

## **Oregon City Planning Directors Association**

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

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### **OCPDA Board Meeting Agenda**

**May 15, 2019**

**3:00 pm (PDST)**

#### **Call-in Information**

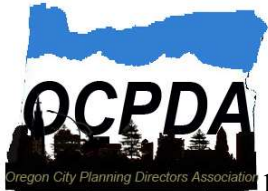
**1-800-504-8071**

**PIN: 2196588#**

#### Agenda

1. Roll Call
2. Approval of March & April minutes\* (Attachments A & B)
3. Legislative Update (Attachment C)
4. 2019 Planning Commissioner Training at LOC conference update
5. In person meeting prior to September meeting
6. Additional Discussion/Other Business
7. Adjourn

\* Indicates item requires a vote of the Board



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### **ATTACHMENT A**

#### **OCPDA Board Meeting Minutes – Wednesday, March 20, 2019**

**3:00 pm (PDST)**

#### **Teleconference**

##### Call to Order:

Board President Nick Snead called the meeting to order at 3:06 p.m.

##### Roll Call

##### Voting Board Members Present:

Nick Snead  
James Maret  
Dustin Nilsen  
Steve Koper  
Julia Hajduk  
Heather Richards (joined at 3:19 pm)

##### Non-Voting Board Members Present:

Erin Doyle

##### Members of the Public Present:

None

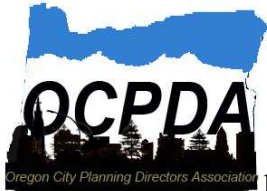
##### Approval of January minutes

Dustin Nilsen moved to approve the January minutes as presented. Julia Hajduk seconded. The motion passed unanimously.

##### Legislative Update

Erin Doyle provided an update on the following four legislative measures: HB 2001, HB 2003, HB 2306, and SB 10. HB 2001 has amendments proposed that will change some of the requirements based on population, questions were asked about the meanings of reasonable development standards, the cost to perform engineering studies, the effectiveness of the results of the policy, concerns about SDCs and special districts and how cities could shift the cost of infrastructure improvements. Issues related to the proposed HB 2003 included the issues related to how the regional analysis would be completed and who would participate, but the increase in data would be a useful benefit. Also the analysis would not impact supply calculations, instead focusing on the economic realities.

The board discussed the experiences they have had with seeking to call performance bonds. There is a variety of experiences and some bonds are very expensive to get paid and often the amount paid out is not equal to the cost to complete, especially after legal expenses and the increased cost



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to develop are considered. However, some cities have used a similar programs and seen great success. Members also discussed the need for an engineer to help assess substantial completion of on-site improvements.

Discussion on SB 10 was short as it was noted that significant changes are likely to narrow the number of communities impacted. However, there was a discussion about the impacts to development department's capacity when the total work of all the bills combine will be placed on the city at the same time. It is unclear where cities will find the capacity to cover all of these changes.

There was a request for an update on HB 2020. Erin stated she would work to get more information from LOC staff that are working on that bill and send it to the group but also noted that there were scores of amendments that had been introduced or drafted.

### Project Updates

#### Annual Membership Letter

Erin Doyle reported that the membership registration information had been sent to all cities by mail, was emailed to the OCPDA listserv, and was posted to the OCPDA website using an online form. As of the meeting, 39 members had registered. She reminded individuals on the board to be sure to get their registrations submitted.

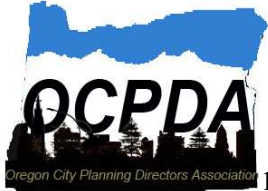
#### Website update(s)

Erin Doyle reported that she had been updating the website with board meeting information and a few other items of interest. However, it was unclear what other information would be useful to post to encourage more use with the website. It was recommended that this conversation be placed on a future agenda for further discussion.

#### 2019 Planning Commissioner Training at LOC conference

Erin Doyle informed the board of the deadlines that the League of Oregon Cities (LOC) had for getting information into conference registration was before July 1 for materials and registration information. LOC had also reserved a space for the OCPDA to use at the conference location, the Riverhouse in Bend, OR. The board discussed how this event was planned in past years. Erin further stated it would be important to set the day's structure for timing earlier than July 1. The question is if the training should be in the morning hours or the afternoon. The OCPDA annual meeting is held in the same location in the time period not dedicated to the training.

Nick Snead suggested that he be tasked with reaching out to John Morgan, who provides training on land use as part of his work, to see if he would be willing run the training and what it would cost. There was consensus in supporting this idea as it would be less work to get a good program, but that the board needed to have some input as to the topics to be discussed. However, board members also mentioned the importance of the roundtable discussion that is a normal part of the training. Having planning commissioners there to talk



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about their experiences was the most valuable part of the training to the commissioners that had reported to their city.

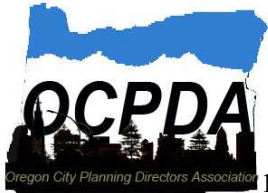
Future conversations will determine who the conference planning group will be, topics for the training, and the logistics information.

### Additional Discussion

No additional discussion or other business was presented.

### Adjourn

Nick Snead adjourned the meeting at 4:18 p.m.



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### **ATTACHMENT B**

#### **OCPDA Board Meeting Minutes – Wednesday, April 17, 2019**

**3:00 pm (PDST)**

**Teleconference**

#### Call to Order

Board President Neck Snead called the meeting to order at 3:09 pm.

#### Roll Call

Voting Board Members Present:

Nick Snead  
Jim Maret (joined at 3:55 pm)  
Julia Hayduk  
Dan Fleishman

Non-Voting Board Members Present:

Erin Doyle

Member of the Public Present:

Jason Yaich, City of Corvallis

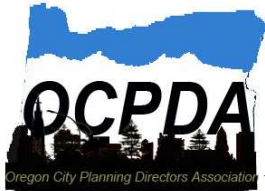
#### Approval of March minutes

No quorum available for the vote so carried over to May

#### Legislative Update

Erin Doyle provided an update on the following five legislative measures: HB 2001, HB 2003, HB 2306, HB 2055 and SB 10. She noted that HB 2001 and HB 2003 are both in the Joint Ways and Means committee because there is funding attached for DLCD and for technical assistance. This means there is still time for amendments, but that they will only be technical in nature, not substantive. Questions from the Board revolved around enforcement and what the new rules would look like.

Erin noted that HB 2306 passed the house unanimously, and it was up for a public hearing in the Senate Committee on Housing on Monday. There is work on a technical amendment the LOC and the Home Builder Association were working on. The Board asked Erin to draft a letter for OCPDA board to express concerns with the bill as drafted. They recommended emphasizing that cities have custodial responsibility of infrastructure after it is built and take that seriously; noting that affordable and workforce housing still need infrastructure that is built correctly and serving the development; and



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explaining that if the bill is to move forward the amendments are necessary to insure that cities can address the competing interests of flexibility of working with developers and having good planning and infrastructure. Erin agreed to draft the letter for the Board to comment on and possibly submit before Monday's hearing.

The group discussed the Governor's bill, HB 2055, which would create the Greater Oregon Housing Accelerator. The proposal is for the stat to provide \$15 million for workforce housing in development constrained areas. This would be important in more rural areas that have not seen as much investment. Nick Snead indicated Madras is very willing to support. They are looking to implement a housing urban renewal district but need the tax base so they are looking for seed money sources (such as a short-term loan) to get started. Erin stated she would draft letter for potential support when the bill came up in the Joint Ways and Means process.

Board members asked what the prognosis for SB 10 was. Erin indicated that the direction was the bill would be significantly limited in the number of communities that would be impacted, but also noted that it was still in a Senate committee and time was running short. It is unclear what will happen.

### 2019 Planning Commissioner Training at LOC conference update

Nick Snead indicated that he had not gotten a response from John Morgan in response to the request to determine if he was available and willing yet. He indicated that the Board should begin planning the training if he did not hear from Mr. Morgan by the next meeting.

### In person meeting prior to September meeting

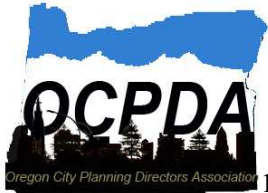
The board discussed if there would be an in-person meeting before September. There were concerns with conflict in this quarter with a lot of cities holding budget meetings. Nick and Erin agreed to create a poll to members to determine if there was interest in this option.

### Additional Discussion/Other Business

Erin indicated the membership drive and directory should be done by next month.

### Adjournment

Nick Snead adjourned the meeting at 4:00 pm.



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### ATTACHMENT C

#### Legislative Update

May14, 2019

Below are bills of potential interest to the OCPDA Board, with a brief status update and links to relevant information. This list is not intended to be a comprehensive summary of the legislative session. Summaries are drafted by Erin Doyle – except for the summary of SB 608 – but more information and the text of bills and amendments can be found on the Oregon legislative information system (<https://olis.leg.state.or.us/liz/2019R1>).

#### HB 2001

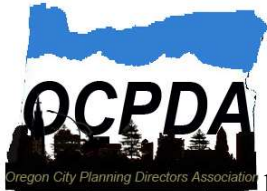
##### Summary

As amended the bill does the following things:

- Requires all cities in Metro with populations greater than 1,000 and all cities with populations greater than 25,000 to allow every lot in a single-family residential zone to allow for a duplex, triplex, quadplex, cottage cluster or townhomes (all of which are defined as “middle housing”), subject to design standards, by June 30, 2022
- Requires cities outside the Metro region with a population between 10,000 and 24,999 to allow for duplexes on all lots in a residential zone that allows for single-family residences, by June 30, 2021
- Allows for a delay for areas of town that do not have sufficient capacity in water, sewer, storm drainage or transportation until such time a plan is in place and executed to fix the capacity concerns
- Requires the Oregon Department of Land Conservation and Development (DLCD) to create a model code for missing middle in single-family residential zones that will be instituted in cities that fail to adopt local codes
- Changes the method for calculating the building capacity of residential lands moving forward to limit the expected redevelopment rate and remove
- Requires Building Codes Division to create a uniform process by which a city or county building official can allow for an alternative path to conversion of a single family residence into a duplex, triplex, or quadplex
- Requires cities to consider of a variety of incentives to increase development of middle housing
- Clarifies that this up-zoning does not require a comprehensive plan update and cannot trigger an update to a transportation system plan; and
- Provides \$3 million in technical assistance funds to support local efforts.

##### Status

Passed out of the House Human Services and Housing Committee unanimously with the -11 amendment on April 8. Moved to Joint Ways and Means.



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### [HB 2003](#)

#### Summary

This bill is focused on creating more data related to housing and creating a regular schedule for cities to review housing strategies. It does the following:

- Requires the state to complete and report on creating a methodology for regional housing analysis across the state.
- Requires cities with populations greater than 10,000 to create a housing production strategy on a regular schedule – every six years for cities within Metro and every eight years for cities outside Metro. Cities that fail to enact these strategies could be subject to an enforcement order by DLCD
- Requires Metro to “allocate” housing capacity to cities with populations greater than 10,000 within its boundary.
- Provides \$1.5 million in technical assistance for the first biennium to meet this new requirement.

#### Status

Passed out of the House Agriculture and Land Use Committee unanimously with the -6 amendments on April 4. Moved to Joint Ways and Means.

### [HB 2055 & HB 2056](#)

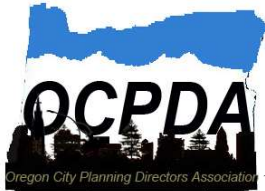
#### Summary

These bills, in combination, create a new program called the “Greater Oregon Housing Accelerator.” The purpose of the program is to provide funding for housing development projects that are focused on affordability for middle income/workforce buyers. There would need to be a number of partners including a developer, the city, and a local employer for a project to qualify for the funds. This is an extension of the pilot project the Regional Solutions team completed in 2018 and would provide \$15 million for the first biennium.

#### Status

Passed out of the House Human Services and Housing Committee on March 18. Moved to Joint Ways & Means.





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### [HB 2075](#)

#### Summary

HB 2075 establishes the Development Readiness Program in DLCD to provide financial, technical, and other assistance to local governments for land use goals relating to housing and economic development. It would allow DLCD to directly assist local governments with land use goals by: increasing lands available for all types of housing, especially affordable housing; increasing lands available for industrial and commercial uses to promote state and regional economic development, especially for high growth industries; meeting public infrastructure needs; accessing state and other resources that support housing and economic development; analyzing housing and economic development land use resources; and updating comprehensive plans, land use regulations, zoning, urban growth boundaries, public facility plans, and maps.

#### Status

Passed the House Agriculture and Land Use Committee on March 26 with the -2 amendment. Moved to Joint Ways and Means.

### [HB 2109](#)

#### Summary

In cities with requirements to vote on annexations, the vote on annexation of an island that is 100 acres or more will require a majority of votes of support in the city and within the island.

#### Status

Passed the House floor on a vote of 52-6 on April 10. Hearing held in Senate Environment and Natural Resources on May 2. Scheduled for work session on May 21.

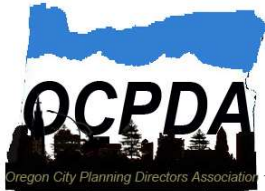
### [HB 2228](#)

#### Summary

Establishes Local Government Technical Assistance Program within Housing and Community Services Department which will contract with LOC and the Association of Oregon Counties (AOC) to hire regional staff to assist local governments with housing projects ranging from preparing housing strategies to working to development readiness to facilitating stakeholders to create better housing outcomes across the state.

#### Status

Passed the House Human Services and Housing Committee on March 20 with the -2 amendment. Moved to Joint Ways and Means.



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### [HB 2306](#)

#### Summary

Requires city or county to issue residential building permits upon substantial completion of construction of public improvements in residential subdivisions. Amendment redefines conditions of development, residential subdivision, and substantial completion. Substantial completion is defined based on the services that must be completed prior to building permits to be provided. Cities may withhold certificates of occupancy until if all conditions of development are not met.

#### Status

Passed the House floor unanimously on April 3. Passed out of Senate Housing Committee on May 13 with the -A4 amendment. Awaiting vote on Senate floor.

### [HB 2560](#)

#### Summary

Directs Department of Land Conservation and Development to study methods to mitigate impacts of technology towers on aesthetics.

#### Status

Passed out of House Agriculture and Land Use Committee on April 9. Moved to Joint Ways and Means.

### [HB 2577](#)

#### Summary

Codifies a LUBA decision that requires a three-year waiting period for annexation of property that is zoned to allow residential use as permitted use in zone and is in residential use when annexation is initiated. Allows for property owner to opt to come in sooner and that if the property is transferred it comes into the city immediately

#### Status

Passed the House floor on a 50-4 vote. Hearing held in Senate Environment and Natural Resources on May 2, work session held May 14 and passed out unanimously. Awaiting vote on Senate floor.

### [HB 2916](#)

#### Summary

Expands the types of structures that can be used within a transitional housing site from yurts to include cabins, huts, and tents. Allows a local government to opt to create more than two parcels that are used for transitional housing sites.

#### Status

Passed the House floor with the -3 amendment on a 54-2 vote. Hearing held in the Senate Committee on Housing on April 22 and April 29. Work session scheduled for May 20.



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### [SB 10](#)

#### Summary

Establishes permissible density requirements within urban growth boundaries of cities within metropolitan service district or with population more than 10,000 for areas adjacent to transportation corridors and zoned to allow residential development.

#### Status

Moved from the Senate Housing Committee without recommendation on April 1. Moved to Senate Rules Committee.

### [SB 92](#)

#### Summary

Authorizes city to provide for as much as 20-year ramp-up to full taxation rate for property in annexed territory. Adds, for purposes of "island annexation," corporate boundaries of another city as permitted portion of boundary surrounding territory to be annexed.

#### Status

Passed the Senate floor on a 29-1 vote on April 10. Hearing held in House Agriculture and Land Use Committee on April 25. Work session scheduled for May 21.

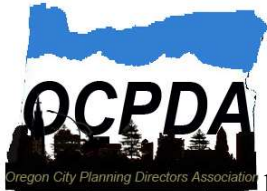
### [SB 534](#)

#### Summary

Requires a city over 25,000 to allow for a single-family dwelling on a lot zoned for such a use, even the lot is a historically platted lot that was developed as part of a combination of lots. Provides specific reasons that a lot might not be developed and allows siting and design standards to apply.

#### Status

Passed Senate floor on April 24 on a 25-3 vote. Hearing held in House Human Services and Housing on May 6. Work session scheduled on May 20.



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### [SB 608](#)

#### Summary

Prohibits landlord from terminating month-to-month tenancy without cause after 12 months of occupancy. Provides exception for certain tenancies on building or lot used by landlord as residence. Allows landlord to terminate tenancy with 90 days' written notice and payment of one month's rent under certain conditions. Exempts landlord managing four or fewer units from payment of one month's rent. Provides that fixed term tenancy becomes month-to-month tenancy upon ending date if not renewed or terminated. Allows landlord to not renew fixed term tenancy if tenant receives three lease violation warnings within 12 months during term and landlord gives 90 days' notice. Limits rent increases for residential tenancies to one per year. Limits maximum annual rent increase to seven percent above annual change in consumer price index. Requires Oregon Department of Administrative Services to publish maximum annual rent increase percentage. Declares emergency, effective on passage.

#### Status

Signed by Governor on February 28, 2019. Bill is now in effect.

### [SB 927](#)

#### Summary

Allows local governments to develop historic resource program to designate resources for protection. Removes requirement for owner consent to designate resources. Establishes minimum components for program. Requires additional action by local government to designate resources designated on National Register of Historic Places on or after effective date of Act. Requires that existing protections be maintained. Appropriates moneys from General Fund to Land Conservation and Development Commission to provide grants or technical assistance to local governments in developing and implementing program.

#### Status

Passed out of Senate Natural Resources Committee without recommendation on a 3-2 vote. Moved to Senate Rules.