



Community Development Department / Planning Division
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MEMORANDUM

TO: Planning Commission
FROM: Rob Zoeller, Associate Planner
DATE: May 10, 2022
SUBJECT: Draft Code Changes to Chapters 10 and 60 in Development Code; Written Testimony

This memo is intended to supplement the staff report dated April 29, 2022, for the Housing Options Project hearing regarding CPA2022-0004, TA2022-0002 and ZMA2022-0004 scheduled for May 11, 2022. It addresses the following.

1. New code language in Ch. 10 and 60 about how to address limits on Homeowners' Association (HOA) rules, given the House Bill 2001 (HB2001) prohibition on future conditions, covenants, and restrictions (CC&Rs) that limit housing variety in HOAs.
2. New code language that reduces off-street parking requirements in Ch. 60 for townhouse developments that propose a shared parking area.
3. Clarifications regarding (2) errors in the staff report.
4. Additional public testimony after the staff report was distributed on April 29, and testimony received prior to April 29 that has updated sub exhibit numbers.

Summary

Limits on HOA Rules

TA2022-0002 Text Amendment Procedures and Approval Criteria

Section 40.85.15.1.C of the Code specifies that to approve a Development Code Text Amendment application, the decision-making authority shall make findings of fact, based on evidence provided by the applicant, that all of the criteria specified in Section 40.85.15.1.C.1-7 are satisfied. The following are the findings of fact for TA2022-0002 that support limits on HOA rules, given the HB2001 prohibition on future CC&Rs that limit housing variety in HOAs.

Section 40.85.15.1.C.1

Criterion: The proposal satisfies the threshold requirements for a Text Amendment application.

FINDING

Section 40.85.15.1.A.1 specifies that an application for a Development Code Text Amendment shall be required when there is any change to the Development Code, excluding changes to the zoning map.

TA2022-0002 proposes changes to all chapters in the Development Code:

- Chapter 10 changes include new text that indicates Homeowners Associations rules must comply with City Code Chapter 5 and state law ...

Staff Note: In the Staff Report, the finding above read, “Chapter 10 changes include new text that indicates Homeowners Associations rules must comply with City Code Chapter 5 and state law;” however, staff is no longer making updates the City Code so the reference to City Code Chapter 5 has been removed.

Conclusion: Staff finds that the proposed amendment is consistent with Section 40.85.15.1.C.1.

Section 40.85.15.1.C.4

Criterion: The proposed Text Amendment is consistent with the City's Comprehensive Plan.

Oregon State Laws

In the Comprehensive Plan, Section 1.5.1 Criteria for Legislative and Quasi-judicial Comprehensive Plan Amendments indicates that the proposed amendment is consistent and compatible with relevant Oregon Administrative Rules. Section 1.5.1 does not explicitly address Oregon State Laws, but compliance with them is required; therefore, they are included here to demonstrate compliance.

House Bill 2001 (B-Engrossed) Ordered by the House June 19, 2019

HB2001 Text:

SECTION 12. A provision in a governing document that is adopted or amended on or after the effective date of this 2019 Act, is void and unenforceable to the extent that the provision would prohibit or have the effect of unreasonably restricting the development of housing that is otherwise allowable under the maximum density of the zoning for the land.

SECTION 13. A provision in a recorded instrument affecting real property is not enforceable if: (1) The provision would allow the development of a single-family dwelling on the real

property but would prohibit the development of: (a) Middle housing, as defined in section 2 of this 2019 Act; or (b) An accessory dwelling unit allowed under ORS 197.312 (5); and (2) The instrument was executed on or after the effective date of this 2019 Act.

SECTION 14. (1) Sections 2, 12 and 13 of this 2019 Act and the amendments to ORS 197.296, 197.303, 197.312 and 455.610 and section 1, chapter 47, Oregon Laws 2018, by sections 5 to 9 of this 2019 Act become operative on January 1, 2020.

Finding: Chapter 10 has been updated to include a new section (Section 10.18 Consistency with State Laws) which indicates that all recorded instruments that create an HOA are subject to Section 13, Chapter 639, Oregon Laws 2019 and shall not regulate housing types allowed by state law (Figure 1). Since Section 60.05.15 (Final Plat Standards, Figure 2) and Section 60.35.15 (Planned Unit Developments: Open Space, Figure 3) refer to HOAs, references to Section 10.18 have been added to these sections too.

Figure 1: Proposed Code Language for Development Code Section 10.18

10.18. Consistency with Laws.

1. All use or development of land or structures within the city limits of Beaverton shall comply with the Beaverton Comprehensive Plan, the Beaverton Code, and applicable regional, state, federal and local laws. Determination of compliance with regional, state, federal or local laws shall be made by the applicable regional, State, Federal or local authority responsible for administering the subject law(s). A determination of compliance with such law shall not be a standard or condition of approval, except that proof that mandatory permits have been obtained may be required by specific standards of this Code or as a condition of approval. Nothing in this Code shall relieve a use or development from compliance with other applicable laws except as provided in this Code.
2. The provisions of this Code shall be interpreted as minimum requirements. When this Code imposes a greater restriction than is required by other provisions of law, or by other regulations, resolutions, easements, covenants or agreements between parties, the provisions of this Code shall control.
3. Recorded instruments affecting real property shall comply with, and be enforceable only as provided by, Section 13, Chapter 639, Oregon Laws 2019.
4. All recorded instruments that create a homeowners association, or include covenants, conditions, or restrictions for real property zoned for residential use, shall include the following statement in all capital letters on the first page of the recorded instrument:
THIS PROPERTY IS SUBJECT TO SECTION 13, CHAPTER 639, OREGON LAWS 2019, AND ANY RECORDED DOCUMENT FOR THIS PROPERTY SHALL NOT REGULATE HOUSING TYPES ALLOWED BY STATE LAW OR REQUIRE ACCESSORY DWELLING UNITS TO BE OWNER OCCUPIED. ANY PROVISION IN THIS DOCUMENT THAT VIOLATES THIS PARAGRAPH IS UNENFORCEABLE. ALL RECORDED REVISIONS OF THIS DOCUMENT MUST INCLUDE THIS STATEMENT ON THE FIRST PAGE, UNLESS OTHERWISE APPROVED BY THE CITY OF BEAVERTON IN WRITING.

Figure 2: Proposed Code Language for Development Code Section 60.15.15

60.15.15. Final Plat Standards.

1. **Easements and rights-of-way.** Refer to Chapter 9.05 of the Beaverton Municipal Code and Chapter 1, Section 130 of the Beaverton Engineering Design Manual. [ORD 4584; June 2012]
2. **Building lines.** The Director may approve special setbacks based upon the consideration for safety, topography, geology, solar access or other such reasons. If special building setback lines are to be established in the land division that are greater than required by this Code, they shall be shown on the final land division and included in the deed restriction.
3. **Dedications.** Infrastructure or public improvements such as public streets, sidewalks, pedestrian ways, bikeways, multi-use paths, sanitary sewer, storm water system, potable and non-potable water systems, traffic control devices, parks, open space, and other public rights-of-way required as needed to serve the development, shall be installed at the expense of the developer and dedicated or otherwise conveyed to the City or the appropriate jurisdiction for maintenance. Dedication of any land for park or open space purposes ~~must~~**shall** be approved by the jurisdiction to which the park or open space is being dedicated prior to Final Land Division approval. [ORD 4783; April 2020]
4. **Homeowners' Associations and declarations.** When a Homeowners' Association Agreement or other restrictive covenants are to be recorded with the development, a copy of the appropriate documents shall be submitted with the final plat. The City shall review such documents to ensure that common areas are properly maintained, the document complies with BDC 10.18, and that other restrictions required by the City are included.
5. **Monuments and bench marks.** The developer shall establish and designate monuments and bench marks on the Final Plat.

Figure 3: Proposed Code Language for Development Code Section 60.35.15 (Planned Unit Developments: Open Space)

5. **Maintenance and Ownership.** Land shown on the final development plan as common open space, and landscaping and/or planting contained therein shall be permanently maintained by and conveyed to one of the following:
 - A. An association of owners or tenants, created as a non-profit corporation under the laws of the state (ORS 94.572) which shall adopt and impose articles of incorporation, ~~and~~ bylaws, and ~~adopt and impose~~ a declaration of covenants and restrictions ~~on the common open space that~~ complies with BDC 10.18 and is acceptable to the City Attorney as providing for the continued care of the common open space. Any subsequent changes to such CC&Rs regarding open space must be approved by the City Attorney. Such an association shall be formed and continued for the purpose of maintaining the common open space and shall provide for City intervention and the imposition of a lien against the entire planned unit development in the event the association fails to perform as required; or
 - B. A public agency which agrees to maintain the dedicated open space and any buildings, structures, or other improvements which have been placed on it. [ORD 4654; March 2015]
 - C. Dedicated open space shall be protected by Covenants (CC&Rs) or deed restrictions to prevent any future commercial, industrial, or residential development, and comply with BDC 10.18. [ORD 4654; March 2015]

Conclusion: Staff finds the Development Code text amendment is consistent with HB2001.

Reduced Off-Street Parking for Townhouse Developments

In the staff report dated April 29, 2022, code updates in Section 60.30.10 (Number of Required Parking Spaces) indicate that (1) off-street parking space is required per unit for townhouse developments in RMA, RMB and RMC (Figure 4).

In this supplemental memo, staff propose that off-street parking requirements for townhouse developments in RMA, RMB and RMC be reduced from (1) space per unit to (0.75) spaces per unit only if there is shared parking. (Figure 5).

Figure 4: Updates to Table 60.30.10.5.A in the Staff Report submitted Apr. 29, 2022

Table 60.30.10.5.A - PARKING RATIO REQUIREMENTS FOR MOTOR VEHICLES (Excludes uses in Regional Center zoning districts - See Table 60.30.10.6)				
Land Use Category	Required Parking Spaces		Maximum Permitted Parking Spaces	
	Multiple Use Zones	All Other Zones	Zone A	Zone B
Residential Uses				
Single-Detached <u>Dwellings, Duplex, or Townhouse in RMA, RMB, or RMC Zone</u> (per unit)	1.0 N/A	1.0	n/a	n/a

Notes:				
<ol style="list-style-type: none"> 1. Parking ratios are based on number of spaces per 1,000 square feet of gross floor area unless otherwise noted. 2. Refer to Section 60.30.10.4. for uses not listed in Section 60.30.10.5. 3. Refer to Section 60.30.10.110. for exceptions. 4. In calculating the required number of vehicle parking spaces, fractions equal or more than 0.5 shall be rounded up to the nearest whole number. Fractions less than 0.5 shall be rounded down to the nearest whole number. 				

Figure 5: Proposed updates to Table 60.30.10.5.A in this memo dated May 10, 2022

Table 60.30.10.5.A - PARKING RATIO REQUIREMENTS FOR MOTOR VEHICLES (Excludes uses in Regional Center zoning districts - See Table 60.30.10.6)				
Land Use Category	Required Parking Spaces		Maximum Permitted Parking Spaces	
	Multiple Use Zones	All Other Zones	Zone A	Zone B
Residential Uses				
Single-Detached <u>Dwellings, Duplex, or Townhouse in RMA, RMB, or RMC Zone</u> (per unit) ⁵	1.0 N/A	1.0	n/a	n/a

Notes:				
<ol style="list-style-type: none"> 1. Parking ratios are based on number of spaces per 1,000 square feet of gross floor area unless otherwise noted. 2. Refer to Section 60.30.10.4. for uses not listed in Section 60.30.10.5. 3. Refer to Section 60.30.10.110. for exceptions. 4. In calculating the required number of vehicle parking spaces, fractions equal or more than 0.5 shall be rounded up to the nearest whole number. Fractions less than 0.5 shall be rounded down to the nearest whole number. 4.5. <u>For townhouse developments in RMA, RMB and RMC that propose a shared parking area, the parking ratio for required parking shall be 0.75 parking spaces per unit.</u> 				

TA2022-0002 Text Amendment Procedures and Approval Criteria

Section 40.85.15.1.C of the Code specifies that to approve a Development Code Text Amendment application, the decision-making authority shall make findings of fact, based on evidence provided by the applicant, that all of the criteria specified in Section 40.85.15.1.C.1-7 are satisfied. The following are the findings of fact for TA2022-0002 that support the above motion relating to reduced off-street parking requirements for townhouse developments with shared parking.

Section 40.85.15.1.C.4

Criterion: The proposed Text Amendment is consistent with the City's Comprehensive Plan.

Goal 4.5.1. Ensure that Beaverton continues to be one of the most livable communities in the region

Policy j) Review and reconsider minimum parking standards for new multiple family development.

Finding: The proposed amendments, in Section 60.30 (Off-street Parking), include reduced off-street parking requirements in part because there is significant and urgent need for housing and a greater variety of housing in the city. The proposed amendments also must be consistent with state law, which caps minimum parking requirements at one space per unit at the most – and for some housing types on some lot sizes even lower.

In addition, the proposed amendments in Section 60.30 allow the minimum parking spaces required to be reduced via on-street parking credits. The maximum reduction available with on-street credits would be one space per duplex, two spaces for triplexes and quadplexes, and one space per three cottages for cottage clusters. Single-detached homes and townhouses are not eligible for on-street credits.

Conclusion: Staff finds that the Development Code text amendment is consistent with Comprehensive Plan Goal 4.5.1 policy j.

Oregon Administrative Rules

In the Comprehensive Plan, Section 1.5.1 Criteria for Legislative and Quasi-judicial Comprehensive Plan Amendments also indicates that the proposed amendment is consistent and compatible with related Oregon Administrative Rules. The following Oregon Administrative Rules apply:

660-046-0220: Middle Housing Siting Standards in Large Cities

OAD text: ... (3) The following governs Large Cities' regulation of siting standards related to Townhouses ... (f) Parking: (A) A Large City may not require more than one off-street parking space per Townhouse dwelling unit.

Finding: Section 60.30.10 (Number of Required Parking Spaces) indicates that, generally, one off-street parking space is required per townhouse dwelling unit. However, if a townhouse development proposes a shared parking area, then the off-street parking requirement is reduced to (0.75) parking spaces per unit.

Conclusion: Staff finds that the Development Code text amendment is consistent with OAR 660-046-0220.

Conclusion

Staff concludes that updating the off-street parking requirements for townhouse developments with shared parking areas would meet the applicable approval criteria for a Development Code Text Amendment.

Clarifications to the Staff Report

1. **Off-Street Parking for Triplexes.** On page 131 of 501 in the Staff Report, the finding for Section 660-046-0220(2)(e) (Parking for Triplexes) should be updated to read, "Finding: Section 60.30.10 (Number of Required Parking Spaces) indicates that one parking space is required per triplex on lots less than 3,000 square feet." Exhibit 4 (Proposed Development Code Amendments) had the correct value in Table 60.30.10.5.A.
2. **Definitions.** On page 452 of 501 in the Staff Report, the definition of site should have been restored to the existing definition, "Site. That parcel of real property in common ownership, notwithstanding that the particular application may be for development of a portion of the site only. . [ORD 4584; June 2012]" No changes to the definition of "site" are proposed at this time.

Public Testimony (Exhibit 7)

This section separates written testimony that was received by the project planner prior to April 29, and included in the original Staff Report, and written testimony that was received by the project planner after April 29, and included in this memo only. Some written testimony included in this memo might be dated prior to April 29, but was not included in the Staff Report because it had not been received by the project planner yet.

For the written testimony that was originally included in the Staff Report, staff has added sub exhibit numbers so that it is easier to reference. There are no changes to this testimony.

- Exhibit 7.01 Letter from Wendy and Bill Kroger, April 19, 2022
- Exhibit 7.02 Email from Kathleen Elston, received April 25, 2022
- Exhibit 7.03 Letter from Tereisa M and J Richard McClelland, received April 27, 2022

Written testimony received by the project planner after April 29 is included below:

- Exhibit 7.04 Email from Jamie Cheshier, received April 6, 2022
- Exhibit 7.05 Email from Sylvia Butler, received April 30, 2022
- Exhibit 7.06 Letter from Rose Fellows, received May 2, 2022
- Exhibit 7.07 Email from David Berg, received May 4, 2022
- Exhibit 7.08 Email from Cheryl Pierson, received May 4, 2022
- Exhibit 7.09 Email from Megan Berg, received May 6, 2022
- Exhibit 7.10 Letter from Community Housing Fund, received May 9, 2022
- Exhibit 7.11 Email from Reggie Frumkin, received May 9, 2022
- Exhibit 7.12 Email from Konnette Etheridge, received May 9, 2022
- Exhibit 7.13 Email from Alaeddin Aydiner. Received May 9, 2022
- Exhibit 7.14 Email from John Steiner, received May 9, 2022
- Exhibit 7.15 Email from Lisa Pucinelli, received May 10, 2022
- Exhibit 7.16 Email from John Vogler, received May 10, 2022
- Exhibit 7.17 Letter from Urban Green Spaces Institute, originally received February 1, 2022, cover memo added May 10, 2022
- Exhibit 7.18 Email from B Steiner, received May 10, 2022

Copies of all written testimony received prior to 5 p.m. on Tuesday, May 10 are attached to this memo. Below are key themes from all testimony received, including a staff response. The themes below cover the written testimony included in the Staff Report and the Supplemental Memo.

1. Comment Summary 1: Community Housing Fund submitted written testimony, indicating that they support the recommendation to provide more choices for property owners if they decide to add more housing to a lot; allow duplexes, triplexes, quadplexes, townhomes, and cottage clusters in all residential areas (and on smaller lots than are currently allowed); reducing setbacks in residential areas, and providing some reductions in off-street parking requirements (though they would prefer greater reduction in off-street parking).

However, they also recommend that the city consider further measures and incentives to spur the development of affordable housing in the future, which could include:

- A Tax Exemption for all affordable housing development (including targeted homeownership programs and not just multifamily rentals)
- SDC Waivers or Reductions

- A Construction Excise Tax
- Continuing to donate land to affordable housing developers

Staff Response: Staff acknowledges that updating zoning alone will not result in more affordable housing and additional measures and incentives are important to provide more affordable options. Staff shared these recommendations with the City of Beaverton Affordable Housing team, and will continue to meet with them to explore different ways that the Planning Division can help support their work.

2. Comment Summary 2: Some expressed concerns that these code changes will not result in more **affordable housing** for people that need it most.

Staff Response: Staff acknowledge that allowing more homes in neighborhoods helps meet housing demand, but it will not solve affordability problems in the near term. New construction is expensive, and it may take several decades to build needed housing. But as more homes are added to the market, higher-income buyers purchase new homes, which makes more lower cost homes available. Short term solutions for affordable, for-sale and rental housing might include down payment assistance, better access to credit, and housing partnerships among governments, nonprofits and for-profits.

3. Comment Summary 3: Some expressed support for housing variety, but indicated that more **single-level options** are important if the city intends to meet the needs of aging adults and people with mobility issues.

Staff Response: Findings for Comprehensive Plan Goal 4.2.1 policy d in the Staff Report provide additional information on how the code makes it easier to build single-level living options on residential lots. Even so, staff acknowledges that this is not required, and some developer interviews confirmed that they are more likely to build either townhouses or stacked units (accessible by staircases, not elevators if that can be avoided) because they are less expensive and more profitable. Some advocacy groups have recommended that the city either require at least one accessible unit with new construction, or alternatively, explore incentives that might result in more accessible living options. Accessibility requirements and incentives were outside the scope of this project, but this is something that could be considered for future code updates.

4. Comment Summary 4: Some expressed a preference for **single-family neighborhoods** only, indicating that middle housing should not be allowed in single-family neighborhoods.

Staff Response: State law (HB2001) requires that cities allow middle housing in all neighborhoods that allow single-detached dwellings.

5. Comment Summary 5: Some are concerned that more housing will result in **tree loss**, especially larger, mature trees.

Staff Response: Findings for Comprehensive Plan Goal 3.2.1 policy a(i), Comprehensive Plan Goal 3.3.1 policy c, Comprehensive Plan Goal 3.8.1 policy c, Comprehensive Plan Goal 4.5.1 policy a, Comprehensive Plan Goal 4.5.1 policy f, Comprehensive Plan Goal 7.1.1 policy c, Comprehensive Plan Goal 7.3.1.1 policy d, Comprehensive Plan Goal 7.5.2 policy h, and

Comprehensive Plan Goal 8.2.1 policy f address how the proposed code changes address protecting trees, requiring tree plantings, or providing more flexibility with site development standards to help save trees.

In terms of what is inside the scope of this project, some community members have expressed an interest in larger lot sizes and lower floor area maximums to reduce the likelihood that trees will be removed from sites. Some have also requested that the city require that larger trees are planted with new development,

In terms of what is outside the scope of this project, many community members have expressed concerns that Section 60.60 (Trees and Vegetation) and other tree-related policies should be updated soon. Some suggested feedback includes requiring stronger tree preservation standards, updating the approved tree list to include trees better suited for climate change, and raising the in-lieu planting fee of \$200.

Planning staff will be conducting a work session with City Council on May 10, 2022 to discuss Development Code priorities, which will provide more guidance on when additional tree code updates might happen. In addition, an update to fees in the development process scheduled for a Public Hearing at City Council on June 7, 2022 proposes to increase the in-lieu planting fee from \$200 to \$800.

6. Comment Summary 6: Some are concerned that more housing will generally result in new development that might exacerbate the effects of **climate change** (given paved surfaces for example), whereas one community partner thinks the proposed changes will help respond to mitigate the effects of climate change.

Staff Response: Staff acknowledges that new development can result in increased impervious surface, either from large buildings or lots with wide driveways, big garages and surface parking, and this can contribute to the urban heat island effect, especially if trees are removed to build more homes and parking. Findings for Comprehensive Plan Goal 3.3.1 policy c and Comprehensive Plan Goal 8.2.1 policy f in the Staff Report provide additional information on how the proposed code changes address impervious surfaces.

In addition, the Urban Greenspaces Institute, which works to safeguard and reclaim greenspaces as places for people and wild nature, and to address the climate crisis, expressed support for the proposed changes when they said, “In our review of the proposed code adjustments, we find that the staff proposed reforms are well-thought through and integrate well. They consider the City’s needs to advance in other arenas like climate change mitigation and adaptation. For example, the new open space requirements and setback requirements on individual sites will create space to plant new required trees, to grow the City’s urban forest canopy over time.”

That said, the Urban Greenspaces Institute also indicated that the city could further reduce parking minimums to provide greater design flexibility and space for both housing and green spaces in residential zones.

7. Comment Summary 7: Some are concerned that more housing will result in the loss of more **outdoor spaces**.

Staff Response: Section 60.05.60 (Design Standards and Guidelines for Single-Detached Dwellings and Middle Housing) indicates that an outdoor open area or common courtyard is required for single-detached dwellings, duplexes, triplexes, quadplexes, townhouses and cottage clusters in the RMA, RMB and RMC zones.

8. Comment Summary 8: Some expressed concerns that **off-street parking requirements are not high enough** for higher density housing, which could increase **on-street parking**, increase **traffic congestion**, and limit places where **electric vehicles** can be charged.

Staff Response: In the proposed code update, the city includes off-street parking requirements that are at the maximum allowed by state law.

9. Comment Summary 9: The Urban Greenspaces Institute recommended that **off-street parking requirements might be too high** and could be further reduced given the capacity for streets to support on-street parking. Requiring less parking might also save trees.

Staff Response: In earlier versions of the draft code, staff did not require off-street parking requirements for single-detached dwellings, duplexes and townhouses, but Council directed staff to require at least one space per unit for all housing types in RMA, RMB and RMC (as allowed by state law).

10. Comment Summary 10: Some expressed concerns that higher density housing will increase change **neighborhood character**.

Staff Response: Findings for Comprehensive Plan Goal 3.2.1 (Provide for thoughtful and strategic infill and redevelopment) are on PDF pages 39 and 63 of the Staff Report.

11. Comment Summary 11: Some are concerned that their **property value** will decrease with rental housing nearby.

Staff Response: The city does not know how property values might change (increase or decrease) because they are based on factors that can vary by location. That said, state law requires that we allow housing types in all residential neighborhoods. Only allowing rental properties in some locations is not compliant with state law.

Furthermore, the Washington County Assessment and Taxation Department determines each property's assessed value. Government agencies determine the tax rate. We do know, though, that the Oregon Constitution limits the rate of growth of property value subject to taxation. The limit is based on a property's maximum assessed value (MAV). MAV can't increase by more than 3 percent each year, unless there are changes to the property, such as the addition of a new structure, improvement of an existing structure, or subdivision or partition of the property. So, if you don't make any changes to your property, the assessed value should not go up by more than 3 percent a year.

12. Comment Summary 12: Some are concerned that higher density housing will strain existing **infrastructure** systems (for example, water supply).

Staff Response: The City of Beaverton will work with applicants to determine whether Sufficient Infrastructure will be provided or can be provided. For example, the City of Beaverton's Public Works Department evaluates the proposed demand of the development in relation to existing and/or proposed infrastructure capacity for public water connections. The City of Beaverton works with other agencies as well that provide water to the city, such as Tualatin Valley Water District (TVWD) and a service provider letter from TVWD may be required to ensure adequate capacity is available through that system.

13. Comment Summary 13: Some are concerned that it might be harder for property owners with existing single-detached homes to redevelop the property and still meet **minimum density**, without having to add two or more units.

Staff Response: Section 20.25.05 (Minimum Residential Density) includes a section for exceptions to Minimum Density Standards in the RMA, RMB, and RMC districts, which provides several ways for property owners with existing single-detached homes or lots to meet minimum density if they choose to redevelop.

14. Comment Summary 14: Some are concerned that new construction will result in more **short term rentals**, which can be disruptive for neighborhoods.

Staff Response: Creating a policy for short term rentals is out of scope for this project, though staff acknowledges that this is a concern for some residents. Planning staff will be conducting a work session with City Council soon to discuss Development Code priorities, which will provide more guidance on when this issue might be addressed.

In addition to the written testimony, staff also received a phone call from an older couple approaching retirement who advocated for allowing short term rentals. They indicated that it might be hard to pay all their bills on Social Security alone, and if they could rent out their ADU as a short term rental, they could increase their monthly income. Staff was asked to share this information with the Planning Commission.

To: City of Beaverton Planning Commission

For May 11, BPC Meeting

To: Rob Zoeller (rzoeller@beavertonoregon.gov)

From: Bill and Wendy Kroger

Subject: HOUSING OPTIONS PROJECT

Reference: CPA2022-0004, TA2022-0002, ZMA2022-0004

Thank you for the opportunity to comment on the City's plans to uproot established neighborhoods, pack people so close together they hate each other, and destroy home gardens and back yards.

Beaverton has many underperforming areas that would benefit from being cleaned up to allow "middle housing" for those who wish to live on top of each other. We already have flag lots and they're not very popular either. You appear to be using "variety" to hide "density."

Providing options for ADUs over garages (which would not ooze out over more land) is a possibility, but you've gone way past that. Adding extensive hard surface to an already over-taxed City is unacceptable.

You note that Development Code changes also would allow smaller setbacks, change minimum off-street parking requirements, and modify regulations regarding residential development. None of these is going in the right direction. If you insist on cramming people together without strengthening the code to protect privacy and provide sufficient natural light and fresh air, allow for adequate off-street parking, and mask noise and intrusive lighting systems, you will have exacerbated an unlivable slum.

For the last 19 years, we have lived in our home which abuts five lots. Three of those homes are currently rented. Over the years, we've dealt with minor neighborhood issues. We have found that short-term renters care very little about the noise they make, the marijuana smoke they spew in the back yard, the garbage they don't pick up, and the occasional all-night parties they throw.

Good neighborhoods are created over time and nurtured by people who care about where they live. They take work. We want quiet space with room for nature and safe yards and streets. We take pride in our gardens and greenspaces that we share with Nature's creatures.

My questions are these:

How does your proposal enhance Beaverton's Vision for the future?

How does your proposal enhance your recently released Climate Resilience Plan?

How does your proposal enhance neighborhood stability, safety and security?

Our conclusions are that with your proposal, currently stable, happy neighborhoods will be torn apart by uncreative planners who don't care and developers who will make a fast buck and leave.

Beaverton itself, along with her vision for the future, climate resilience and neighborhood safety will greatly suffer if you go through with this short-sighted and uninventive solution looking for a problem.

Rob Zoeller

From: Kathleen Elston <kgelston.elston@gmail.com>
Sent: Monday, April 25, 2022 4:29 PM
To: Rob Zoeller
Subject: [EXTERNAL] Housing Options Project

Categories: 1_HOP

You don't often get email from kgelston.elston@gmail.com. [Learn why this is important](#)

CAUTION: This email originated from outside the City of Beaverton. Exercise caution when opening attachments or clicking links from unknown senders.

April 25,2022

Dear Mr. Zoeller,

Re: Case File Nos.: CPA 2022-0004
 TA 2022-002
 ZMA 2022-004

After reviewing the proposed changes to land use in the City of Beaverton, I am encouraged that included in the definition of livability are natural resources, parks, walking and bike paths. My concern: large tree preservation.

Any property proposed for development should be carefully monitored for how it will impact nearby streams, water runoff and neighborhood temperatures. In particular, large trees should be considered of utmost importance in maintaining the livability of our neighborhoods. In this time of fighting climate change, it has become even more imperative that we embrace their role in reversing this crisis. Large trees have an accumulation of 50 to 100 or more years in growth. Development projects that remove these large trees and counter their destruction by replanting seedlings are dismissing not only the true value and contribution of large trees but promoting a mistaken notion about a seedling's capacity to replace decades of growth. Large trees store carbon, cool the air to reduce urban heat, filter pollutant gases, remove particulate matter, and reduce storm water runoff. [Source: iTrees, hphp] These eco-services affect our health, preventing acute respiratory symptoms resulting in millions of dollars of saving in pollution-related health care costs. [Source: HtHp PSU studies, Forest Bathing] Studies have shown that in places where trees have died due to disease, the mortality rates for humans were higher due to cardiovascular and respiratory diseases. [Source: Forest Bathing] Likewise, the deliberate removal of large trees will result in more human deaths. Studies of tree density and health found that having 11 or more trees on a block lowered cardio-metabolic diseases like high blood pressure, diabetes and obesity. [Source: Forest Bathing, hphp]

The very soul of a neighborhood is reflected in the overstory of its trees. Large shade trees protect against the heat of an afternoon summer sun, as much as 18 degrees F. when compared to neighborhoods surrounded by pavement and no trees. [Source: iTrees, HtHp PSU studies] Houses shaded by large trees are significantly cooler on hot days when compared to houses blasted by the sun---all of which has an impact on air condition use. [Source: iTree: A large Douglas Fir located southeast of a house yields 997.05 kWh electricity savings over 20 years.]

Large tree preservation should be included in the land use code as a necessity to combating climate change and a requisite to maintaining the character and livability of our neighborhoods. Development projects should work around them even if that means reducing the minimum housing currently being proposed. Our health and the health of life on our planet depends on preserving our natural resources.

A large Douglas Fir tree will store an estimated 6 tons of carbon over its lifetime [Source: iTrees]

Sources: Forest Bathing, book by Dr. Qing Li [2018]
Abundant Earth, book by Eileen Crist [2019]
A Life on Our Planet, book by David Attenborough [2020]
Finding the Mother Tree, book by Suzanne Simard [2021]
Healthy Trees, Healthy People/ Pacific Northwest Research with PSU
www.treesandhealth.org
Healthy Parks, Healthy People www.hphp.central.com
iTrees www.treetools.org from USDA Forest Service
Science mag.org/content/365/6448/76

This commentary submitted by Kathleen Elston
6585 S.W. Canby Street
Portland, Oregon 97223
[This property is located in the City of Beaverton.]

Beaverton Planning Commission:

Re: Housing Options Project Comprehensive Plan Amendment, Development Code Text Amendment, and Zoning Map Amendment

We are adamantly against the proposed changes to zoning laid out under the Housing Options Project. These changes will essentially change the character of our neighborhood and those of many neighborhoods in Beaverton. We moved to Beaverton in 1981 because of the quality of life that we expected. It was unincorporated Washington County at the time and a very lovely place to live. It still is because our neighbors take great pride in maintaining their single family dwellings.

Our neighborhood is currently designated as R7; however, under the proposal outlined in the Housing Options Project, our zoning would change to RMC. This zoning change will have a substantial negative impact on the livability of our neighborhood. We already have seen the effects of development in the area, which are not always good for the City and certainly not for the residents of the West Slope neighborhood.

We and most people who move to Beaverton, do so to get away from high density housing and the associated issues that come with it. This proposal will essentially change Beaverton and not for the good of the citizens that live here.

As the world is finally coming to terms with climate change, Beaverton will be contributing substantially to global warming by building large apartment complexes with no place for large life sustaining and air cleaning Douglas firs and other evergreens. In fact, in the last year or two, Beaverton and the surrounding area has lost a substantial number of large trees due to development and increased density with no thought given to climate or livability implications for residents. Under this zoning change Beaverton and Washington county are contributing to climate change. This proposal guarantees more pavement and more heat captured within the City. Surely, we can all remember the 116 degree heat we experienced during the summer of 2021. Our urban tree canopy is already diminished and this proposal will only contribute to the very real threat of climate change.

We have attempted to get an answer from the Beaverton Planning Department on what these zoning changes will mean when put into effect. For example, what consideration has been given to open spaces, the preservation of large old trees, and will landscaping with evergreen trees be required if this zoning is put into effect? I recognize the Department is busy, but the citizens deserve answers and I maintain not in just one public meeting that one may or may not be able to attend.

It is understood that there is a housing problem in the area, it does not mean that we should use a broad brush approach to address it. That is what is being done under this proposal. The housing issue does not mean that we should pave over much of the area turning Beaverton into a densely crowded City. Climate experts agree that urban deserts with high density and lack of trees is contributing to climate change and creates an unhealthy living environment. This proposal facilitates an urban desert.

We respectfully request that the planning department re-assess this proposed zoning. Quality of life for everyone including existing residents and climate change should weigh heavily on the zoning decisions. Climate change is an existential threat much larger than our current housing issues.

Sincerely,

Teriesa M & J Richard McClelland 8385 SW Ernst RD, Beaverton 97225

From: Jamie <jmcwildcat@gmail.com>
Sent: Thursday, April 14, 2022 7:39 AM
To: Elena Sasin
Subject: Re: [EXTERNAL] Housing options project comment

Follow Up Flag: Follow up
Flag Status: Completed

Hi Elena -

Thank you for your response and added information. Yet, much remains the same with my initial concerns. Being under 1200 sq ft, my home would not count as 2 units meaning I would still have to build a duplex or greater, or place a single family home awkwardly on one side of my lot. I just think some exceptions need to be made for homeowners who bought their property long before this was even part of the discussion.

Having been a Beaverton resident since 2016, I have been saving my money to make improvements to my home and am frustrated by the prospect of being mandated to do changes that were not a part of the discussion when I bought. Again, I understand the need to address density, but how can that be done in a way that doesn't negatively impact those who chose this area years ago. The fact that my home is under 1200 sq ft doesn't negate the fact that I want to remain in my location and create a home that meets the needs of my family so we can be an active part of this community. Additional consideration is needed. I certainly would like my comments to be made part of the record. Thanks so much - Jamie

Sent from my iPhone

On Apr 11, 2022, at 5:09 PM, Elena Sasin <esasin@beavertonoregon.gov> wrote:

Hello Jamie –

Thank you for reaching out.

The proposed code language does recognize the effects on existing homes and does provide a couple ways density can be addressed. In Chapter 20, Section 20.25.05 of the [draft Development Code](#), the following language is proposed:

D. Exceptions to Minimum Density Standards in the RMA, RMB, and RMC districts.

- 1. An existing single-detached dwelling, as of [ordinance adoption date], that is at least 1,200 square feet in area, it may count as two units for the purposes of calculating minimum density.**
- 2. For an existing oversized lot that does not meet minimum density, that would require three or more units to achieve minimum density, applications for development must meet one of the following:**
 - a) Meet minimum density by constructing enough units on the lot;**
 - b) Meet minimum density by dividing the lot; and/or**
 - c) Demonstrate the potential for future partitioning or subdividing of the lot in accordance with the requirements of the Development Code. Plans must demonstrate how driveways, pedestrian walkways, and utilities can adequately serve future potential development on the oversized lot. Easements of-way shall either exist or be proposed to be created such that future partitioning or subdivision is not precluded or hindered, for either the oversized lot or any affected adjacent lot.**

In other words, you could rebuild on your property but the placement of home would have to be located in such a way that it would not prohibit future development. Additionally, existing single-detached dwellings at least 1,200 square feet in size could count as two units. I understand your current home would not meet this size requirement, but it is another option for other homes.

Please let me know if you have any other questions or if you would like your initial email to be made part of the record as public testimony.

Thank you,

Elena Sasin

Associate Planner | Community Development
City of Beaverton | PO Box 4755 | Beaverton, OR 97076
e: esasin@beavertonoregon.gov | cell: 503.278.1482
www.BeavertonOregon.gov



COVID-19 Update: Please Note, I am working remotely at this time, M-F 8:00am-5:00pm. You can reach me at (503)278-1482

From: Jamie Cheshier <jmcwildcat@gmail.com>
Sent: Wednesday, April 6, 2022 1:18 PM
To: Rob Zoeller <rzoeller@beavertonoregon.gov>
Subject: [EXTERNAL] Housing options project comment

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I am writing with response to the proposed changes to zoning in my area. Currently an R5, my property would become an RMB zone. While the increased flexibility in the types of dwelling that can be put on my property is nice, I am deeply concerned about the minimum density standards.

Although I understand the spirit of the minimum density standards, to dictate that, should I want to rebuild on my property, I must build a duplex or more is ridiculous. My home is a 1940s cottage, 890 sq. feet and centered in the middle of my property. When I bought the property one reason I chose it was for the large lot and the flexibility it offered, but my home has a challenging layout for an addition. Should the new zones be enacted with the minimum density for my property my only options would be an awkward addition to keep my single detached dwelling or having to build a duplex or greater. I don't need a duplex and I want to remain living on my property.

The spirit of the changes should be to encourage property owners to make both aesthetically pleasing, rational build choices, and not force one into choosing from less than ideal options. If the minimum density is a necessary requirement, I would ask that the R5 homeowners be included in the RMC group so that we do not have to build duplexes if a single dwelling unit is already on the property.

Incentivize density, don't penalize existing residents or restrict our choices on our property. I am not a developer. I am a homeowner who specifically chose Beaverton and my neighborhood. I want to have a physical home that suits me and my family as we grow and that suits the community. Options are wonderful, dictating that to build fresh on my property I must have a duplex to four-plex is not.

Thank you for your consideration -
Jamie Cheshier
Resident, Central Beaverton

From: dalesylvia butler <dalesylvia34@hotmail.com>
Sent: Wednesday, May 4, 2022 4:16 PM
To: Elena Sasin
Subject: [EXTERNAL] Re: Housing options projecct

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Thank you for your response, Elena. By all means, put my inquiry into the public record. I am sure others share my concern.

Sylvia

From: Elena Sasin <esasin@beavertonoregon.gov>
Sent: Wednesday, May 4, 2022 2:32 PM
To: dalesylvia34@hotmail.com <dalesylvia34@hotmail.com>
Subject: FW: Housing options projecct

Hello Sylvia –

Thank you for your comments. My name is Elena, I'm helping Rob respond to the large volume of inquiries we've received. I apologize for the delay in getting back to you.

A new standard is being proposed in the draft code which limits the floor area of a structure in relation the site size (Floor Area Ratio). Additionally, there will be open space requirements and tree planting requirements which together with the maximum FAR will help limit the impervious surface on site. New development/redevelopment is also subject to Clean Water Services standards for water treatment and detention. Applicant's will have to demonstrate compliance with applicable CWS standards prior to building permit issuance.

Please let me know if you'd like your initial email to be made part of the public testimony record or if you have any questions.

Kind regards,

Elena Sasin

Associate Planner | Community Development
City of Beaverton | PO Box 4755 | Beaverton, OR 97076
e: esasin@beavertonoregon.gov | cell: 503.278.1482
www.BeavertonOregon.gov



COVID-19 Update: Please Note, **I am working remotely at this time**, M-F 8:00am-5:00pm. You can reach me at (503)278-1482

From: dalesylvia butler <dalesylvia34@hotmail.com>
Sent: Saturday, April 30, 2022 11:46 PM
To: Rob Zoeller <rzoeller@beavertonoregon.gov>
Subject: [EXTERNAL] Fw: Housing options projecct

You don't often get email from dalesylvia34@hotmail.com. [Learn why this is important](#)

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From: dalesylvia butler <dalesylvia34@hotmail.com>
Sent: Saturday, April 30, 2022 10:39 PM
To: rzoeller@beavertonoprgon.gov <rzoeller@beavertonoprgon.gov>
Subject: Housing options projecct

Dear Rob,

When you are considering the pros and cons of the housing project would you, please, give some thought to hard surfaces?

For every new house built there will be a roof, and a driveway, and probably a patio. This reduces the places where water can be absorbed into the earth. When water runs directly into the sewer it cannot do its very beneficial work.

When water is allowed to be absorbed into the ground it feeds our trees and keeps our world green. The evaporation then cleans the air, makes the air cooler, and that in turns helps us to breathe.

Thank you,
Sylvia Butler

6675 Sw Canby St. 97223

To:
Planning Commission
ATTN: Rob Zoeller
Planning Division
P.O. Box 4755
Beaverton, OR 97076

Date mailed: 4/23-22 ✓

From:
Ms. Rose M. Fellows
7300 S.W. 105th Avenue
Beaverton, OR 97008

Re: **Housing Options Project** Comprehensive Plan Amendment, Development Code Text
Amendment and Zoning Map Amendment
Case File Nos.: CPA 2022-0004, TA2022-0002, and ZMA2022-0004

To whom it may concern:

The purpose of this written comment is to state my strong opposition to the proposed zoning changes referenced above insofar as they affect my personal residence, also identified above, which is located in an area currently zoned R7. That area is predominantly filled with single-family residential dwellings on lots which appear to be about the same size as my lot, which I understand is approximately 7,000 square feet in size.

As the Beaverton Development Code has been explained to me, I understand that it was designed to conserve, stabilize and enhance real property values for home owners like me, to promote uncongested traffic movement, and to prevent undue concentrations of population that might be detrimental to livability in this place where I have lived for more than fifty years. Having reviewed the substantial zoning changes being proposed, it seems clear to me that many of those changes will not only diminish the value of my property, but will almost certainly promote increased traffic congestion in the area where I live, and could well raise the population density in our area to the point that the change would be seriously detrimental to livability.

The existing R7 zoning for my area was originally intended to establish and maintain a standard density residential zone where the *minimum* lot size for *each dwelling* is 7,000 square feet. See Beaverton Development Code Ordinance No. 2050, Chapter 20, specifically, §20.05.10(5). Attached dwellings other than duplexes (which are Conditional Use), such as Triplex or Quadplex structures, are prohibited. Ibid. at §20.05.20 and §20.05.25(3). The proposed revision would permit *Quadplexes* to be built on lots which are only 7,000 square feet in size! See Table 1 in the Public Hearing Notice pertaining to this proposed zoning change. The very short street on which I live – where there is only one other house other than mine on my side of the street between the nearby corner and the park at the end of the street – can hardly accommodate the traffic we *now* have, let alone the traffic we could all be expected to encounter if even a single lot in that area is converted

to a structure designed to house three or four additional families. If that is allowed to happen , the resulting traffic conjection and parking difficulties will be beyond intolerable.

If multi-family structures are jammed into the small single-family lots in our neighborhood, I also strongly suspect that the resulting increase in the number of school-age children in this area will exceed the ability of the local elementary school (McKay) and junior high school (Whitford) to handle. Transporting those additional school children to other much larger schools, such as Vose elementary, which is across Hwy. 217, also promises to be problematic in the extreme for the next several years, since construction workers have already commenced the massive highway redesign project all along Hwy 217 in our area. The entire on and off-ramps where Denny Road intersects with Hwy. 217 are being removed, which will force drivers who otherwise would have used those ramps to access the highway to instead drive through our neighborhoods to get to where Hwy. 217 would have taken them. The last thing the people in my neighborhood need at this point is even more noise and disruption, which is what we will have to expect if our neighborhood is to be torn apart to make room for a bunch of multi-family Quadplexes, Triplexes and other such structures.

From where I stand, the city planners who originally crafted the zoning for our neighborhood understood well the kind of pleasant, quiet tree-lined streets where I have enjoyed living in for the past half-century. During that time, my property value has gone up, mostly because of the livability of our lovely neighborhood. Allowing Quadplexes and Triplexes to be built in this area would not only ruin the lovely look of our neighborhood, but would undoubtedly diminish the property value of every home owner living there. I oppose what is being proposed, insofar as it affects my property, and I ask that the Planning Commission refuse to amend the existing zoning for my neighborhood for all of the reasons given above.

Sincerely,



Ms. Rose M. Fellows

Rob Zoeller

From: David Berg <david@bergfamily.us>
Sent: Wednesday, May 4, 2022 5:17 PM
To: Mailbox CDD Planning; Rob Zoeller
Subject: [EXTERNAL] Housing options project zoning changes

Categories: 1_HOP

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Hello,

I strongly disagree with the change in zoning to only allow for development of multi-home properties. It is not my responsibility as a tax paying citizen to write a persuading argument, but to let you know this change is not right and should not be adopted by City Council. A tax paying land owner should have a right to develop their property as they see fit by existing zone regulations. Single dwelling zones should still exist!

Please do not proceed with this change in zoning.

Thanks!

Rob Zoeller

From: Rob Zoeller
Sent: Wednesday, May 4, 2022 9:43 PM
To: Rob Zoeller
Subject: FW: [EXTERNAL] Housing Options Project - Public Testimony

From: cherylinor@aol.com <cherylinor@aol.com>
Sent: Wednesday, May 4, 2022 4:40 PM
To: Mailbox CDD Planning <MailboxCDDPlanning@beavertonoregon.gov>
Subject: [EXTERNAL] Housing Options Project - Public Testimony

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(I would appreciate an email confirmation that you have received this letter. Thank you.)

Dear Planning Commission,

We are strongly opposed to the current Housing Options Project Comprehensive Plan.

We understand this was drafted to comply with the recent changes to state law to rezone all Oregon cities for high density housing. Unfortunately, this law was passed without regard or input from Oregonians. We would like to know what our options are to stop this from changing our still beautiful "Tree City of the World" Beaverton.

Why is the state forcing cities to rezone land to allow high density housing, including already developed communities?

1) Is this for affordable housing? We would appreciate an example where high density housing decreased the cost of housing (in the long run).

In our nation's cities, higher density is correlated to higher real estate values, not lower housing costs. Making Beaverton into an urban city, not a suburban city, will only drive up housing costs.

2) Is this for protecting nature? We would appreciate an example of how high density housing protects nature, and how this is good for our "Tree City of the World" image?

Our existing neighborhood homes have yards with wonderful trees, greenery, and wildlife. This allows our children to appreciate and respect nature. However, the new apartments and housing developments in Beaverton are conspicuously devoid of trees and nature. An even more prominent example is in nearby Tigard where high density homes are packed along Roy Rodgers Road, with sparse to no greenery. It is incredible that the rezoning plan would favor abolishing the existing neighborhood trees and wildlife in exchange for more homes, cars, and people.

3) Is this for consolidating people and resources? Please explain how increasing housing and our population will improve our resource availability?

We already have concerns about water shortages and power outages due to the stress of our current population on our city resources.

4) Is this to provide more housing for workers, so they can live where they work? Please explain how having more people in family neighborhood will help families commuting?

Currently, people commute to get to where their work is (and/or where they desire to work). Many people commute so their children can live away from "the city, cement and congestion". This will only bring more cement, city, and congestion to families, and potentially force them to move even further away from their work. Having more people in neighborhoods is only going to make commuting more difficult, with parking and traffic concerns.

5) Is this to allow a better quality of life? Please explain how changing family neighborhoods to high density centers helps families who want their own privacy?

Many people do not live in cities because they want open space around them and room to entertain family and friends. Forcing existing neighborhoods to become higher density housing is forcing a lifestyle that citizens did not chose, and likely do not want.

6) Is this for allowing better air quality and less traffic? We would appreciate an example where more people, traffic, and congestion to already crowded roadways will improve our air quality and traffic?

It is difficult to find an urban city that has a better air quality than suburban or rural areas. Our freeways are already congested, with standstill traffic occurring at all times, including non-commute hours and weekends. The smog created by this situation is already unhealthy and not surprisingly, Portland air quality is worse than LA air on many days (per the EPA AirNow website).

7) Is it for creating better quality health for citizens? Please explain how overcrowding homes and residences is going to keep us happier?

The topics discussed above detail how high density housing adversely affects the health and well-being of it's citizens. Not surprisingly, these are the same problems that arise from living in a big city, which is the prototype for high density housing. Now we are being sold that this is the cure for our suburban areas? People move to the suburbs to avoid these problems, yet the state wants to mandate rezoning laws and force suburban areas to become congested like bigger cities?

Unfortunately, Oregon state politicians made these changes to our land use laws without input from citizens. This bill allows high density housing, especially in existing neighborhoods, which will negatively affect Oregon families in countless ways, as outlined above. If Oregonians were allowed to vote, they likely would have rejected such a terrible law.

We vote for so many measures with much less impact on our individual lives. We would like to understand why Oregonians were not given the opportunity to vote on the rezoning of suburban neighborhoods for high density housing? We would appreciate an explanation of how they thought this was in our best interest?

Sincerely,
Cheryl Pierson

Rob Zoeller

From: Megan Berg <megan@bergfamily.us>
Sent: Friday, May 6, 2022 7:08 AM
To: Rob Zoeller; Mailbox CDD Planning
Subject: [EXTERNAL] HOUSING OPTIONS PROJECT

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Case File Nos.:

- Comprehensive Plan Amendment (CPA2022-0004)
- Zoning Map Amendment (ZMA2022-0004)
- Development Code Text Amendment (TA2022-0002)

I write to provide comments of my concerns about the proposed Comprehensive Plan Amendment, Development Code Text Amendment and Zoning Map Amendment proposed by the City of Beaverton. This matter is scheduled for hearing on May 11, 2022.

My general concern is that this proposal will require, not allow, denser housing when builders build on unused land. I am opposed to this change.

The City's application cites the necessity for this amendment due to House Bill 2001. HB2001 solely **expands** zoning regulation and legalizes denser housing options to allow for affordable housing. The purpose was to legalize duplexes and other affordable options in communities where this option was previously illegal. The purpose of the Bill is **not** to **limit** new building options to solely denser housing, but to **expand** options to include affordable housing. The City's proposal to limit options to denser housing does not follow this bill and should not be granted based on HB2001. Mandating such denser housing should not be allowed.

Allowing this City's proposed Amendment(s) would undoubtedly cause significant changes and impairments to Beaverton, including:

1. Culture and community. Beaverton is a city that is beautiful and has a diverse culture. While affordable housing is important, requiring new buildings to be dense housing will wreak havoc on our culture and community. Beaverton will lose much of its identity and charm with too much dense housing. We do not want to become the next Portland.
2. Infrastructure. Beaverton's infrastructure already doesn't support its population. Roads and highways are packed during non-peak times (especially main roadways like Hwy. 26, Hwy. 217, Murray, TV Hwy., Farmington, Scholls Ferry), schools are bursting at the seams without enough teachers or funds to support education, hospitals are beyond capacity without staff to support them (especially since the pandemic), not enough stores and restaurants, just to name a few examples. Supporting additional infrastructure needs will cause many problems to our already problematic system and our city may not be able to support the infrastructure and the timeline should the City's application be granted.
3. Access to services. I believe that access to services will become limited if the City's application is granted. A very recent example that comes to mind is the April 27 fatal crash involving Southridge students and a police officer at the intersection of TV Hwy. and Murray. Before the West End neighborhood dense housing was built at that intersection, there was a KMart with a large parking lot in the heart of a busy area of Beaverton. Ambulances would often wait in that parking lot for emergency calls. They are no longer able to do that, and what's worse, that intersection is so busy

that there are delays to response time for emergency vehicles. If there had been an ambulance at that area, perhaps response time would have been faster.

4. Parking is not supportive of denser housing mandates. I work in the downtown Beaverton area, where dense housing is popping up. Street parking is becoming extremely limited for businesses because the apartments/ condos that surround the area have limited or no parking available to their residents. We sometimes have unauthorized vehicles parked by residents in our parking lot that is designated for staff and clients. We also like to visit downtown Beaverton and have found the increased traffic from city residents has made for both a booming downtown scene and difficulties finding parking. Beaverton doesn't have enough parking for the residents it has, much less for additional residents who move here into dense housing.

5. Mass transit is limited. We do not have a robust mass transit system that will support dense housing. We only have two commuter rail lines and those are already packed day to day. There is no plan for expansion to support a mandate for denser housing.

6. Reduction of outdoor spaces and skylines. Adding too much dense housing will reduce our outdoor spaces and visible skylines. West End is a perfect example of this because that development now blocks views of Mount Hood while driving east on TV Hwy. Plain land is being developed into skyscrapers and displacing plants and wildlife. If there were an option for single family homes, there may be yards and trees that remain for living things instead of concrete buildings.

7. Safety. The developments of homes that are so close together pose risks to safety. With decreased setbacks, fire that starts at one home will more easily spread to others.

8. Tax Burden. There is potential that there will be an increased tax burden for neighbors with higher value real property. Washington County's real property tax rate is one of the highest in Oregon, second only to Multnomah County. Further, the city of Beaverton has the highest tax rate in Washington County. Adding denser, affordable housing will cost the city a lot in increased infrastructure costs (road improvements, schools, parks, social services, etc.) to support denser communities and that tax burden will fall disproportionately to the established communities with higher real property values.

9. Developers will be unable to make desired decisions. Requiring dense housing does not suit all builders and developers. Requiring dense housing may force hard-working builders and developers out of the city or into a niche to which they do not desire, especially smaller businesses.

We need to focus on supporting our current community, not mandating a different community that doesn't support the core value of choice.

Megan Berg
7630 SW 157th Ave.
Beaverton, OR 97007
PH: 360-910-4790

Community Housing Fund
3700 SW Murray Blvd., #2200
Beaverton, OR 97005
503.846.5794



May 9, 2022

Rob Zoeller
Associate Planner, City of Beaverton
PO Box 4755
Beaverton, OR 97076

Housing Options Project
Case File #: CPA2022-0004, TA2022-0002, and ZMA2022-0004

Dear Rob:

We are writing in support of the updates to the City of Beaverton's Development Code and Comprehensive Plan you are proposing in order to comply with the requirements of Oregon House Bill 2001 (HB 2001), and as a part of Beaverton's Housing Options project, which will support and encourage the development of "middle housing" in the city.

The historical "single-family only" zoning practices of most local jurisdictions in Oregon, and throughout the nation, have resulted in the exclusion and segregation of many households, including households of color. Your inclusion of Exhibit 5, specifically discussing historic practices in Beaverton provides documentation of these issues.

We appreciate the work that you and staff at the City of Beaverton's Planning Department have done in recommending much-needed changes to these zoning practices and your intent to use these strategies to help promote a variety of housing types, sizes, and price points in Beaverton.

Specifically, we support your recommendations which would:

- **Providing more choices for property owners** if they decide to add more housing to a lot (including additions and new construction)
- **Allowing duplexes, triplexes, quadplexes, townhomes, and cottage clusters in all residential areas** (and on smaller lots than are currently allowed)
- **Reducing setbacks** in residential areas
- **Providing some reductions in off-street parking** requirements (though we would prefer more)

We support and commend this first round of changes, which are intended to provide more places to live for people with different housing needs, preferences, and income levels, as well as encouraging diverse housing options allowing people to stay in their neighborhoods as their needs change and contributing to opportunities for additional affordable housing by allowing more and smaller units in existing neighborhoods. However, we hope that the City will consider further measures and incentives to spur the development of affordable housing in the future, which could include:

- Tax Exemption for all affordable housing development (including targeted homeownership programs and not just multifamily rentals)
- SDC Waivers or Reductions
- A Construction Excise Tax
- Continuing to donate land to affordable housing developers

As a long-term partner with Washington County and the City of Beaverton in the delivery of affordable and equitable housing, we look forward to the opportunities that lie ahead to increase the inventory of affordable housing both within Beaverton and throughout the county. We appreciated a recent ECONorthwest spotlight on Missing Middle Housing that is a sobering reminder that **simply making these code changes will not lead to the development of missing middle housing** in any quantity:

- “Allowing middle housing is necessary, but not sufficient...Aligning regulations to tip the scales towards middle housing” can help balance the market towards this product type
- “Change will be incremental” (opportunities for transition to middle housing types at any given time will be limited)
- “Making middle housing affordable takes intention and support...middle housing can be a good fit for certain affordable housing models” such as Habitat and land trusts.

The stated need to add 12,000 homes in Beaverton by 2035 is a challenge that will require dedication and creativity by the Planning Commission (land use) as well as City Council (incentives). The Housing Options Project has laid out this discussion for the full community and will continue. Sadly, in many cases private Covenants, Conditions and Restrictions (CC&Rs) will limit the City’s ability to make the very progress outlined here, and echoed in the many community conversations that led to this approach. Happily, this type of “private zoning” will not present as many barriers in the future, given changes to state law.

Thank you for the opportunity to share our thoughts and support the proposed changes to Beaverton’s Development Code. With these changes and other similar strategies we are optimistic that we can intentionally reduce the current housing inequities that many historical policies and practices have created or exacerbated for so many in our communities.

Sincerely,



Sheila Greenlaw-Fink
Executive Director

Rob Zoeller

From: Reggie Frumkin <rfrumkin@mail.com>
Sent: Monday, May 9, 2022 9:00 AM
To: Mailbox CDD Planning
Cc: Rob Zoeller
Subject: [EXTERNAL] Public testimony for Planning Commission 5/9 meeting

Categories: 1_HOP

CAUTION: This email originated from outside the City of Beaverton. Exercise caution when opening attachments or clicking links from unknown senders.

Dear members of the Planning Commission,

This is regarding case file numbers CPA2022-0004, TA2022-0002, and ZMA2022-0004 (the Housing Options Project):

While I write today as a private resident of Beaverton, I've been a member of the Housing Options Project work group since its inception in 2018. I urge that the City not take the route most advantageous to real estate developers, no matter how organized they are. Such a finance-oriented approach would inevitably occur at the expense of community concerns such as tree canopy and low-income housing accessibility. This project's endgame must not be distorted into one that overwhelmingly favors private developers by, for example, deregulating them, thus maintaining their windfall profit margins in the midst of a social housing crisis. As more lots are opened for redevelopment the amount of trees under looming threat skyrockets and this should be alarming to everyone, necessitating action beyond what is currently on the table.

It's important to note that any new trees planted would specifically not be considered *landscape* trees, meaning they could be ripped out immediately after the final inspection. The in-lieu planting fee of \$200 a tree is pennies for a developer and the code language is weak so that they could easily get out of planting. It's misleading at best for the City to promote the Housing Options Project as helping citywide tree canopy when after construction trees could be easily ripped out without being replaced. Meanwhile, the developer gets an absurdly high bonus for

each tree preserved, even if it's only 1.5 inches diameter which is far too small of a minimum size. Beaverton's environment doesn't need incentives or encouragement, it needs effective requirements.

To right these issues, I respectfully urge that the planning commission and mayor, city council and city manager reevaluate code changes from climate and urban forestry lenses. Change the proposed rules and numbers to require more larger-maturing trees be planted and preserved, in places where they're least likely to have their lifespans cut short by preventable, inappropriate developer design choices. Require larger lot sizes so space for trees can actually be sufficient, and perhaps limit on-site parking only if that space is reserved for tree canopy and root zones. The City must also regulate and safeguard any trees in these new developments, similarly to the City of Vancouver and its 1997 tree code changes, ensuring what's planted will actually reach maturity.

Developers will attempt to maximize their profits at the expense of low-income residents, our environment and neighborhood livability. Retain limits of floor area maximums to control the size of buildings, and have garages still count for floor area maximums. The housing options project is supposed to allow for more housing, not more car storage space. These are examples of developers pushing greed and self-interest at the expense of a community-driven development framework.

I also urge that the City takes *imminent* action on revising its tree codes as a whole so that tree canopy increases over time, not decreasing as it is now. Please, you have an opportunity now to intervene and be climate and forestry champions. Don't let more of our City's mature trees be bulldozed because they were going to get in the way of a developer's profits.

Beaverton is nothing without our well-integrated large, mature trees and we cannot afford to keep losing them like we are. Thank you for your time.

Reggie Frumkin

SW 22ND ST/HYLAND WAY (Highland NAC)

Rob Zoeller

From: Konnette <a.donaldson2@frontier.com>
Sent: Monday, May 9, 2022 1:31 PM
To: Rob Zoeller
Cc: Reggie Frumkin
Subject: [EXTERNAL] Re: Beaverton's Housing Options Project / How to Provide Testimony

CAUTION: This email originated from outside the City of Beaverton. Exercise caution when opening attachments or clicking links from unknown senders.

This is regarding case file numbers CPA2022-0004, TA2022-0002, and ZMA2022-0004 (the Housing Options Project):

Hello,

I would like to weigh with my thoughts about the housing options that have been put forward.

1. Many of the options rely on vertical space to achieve the housing projects density goals. It is my understanding that the single level options are less less desired by developers. In using an equity lense, it seems to me that they are however better suited for the disabled or mobility impaired and the especially seniors who wish to age in place. I would also say they may be easier to navigate for single parents with small children and full hands. Difficulties are magnified for these groups of people if there is no onsite parking or if the parking is not proximate to the residential unit.

2. Regarding parking options, I am concerned about the impact of limited parking for the neighborhood.s and business areas. Aside from the additional difficulties and safety concerns for the Seniors , mobility impaired and parents with child who should be hand held around traffic areas I feel that it will add a barrier to the use of electric or hybrid vehicles if there are not enough charging stations to safely and conveniently charge an electric vehicle. This is an important consideration in the face of our changing climate and degrading environment. Many businesses and governmental agencies have pledge to meet environmental goals related to emissions control and it seems that environmentally sound options supporting these efforts is important to consider

3. Easily accessible green and common spaces especially for children would be an important accomodation. Working parents need to be assured that their yardless residences have access to green spaces, picnic and play and gathering areas, some of the covered. The much used beaverton fountain is an example of a community space that might be considered.

4. I am wondering if we are able to known when the city has met the intent of the housing options project to increase affordable housing through increased density and zoning alterations

5. Finally I would like to thank the HOP staff and housing committee volunteers for all their efforts. I appreciate very much all the effort that has gone into community outreach and input

Konnette Etheredge
 13555 SW 31st St.
 Beaverton OR 97008

On Tuesday, May 3, 2022, 02:24:52 PM PDT, Rob Zoeller <rzoeller@beavertonoregon.gov> wrote:

Hello HOP Work Group –

Rob Zoeller

From: Mailbox CDD Planning
Sent: Tuesday, May 10, 2022 7:53 AM
To: Rob Zoeller
Cc: Mailbox CDD HOP
Subject: FW: [EXTERNAL] Opposed to the current Housing Options Project Comprehensive Plan

Steven Okey

Planning Technician | Current Planning | Community Development
City of Beaverton | PO Box 4755 | Beaverton, OR 97076-4755
www.beavertonoregon.gov

COVID-19 Update: Please note: I am working remotely/in office at this time. My work hours are: **7:30am-4:30pm M, T, Th, F and 8am-5pm W**. I am in the office **T,W,Th** and can be reached at **503-350-4026**. I work remotely on **M & W** and can be reached at **503-319-6052**.

From: Alaeddin Aydiner <alaeddin.aydiner@gmail.com>
Sent: Monday, May 9, 2022 8:24 PM
To: Mailbox CDD Planning <MailboxCDDPlanning@beavertonoregon.gov>
Subject: [EXTERNAL] Opposed to the current Housing Options Project Comprehensive Plan

You don't often get email from alaeddin.aydiner@gmail.com. [Learn why this is important](#)

CAUTION: This email originated from outside the City of Beaverton. Exercise caution when opening attachments or clicking links from unknown senders.

Dear Planning Commission,

We are strongly opposed to the new re-zoning proposal for high-density housing and completely agree with the statements below by another Beaverton resident. Below I copy all the pretty good points that they have made.

Regards,
Alaeddin Aydiner
10845 SW Avocet Ct
Beaverton OR 97007

PS. Points by another Beaverton resident:

We understand this was drafted to comply with the recent changes to state law to rezone all Oregon cities

for high density housing. Unfortunately, this law was passed without regard or input from Oregonians.

We would like to know what our options are to block this from changing our still beautiful "Tree City of the World" Beaverton.

Why is the state forcing cities to rezone land to allow high density housing, including already developed communities?

1) Is this for affordable housing? We would appreciate an example where high density housing decreased the cost of housing (in the long run).

In our nation's cities, higher density is correlated to higher real estate values, not lower housing costs.

Making Beaverton into an urban city, not a suburban city, will only drive up housing costs.

2) Is this for protecting nature? We would appreciate an example of how high density housing protects nature, and how this is good for our "Tree City of the World" image?

Our existing neighborhood homes have yards with wonderful trees, greenery, and wildlife. This allows

our children to appreciate and respect nature. However, the new apartments and housing developments

in Beaverton are conspicuously devoid of trees and nature. An even more prominent example is in nearby Tigard where high density homes are packed along Roy Rodgers Road, with sparse to no greenery. It is incredible that the rezoning plan would favor abolishing the existing neighborhood trees

and wildlife in exchange for more homes, cars, and people.

3) Is this for consolidating people and resources? Please explain how increasing housing and our population will improve our resource availability?

We already have concerns about water shortages and power outages due to the stress of our current

population on our city resources.

4) Is this to provide more housing for workers, so they can live where they work? Please explain how having more people in family neighborhood will help families commuting?

Currently, people commute to get to where their work is (and/or where they desire to work). Many people

commute so their children can live away from "the city, cement and congestion". This will only bring more

cement, city, and congestion to families, and potentially force them to move even further away from their

work. Having more people in neighborhoods is only going to make commuting more difficult, with parking

and traffic concerns.

5) Is this to allow a better quality of life? Please explain how changing family neighborhoods to high density centers helps families who want their own privacy?

Many people do not live in cities because they want open space around them and room to entertain

family and friends. Forcing existing neighborhoods to become higher density housing is forcing a lifestyle that citizens did not chose, and likely do not want.

6) Is this for allowing better air quality and less traffic? We would appreciate an example where more people, traffic, and congestion to already crowded roadways will improve our air quality and traffic?

It is difficult to find an urban city that has a better air quality than suburban or rural areas. Our freeways

are already congested, with standstill traffic occurring at all times, including non-commute hours and

weekends. The smog created by this situation is already unhealthy and not surprisingly, Portland air

quality is worse than LA air on many days (per the EPA AirNow website).

7) Is it for creating better quality health for citizens? Please explain how overcrowding homes and residences is going to keep us happier? The topics discussed above detail how high density housing adversely affects the health and well-being

of it's citizens. Not surprisingly, these are the same problems that arise from living in a big city, which is

the prototype for high density housing. Now we are being sold that this is the cure for our suburban

areas? People move to the suburbs to avoid these problems, yet the state wants to mandate rezoning

laws and force suburban areas to become congested like bigger cities?

Unfortunately, Oregon state politicians made these changes to our land use laws without input from

citizens. This bill allows high density housing, especially in existing neighborhoods, which will negatively

affect Oregon families in countless ways, as outlined above. If Oregonians were allowed to vote, they

likely would have rejected such a terrible law.

We vote for so many measures with much less impact on our individual lives. We would like to understand why Oregonians were not given the opportunity to vote on the rezoning of suburban neighborhoods for high density housing? We would appreciate an explanation of how they thought this

was in our best interest?

Rob Zoeller

From: Jon Donson <donjon456@gmail.com>
Sent: Monday, May 9, 2022 10:33 PM
To: Rob Zoeller
Cc: Mailbox CDD Planning
Subject: [EXTERNAL] Housing Option Project

Some people who received this message don't often get email from donjon456@gmail.com. [Learn why this is important](#)

CAUTION: This email originated from outside the City of Beaverton. Exercise caution when opening attachments or clicking links from unknown senders.

Ref# CPA2022-0004, TA2022-0002, ZMA2022-0004

My name is John Steiner and I strongly oppose "Housing Option Project"

"Housing Option Project" will greatly reduce the value of "single family houses", which is not fair to current homeowners in Beaverton.

There are other close -by-locations to allow for "Middle Housing" which are more appropriate. The main advantage is for developers to make profit at OUR expenses.

This project will also:

- Increase traffic and create more accidents.
- Creates more pollutants.
- Reduces the number of trees.
- It would be more cars on the streets.

More people equals:

- More people in medical clinics, hospitals, longer wait to see a doctor etc.
- More people in the stores, buses, trains.
- Longer time to get emergency service!

Rob Zoeller

From: L Puccinelli <lpuccinelli@gmail.com>
Sent: Tuesday, May 10, 2022 12:04 AM
To: Rob Zoeller
Cc: Lisa Puccinelli
Subject: [EXTERNAL] Comments regarding Public Hearing for Housing Options Project (Case File Nos. CPA2022-0004, TA2022-0002, ZMA2022-0004)

You don't often get email from lpuccinelli@gmail.com. [Learn why this is important](#)

CAUTION: This email originated from outside the City of Beaverton. Exercise caution when opening attachments or clicking links from unknown senders.

Dear Mr. Zoeller,

My comments below are in response to the Public Hearing Notice I received from the Planning Commission for the meeting to be held May 11, 2022 for the Housing Options Project. I have many concerns regarding the Re-zoning and Development Code Changes.

1. Overcrowding and congested Parking

People move to the suburbs, like Beaverton, to avoid the overcrowding and congestion in more densely populated areas like Portland. By allowing multi-unit properties on such small lot sizes (as described in the notice), the peaceful quiet neighborhoods that drew homeowners to this city in the first place will now be gone.

Also, parking for these potential new crammed multi-unit homes is a huge problem. Across the street from my neighborhood, two very large low income housing complexes were built. Large amounts of people/cars already spill over into the neighborhoods. I lived in downtown Portland, and one reason I chose to move to a single family neighborhood was to allow for friends/family to have parking when they come over to visit. The city's plan does not take parking issues into consideration at all.

2. Fire safety

The proposed plan changes the current rules regarding how close a home can be built near the property line. If you have up to seven "cottages" built on a regular size (7k) lot, that means you have 7 people/families cooking, lighting candles using electrical power, creating a large potential for a fire hazard. And since the cottages are now even closer to the property line and each other, the risk of something spreading to neighboring homes increases dramatically.

3. Noise/Changing Quiet Neighborhoods/Neighbor Conflict

With so many families packed into such a tiny area, in a formerly quiet single family neighborhood, the noise level will drastically increase and disturb the residents of the formerly peaceful community. I expect increased tension and conflict between neighbors as well if this new housing plan takes effect. Who will manage/regulate these new multi-unit properties and handle the associated issues such neighbor conflict, noise pollution and maintenance? The privacy we once felt in our homes/yards will now be gone.

4. Increased Crime

Beaverton's new housing plan also increases the chances of higher crime in neighborhoods. Anytime the population of a neighborhood increases, crime increases as well. We

do not want Beaverton to become the next Portland. People move out of Portland to get away from overcrowding and crime. We want to live in an area where we know our neighbors and feel safe. We do not want to live in crowded crime ridden neighborhoods that feel like downtown Portland.

4. Decreased Property Value

The very reason people move to the suburbs is to have more space, peace, quiet, safety and parking. The character of the single family neighborhoods, that draws buyers to Beaverton, will be gone. Our property values will decrease as a result.

5. Strain on Utilities and Police/Fire Resources

Placing so many people in the congested living conditions proposed by the housing plan will strain water, power, other utilities, and police and fire resources for the neighborhoods.

I oppose the changes set forth in the Housing Options Project Notice, and request that the Planning Commission reconsider the plan. Please do not ruin the single family home neighborhoods we love. The city can build multi-unit housing in the areas already zoned for such housing. Many of us worked long and hard to be able to afford to move away from the overcrowding, congestion, noise and crime of cities like Portland, and we do not want the very things we moved away from showing up in our backyards.

Thank you,
Lisa Puccinelli
Resident of Triple Creek Neighborhood
LPuccinelli@gmail.com



Virus-free. www.avast.com

Rob Zoeller

From: Mailbox CDD Planning
Sent: Tuesday, May 10, 2022 7:53 AM
To: Rob Zoeller
Cc: Mailbox CDD HOP
Subject: FW: [EXTERNAL] Proposed property zoning amendment

Steven Okey

Planning Technician | Current Planning | Community Development City of Beaverton | PO Box 4755 | Beaverton, OR 97076-4755 www.beavertonoregon.gov

COVID-19 Update: Please note: I am working remotely/in office at this time. My work hours are: 7:30am-4:30pm M, T, Th, F and 8am-5pm W. I am in the office T,W,Th and can be reached at 503-350-4026. I work remotely on M & W and can be reached at 503-319-6052.

-----Original Message-----

From: john vogler <jgvogler@frontier.com>
Sent: Monday, May 9, 2022 5:55 PM
To: Mailbox CDD Planning <MailboxCDDPlanning@beavertonoregon.gov>
Subject: [EXTERNAL] Proposed property zoning amendment

[You don't often get email from jgvogler@frontier.com. Learn why this is important at <https://aka.ms/LearnAboutSenderIdentification>.]

CAUTION: This email originated from outside the City of Beaverton. Exercise caution when opening attachments or clicking links from unknown senders.

Dear Project Manager,

I write in opposition to the proposed property zoning amendment. We moved to Oregon from Chicago 28 years ago to the Murrayhill area. We have enjoyed living in Murrayhill and rely upon the support of the homeowners association and CC&R regulations to ensure the quality of our neighborhood. The City of Beaverton has no right to take away my property rights. I do not want accessory dwelling units or additional homes built next door. It would completely change the character of the neighborhood. Frankly, we would strongly consider leaving the area if this were to happen.

IMO you are trying to solve a problem that we do not have. Housing may be an issue in Portland, but not in Beaverton. With the new South Cooper Mountain development of 3000-5000 additional homes, we do need to subdivide lots in Murrayhill to create additional homes.

Respectfully,

John Vogler
10580 SW Cormorant Drive
Beaverton, Oregon 97007
503-579-1346



Community Development Department / Planning Division
12725 SW Millikan Way / PO Box 4755
Beaverton, OR 97076
General Information: 503-526-2222 V/TDD
www.BeavertonOregon.gov

MEMORANDUM

TO: Planning Commission
FROM: Rob Zoeller, Associate Planner
DATE: May 10, 2022
SUBJECT: Supplement to Urban Greenspaces Institute Letter of Support

On February 1, 2022, the Urban Greenspaces Institute provided a letter of support for proposed changes to the Development Code, which included some additional recommendations.

At the March 15 City Council work session, Council directed staff to increase off-street parking requirements from none to one per unit for single-detached dwellings, duplexes and townhouses . Staff also received direction that duplexes can benefit from up to one on-street parking credit; however, single-detached dwellings and townhouses do not benefit from the credit.

On May 10, 2022, staff consulted with the Urban Greenspaces Institute to see if they would still like the letter included in the packet, and they confirmed that they would, but on the condition that their recommendation is still that the city should consider further reducing off-street parking requirements for middle housing given the capacity for on-street parking in many neighborhoods.

**STAFF**

Ted Labbe
Executive Director

Theresa Huang
*Partnerships and
Planning Manager*

Mike Houck
Emeritus Director

BOARD

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Luz Reyna

February 1, 2022

City of Beaverton Planning Commission and
Planning Department staff
12725 SW Millikan Way
Beaverton, OR 97005
mailboxCDDPlanning@beavertonoregon.gov

RE: Proposed Beaverton middle housing reforms

Beaverton Planning Commissioners and staff:

Thank you for the opportunity to provide comments on the City's proposed middle housing reforms to comply with Oregon HB 2001. There is much to like about the City's proposed code reforms, which will promote greater housing choices and more climate-friendly policies around tree conservation and reduced parking requirements.

The Urban Greenspaces Institute (UGI) advocates for and leads collaborative urban greenspaces conservation across the Portland metropolitan region. We work to safeguard and reclaim greenspaces as places for people and wild nature, and to address the climate crisis. In all our work we seek to redress social and environmental injustice, to create healthy, connected and resilient communities.

We previously provided general comments during fall 2021 on the three broad alternatives developed by your staff. At this time we offer general comments on the proposed reforms and may follow up with more specific comments later in the year.

In general, we offer our strong support for the package of middle housing reform developed by your staff. We like the smaller minimum lot sizes, smaller setbacks, building size flexibility, reduced parking minimums, new on-site open space requirements, and especially the new tree preservation incentive and planting requirements.

In our review of the proposed code adjustments, we find that the staff proposed reforms are well-thought through and integrate well. They consider the City's needs to advance in other arenas like climate change mitigation and adaptation. For example, the new open space requirements and setback requirements on individual sites will create space to plant new required trees, to grow the City's urban forest canopy over time. Similarly, relaxed parking minimums will create greater design flexibility and space for both housing and green spaces in residential zones.

We are particularly fond of the City's proposed incentive to provide additional building square footage for every tree greater than 10 inches in diameter preserved on a site. To our knowledge, this is a novel approach in the Portland metropolitan region and worthy of replication in neighboring cities. We like this approach because it links opportunities for enhanced housing capacity with tree preservation. Trees create important visual and auditory buffers for development, so it makes sense to link these two aspects of the reform package.

In Livable Cities is Preservation of the Wild

In a few aspects of the proposed code reform, we think the City can go farther. We appreciate and support sentiments expressed by Planning Commissioner Teater at the January 19, 2022 Planning Commission meeting: please consider ways to ease the procedural burden for residents to comply with the new residential design review requirements. We agree that most new developments should be reviewed by staff, not the Planning Commission.

We also think that the City's on-site parking minimums could be further eased or eliminated entirely for triplexes and quadplexes. Is there any place in Beaverton where parking supply is limited? Other cities in the region like Portland and Milwaukie have either removed all on-site parking requirements or are considering greatly scaling them back in all/most residential settings. Parking minimums raise the cost of housing and limit other desirable on-site amenities (like trees and greenspaces).

Alongside these middle housing reforms we would encourage the City to consider improvements to its tree code, similar to what the City of Milwaukie is undertaking at present. In particular, the City of Beaverton's wholesale exemption on tree removal for developed residential lots of one-half acre or less is an enormous barrier towards tree conservation in Beaverton. On lots of one-half acre or more, up to four trees 10 inches diameter or more may be removed per year. Finally, the City's use of a regulated tree size threshold of 10 inches likely leads to the unnecessary loss of smaller trees, that may eventually contribute towards significant tree canopy. Many cities in the region are now moving towards a regulated tree size threshold of six inches in diameter. These are just a few of the deficiencies that we have identified in the City of Beaverton's tree code that warrant fixes.

We look forward to supporting the City's middle housing reform package as it moves forward. These middle housing reforms represent an important part of the City's efforts to increase access to affordable and climate-ready housing. Thank you again to the excellent work done by your staff, and for the opportunity to provide comments and input.

Sincerely,



Ted Labbe, Executive Director
Urban Greenspaces Institute

CC: Rob Zoeller, Theresa Huang, Derron Coles, Janelle St Pierre, Lori Hennings, Tim O'Brian, Ashley Short, Micah Meskel, Fran Warren

Rob Zoeller

From: B Steiner <bsteiner2@gmail.com>
Sent: Tuesday, May 10, 2022 3:15 PM
To: Mailbox CDD Planning; Rob Zoeller
Subject: [EXTERNAL] Housing Option Project

Some people who received this message don't often get email from bsteiner2@gmail.com. [Learn why this is important](#)

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Cas files numbers:

CPA2022-0004

TA2022-0002

ZMA2022-0004

I oppose the Housing Option Project because:

- It will lower values of properties in Beaverton.
- It will attract more people to the City of Beaverton.
- It will create more traffic, more pollutants,

It's just a few downsides.

A thicker, denser housing canopy will take away our beautiful tree canopy and the charm and livability of our small suburban town.

Allowing "Middle Housing" in Single Family zones will significantly lower community experience we cherish.

In the best interest of People of Beaverton is to oppose the "Housing Option Project", which is not fair to current homeowners in our area.

The main advantage is for developers to make profits at our expenses.