

**Community Building Council Subcommittee Meeting
August 17, 2020**

The meeting of the Community Building Council Subcommittee was called to order at 3:02 p.m. on Monday, August 17, 2020, on-line and by phone.

- 1. Convene Subcommittee Meeting:** Councilors Justin Livingston, Gena Goodman-Campbell, and Mayor Sally Russell

Also Attended: Susanna Julber, Jon Skidmore, Kayla Duddy, David Abbas, Pauline Hardie, Tobias Marx

- 2. Public Comment**

Public Comment by email:

Dave Johnson, Vice Chair of the Old Farm Neighborhood Association (NA) and member of the Neighborhood Leadership Alliance (NLA), emailed that the NLA Land Use Subgroup welcomes the new additions to the missing middle housing and supports the code changes with the exception of the micro units. He said the Land Use subgroup has developed a position paper and would like to submit that at some point.

Kathryn Olney emailed in support of the proposed zoning code to implement House Bill (HB) 2001 and to allow for small and micro unit housing. She said the City needs to be finding more ways to provide a wide range of affordable housing and should allow housing that meets the needs of Bend's citizens.

Denise LaBuda, Bend resident and homeowner, emailed she agrees with the need to expand and approve Bend's building code to include micro units and small dwellings and supports the required language and code to put HB 2001 in place.

Autumn Kushner, owner of The Red Horse Riding School, emailed the HB 2001 changes need to be passed and more options need to be brought to the community.

David Welton emailed in support of the code changes mentioned in the Planning Commission memo "20-0562" and the code to support HB 2001.

Kim Ely emailed to encourage the subcommittee to support permitting the development of more diverse housing options in Bend, including the proposed micro units. She she encourages elimination of car parking requirements that increase the cost of development.

Lisa Mushel, NLA Vice Chair, Century West NA and NLA Land Use Working Group, emailed saying she would like the subcommittee to be aware of the public survey letter references that will be coming with the NLA Letter of conditional support. She said the

survey had 284 responses and would be please to extend the survey response period and provide a new input to Council and the Planning Commission as requested.

Public Comment by phone:

Lisa Mushel, Vice Chair of the NLA and Chair of the Century West NA, said she emailed in her comments. She said the NLA has concerns about equity, diversity and the appropriateness of the micro units in the City.

Melanie Kebler shared she supports the code changes and the micro units. She said it is important to diversify the types of housing that can work for people who need affordable housing and encourages Council to move forward with this. She said there should not be a parking minimum and micro units should go into a walkable area.

Kathy Austin, Affordable Housing Advisory Committee (AHAC), shared AHAC supports the code changes particularly the micro unit housing. The stakeholders group had good information.

Scott Winters, Planning Commission, shared the Planning Commission will be recommending this to the Council.

3. Approval of the February 26, 2020 Meeting Minutes

Councilor Livingston moved to approve the February 26, 2020 meeting minutes. Councilor Goodman-Campbell seconded the motion, the motion passed unanimously (3-0).

4. Bend Development Code Updates: HB 2001 amendments, Micro-Unit Developments, Small Dwelling Unit Developments, Zero Lot Line Developments, and HB 3450 Urban Dwelling Sites

Pauline Hardie, Senior Planner presented the following slides of House Bill (HB) 2001:

- House Bill 2001
- 2019-2020 City Council Goals
- Public Outreach
- Proposed Code Updates
- Duplexes
- Micro-Unit Developments
- Micro Units
- Micro-Unit Developments
- 4-Micro-Unit Development
- Micro-Units
- Small Dwelling Unit Developments
- Zero Lot Line Development
- Next Steps

Mayor Russell asked what the positives and negatives were to implement the micro units and if there are any disadvantages or changes. Ms. Hardie said the City of Bend calls these micro units, but many cities call them something different, like single room occupancy, and each city has a different code. She said she has read letters proposing that there should be onsite management and said that she does not think that is necessary.

Dave Johnson, NLA member, said the NLA Land Use Working Group has concerns about how far the micro unit development should go before the City of Bend has some history of its own. He said the Working Group has been working on a position paper that they will be giving to Council, Planning Commission, and would like for everyone to look at what the Working Group has learned and the citations that will come with the letter.

Councilor Livingston asked if HB 2001 forces micro units or is this something the City will be adding to a broader package. Ms. Hardie explained this is trying to implement Council Goals and one of the strategies was to adopt policies for single room occupancies. She said these are single room occupancies the City has named them micro units.

Councilor Livingston asked if there is a way for someone to have communal type living such as a hotel. Ms. Hardie said she is not that familiar with the City of Bend's short-term rental requirements but there is a way to get there if it is not zoned residential.

Councilor Livingston asked for clarification on the parking. Ms. Hardie said because Bends RL zone is larger and more role type housing, the stakeholder group supported the half parking to mirror what was done in the Central District because the size of the units are small.

Councilor Livingston asked if there is data to support fewer vehicles for the tenants that would rent something like this versus a studio apartment. Ms. Hardie said when these are built; they usually are in a location closer to downtown, restaurants, amenities, and jobs.

Mr. Johnson said in the NLA Land Use Working Group research came to the same conclusion as what Ms. Hardie had. He said the micro units that have thrived are in mixed-use lots with a lot of transportation, dining, shopping and working places. He said Bend should not jump into micro units until it has been tested to see how it works.

Councilor Livingston mentioned he would like to see a pilot project in an opportunity area. He said if this is going to go to all zones, the City should look at parking differently.

Mr. Johnson shared the NLA Land Use Working Group has landed on the redevelopment of the Core District and there should be a trial period to align on the micro units to find out if they are economically viable in that kind of an environment.

Ms. Austin shared AHAC is looking for an opportunity to have a unit that a car is not necessary. She cautioned everyone to remember the Fair Housing Act and the Central Core is the census tract of least income in Bend. She said if you were to limit the use of

this particular housing type in the Central Core, you are possibly overburdening the low-income area of Bend with units that are designed to be low income.

Councilor Goodman Campbell said the City needs to give developers the flexibility to locate these developments where it makes the most sense.

Councilor Livingston asked if the developer would still be maintaining 10-foot setbacks and if the Fire Department had input. Ms. Hardie said if the City approves the small dwelling unit developments, instead of the 10, and someone wanted to do the small 1500 square foot lots, they would have a distance of six, which still meets code. Ms. Hardie said she received an email from the Fire Department that said if it meetings Building Code they are fine with it. She said she would send the email to the subcommittee.

Councilor Livingston asked if this will be seen as a lead in ultimately getting into System Development Charges (SDC) that are based on square footage. Ms. Hardie said the City is doing what has previously been done for the Cottage Housing Development, which has been done once to the current code. She said she has received questions concerning SDCs, which she has referred to City Council because her code updates are separate from SDCs. She said these will still be single-family dwelling units by definition in the Development Code and just because they are calculating density differently, they will still be defined as a detached dwelling unit.

Councilor Livingston asked for clarification on the changes to RL lots. Ms. Hardie said the proposed amendments would take away the conditional use permit and allow a duplex on a ten thousand square foot lot in the RL. She said the RS would allow a duplex, instead of a six thousand square foot lot, would be allowed on a four thousand square foot lot.

Ms. Hardie presented the following slides on House Bill 3450 Bend Development Code Text Amendments:

- House Bill 3450 Overview
- Summary
- Eligible Sites
- Eligible Parcels
- Development Code Amendments
- Development Standards
- Design Standards
- Minimum Parking Requirements
- Common Open Space
- Next Steps

Councilor Livingston said some of the regulations would prevent some of the housing types to occur and be a challenge, particularly with transparency design standards. He asked if there has been town homes with the transparency on the first floor. Ms. Hardie said basecamp town homes would comply because they have the accessory, joining units on the first floor and they have a lot of transparency on the second and third floors.

Mr. Johnson stated the NLA Land Use Working Group is in favor of adding to the missing middle. He said their only concern would be in order for a micro unit to work out for a developer, right now the rent is close to \$2,300 a month.

Councilor Goodman-Campbell thanked the individuals involved in the subgroup for all of their feedback.

5. Old Bend Neighborhood Parking Benefit District (Tobias Marx, Parking Services Manager)

Tobias Marx, Parking Services Division Manager, presented the following slides on the Old Bend Neighborhood Parking Benefit District:

- Old Bend Neighborhood
- The Complaints
- Our Response
- Parking Benefit District
- The Goals
- The Proposed District Map
- Next Steps

Mayor Russell asked what other forms of communication are being used besides the postcard. Mr. Marx said the City has sent out postcards to residents in the Old Bend Neighborhood and the Old Bend Neighborhood Association (NA). He said the City started an outreach effort to reach neighbors and they sent an email out to their listserv and the neighborhood has started posting on their social media channels and will be sharing more on Next Door. He said the City Community Relations Manager included it in the Neighborhood and City newsletter as well as many different channels to share with residents.

Mayor Russell asked how to distinguish between an Old Bend Neighborhood resident versus everyone else in the community. Mr. Marx said the City put different filters on the survey where it asked for a name and an address as well as asking how the resident heard about the survey. He said the survey that asks them to pick the road they live on.

Mayor Russell has been asked if the City is looking at parking throughout the community. Mr. Marx explained a pilot program is a great idea to see how the program is working and it gives the City information on where to make adjustments.

Councilor Livingston stated he has heard concerns from residents of the area that most of the choices on the survey were related to specific issues and there were no choices for people who were not having issues. He said the survey would not let the resident move forward unless they choose a selection, which they did not have. Mr. Marx explained the survey was more than a yes and no answer survey; it is a rating scale to give people an option. He said the survey could be adjusted easily.

Councilor Livingston asked how employees, customers, vendors and short-term renters were to interact in the commercial areas and why 14 days was chosen for parking

permits. Mr. Marx explained the City would do time restricted parking model which has been done in other areas. He said the time restricted parking is a good idea because the two-hour turnover for service industries like restaurants is usually good. He shared the City has created an industry employee permit that would allow the employees to park on roads surrounding the businesses and that program could be extended to vendors and district employees as well.

Councilor Livingston asked if landscapers would need to get a permit as well. Mr. Marx explained landscapers are different and would have a service vehicle permit. He said with the service vehicle permit, the landscapers would be allowed to go into the neighborhood anytime of the year.

Mr. Marx shared that if a resident has a large construction project that will take a year, the construction vehicle can get a daily permit but if they know it is going to be a long-term project, then an annual permit could be purchased which reduces the fees per day. He said once the City moves ahead with the project, internal departments will be informed so that everyone who pulls a building permit would be aware of the restrictions.

Mr. Marx said out of the 112 short term rentals in the area, only 18 did not have driveways or on street parking. He said there would not be a dedicated space and the City would treat the short-term rentals the same way the private homes are treated.

Mr. Livingston asked if the short-term rental guest would get a permit to put in their window. Mr. Marx explained the idea would be that everything would be virtual where license plates would be entered into a virtual permitting software.

Councilor Livingston said the City should have a bit of grace and not be heavy handed on enforcement. Mr. Marx explained there would be a period of warning and grace and then a possible postcard explains the area is a parking district. He said the switch to the parking management system would provide data that is needed to make informed decisions.

Councilor Livingston asked how the neighborhood vote would work. Mr. Marx explained it is a neighborhood vote and he said the City created the postcard to make sure both owners and renters received information on the survey.

David Abbas, Transportation & Mobility Manager, mentioned that if the survey results come back not favorable, then staff could regroup.

Mr. Abbas asked if there was a requirement on a certain amount of responses. Mr. Marx said the goal is to get 51% in favor to move forward. He said if the residents do not like the program the City will need to go back to the drawing board.

Late public comment:

Mr. Johnson commented he is in favor on Councilor Goodman-Campbell's suggestion of putting micro units near the hospital.

Ms. Mushel, speaking as a private citizen, commented on the unintended consequences of the potential micro units and encouraged the Councilors and everyone involved to do more research. She said she is concerned where the micro units will lead the City of Bend.

6. Adjourned at 5:00 p.m.

Respectfully Submitted,

Kayla M. Duddy
Deputy City Recorder