

**CITY OF CORVALLIS
PROPERTY MAINTENANCE CODE ADVISORY GROUP
MEETING AGENDA**

4:00 p.m.

Wednesday, October 23, 2013

Downtown Fire Station Meeting Room
400 NW Harrison Avenue

- I. Visitor comments (up to 10 minutes)
- II. Review September 24, 2013 meeting notes
- III. Overview of anticipated Property Maintenance Code operating protocols and approach to progressive enforcement
- IV. Next steps
- V. Other business
- VI. Visitor comments (if time allows)
- VII. Adjourn

City of Corvallis

Property Maintenance Code Advisory Group

Notes for the meeting of September 24, 2013

Meeting time: 4:00 p.m. Location: Madison Avenue Meeting Room, 500 SW Madison Avenue

Members present: Allie Bircher, Amy Harding, Charlyn Ellis, Jerry Duerksen, Kari King, Ken Gibb,
Rachel Ulrich

Members absent: Karen Levy Keon

Staff present: Bob Loewen, Chris Westfall, Kent Weiss

- I. Visitor comments – Kent Daniels noted that many single family homes have been converted from owner occupancy to renter occupancy in the recent past. He expressed support for the implementation of a Property Maintenance Code (PMC), pointing out that it would address policies contained in the City’s Comprehensive Plan. He suggested that the final product of the PMC Advisory Group’s work be presented to the Planning Commission; he recommended that PMC complaints be accepted from anyone, not just tenants; he expressed support for increasing the fee per rental unit from \$12 to the mid-\$30s figure that was identified in discussions of the PMC during the Corvallis Collaboration’s Livability Work Group meetings.
- II. Review September 10, 2013 meeting notes – A change to the first question on page two of the notes was suggested and accepted. The question now reads “Should the owner/landlord of a rental property be required to contract for garbage/rubbish removal?”
- III. Overview of IPMC standards and provisions (continued) – Chair Gibb noted that staff would be reviewing main concepts found in the remaining chapters of the International Property Maintenance Code (IPMC). He asked Advisory Group members to record questions and areas of interest for prioritization in advance of future discussions about PMC implementation protocols.

Code Enforcement Supervisor Westfall provided an overview of the electrical requirements found in Chapter 6 (Mechanical and Electrical Requirements), and then reviewed Chapter 7 (Fire Safety Requirements), Chapter 4 (Light, Ventilation and Occupancy Limitations), and Chapter 1 (Scope and Application). His overview included explanations of many of the provisions, their intent, and the rationale for their inclusion in the IPMC. Questions about specific IPMC content were raised with the understanding that further discussion will occur during future Advisory Group meetings. Questions and points raised for future consideration included:

- How will the PMC address non-operational fireplaces?
- Should an electrical outlet in each bathroom be required? What if the current electrical system cannot accommodate an outlet in a bathroom – would the unit need to be rewired?
- Should smoke detectors be required both inside and outside of bedrooms? (Westfall explained that this requirement aligns with current building and fire codes.)
- Is it necessary to be so specific with PMC standards, for example, the requirement that rooms have glazing equivalent to 8% of their floor space? (Westfall explained that alternative, mechanical means to achieve this lighting requirement could be utilized.)
- What if a room has a dimension of less than 7 feet? Would that mean the room could not be used for sleeping? (Westfall noted that this conclusion is correct, the room could not be used for sleeping.)

- Are there bases for the IPMC's floor space requirements for sleeping rooms and living/dining rooms? (Westfall explained that sleeping room requirements are based on what is needed to accommodate furniture and safe egress; living/dining room requirements are based on resident needs for usable space outside of their sleeping rooms.)
- Should the IPMC be applied to non-residential properties?
- How will a code inspector handle a situation in which they inspect for one complaint issue but find other issues that do not comply with the PMC?
- Who can grant access to a property for purposes of inspection? (Westfall explained that the party in control of the space would need to grant access for a City inspection.)
- Could complaints by non-residents (e.g., neighbors) be limited to exterior conditions only?
- How will the prosecution of violations be handled? Would an owner who refuses to paint the exterior of their home be guilty of a misdemeanor? (Westfall and Gibb noted that this will be covered in more detail during the next PMC Advisory Group meeting when the topic of PMC implementation protocols is discussed.)

- IV. Other business/closing visitor comments/next steps – Audience member John Wydronek shared his opinion that the PMC should only apply to issues that have been problems in the past, and that the per unit fee in the mid-\$30s would be too high.

Chair Gibb reminded Advisory Group members to continue recording their PMC questions and areas of interest for future discussion. The next meeting date has not yet been finalized, but should be by the end of the week and staff will notify Advisory Group members once it is.

- V. Adjourn – The meeting was adjourned at 6:10 p.m.

MEMORANDUM

October 21, 2013

TO: Property Maintenance Code Advisory Group

FROM: Ken Gibb, Community Development Director



RE: October 23 meeting packet

The October 23 meeting of the Property Maintenance Code Advisory Group will shift focus from the content and standards of the model 2012 International Property Maintenance Code, to a discussion about local Property Maintenance Code implementation protocols and progressive Code enforcement concepts. **Please note that this meeting will be held in the downtown fire station meeting room, located upstairs in the main station at 400 NW Harrison.**

Included with this staff report you will find four attachments:

- A list of issues and questions that have been raised by the Advisory Group to date
- A response to Amy Harding's e-mail of September 26
- A copy of a March 16, 2012 memorandum from Corvallis Collaboration project manager Eric Adams outlining public comments received in each of the project's focus areas

Staff will provide overviews of these materials on October 23.

There are currently two additional Advisory Group meetings scheduled, on October 29 and November 12, and we will be looking to schedule at least one more meeting to wrap things up in late November or early December. Meeting topics and locations will include:

<u>Date</u>	<u>Location</u>	<u>Topics</u>
10/29/13	Library Main Meeting Room	Education/outreach; discussion of issues/questions raised by Advisory Group members in prior meetings
11/12/13	Library Main Meeting Room	PMC program staffing/budget; follow up on outstanding issues
TBD	TBD	Follow up on outstanding issues; discuss/finalize overall PMC program design

Thanks as always for your help with this project. We'll look forward to seeing you October 23.

Questions/Issues Raised by Property Maintenance Code Advisory Group through 9/30/2013

From the September 10 PMCAG meeting:

- How will responsibility for the condition and repairs required for fences be determined and enforced?
- What standards will be used to evaluate the condition and need to address a building's exterior paint?
- What assurances are there that current interpretations of Property Maintenance Code standards, and staff's explanations of its intended approaches to enforcement, will be continued into the future as new staff take over implementation and enforcement responsibilities?
- Why should the City and its Property Maintenance Code be concerned about the condition of interior, non-load bearing walls (paint, plaster) in owner-occupied homes?
- Should indoor furniture being used and left outdoors be considered rubbish, and treated as such under the City's Property Maintenance Code?
- Will the Code have provisions to allow residents to compost?
- Should the owner/landlord of a rental property be required to contract for garbage/rubbish removal? Can't that be required of a tenant through a property lease?
- Will the Code stipulate a required frequency of garbage/rubbish removal?
- If a tenant causes a pest infestation but does not address it before moving out, what redress does the property owner/landlord have?
- Is it practical/realistic to expect that there will be no pests (e.g., fleas) in outdoor areas of a property?
- Why should the Code be concerned with whether bathrooms/water closets have doors that lock?

From the September 24 PMCAG meeting

- How will the PMC address non-operational fireplaces?
- Should an electrical outlet in each bathroom be required? What if the current electrical system cannot accommodate an outlet in a bathroom – would the unit need to be rewired?
- Should smoke detectors be required both inside and outside of bedrooms? (Westfall explained that this requirement aligns with current building and fire codes.)
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Weiss, Kent

Subject: RE: Upcoming Advisory Group Meetings

Responses to Amy's questions are included in bold type within the body of the e-mail below.

From: Amy Harding [<mailto:amyharding@yahoo.com>]

Sent: Thursday, September 26, 2013 1:33 PM

To: Weiss, Kent

Cc: Allie Bircher; Amy Harding; Charlyn Ellis; Gibb, Ken; Jerry Duerksen; Karen Levy Keon; Kari King; Loewen, Bob; Rachel Ulrich; Westfall, Chris

Subject: Re: Upcoming Advisory Group Meetings

If my memory serves me correctly, we said that we would copy all on any requests pertaining to our work as members of the Property Maintenance Code Advisory Committee (PMCAC). If that isn't the case, I apologize for pestering you all with this email.

Good afternoon, Kent,

I'm not sure if you are the right person to ask, but if you aren't will you please forward this request onto whomever is?

If possible, I would like the following information:

What percentage of public comment heard by the Collaboration Corvallis Steering Committee pertained to:

- 1) external maintenance issues (yard maintenance, rubbish accumulation, furniture left in the yard, etc.)
- 2) tenant (or occupant) behavior
- 3) structural integrity, and utility or safety-related issues (these can all be grouped together)

These stats don't have to be exact , but I'd like to have some idea of the relative numbers.

It isn't really possible to calculate percentages because of the number and range of issues that have been voiced over the course of the Collaboration project (2 years). However, based on Staff's experience and a review of some of the summary documents related to Collaboration Project public comments (including the attached summary of the 11/16/11 project kick-off meeting), we would rank the relative frequency of the above items as follows:

Tenant or occupant behavior (vandalism, parties, alcohol related issues)

External maintenance issues (garbage, yard maintenance, overall livability)

Structural integrity, utility or safety related issues (building maintenance, over-occupancy, preservation of housing stock)

Based on subsequent public comment, research, and Livability Work Group discussions, the Livability Work Group developed a series of recommendations to address behavior related concerns, e.g. municipal code amendments and increased police staffing, and also recommended a property maintenance code program to address both external property condition concerns and building maintenance, occupancy and housing stock preservation issues.

Also, on page #2 of the March 13th memorandum that was provided to PMCAC members is a statistic that "more than 850 complaints were received by the City of Corvallis related to Land Development Code, Municipal Code, or Rental Housing Code regulations. Approximately 280 of those pertained to habitability issues..." Is there any way the PMCAC can have the opportunity to review those complaints (the complaining parties' identity wouldn't be disclosed, of course) and, would you please define the word "habitability" as it is being used in that statement?

Within the scope and timeframe of the Advisory Group's review, accessing all of the individual complaints is not possible. However, complaints received in 2012 have been categorized by type, and that information is provided below. It should be noted that two different divisions within the Community Development Department have been carrying out code enforcement work: the Development Services Division conducts enforcement for Building Code, Municipal Code and Land Development Code issues; the Housing Division conducts enforcement related to the City's Rental Housing Code. The data below is broken out by those two division functions.

Development Services Code Enforcement

Dirt and debris in ROW	9
Drainage	6
Excavation, grading, EPSC	2
Hazardous structure	22
Land use violation	74
LDC over occupancy	19
Noise ordinance	2
Other	17
Sanitation	6
Sign code	40
Solid waste	160
Stagnant water WNV	1
<u>Work without permit</u>	<u>234</u>
Total	592

Rental Housing Code Enforcement

Heat	16
Plumbing	48
Weatherproofing	74
Structural	15
Smoke detectors	9
Locks	8
Garbage/vermin	76
Electrical	15
Appliances	10
<u>Fire/life safety</u>	<u>17</u>
Total	288

The use of the word "habitability" in the March 13, 2013 memo from Eric Adams to the Collaboration Corvallis Steering Committee would have been intended to use a common definition/understanding of that word, i.e., "being suitable for occupancy." Typically, complaints to the City's Rental Housing Program fall into two categories: "habitability" as defined here and detailed in the second listing above, and "non-habitability" which would include things like least terms, evictions, and tenant or landlord rights and obligations.

I think that's all for now. Thank you, in advance, for any information you can provide.

Kind regards,
Amy Harding



MEMORANDUM

TO: Neighborhood Planning Work Group
Parking and Traffic Work Group
Neighborhood Livability Work Group

FROM: Eric Adams, Project Manager

DATE: March 16, 2012

SUBJECT: Corvallis-OSU Collaboration Project – Comments from November 16, 2012,
Collaboration Project Community Meeting and OSU Campus Master Plan
Update Neighborhood Meetings

This past fall, staff from the City of Corvallis and Oregon State University conducted several community and neighborhood meetings, at which comments on the Corvallis-OSU Collaboration Project were collected. The following comments, which are in no particular order and were summarized as each was recorded, are from those meetings.

Parking and Traffic

- Explore park/ride for commuting students and staff
- Monetary incentives for students to not have cars off campus
- Need to expand existing parking distribution, especially eastern perimeter. Needs to be done now.
- Revise on site residential parking standards
- Improve use of public transit for OSU students
- Parking impacts around campus effect residents who live elsewhere when they want to visit those neighborhoods
- Car infrastructure just attracts more cars minimize number of cars, more students doesn't equal more cars
- Car free buildings, no need for parking
- Comprehensive approach to parking good
- Encourage students not bring cars
- Have large lots on the edge of town and shuttle

- Okay to establish smaller parking districts then comprehensive solution
- Downtown employees parking in neighborhoods for weeks and takes away parking from students
- Have parking distribution in neighborhoods near OSU. Have seen people living/sleeping in cars
- Tie parking requirements to bedrooms
- Parking taskforce comments need to be incorporated into project
- Look at inter-city transportation, contributes to more cars in city
- Need to address number of people, number of cars per house. Too many cars in street, parking on both sides
- Would like good public transportation people actually use. 3-5 minutes per bus. Not 30 minutes. Might help traffic and parking
- Parking worse every year. Cruising for parking. (10th and Jackson). Would like parking districts in residential areas, OSU.
- More parking enforcement in district C
- Develop and implement incentives to help reduce parking off campus
- Permit only parking in neighborhoods (i.e., establish a parking district in all of the neighborhoods adjacent to OSU)
- Faulty assumption that a reduction in parking on OSU main campus results in a multi-model shift (i.e., parking reduction on campus prompts people to take the bus, bike, or walk); a parking reduction on campus leads to increased parking in neighborhoods surrounding campus
- Establish long-term parking off campus
- Existing transit (headways and route services) insufficient to meet current demand, let alone demand which will accompany future growth at OSU
- On-street parking issues are increasing in neighborhoods surrounding OSU (i.e., residents having to park on the street so that a visitor can use their driveway, as otherwise the visitor would be unable to find a place to park)
- Cumulative impacts of multiple projects (i.e., counting one (1) on-street parking space in two (2) separate projects)
- Require parking permits for on-street parking in neighborhoods
- Regional transportation issues (i.e., Albany and Lebanon serve as bedroom communities for OSU students and faculty)

- Desire for a Regional Park 'n Ride
- City/OSU partnership to construct a parking structure on campus
- Bicycle awareness and enforcement
- Townhouses – parking standards and number of bedrooms
- City way too generous with parking (streets with parking on both sides) and site lines/vision clearance
- Significant traffic impact on surrounding streets, especially Western Avenue
- Utilize rail line to Albany and other communities
- Consider more parking districts around campus (or one large district)
- More bike routes, park and rides, etc. to serve surrounding communities
- Benton center, downtown also impact adjacent parking
- Parking on game days impact neighborhoods

Neighborhood Livability

- Impacts of off-campus parties on neighborhoods
- OSU's rep as "party school"
- Student housing yard and maintenance and increased number of garbage cans on sidewalk 24/7
- Devise method for measuring "community quality"
- City has focused too much on "development" not enough on "community"
- Impacts from student housing exist outside of project boundary; should be expanded
- Potential for student housing to degrade neighborhoods long term and cause disconnect for year round residents with downtown
- OSU not doing enough community engagement
- Hire community livability consultant
- More stringent standards for landlords
- Revisit student code of conduct for violation off-campus
- Garbage bins left on curb all week. Nuisances – dogs, garbage on street
- Incentives to keep rental price affordable

- Nuisance wildlife – noise complaints. Missing basic services to deal with. Problem due to more garbage from students
- Code enforcement too lax. Garbage bins out 24/7
- More landlord accountability for nuisance properties
- Increase student enrollment vs. quality of life in the neighborhoods
- Establish measureable thresholds (metrics) with goals (i.e., not just study what is happening in the neighborhoods but actually do something about the negative impacts)
- Enforce city ordinance which prevents people buying single-family homes and have multiple non-family residents living together
- Prohibit renting in the neighborhoods adjacent to OSU (i.e., State College)
- Start addressing issues related alcohol and drug abuse by students, as well as the associated behavior
- Concern over declining livability / quality-of-life in the neighborhood
- Code enforcement in neighborhoods (e.g., residents of townhomes using garages as “living” space and the resulting increase use of on-street parking because the space is not used for parking cars)
- Lack of enforcement of City ordinances (e.g., trash bins left on the street all week, which results in less available on-street parking and contributes to trash being spilled onto neighbors lawns when bins are knocked over)
- Develop and implement incentives to attract/require underage students to live on campus
- Safety zone around CHS
- Occupancy standards
- Maintaining mix of residents to students
- Neighborhood living orientation
- Traffic noise, especially on Jefferson and Washington
- Vandalism, crowding increasing
- General loss of livability
- OSU and community development better conduits for communication and to improve student conduct. Community liaison

Neighborhood Planning

- What percentage of new students housed on campus?
- On campus housing affordability
- Develop historic conservation plan for off campus properties
- More on in-fill permits; density needs to be decreased
- Density should be addressed before parking/traffic
- Capitalize on downtown's potential to provide high density housing
- OSU needs to contribute financially to student housing off campus
- Build infill rather than spreading out development
- Infill is counterproductive. Consider east side of downtown. Western – Harrison, 1st – 6th large opportunities for student housing
- Student housing near campus chips away at walk able housing for non-students
- Lots of people want to live downtown, housing built for students not useable for non-students
- A dislike of townhome style residences in the neighborhoods
- Concern over current zoning standards, as well as granting variances (e.g., parking requirements)
- Conduct historic surveys in the neighborhoods to protect community resources
- Losing “starter” and “retirement” homes, which is an unanticipated consequence from current zoning standards (i.e., Corvallis is losing young families because they cannot afford to purchase a home)
- Review development standards with regard to density (quality of neighborhoods)
- Residential zoning change needed to protect mixture of single family homes in R9 zone
- Value smaller historic single family homes
- City code – OSU support change to parking rules, townhouse developments, etc.
- OSU support preservation of existing neighborhoods, density

General

- Ask community about other good campus/city planning models

- “Protectionist” solutions aren’t going to solve existing issues, only relocate or exacerbate
- Unexpected/unforeseen impacts that project hasn’t considered
- OSU could seek out grant opportunities to pay for needed infrastructure
- Corvallis is more than just OSU
- OSU growth has and will bring tangible benefits to Corvallis (e.g. sidewalks, bike lanes)
- Establish measureable metrics with defined goals (steering committee/task force groups)
- Incorporate comments made this evening with task force groups
- Use interim solutions as long-term, holistic solutions are being developed
- 9 months planning OSU/City strategy/ 9 year long term plan
 - Zoning laws, SFD, Student housing
 - Parking space student
 - Increase parking distribution
 - OSU promote satellite parking
 - OSU contribute money to student housing on campus
 - Fresh/Soph students required to live on campus
 - Establish neighborhood liaisons
- Share best practices with community
- Brunt of infrastructure funds comes from residents, taxpayers. Can OSU get grant for this?
- Give citizens at least 5 minutes to speak [at public meetings]
- Look internally for best practices. Not many good examples elsewhere
- Tracks only address mitigation of OSU growth. Not what OSU will do. Underclassmen better off in on-campus housing
- Expand OSU away from city center
- More community education. Try to show big picture, counter NIMBYism
- Care about long term, 50 years out, not just short term, quick fixes
- Keep [OSU] enrollment stable. 25,000 is a good number
- Utility capacity
- Outreach to young families, people city wants to stay

- Reserve seat on scoping committee for Corvallis Sustainability Coalition. Discuss connection, interrelatedness of issues. Will take long term view
- Would like see/hear/understand OSU's vision not just be top 10 land grant, 35k students. Outreach to neighbors – what does this mean for community? How many grad/undergrad? Corvallis/Bend
- Does bigger make better? (i.e., 35,000 students)
- Review model/comparison of university that's grown similarly (lessons learned)
- Purchase property for the OSU president to live in nearby neighborhood
- The City of Corvallis is just not big enough to accommodate 30,000 students (i.e., concern over anticipated negative impacts to city due to OSU growth)
- Potential impacts from continued growth on Corvallis existing old sewers
- City of Corvallis has inadequate infrastructure to support growth at OSU
- University cannot continue to grow at current rate
- This is your town/city – relationships with neighborhoods
- Improve piecemeal planning by both OSU and city
- OSU too concerned about money – cuts, etc.
- OSU to develop and require course to learn about community, service, citizenship, city of Corvallis, etc.
- Make available, publicize plans as they develop
- Report by summer 2012 – report just doesn't go on shelf
- OSU is attractive because of small town feel of Corvallis
- Many of these ideas can happen outside of planning process
- Ask community about other good campus/city planning models
- Unexpected/unforeseen impacts that project hasn't considered