



City of Tualatin

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OFFICIAL

TUALATIN PLANNING COMMISSION -

MINUTES OF May 17, 2018

TPC MEMBERS PRESENT:

Bill Beers
Janelle Thompson
Alan Aplin
Mona St. Clair
Angela DeMeo

STAFF PRESENT

Aquilla Hurd-Ravich
Karen Perl Fox
Matt Straite
Tabitha Boschetti
Lynette Sanford

TPC MEMBER ABSENT: Kenneth Ball, Travis Stout

GUESTS: Daniel Bachhuber

1. CALL TO ORDER AND ROLL CALL:

Bill Beers, Chair, called the meeting to order at 6:30 pm and reviewed the agenda. Roll call was taken.

2. APPROVAL OF MINUTES:

Mr. Beers asked for approval of the April 19, 2018 TPC minutes. MOTION DeMeo SECONDED by Beers to approve the minutes as written. MOTION PASSED 5-0. .

3. COMMUNICATION FROM THE PUBLIC (NOT ON THE AGENDA):

None

4. ACTION ITEMS:

None

5. COMMUNICATION FROM CITY STAFF:

Ms. Hurd-Ravich introduced our new Assistant Planner, Tabitha Boschetti. Ms. Hurd-Ravich noted that Ms. Boschetti started on April 9th and previously worked at the City of Portland. Ms. Boschetti will be working on current planning projects.

A. Update on Tualatin Development Code Improvement Project – Phase 1.

These minutes are not verbatim. The meeting was recorded, and copies of the recording are retained for a period of one year from the date of the meeting and are available upon request.

Karen Perl Fox, Senior Planner, presented the staff report for Phase I of the Tualatin Development Code Improvement Project which included a PowerPoint presentation.

Ms. Perl Fox stated that the TDC code needed extensive reorganization and City staff has made substantial progress on Phase 1 to date including:

- Completion of three draft amendment iterations to the TDC.
- Major revisions to formatting, organization and layout to many TDC Chapters plus New Procedures and Applications Chapters.
- Streamlined the code with the use of tables that make it much more efficient to administer.
- Vast improvement to the City's development code making it considerably more user friendly for our customers.

Ms. Perl Fox noted that Phase 1 TDC work included updating almost all of the TDC Chapters 31-80. This resulted in improved organization, streamlined planning district chapters with tables, and improved language and readability.

Ms. Perl Fox went through the slides which detailed the before and after for Chapters 32 (Procedures) and 61 (General Manufacturing).

Ms. Perl Fox stated the summer schedule includes agency coordination and preparation for the Fall workshop. In Fall, 2018, the schedule includes:

- Planning Commission #1 Workshop – open to the public
- City Council Work Session #1
- Planning Commission Meeting #2
- City Council Meeting #2 (Public Hearing)
- City Council Meeting #3 (Ordinance Adoption)

Mr. Aplin asked if a developer has looked at the language to see if it works in the real world. Ms. Hurd-Ravich responded that we will be conducting public outreach as the next step; this phase was to clear up and reorganize the code.

Ms. DeMeo asked if items were eliminated in the code update. Ms. Perl Fox replied that duplication was eliminated. Ms. DeMeo asked if this code is currently printed or online. Ms. Perl Fox responded it is has to be adopted and an ordinance in place before that can happen.

Ms. Hurd-Ravich stated that we would like to replace our September Planning Commission meeting into a public outreach workshop where we would invite groups such as the Aging Taskforce and Chamber of Commerce. We have identified September 6th as the date and it will replace our normal Planning Commission meeting.

Ms. Demeo mentioned that the new code looks very clean. Matt Straite, Contract Planner, noticed that the new code looks much smaller in volume.

B. Plan Text Amendment 18-001 to modify process, criteria and standards for accessory dwelling units (ADU).

Matt Straite, Contract Planner, presented the Plan Text Amendment (PTA18-0001) to modify the process, criteria and standards for accessory dwelling units (ADU), which included a PowerPoint presentation. The amendment will involve revisions to Chapters 31, 34, 35 and 73 of the Tualatin Development Code (TDC). Recent changes to the Oregon Revised Statutes (ORS) require the City to re-address how ADU's are regulated and administered. PTA18-0001 is scheduled to be heard at the July 9, 2018 City Council meeting.

Mr. Straite stated that we have had this option available in Tualatin, but only for attached and interior. Mr. Straite added that PTA18-0001 proposes to revise the TDC code to streamline the process, add the ability to propose a detached ADU and remove any subjective criteria/standards.

Mr. Straite explained the differences between interior attached, attached, and detached ADU's.

Mr. Straite noted that the proposed text amendment is comprised of the following:

- Modification of a definition in Chapter 31.
- Revisions to the Architectural Review process in TDC Chapter 31 to add a review process and clarify that ADU's only use the Level 1 process and cannot use the more subjective Architectural Review process;
- Revisions to TDC Chapter 34, (Section 300, the ADU section) to add standards, clarify process, and add criteria specific to ADU's;
- Add a section to Chapter 35, Non-Conforming Uses, Structures and Signs, which allows an ADU on a lot with a single family residence if the existing dwelling has a nonconforming setback and the ADU will not make the nonconformity worse;
- Other small modifications to Chapters 31 and 73 to clarify the unique process for ADU's and tie back to TDC Section 34.300 Accessory Dwelling Units.

Ms. St. Clair asked if an existing single level home can be constructed into a two level ADU. Ms. Perl Fox responded that the height limitation remains the same. Mr. Strait added that the ADU will also have to have the same features/aesthetics as the main home.

Ms. Thompson asked if there are restrictions on lot coverage. Mr. Straite responded that they will need to meet the existing restrictions including lot coverage. Mr. Beers asked if it was discussed to relax the standards to make ADU's more permissible including the parking restriction. Mr. Strait responded that staff is willing to accept all suggestions. Ms. Hurd-Ravich added our approach was to make minimal changes to comply with state law and to keep it policy neutral. The Commission's role is to make recommendations that we can present to Council.

Mr. Straite noted that staff also changed the code about converting garages into ADU's, and relaxing the parking space requirement.

Mr. Aplin asked if there is statement regarding a limit on the number of people allowed in an ADU. Ms. Hurd-Ravich responded that in the Municipal Code, there is an ordinance around rentals and if you rent out an ADU, you need to obtain a rental license and comply with the code that includes people per square foot.

Mr. Beers recommended changing the purpose section to include affordable housing. Ms. DeMeo asked if we are limiting the ADU's to one per lot. Ms. Perl Fox noted that the code currently states one per dwelling, so if you have a lot with two dwellings, you can get one ADU per dwelling.

Ms. DeMeo asked if ADU's need to have their own plumbing, sewer, electricity, etc. Mr. Straite said the current version states that you have to tie into existing facilities, but staff has eliminated those requirements.

Mr. Aplin mentioned that some of the developments have very small lots, which will discourage ADU's.

Mr. Beers asked if interior access is required. Mr. Straite answered that there can be interior access, but it is not required.

Daniel Bachhuber. 10205 SW Casteel Court, Tualatin, OR

Mr. Bachhuber read a statement he prepared in favor of ADU's, which is attached along with a handout regarding Oregon Senate Bill 1051.

Ms. St. Clair asked about homes with two-car garages and if it is considered four parking spots – two in the garage and two in the driveway. Mr. Bachhuber responded that off street parking is defined as the driveway only; the garage is not included. Mr. Bachhuber added that he is writing an article for Tualatin Life regarding ADU's as a solution to the housing crisis.

Ms. Hurd-Ravich acknowledged that the Commission members would like to make a recommendation to relax the parking standards and change the purpose section. Mr. Beers and Ms. DeMeo answered affirmatively. Ms. DeMeo added that she would like to remove the paving recommendation in residential.

Ms. St. Clair stated that on the street she lives on, it is very narrow with no sidewalks. She added that when people park on both sides of the street, there is only enough room for one vehicle to get through and there are near collisions. Ms. Thompson added that it can also be a safety concern for children crossing the street between cars.

Ms. DeMeo stated that ADU's may not increase traffic since many people take mass transit.

Mr. Aplin asked how many ADU's are currently in the City. Ms. Perl Fox responded that DLCD and/or Metro has statistics on the number of units reported by cities.

Ms. Hurd-Ravich stated that she will take note of the feedback.

6. FUTURE ACTION ITEMS


Ms. Hurd-Ravich mentioned that next month the Plan Text Amendment will return for a recommendation. In July, the Basalt Creek Concept Plan will be presented.

7. ANNOUNCEMENTS/PLANNING COMMISSION COMMUNICATION

Mr. Beers noted that he will not be able attend the June and July meetings. Ms. St. Clair added that she is unable to attend the meeting in June.

8. ADJOURNMENT

MOTION by Thompson to adjourn the meeting at 7:34 pm.



Lynette Sanford, Office Coordinator

Statement for Tualatin Planning Commission meeting - May 17th, 2018

Dear Commissioners,

Thank you for the work you do.

My name is Daniel Bachhuber. I'm a long time resident of Tualatin, born and raised in Fox Hills and now raising my own family near Jurgens Park. I'm here tonight, instead of at home with my wife and kids, because I'm concerned about our city's lack of attention to the housing crisis. If it's not something we address proactively, it will become a significant problem that will ultimately impact my family's long-term wellbeing, and my property's long-term value.

As it relates to tonight's meeting, I have two points I'd like to include in the public record.

First, the Oregon Department of Land Conservation and Development issued technical guidance for Oregon Senate Bill 1051, which is absent from the Staff Report. I've brought three copies for your reference. Notably, the technical guidance states:

- "Requiring off-street parking is one of the biggest barriers to developing ADUs and it is recommended that jurisdictions not include an off-street parking requirement in their ADU standards."
- Also: "So that lot coverage requirements do not preclude ADUs from being built on smaller lots, local governments should review their lot coverage standards to make sure they don't create a barrier to development."

Second, the Staff Report Executive Summary states: *the local regulations for ADU's must be clear and objective to make it easier to build ADU's.*

However the Staff Report does not include any data on the total number of single family dwellings with three or more off-street parking slots (the minimum required for an ADU under proposed regulations), nor does it include data on the number of lots that have sufficient space for a detached ADU with current setbacks. Based on the information provided, it appears the proposed development code does not fulfill the spirit of Senate Bill 1051 and even contradicts the statement in the Executive Summary.

ADUs are an accessible, under-appreciated housing option. They can increase housing availability while also fitting within and preserving the aesthetic of the neighborhood. For a downsizing senior, building and living an interior ADU may be a way to stay in their home while earning cash from the larger part of their house. For a younger couple, building and renting out an interior ADU may permit them to afford housing closer to work.

I strongly encourage you to use the development code changes to promote, not hamper, ADUs as one part of the solution to the housing crisis.