cottage Cluster <del>(2-4 single family dwellings on one lot)</del>	AR
Zero Lot Line Housing (may include one common wall)	AR
	AR
Multifamily (3 or more dwellings on lot), includes Triplexes, Apartments, Senior Housing, Assisted Living, & Single Room Occupancies, Boarding or Rooming Facilities	19 DU or less- Staff Review 20 DU or more-
	Planning Commission Hearing
Other Residential Uses such as Nursing and Convalescent Homes, Retirement Center Apartments	AR
Residential Uses with <u>Class III</u> Impacts:	
State Regulated Special Residential Units	
1	i

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• Group Facility (6+)	CU for 6 or more
Manufactured Home <u>Dwelling</u> Park	<del>CU</del> <u>AR</u>
Other Residential uses such as Dormitories, and Houseboats	<del>CU</del> - <u>AR</u>

**Key:** OP = Outright Permitted (Building Permit issued after a site review); MR = Ministerial Review; AR = Permitted with Administrative Review; CU = Conditional Use approval required (Chapter 16.21); N =Not permitted; \* = Number of Units following an AR or CU designation. Also see Table 16.06-1: Characteristics of Major Land Use

Actions Matrix -- Projects in the Mixed Use Zone Requiring a Planned Development Review (Chapter 16.23).

#### 16.07.050 RESIDENTIAL USES ALLOWED IN THE NEIGHBORHOOD MIXED-USE ZONE

As mentioned, the city cannot require a discretionary review and approval process for any housing type pursuant to the state's clear and objective requirements for housing (ORS 197A.400). Therefore, the City should allow cottage clusters, townhomes, and all types of multifamily housing through the AR process. The City may consider the same review process that applies to these housing types in the Mixed-Use (MU) zone (i.e., staff review for projects with 19 or fewer units, Planning Commission review for 20+ units). The City may require Planning Commission review for housing development provided the review procedures and criteria are clear and objective.

Table 16.07-2: Residential Land Uses Allowed in the Neighborhood Mixed-Use Zone (Z-NMU)		
Land Uses		
(Examples of uses are in Chapter 16.03; definitions are in the Glossary, Chapter 16.32	.)	
(See page 8 of Chapter 16.03 for further details and listings regarding Residential Uses	s)	
Residential Uses with Class I Impacts:		
Single <del>Family</del> <u>Unit</u> (not attached)	OP	
Small Lot Single-unit (not attached)	<u>OP</u>	
Accessory Dwelling	OP	
Accessory Structures (with a permitted use) -no taller than 25ft. and no larger than 1,000 square feet of building footprint taller than 25 ft. or larger than 1,000 square feet of building footprint	OP AR	
Duplex (2 dwellings sharing a common wall on one lot) One duplex on a lot	ОР	
Manufactured Dwelling	<del>OP</del>	
Family Child Care in a Home	ОР	
Other Residential Uses such as Bed & Breakfasts, Home Occupations	MR	
Other Residential Uses such as Hospice Facilities	AR	
Residential Uses with Class II Impacts:		

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Town House/Rowhouse (2 or more common-wall single family dwellings), each on its own lot,	AR <del>up to 19</del> CU for 20 or more 19 DU or less- Staff Review 20 DU or more- Planning Commission Hearing
Cottage Cluster (2-4 single family dwellings on one lot)	<del>CU</del> - <u>AR</u>
Zero Lot Line Housing (may include one common wall)	AR
Multifamily (3 or more dwellings on lot), includes Triplexes, Apartments, Senior Housing, Assisted Living, & Single Room Occupancies, Boarding or Rooming Facilities	AR up to 19 CU for 20 or more 19 DU or less- Staff Review 20 DU or more- Planning Commission Hearing
Other Residential Uses such as Nursing and Convalescent Homes, Retirement Center Apartments	MR
Residential Uses with Class III Impacts:	
State Regulated Special Residential Units <ul><li>Group Living Homes (5 or fewer)</li><li>Group Facility (6+)</li></ul>	AR MR CU AR for 6 or more
Manufactured Home Park	N
Other Residential uses such as Dormitories, and Houseboats	<del>CU</del> - <u>AR</u>

**Key:** OP = Outright Permitted (Building Permit issued after a site review); MR = Ministerial Review; AR = Permitted with Administrative Review; CU = Conditional Use approval required (Chapter 16.21); N =Not permitted; \* = Number of Units following an AR or CU designation. Also see Table 16.07-1: Characteristics of Major Land Use Actions Matrix -- Projects in a NMU Zone Requiring a Planned Development Review (Chapter 16.23).

#### 16.14.070 SPACE REQUIREMENTS FOR OFF-STREET PARKING

#### **Cottage Clusters**

The recommendation is to require one off-street parking space per cottage unit, consistent with state middle housing guidance. Requiring more than one space per unit for cottage clusters may limit development feasibility and site design flexibility. This requirement also impacts housing costs because accommodating parking spaces on-site increase development costs, which in turn are passed on in part to residents who rent or purchase the home.

#### **Small Lot Single-Unit**

The Project Advisory Committee has indicated that a minimum of two off-street parking spaces are necessary for small lot single-unit homes. The City offers flexibility for the location and orientation for off-street parking spaces, which will help with site design options and mitigate some of the limitations associated with accommodating off-street parking.

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#### **A.** Space Requirements for Off-Street Parking (Table 16.14.070-1)

Space requirements for off-street parking shall be as listed in this section in **Table 16.14.070-1**.

Table 16.14.070-1: Off-Street Parking Requirements for Motor Vehicles and Bicycles by Types of Uses			
1. Residential			
(a) Single <del>-<b>family</b></del> <u>unit</u> dwellings	2 spaces per dwelling unit	None required	
(b) Duplexes	1 space per dwelling	None required	
(c) Multiple Family Dwellings	2.25 spaces/unit <sup>1</sup>	0.5 spaces per unit	
(d) Senior-Citizen apartments	1 space per bedroom	2 percent of required vehicle parking, or 4 spaces, whichever is greater	
(e) Rooming or boarding house	Spaces equal to 80 percent of the number of guest accommodations plus one additional space for the owner or manager.	1 space for every 5 guest rooms, or 4 spaces, whichever is greater.	
(f) Manufactured <del>Home</del> <u>Dwelling</u> Park	2 spaces per dwelling, plus 1 visitor space for each 10 dwelling spaces	None required	
(e) Small Lot Single-unit dwellings	2 spaces per dwelling unit	None required	
(f) Cottage Clusters	1 space per dwelling unit	None required	

#### 16.15 LANDSCAPING, STREET TREES, FENCES AND WALLS

Except for single-unit dwellings and duplexes, landscaping requirements apply to all residential uses. Generally, cities subject to State cottage cluster requirements cannot apply any development or design standards to cottage clusters that do not also apply to single-unit dwellings. The recommendation is that cottage cluster development in Lebanon should be exempt from the same landscaping requirements in which single-unit dwellings are exempt. It is also worth noting that the recommended (new) 16.05.150.F. Cottage Cluster standards include landscaping requirements that are appropriate for the scale and design of this type of development.

#### 16.15.020 Landscaping and Screening

[...]

f. Buffering and Screening Required for Parking Lots and Service Areas

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Buffering and screening are required under the following conditions, except for single family dwellings, and duplexes, and cottage clusters:

[...]

#### 3. Irrigation

Irrigation is required of all new development, except single family homes, <u>and</u> duplexes, <u>and cottage</u> clusters.

[...]

#### E. Landscape Plans

Except for single family dwelling on a single lot (but not excluding subdivisions), and duplexes, and cottage clusters, landscape plans shall be submitted showing all existing and proposed landscape areas.

#### F. Completion of Landscaping

[...]

2. Except for single family dwelling on a single lot (but not excluding subdivisions), and duplexes, and cottage clusters, a final Certificate of Occupancy shall not be granted until either landscaping is completed or an adequate bond or other security is posted for the completion of the landscaping, and the City is given written authorization to enter the property.

#### 16.19.040 MANUFACTURED SINGLE-UNIT DETACHED DWELLING PLACEMENT STANDARDS

Manufactured homes on individual lots cannot be subject to requirements that are more restrictive than requirements that apply to single-unit detached, with limited exceptions.<sup>2</sup> The recommendation is that the City remove manufactured dwelling placement standards, replacing these with residential development standards that will apply to all detached residential building types. Potential siting standards are included in 16.19.040 for discussion.

Where adopted standards are not clear and objective, they will either need to be removed or updated. For example, the requirement that roofing and siding must be in "serviceable condition" relies on the discretion of the review authority to interpret whether what is proposed is adequate.

Note that the City has the options to still include these requirements for mobile homes and residential trailers – the State rules only apply to manufactured *homes* on individual lots.

The following standards apply to the placement of manufactured single-unit detached dwellings on individual lots in residential zones outside of mobile home parks and manufactured home subdivisions, except for those areas (neighborhoods) where they are inconsistent with established, historical or other identifiable architectural residential construction patterns. All manufactured homes on individual lots in residential zones shall:

A. Be multi-sectional (double-wide or wider) and enclose a floor area of not less than 1,000 square feet.

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<sup>&</sup>lt;sup>2</sup> ORS 197.478(4) allows jurisdictions to require manufactured homes and prefabricated structures certify that the structure has an exterior thermal envelope. This statute also allows jurisdictions to require specific protective measures as necessary to comply with statewide land use planning goals (e.g., Goal 7).

- B. Unless located within a designated flood hazard area, have backfill style foundations or skirting of pressure treated wood, masonry or continuous concrete footing wall construction complying with the minimum set-up standards of the adopted state Administrative Rules for Manufactured Dwellings, such that the manufactured home is located not more than 12 inches above original overall lot grade.
- C. Have a roof with a nominal pitch of 3 feet in height for each 12 feet in width.
- **D.** Not have bare metal siding or roofing, the siding shall be painted, and roofing and siding shall be in good serviceable condition without portions missing, damaged, cracked or otherwise defective.
- **E.** Be certified by the manufacturer to have exterior thermal envelopes meeting the performance standards specified by state law for single family dwellings constructed under the state building code.
- F. Have a garage or carport with exterior materials matching the residential unit.
- **G.** Be subject to all other applicable Zoning Ordinance and Municipal Code requirements that apply to single family dwellings in residential zones.

#### **Discussion Item**

The City may consider the following standards to apply to all single-unit residential development. The intent of these standards is to ensure that manufactured and prefabricated dwellings are developed to the same standard as detached single-unit homes. It is worth noting that single-unit dwellings do not currently have requirements for minimum building width. While single-unit development usually is at least 20 feet wide, these requirements may limit site design flexibility for small lot single units and increase overall development costs. Alternatively, the City may consider requiring certain design elements for any unit that is less than 20 feet wide to help ensure the home has a similar appearance to more traditional single-unit detached homes. Should the City require minimum building widths for all single unit development? Should the City require specific design elements for any building that is less than 20 feet wide (e.g., minimum façade area covered by windows or doors, porches, etc.).

- **A.** All dwellings must be on a foundation that meets the City's construction code and design requirements or the Oregon Manufactured Dwelling Installation Specialty Code as applicable and that does not exceed 12-inches above the finished grade.
- **B.** The primary dwelling must be a minimum of 20-feet in width at its narrowest dimension. This requirement does not apply to small lot single-unit dwellings.
- **C.** For manufactured dwelling units, the dwelling must be certified by the manufacturer to have an exterior thermal envelope meeting the performance standards specified by state law for single-unit dwellings constructed under the state building code.

#### 16.32.020 MEANING OF SPECIFIC WORDS AND TERMS

#### **Cottage Cluster**

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Although the currently adopted definitions for "Cluster" and "Cottage" are generally fine, the recommendation is for the City to adopt a definition for *cottage clusters* because this specific use type is currently allowed. A formal definition will clarify the meaning and intent of cottage clusters, as well as help identify when related standards apply. The proposed definition is based on the state's Model Code. Adding this definition will also serve to clarify the distinction between cottage clusters and manufactured dwelling parks.

CLUSTER: A grouping of development. Specifically, the locations of structures on a given site in one area leaving the remainder of the land in open space.

[...]

COTTAGE CLUSTER: A grouping of no fewer than four dwelling units per acre, each with a floor area of less than 900 square feet, located on a single lot or parcel that includes a common courtyard. Cottage clusters that also meet the definition of "manufactured dwelling park" may be subject to additional requirements, pursuant to ORS 446.003 through 446.140. Cottage clusters are not the same as multifamily housing.

[...]

COTTAGE: A small house that may be used as an accessory dwelling, or part of a **cottage** cluster **of similar sized homes**.

[...]

#### Single-Unit Dwelling and Small Lot Single-Unit Dwelling

The recommendation is for the City to update the existing definition for "single-family dwelling" to include prefabricated dwellings and manufactured homes. This can help simplify the application of development and design standards, since prefabricated dwellings and manufactured homes cannot be subject to more restrictive standards than single-detached houses. In addition, recent State rules prohibit cities from enforcing occupancy limit based on familial or non-familial relations (House Bill 2583, 2021). The City should replace "family" with "unit" and refer to the residents of a dwelling as the "household," which will avoid the implication that household members must be related. The City should consider the Census definition for Household.<sup>3</sup> In addition, the City should revise the definition for "family" to remove the 5-person occupancy limit.

The proposed new definition for "small lot single-unit" will help distinguish this new residential use from traditional single-unit homes.

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<sup>&</sup>lt;sup>3</sup> Census.gov. <a href="https://www.census.gov/glossary/?term=Household">https://www.census.gov/glossary/?term=Household</a>

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Family: (1) Two or more persons related by birth, marriage or adoption. (2) Two or more persons related by blood, legal adoption, guardianship or marriage living together; or (3) Except as may be modified by the Federal Fair Housing Law as it relates to handicapped persons, a group of not more than 5 persons people who need not be related (as above) living together in a dwelling unit.

HOUSEHOLD: All the people who occupy an individual dwelling unit as their place of residence.

DWELLING, SINGLE-FAMILY UNIT (DETACHED): A detached building, or manufactured dwelling, other than a mobile home or trailer house, manufactured home, or prefabricated dwelling designed for and occupied by not more than one family household, that is not attached to any other dwelling and is surrounded by open space and yards, and is the only primary dwelling unit on the Lot or Parcel, or a part of a Cottage Cluster. A single-unit dwelling may also be referred to as a single "family" dwelling, home, or house in this Code.

DWELLING, SMALL LOT SINGLE-UNIT (DETACHED): A detached building, manufactured home, or prefabricated dwelling located on a single lot or parcel that is no larger than 2,500 square feet and is designed for and occupied by not more than one household, that is not attached to any other dwelling and is surrounded by open space and yards, and is the only primary dwelling unit on the Lot or Parcel.

[...]

#### **Manufactured Dwelling Parks**

Changes to State law, including the passage of House Bill 4064 (HB 4064, 2022),<sup>4</sup> have resulted in updates to the definitions and regulations related to manufactured dwellings, prefabricated structures, and manufactured dwelling parks. This includes changes to the statute that requires local governments to allow manufactured and prefabricated homes wherever single-unit detached homes are allowed and requires local governments to allow prefabricated dwellings in manufactured dwelling parks.

The State recommends the term "manufactured dwelling park" instead of the City's term, "manufactured home park," since "manufactured dwelling" is a more general term that includes manufactured homes, mobile homes, and residential trailers. 5 In addition, the definition should be updated to include prefabricated dwellings, consistent with State statute.

MANUFACTURED HOME DWELLING PARK: A place where four or more manufactured dwellings or prefabricated dwellings are located within 500 feet of one another on a lot, tract or parcel of land under the same ownership, the primary purpose of which is to rent space to any person for a charge or fee paid or to be paid for the rental use of facilities or to offer space free in connection with securing the trade or patronage of such person. "Manufactured dwelling park" does not include a lot or lots located within an approved subdivision being rented or leased for occupancy by no more than one mobile home per lot if the subdivision was approved by the City.

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<sup>&</sup>lt;sup>4</sup> House Bill 4064. https://olis.oregonlegislature.gov/liz/2022R1/Downloads/MeasureDocument/HB4064

<sup>&</sup>lt;sup>5</sup> While the state definition of manufactured dwelling park does not include a reference to recreational vehicles, pursuant to ORS 197.493(1)(b), jurisdictions may not prohibit the placement or occupancy of a recreational vehicle, or impose any limit on the length of occupancy of a recreational vehicle as a residential dwelling, solely on the grounds that the occupancy is in a recreational vehicle, if the recreational vehicle is occupied as a residential dwelling; and lawfully connected to water and electrical supply systems and a sewage disposal system.

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[...]

PREFABRICATED DWELLING: A building or structural unit that has been in whole or substantial part manufactured at an off-site location to be wholly or partially assembled on-site, but does not include a mobile home, trailer or recreational vehicle-manufactured dwelling.

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# 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 Clty 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 remember 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