

Oregon City Planning Directors Association

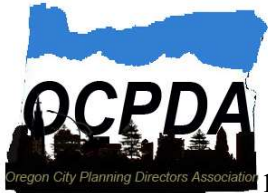
1201 Court Street NE, Salem, OR 97301 Ph: (503) 588-6550 ▪ Fax: (503) 399-4863

Board Agenda Wednesday January 30, 2019 12:00 pm (PST) Teleconference

*Join the meeting by calling: 1-800-504-8071
PIN: 2196588#*

1. Call to Order
2. Roll Call
3. Approval of Minutes*
 - September 2018
 - October 2018
 - December 2018
4. Officers*
5. 2019 Budget*
6. Legislative Update
7. February Meeting in Salem
8. Future Meetings
9. Other Business
10. Adjourn

*Indicates Action items for Board vote



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Board Meeting Minutes

September 24, 2018

Aquilla called the meeting to order at 1:35

Roll Call

Present:

- Aquilla Herd-Radvich, City of Tualatin, President
- Jim Maret, City of Nyssa
- Renata Wakely, MWVCOG
- Dan Fleishman, Stayton
- Bob Richardson, City of Albany, Secretary
- Erin Doyle, LOC, Treasurer

Aquilla provide overview of OCPDA and its affiliation with the LOC.

Elections

Aquilla noted that three officer positions and six at-large positions were open. Jim Maret was elected as president, Nick Snead will be Vice President, and the Secretary position is still open. The at-large open positions and re-election results were as follows:

Seat 1: Dustin Nielson (Hood River)

Seat 2: Heather Richards (McMinnville)

Seat 4: Steve Koper (Tualatin)

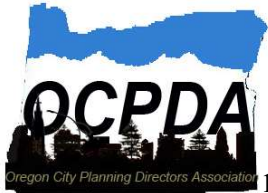
Seat 5: Julia Hajduk (Sherwood)

Seat 6: Renata Wakeley (MWVCOG)

Seat 8: Chris Damgen (Troutdale)

By-Law Review

Erin provided a history as to why the board was seeking to revise the bylaws and reviewed the decision that the board had recommended on most issues. However, the board wanted to have a discussion to answer specific questions. Erin presented options for each question for the board to consider before a vote on the proposed new bylaw.



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The first issue discussed was if the number of at-large board members should be reduced to 8 to 4. The second issue was if the at-large membership was reduced to 4, the issue of how to reduce the at-large board membership to 4. Discussion ensued about pros and cons of the issue.

Renata moved to approve Option 1, which would reduce the board to 7 total members: President, Vice President, Secretary, and four at-large members. 6 in favor, no opposed, Erin abstained.

Article 6 Section 2 was changed and Article 6 Section 6 added to reflect this change and establish the process to reduce the total number of Board members. Chris moved that Article 6 Section 6 option 1a be pursued. Renata seconded. Motion passed with one abstention (Erin).

In addition, it was recommended that “option 1a” be move into Section 7 and a new Section 6 be added that states the staggering of board member positions. Dan moved and Aquilla seconded to make the change as read by Erin. The motion passed with no opposition.

Dan noted Article 1 Section 2 states “up to four at large members”, and this should be changed to reflect that just 4 members. Dan moved, Aquilla seconded. Motion passed unanimously.

After further discussion of the new proposed amendments, Dan moved to accept the amendments to the By-laws. Aquilla seconded. All present voted in favor of the revised by-laws.

Quarterly In-Person Meetings

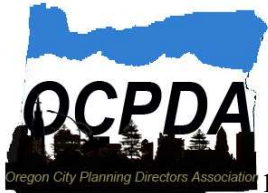
Erin requested assistance from Board members to plan and organize the February in person meeting during legislative day. Agenda could include Building Codes issue. Also need to have members commit to going to the meeting to make it worthwhile to speakers.

Chris recapped the spring meeting and noted that even with a small number the meeting was still productive. Meetings are held in February in Salem, wherever the LOC conference is, leaving the third location open. It was agreed to put this issue on the next agenda and choose a location or region for the third meeting.

Due to scheduling conflicts the next monthly meeting will be held October 26th, 9:00 Pacific 10:00 Mountain Standard time.

Legislative Update

There may be legislation that mandates jurisdictions address housing issues in a certain way. For example, to mandate SDC deferrals; have Office of Economic Development provide more housing related data; building code related issues. Discussion ensued regarding the different needs between eastern and western Oregon.



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Round Table Discussion

This item was skipped due to time constraints.

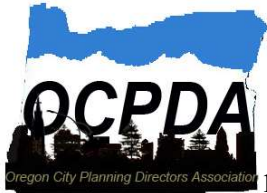
Other Business

There was discussion about who would fill the Secretary position vacated by Bob. Aquilla noted that the President and Secretary discuss and prepare the meeting agenda, and the Secretary prepares the meeting packets and takes notes.

Renata suggested that we recap the Planning Commissioner training during the next OCPDA meeting. She also stated that she should have survey results next meeting.

Adjournment

Meeting adjourned at 3:30.



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OCPDA Board Minutes

October 26, 2018

Jim Maret Called the meeting to order at 1:39 pm (PST)

Introductions

Jim Maret
Nick Snead
Dan Fleishman
Dustin Nilsen
Heather Richards
Erin Doyle

OCPDA Day in Salem

Erin informed the board that in odd numbered years OCPDA has opted to do a “day in Salem” event that brings stakeholders, policymakers, and regulators into the OCPDA February meeting. This event is in substitution of a spring conference. Erin has put together the agenda, but attendance has been limited and people need to attend if the event will be worth the time and effort of bringing others into the meeting. The board agreed that they wanted to do this event again.

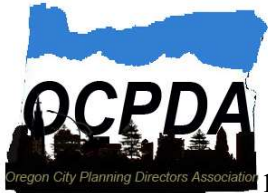
There was further discussion about the logistics. Erin recommended February but members from Eastern Oregon can have difficulty with travel. However, if you wait too long the session might be too chaotic and the opportunity to have an impact might be limited. The board recommended targeting the week of February 12 and stated a preference for early in the week because of legislators traveling is often on Thursday or Friday.

Next the board recommended some topics and agenda thoughts. Housing will be a big issue in the session so having legislators come who focus on that policy might be helpful. Jim mentioned that he might be able to use his connections to ask legislators from Eastern Oregon to attend. Erin thought James LaBar from the Governor’s office might be a good option as well. There was also discussion of possibly having a representative from the Department of Land Conservation and Development or Oregon Housing and Community Services Department might also be good.

Legislative Update (see attachment)

Jim provided information about the bill to assist with Eastern Economic Opportunity Analysis.

Erin provided an update about a legislative work group focused on rural accessory dwelling units. She asked if there were concerns about urban reserves and density if counties allow ADUs in these areas.



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Further discussion of the mandate for cities in SB 1051 creating problems the urban growth boundary and continuity of growth and this has helped exacerbate the issue of bringing these areas into cities. Further discussion included issues that counties do not do Goal 10 work and that it undercut the short session fix.

Next, discussion about possible concepts around historic housing. Board members discussed issues they have had in their cities and the process. There was also discussion about the state mandating values of the community.

Finally, the board discussed the housing concepts (see attachment) that had been brought to the League for comment in September. The following is a summary of the discussion around the concepts.

- This undercuts the planning system through state mandate over citizen involvement and disconnecting the need to do public facility planning to support growth from zoning
- Land supply is still not addressed
- SDCs cover the costs to provide public facilities, this will impact SDC methodologies, does not address risks if defaults occur which effects bonding, where this options exists it isn't often used because financing is secured early in the process, and there is difficulty collecting because the certificate of occupancy is not a good timing.
- These units are not built often because builders will not build them, regardless of zoning.

There were also discussions about the need to get OCPDA and planners to meet with the Speaker's office to work through the issues and to determine what the issue is and then work to determine how to best resolve it.

Not all the concepts were addressed, so Erin offered to create a separate phone call for those that were interested to participate to further discuss these concepts next week.

Website Update

Erin provided information about what changes had been made to the website, but that there was not a lot of information. She requested board members think about what should be posted and what type of information would be provided in the member only section.

New Business

No new business was raised.

Meeting Adjourned at 2:45 pm (PST).

Concept #1: Missing Middle Housing

Goal: To increase housing choice for households of different ages, sizes, and incomes in single-family neighborhoods.

Part A. Planning for missing middle housing

Local zoning code

- All jurisdictions above a certain size (10,000 people) must develop and adopt zoning to allow by-right, in areas zoned for low-density residential housing within the UGB¹, missing middle housing, defined as:
 - Duplexes,
 - Triplexes,
 - Quads,
 - Cottage clusters.
- Each jurisdiction has **16-months** to develop and implement a **zoning code** update to allow the above housing types in low-density residential zones.
 - According to existing law, the code must be **clear and objective**, including but not limited to clear and objective design standards.

Accountability

- Department of Land Conservation and Development (DLCD) shall create a model 'missing middle' code that will be automatically implemented in jurisdictions that fail to create and adopt their own 'missing middle' code within 16-months.

Funding

- The state will provide funding for zoning code updates for all impacted jurisdictions.

Part B. Incentivizing missing middle housing

Model infill designs

- DLCD shall create model plans for missing middle housing types that meet statewide building code standards.
- Local jurisdictions must expedite the approval of permit applications for pre-approved missing middle plans.

SDCs

- Local jurisdictions must defer SDCs, until certificate of occupancy, for missing middle development.

ADUs

- Clarify existing statute about ADUs in single-family zones that specifies what regulations are not "reasonable"².

¹ Low Density Residential is considered districts with a maximum density less than or equal to eight dwelling units per acre. Definition in: 660-038-0060(1)(A)(i), OAR 660-038-0060 Buildable Lands Inventory for Residential Land within the UGB.

² HB4034(2018): "A city with a population greater than 2,500 or a county with a population greater than 15,000 shall allow in areas within the urban growth boundary that are zoned for detached single-family dwellings the development of at least one accessory dwelling unit for each detached single-family dwelling, subject to reasonable local regulations relating to siting and design."

Concept #2. Goal 10 Accountability

Goal: Centralize assessments of housing need in the state, support local jurisdictions in planning to meet their housing need, and hold local jurisdictions accountable for doing all that is in their power to meet their housing need.

Part A. Regional Housing Needs Analysis

- The Office of Economic Analysis shall:
 - Develop a Regional Housing Needs Analysis (RHNA) methodology to identify the total number of housing units (by housing type and level of affordability) to meet the housing need in each region.
 - Consult housing experts in development of the RHNA methodology, including but not limited to: Oregon Housing and Community Services, Metro Regional Government, other jurisdictions that have developed and implemented a Regional Housing Needs Analysis model.
 - Distribute housing quotas, by housing type and affordability level, to each jurisdiction.
 - When distributing housing quotas for subsidized affordable housing units, the Office shall take into consideration whether each jurisdiction has accommodated their “fair share” of subsidized affordable housing among cities in a particular housing region.
 - **Exception:** The Metropolitan housing region will provide its data, by jurisdiction, to the Office of Economic Analysis. The Office shall perform a fair share assessment prior to providing housing quotas by jurisdiction in the Metro region to DLCD.
- The Regional Housing Needs Analysis methodology shall:
 - Be in alignment with PSUs population forecasting rotation,
 - Use demographic data to drive assessment of housing need as opposed to historical housing production.
- The Department of Land Conservation and Development (DLCD) shall:
 - Send notice to each local jurisdiction including their “housing quota,” how many units they need at different affordability levels to meet the housing need.
 - Notify jurisdictions with a gap between their housing need and their existing housing stock of their requirement to complete a housing affordability plan.

Part B. Housing affordability plan

Planning

- Each local jurisdiction with a housing shortage shall:
 - Develop a housing affordability plan, in addition to the zoning changes included in a comprehensive planning process, that outlines actionable steps to close the housing shortage and meet the local housing need.³
 - The housing affordability plan must include an assessment of regulatory and policy barriers, and policy recommendations to meet the housing need.
 - DLCD and OHCS may provide information on policy options, based on best practices analysis, of policies that have effectively increased supply of certain housing types (see HB4079 policy matrix).
 - The housing affordability plan must be complete within 12 months of receiving notice from the Department of Land Conservation of a housing shortage.
 - Jurisdictions that have completed a plan under HB4006 may use the work accomplished in that process to comply with the housing affordability plan requirements.
 - The jurisdiction must take action to implement the recommendations within 24 months.
- The Department of Land Conservation and Development shall:
 - Provide funding to complete housing affordability plans.
 - Review housing affordability plans and approve the plan if the recommendations reasonably increase the likelihood of a jurisdiction meeting its housing need.
 - Provide comments and suggestions to the local jurisdiction to bring the plan into compliance.
 - Review progress on local jurisdictions housing plans by evaluating implementation of the housing plan and permitting data submitted to DLCD (required by HB4006).

Enforcement

- The legislature will provide funding for positions at DLCD to review local plans.
- The legislature will provide funding for DLCD/LCDC to initiate housing need enforcement orders, per existing statutory authority, if a local jurisdiction's plan or implementation thereof is out of compliance with requirements in rule and/or statute.

³ "Housing Affordability Plan" is a detailed listing of tasks, zoning changes, and policy changes necessary to ensure that housing need is met. The review process will mirror how DLCD reviews "work plans" in current periodic review process.

Concept #3. Misc. Local Barriers

Problem: Cost to affordable housing developers, whose applications comply with local land use regulations as approved by their local jurisdiction, of land use appeals.

- **Fee switching:** If an affordable housing project is appealed to judicial review after LUBA affirms local approval, and the affordable housing representative prevails, they must be awarded attorney's fees.

Problem: Shortage of land available for affordable housing development.

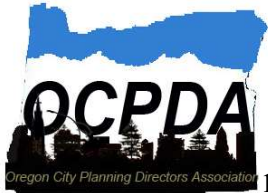
- Right of first refusal on publicly owned/surplus land for subsidized affordable housing development (HB3524, 2015).
 - "Affordable housing":
 - Affordability level: 60 percent of Median Family Income for county
 - Length of time: The development is subject to a covenant appurtenant that maintains the development as affordable housing for a period of 60 years from the date of the certificate of occupancy.
- Affordable housing is a by-right allowable use on land zoned for public use or publicly owned land, but the development must be compatible with surrounding zoning (see Section 7 of SB1051).

Problem: Lack of statewide transparency about how system development charges are being spent and when/where they increase.

- Direct the Secretary of State to spot audit local jurisdictions re: how system development charges are being spent.
- Direct the Building Codes Division to maintain a statewide list of interested parties related to changes in system development charge assessments.
 - Cities must notify the building codes division of their proposed methodology change related to the assessment of SDCs on residential development.
 - The Division shall send notice to interested parties of changes in assessment of fees, as they do currently for building code permit fee increases.

Problem: Lack of centralized enforcement of clear and objective standards for residential development.

- DLCD will spot audit clear and objective standards for subjective/discretionary criteria.
- If audit shows that standards are not clear and objective, DLCD may issue an enforcement order to make corrections to the code to bring it into compliance with statewide laws requiring clear and objective standards.



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OCPDA Board Minutes

December 27, 2018

Erin Doyle called the meeting to order at 1:15 pm (PST)

Roll Call

Dan Fleishman

Chris Damgen

Julia Hajduk

Renata Wakeley

Erin Doyle

Erin noted that there were call-in number issues due to difficulties she thought had been resolved with the conference call-in system. It was noted that this may have caused some members to not call-in and no quorum was present.

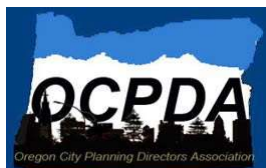
Budget

The budget discussion was tabled due to the absence of the President due to phone difficulties. The discussion was tabled until the next meeting of the Board.

New Business

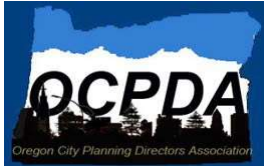
Board members discussed other issues related to legislative issues and regulatory questions about Business Oregon and the Speaker's housing proposals. Additional concerns about the inclusion of a new building code and who would pay for those updates, the impact of these provisions in areas controlled by CC & Rs.

Meeting Adjourned at 1:50 pm (PST).



2018-2019 OCPDA Board Roster

Position		Term
President	Jim Maret City Manager City of Nyssa 541-372-2264 jmaret@nyssacity.org	2018-2020
Vice President	Nick Snead Community Development Director City of Madras 541-323-2916 nsnead@ci.madras.or.us	2018-2020
Secretary	VACANT	2018-2020
1.	Dustin Nilsen, AICP Planning Director City of Hood River 541-387-5217 d.nilsen@cityofhoodriver.com	2018-2019 (Partial Term)
2.	Heather Richards Planning Director City of McMinnville 503-434-7311 (w) 541-604-4152 (c) Heather.Richards@mcminnvilleoregon.gov	2018-2020
3.	Bill Molnar Community Development Director City of Ashland 541-552-2042 molnarb@ashland.or.us	2017-2019
4.	Steve Koper Planning Manager City of Tualatin 503-783-3845 skoper@tualatin.gov	2018-2020
5.	Julia Hajduk Community Development Director City of Sherwood 503-625-4204 hajdukj@sherwoodoregon.gov	2018-2019 (Partial Term)



2018-2019 OCPDA Board Roster

Position		Term
6.	Renata Wakeley Community Development Director Mid-Willamette Valley Council of Governments 503-540-1618 renatac@mwvcog.org	2018-2020
7.	Dan Fleishman Planning and Development Director City of Stayton 503-769-2988 DFleishman@ci.stayton.or.us	2017-2019
8.	Chris Damgen Community Development Director City of Troutdale 503-674-7228 Chris.damgen@troutdaleoregon.gov	2018-2020
Treasurer (Non-Voting)	Erin Doyle Intergovernmental Relations Associate League of Oregon Cities 503-588-6550 edoyle@orcities.org	Permanent (by bylaws)