

March 16, 2015

To: City of Camas Planning Commission

From: Lugliani Investment Co. LLC

**RE: COMMENTS AND PROPOSED REVISIONS TO CAMAS MXPD OVERLAY DRAFT CODE**

**Introduction**

Mixed use codes generally seek to implement smart development that can achieve the following benefits:

- Economic development and improved tax base;
- Revitalization of downtowns, main streets, and neighborhood centers
- Development of needed housing close to jobs and services; and the creation of jobs close to where people live
- Transportation choices and connectivity;
- Walkable communities and, where applicable, transit-supportive development;
- Decreased commuter road congestion;
- Efficient use of existing urban services and facilities, as an alternative to extending new facilities;
- Energy conservation through reduced reliance on the automobile; and
- Public cost savings (over sprawl development patterns).

(Commercial and Mixed Use Development Code Handbook, Oregon TGM Program, accessed 03-14-2015, <http://www.oregon.gov/LCD/docs/publications/commixedusecode.pdf> )

Keeping these and other mixed use goals in mind, we would like to provide the following comments on the City's Proposed Amendments to MXPD Codes:

**Comment #1 – Approve addition of multifamily housing as part of MXPD development**

CMC 18.07.030- Table 1 includes a change to allow multifamily development in Community Commercial and Residential Commercial zones as part of an MXPD planned area. This proposed change positively affects the ability of project developers to implement Mixed Use projects, and should be approved. The following sources support the inclusion of multifamily in mixed use projects:

*“Providing the opportunity for mixed-use development is another way to accommodate housing demand and expand the housing choices available. Planned Unit Developments in commercial areas throughout the city will enhance the vitality of these areas by providing neighborhood retail services, a diversity of housing choices, and a link to existing pedestrian corridors in nearby neighborhoods.”*

(Camas 2004 Comprehensive Plan, City of Camas, pg V-4, accessed 03-14-2004, <http://www.cityofcamas.us/images/DOCS/PLANNING/REPORTS/2004compplan.pdf> )

*"...mixing certain types of housing into commercial zones can inject life into business districts. Multi-family housing in commercial zones should be allowed as a way for residents to reduce car travel for all daily activities, as well as a prime location for senior housing. Permitting multi-family buildings in a commercial zone allows developers to respond to several markets simultaneously, and broadens their ability to respond to changing market forces".*

(Smart Development Code Handbook, Oregon TGM, accessed 03-14-2015,

<http://www.oregon.gov/LCD/TGM/Documents/SmartDevelopmentCodeHandbook%20OCR.pdf>

**Comment #2: Remove or revise limits on residential density; revise limits on use by percentage of acreage**

The City's proposed changes to the MXP code place limits on residential density, and also on residential use by percentage of acreage. These limits on residential use are not found in other Mixed Use codes (see survey below) and should be removed. Other Mixed Use codes actually encourage achieving the highest densities possible in Mixed Use projects in order to maximize compact form and smart growth. The limits in the MXP code hamper development by reducing the economic viability of projects. Limitations on residential components of Mixed Use projects will occur in other forms directly related to site design, such as parking requirements, setbacks and buffers, and will be reviewed at both the Master Plan and Site Plan levels.

The following table shows the differences in these measurements among a sample of Mixed Use codes, of cities under 60,000 in population:

SAMPLE MX CODE COMPARISON	Residential Density	Mix of Uses
City of Camas, WA (18.22)	Min. 8 units, Max. 24 units per net acre	25% min./ 50% max. (residential)
City of Tumwater, WA (18.20)	Min. 14 un/net ac, no Max.	No mix limits
City of Issaquah, WA (18.07.370)	No min or max	No mix limits
City of Tualatin, OR (Chapter 57)	Min. 25, max 50 units per net acre	No mix limits
Oregon City, OR (17.29)	Minimum FAR	No mix limits
City of La Mesa, CA (24.18.040)	For sites greater than 10,000 s.f.: Max. 40 un/ac. For sites less than 10,000 s.f.: Max. 30 un/ac.	No mix limits
City of Gardena, CA (18.19.060.C)	For sites less than ½ acre: Max. 20 un/ac For sites between ½ and 1 acre: Max. 25 un/ac For sites greater than 1 acre: Max. 30 un/ac	No mix limits

*Draft CMC 18.22.070(A): ...The maximum average density shall be twenty-four dwelling units per net acre. Proposed change: Remove maximum density, or increase to 30 units per net acre.*

*Draft CMC 18.22.050: Required Mix of Uses ...No single use shall comprise less than 25% of the development area (i.e. residential, commercial and industrial) and no more than 50% of the net acreage of the master plan shall be residential, including units located on the ground floor of a mixed-use building... Proposed change: Remove maximum percentage required for mix of uses, and maintain minimum percentage of 25% to ensure adequate mix of uses.*

The brief review of sample Mixed Use zones shows that the limits placed on residential uses in the draft MXPDP Overlay zone run counter to the purpose of both incentivizing higher densities in mixed use projects, and by extension, increasing the variety of housing available to employees in west Camas. Office and manufacturing employment opportunities located within the west Camas employment corridor are rebounding and will continue to increase, yet there are limited opportunities for housing in that same area for young professionals and one- or two-person householders (a rising demographic) who want to live near their workplace and also near retail and other amenities. Providing more variety in housing opportunities directly impacts the ability of businesses to attract and retain employees, thus influencing the economic climate in Camas.

### **Comment #3: Remove conflict in allowance of vertical mixed use buildings**

The following sections in the proposed MXPDP draft code are in conflict, and should be resolved in favor of allowing vertically mixed use buildings:

*Draft CMC 18.22.040(C): Commercial and retail uses are permitted, but not required, on the ground floor of multi-use buildings throughout the district. No changes proposed*

*Draft CMC 18.22.050: Required Mix of Uses ...No single use shall comprise less than 25% of the development area (i.e. residential, commercial and industrial) and no more than 50% of the net acreage of the master plan shall be residential, including units located on the ground floor of a mixed-use building... Proposed change: Remove maximum residential percentage (as previously proposed) including conflicting language “including units located on the ground floor of a mixed use building”.*

### **Comment #4: Include shared (joint) parking agreements in Table 2 Incentives for parking reduction**

Shared parking agreements are borne out of locating a mix of uses in close proximity, and result in reduced parking requirements. Reduced parking requirements are viable in a development that provides alternating use requirements (day time and night time activities) and are supported

by the provision of alternative transportation facilities such as pedestrian and bike connections, as well as proximity to transit and work opportunities.

**Table 2 Proposed change: Add “Shared Parking Agreement” under Action column, and “per CMC 18.11.070” under Reduction column.**

**Comment #5: Add Live/Work as a commercial use**

Live-work units can be important components of mixed use developments. These types of units create incubator spaces for emerging businesses and artists, help activate neighborhood streets, and reduce traffic trips. Such spaces also provide transitions between residential and commercial uses, particularly enhancing the pedestrian environment. Both large and small cities, such as Seattle and Sumner, have provided for live-work housing.

(MRSC of Washington, Mixed Use, accessed 03-15-15, <http://mrsc.org/Home/Explore-Topics/Planning/Development-Types-and-Land-Uses/Mixed-Use.aspx> )

The additional of Live/Work units as a use is also important as the emphasis on business activation is the flip side of the intent of the Home Occupation use. Live/Work units focus on the creation and maintenance of the “work” side of the live/work balance, by establishing minimum criteria for maintenance of business uses, whereas Home Occupation codes seek to limit the exposure and activity of the business.

**Proposed change: Add “Live/Work” definition to CMC 18.03.030:**

A live/work unit is defined as a single unit (e.g., studio, loft, or one bedroom) consisting of both a commercial/office and a residential component that is occupied by the same resident. The live/work unit shall be the primary dwelling of the occupant.

**Proposed change: Add “Live/Work” as a Commercial use in CMC Chapter 18.07.030-  
Table 1 Commercial and Industrial Uses**

Commercial Uses in Commercial and Industrial Zones	NC	DC	CC	RC	MX	BP	L/BP	LI	HI
Live/Work units	X/P <sup>10</sup>	X/P <sup>10</sup>	X/P <sup>10</sup>	X/P <sup>10</sup>	X/P <sup>10</sup>	X	X	X	X

(in addition to notes 1-9) 10. Allowed as approved in a Mixed Use Planned Development (MXPD) overlay area.

**Proposed change: Add “Live/Work” as an Allowed Use in CMC 18.22.040 Allowed Uses:**

E. Live-work:

a. Professional, administrative, and business uses;

- b. Repair services (excluding auto related repair services);
- c. Retail sales and service;
- d. Studios (art, photography, copywriter, film/video).

**Proposed change: Create Live/Work Standards section as CMC 18.22.110 Live/Work Standards:**

A. Live/work standards: Live/work units and buildings are subject to the following standards:

1. Work on the premises of a live/work unit shall be limited to persons who live in the live/work unit. Living and working spaces shall not be rented or sold separately. The owner/occupant of a live/work unit shall notify the City of any change in use or occupancy. Any change of use or occupancy shall comply with the uses identified in this Section and will require a new Certificate of Occupancy. The commercial square footage initially approved for live-work areas within a unit shall remain commercial in nature and shall not be converted to residential use with subsequent owners.
2. Off-street loading will be accomplished by the temporary use of planned parking spaces, or in parking spaces limiting a vehicle's permitted parking time (e.g., parking stalls designated with twenty minute parking limits).
3. Live/work units and buildings must comply with any requirements imposed by the building, fire, community development, police, and public works departments intended to protect the public health, safety and welfare.
4. An administrative approval or conditional approval of the commercial/work component of the live/work units shall be granted to the owner of the unit. Approvals of commercial uses may not be transferred between units. A copy of all conditions of the approval of the project shall be provided to all future owners/occupants of the building prior to their execution of a lease or purchase agreement for the live/work unit. Project conditions are required to be recorded with the County Recorder's Office prior to exercise of entitlement.
5. Businesses using commercial vehicles are prohibited.