PLANNING COMMISSION

WEDNESDAY, JULY 10, 2019

II. WORK SESSION

A. Residential Code Revision Project (Pauly) (90 minutes)

PLANNING COMMISSION WORK SESSION
STAFF REPORT

Meeting Date: July 10, 2019	**Subject**: Residential Code Update Project: Topic Area 1: Density Calculations and Lot Size **Staff Member**: Daniel Pauly, Planning Manager **Department:** Community Development, Planning Division
Action Required	**Advisory Board/Commission Recommendation**
☐ Motion ☐ Public Hearing Date: 02/13/19 ☐ Ordinance 1st Reading Date: ☐ Ordinance 2nd Reading Date:	☐ Approval ☐ Denial ☐ None Forwarded ☒ Not Applicable
☐ Resolution ☒ Information or Direction ☐ Information Only ☐ Council Direction ☐ Consent Agenda	**Comments**: N/A

Staff Recommendation: Provide feedback and direction on draft recommendations to revise density and lot size regulations for residential development, especially in the PDR Zones. Future work sessions will cover other topics including open space requirements.

Recommended Language for Motion: NA

Project / Issue Relates To:

☒Council Goals/Priorities Organizational Excellence and Continuous Improvement Thoughtful, Inclusive Built Environment	☐Adopted Master Plan(s)	☐Not Applicable

ISSUE BEFORE PLANNING COMMISSION:

Outside of Villebois and Frog Pond, the City adopted most of the current residential development standards in 2000. The City subsequently adopted changes to Open Space standards in 2005 and changes to Accessory Dwelling Units standards in 2010 and 2019. Application of the various standards over the years have brought forward a number of areas for improvement. The proposed updates are intended to provide clarifications, resolve inconsistencies, and not inhibit reasonable development.

After substantial research, staff prepared draft recommendations for comprehensive plan text and development code text amendments and now seeks feedback and direction from the Planning Commission. The topics for discussion and draft recommendations are grouped into two main topic areas: (1) density calculations/lot size and (2) open space requirements. An April work session introduced both topic areas of the project. The July 10 work session looks to delve deeper into the details of potential changes related to the first topic area, density and lot size.

EXECUTIVE SUMMARY: For this work session, staff prepared potential changes to regulations regarding four main issues related to inconsistencies and calculation methodology for density and lot size.

Topic Area 1: Density Calculations & Lot Size

- Topic 1.1 Comprehensive Plan Map/Text Density Inconsistency.

  The Comprehensive Plan Text refers to 18-20 du/acre while the map refers to 16-20 du/acre. Proposed is a simple solution of correcting the text to match the map. The 16 du/acre minimum density is consistent with the requirement that minimum density is 80% of maximum. While staff does not anticipate a lot of on the ground impact of this change, it does correct an obvious error.

- Topic 1.2 Comprehensive Plan to PDR Zone Density Conversion

  Both the Comprehensive Plan and the Development Code list conversions from Comprehensive Plan map densities to PDR zones. However, the conversions lists are not consistent. The simple recommended solution is removing the conversions from the Comprehensive Plan, leaving only one source in the Development Code as the definitive place to find the conversion. This conflict and resulting lack of clarity has been a difficult issue for applicants and staff for years. The clarity added by this change will aid in ensuring the City has clear and objective standards for residential development.

- Topic 1.3 Calculating Allowed/Required Number of Dwelling Units

  Two code issues exist under this topic. First, the Development Code is not clear if density calculations are based on gross or net acres. Second, the minimum and maximum density do not consistently correlate with average lot size and minimum density and build out language in the Development Code. The proposed solution for the first is to provide detailed guidance in the code of how to calculate density to remove uncertainty. The proposal is to base on gross acres. For the second part, the solution is to remove potentially conflicting language. Together with Topic 1.2, this Topic has been difficult for applicants and staff to work through over the years. Clarity added by these changes will further aid in ensuring the City has clear and objective standards for residential development.

- Topic 1.4 Conflicting “Land Consuming Requirements”

  A number of requirements exist in the Development Code that take up or “consume” land. Examples include lot size requirements, density requirements, and open space requirements. Together these requirements can be referred to as “land consuming requirements”. As they all compete to consume a limited supply of land, the interrelatedness of these requirements is important. The current Development Code can lead to conflicts between these requirements. These conflicts essentially do not leave enough land for all requirements to be met, particularly for smaller projects. For example, the requirement for minimum number of lots at minimum lot size may not leave enough space for the required amount of open space. The proposed solution has two main components. The first is to reduce potential conflicts by adjusting lot size requirements to be met under typical circumstances. This is an exercise of understanding how much land is needed for open space, streets, storm facilities, and how much is available for lots and divide by the required density. The first component will reduce conflicts, but conflicts may still arise. To address this, a second component of the solution is to establish a defined “Adjustment” process to reduce lots size and open space as necessary to meet minimum density rather than rely on the uncertain “Waiver” process. The proposed changes add clarity and certainty to what is now an unclear and uncertain process thus helping to ensure the City has clear and objective standards for residential development.

As a reminder, these are the basic underlying concepts for this project:

- The Comprehensive Plan density range will guide density / number of units
- No proposed changes to allowed uses
- No proposed changes to existing Comprehensive Plan Map Designations or Zone Map Designations
- Better coordinate minimum and typical lot sizes with Comprehensive Plan/Zoning density ranges
- Allow predictable flexibility rather than uncertainty of the current waiver process
- Emphasize quality over quantity for open space

EXPECTED RESULTS: Feedback and direction on draft recommendations for updating residential development standards specifically around density calculations and lot size.

TIMELINE:
No specific timeline is currently established. This will be the second work session. Future work sessions will also cover open space related regulations prior to holding a Public Hearing and adopting any amendments. Staff anticipates at least 1 but up to 3 or more additional work sessions. The scheduling of the work sessions will depend on the Planning Commission’s work program and the nature of the Commission’s feedback and recommendations. Following completion of the work sessions, a public hearing will be scheduled to recommend adoption of a final set of comprehensive plan text and development code text amendments to City Council.

CURRENT YEAR BUDGET IMPACTS: This project is using funded internal staff resources.

FINANCIAL REVIEW / COMMENTS: N/A
Reviewed by: Date:

LEGAL REVIEW / COMMENT: N/A

Reviewed by: Date:

COMMUNITY INVOLVEMENT PROCESS: Staff has developed a list of parties involved in residential development in the recent past in Wilsonville as well as other interested parties. The list includes developers, builders, real estate brokers, planners, architects, and engineers. The City will specifically gather feedback from this group beyond the typical public notice and advertisement. Following initial direction from the Planning Commission Staff will send details of the potential changes to the interested parties.

POTENTIAL IMPACTS or BENEFIT TO THE COMMUNITY (businesses, neighborhoods, protected and other groups): Clearer standards and better design of residential neighborhoods and open spaces.

ALTERNATIVES: N/A

CITY MANAGER COMMENT: N/A

ATTACHMENTS:

A. Topic Area 1: Additional Materials to Review for July 10, 2019 Work Session (Includes Tables and Draft Code Text)

ATTACHMENT A

Residential Code Update Project

Topic Area 1: Density Calculations & Lot Size

Additional Materials to Review for July 10, 2019 Work Session

ATTACHMENT A

Presentation Outline

- Review Basic Project Concepts
- Topics and Draft Recommendations

Basic Project Concepts

- Comprehensive Plan Density range guides allowed/required units
- Minimum Density equals 80% of Maximum Density
- Keep allowed uses the same
- No changes to existing Comprehensive Plan Map Designations or Zone Map Designations

Basic Project Concepts (continued)

- Better coordinate minimum and typical lot sizes with Comprehensive Plan/Zoning density ranges
- Allow predictable flexibility rather than uncertainty existing with current waiver process

Topic 1.1: Comprehensive Plan Map/Text Density Inconsistency

ATTACHMENT A

- Details:
  - The Comprehensive Plan Text refers to 18-20 du/acre while the map refers to 16-20 du/acre.
- Draft Recommendations:
  - Correct Comprehensive Plan Text to match the 16-20 du/acre
  - Consistent with 80% of max requirement.

Topic 1.2: Comprehensive Plan to PDR Zone Density Conversion

- Details:
  - Both the Comprehensive Plan and the Development Code lists conversions from Comprehensive Plan map densities to PDR zones. However, the conversions lists are not consistent.

Topic 1.2: Comprehensive Plan to PDR Zone Density Conversion

- Details:

Comp Plan Density Range District	Comprehensive Plan Text	Development Code
0 to 1	PDR-1	PDR-1
2 to 3	PDR-2	PDR-2
4 to 5	PDR-3	PDR-3
6 to 7	PDR-3 or PDR-4	PDR-4
10 to 12	PDR-3 or PDR-4	PDR-5
18 to 20	PDR-6 or PDR-7	PDR-6
20+	NA	PDR-7

Topic 1.2: Comprehensive Plan to PDR Zone Density Conversion

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- Draft Recommendations:
  - Remove PDR zone references in Comprehensive Plan text
  - Update conversion table in Development Code Section 4.124 to correctly list Comprehensive Plan densities and the corresponding zone historically most typically assigned.

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Draft Proposed PDR Table

Zoning Designation	Comprehensive Plan Map Density Range District*	Max Density per Acre	Min Density per Acre	Minimum Lot Size (square feet)** *(Current Code Italics)*
PDR-1	0-1	1	0.8	20,000 *(25,000)*
PDR-2	2-3	3	2.4	7,000 *(12,000)*
PDR-3	4-5	5	4	4,500 *(5,000)*
PDR-4	6-7	7.5	6	3,000 *(4,000)*
PDR-5	10-12	12	9.6	2,000 *(2,500)*
PDR-6	16-20	20	16	None *(none)*
PDR-7	Over 20	As approved by Zoning Order/Stage 1 Master Plan, at least 20	80% of Max Density	None

*Density Range Districts are listed with whole numbers for ease of reference and use on the map, actual density range listed in columns to the right

**Lot sizes based on applying density to conceptual 10 acre site with 25% open space, 20% streets and right-of-way, and consistent lot size. Min lot size reflects maximum density.

Topic 1.3: Calculating Allowed/ Required Number of Dwelling Units

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- Details:
  - Not consistent and clear if density calculations are based on gross or net acres
  - Comprehensive Plan Maximum/Minimum density do not consistently correlate with Average Lot Size and Minimum Density and Buildout Requirements in Development Code Planned Development Residential (PDR) text.

Topic 1.3: Calculating Allowed/ Required Number of Dwelling Units

- Draft Recommendations:
  - Add language in Section 4.124 of the Development Code clarifying a density calculation method based on the adjusted gross acreage (gross minus SROZ and BPA Easements) of the Stage I Master Plan area and the comprehensive plan density.
  - Add language to also indicate how to round, and how to calculate if an area is split between multiple comprehensive plan densities.
  - Remove Average Lot Size, Minimum Density at Buildout requirements, and Examples of Typically Permitted language for each PDR Zone. Minimum and maximum density and minimum lot size will be reflected in table.

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Draft Density Calculation Text

Unit count limitations. Unit count limitations are calculated by multiplying the density number by the adjusted gross acreage (gross acreage minus SROZ and existing BPA Easements) of the Stage I Master Plan area and rounding down to the nearest whole number. For example, any number greater than 4 and less than 5 shall be rounded down to 4. If the Stage I Master Plan area is subject to more than one Comprehensive Plan density, calculations for areas of differing densities shall be done separately and then summed together, and the final summed number rounded down to the nearest whole number.

A. Maximum unit count at build out of Stage I Master Plan area: Adjusted Gross Acreage multiplied by upper density limit(s) for area shown on Comprehensive Plan Map.

B. Minimum unit count at build out of Stage I Master Plan area: 80% of maximum unit count described in A above.

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Draft PDR Table

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PDR-1	0-1	1	0.8	20,000 *(25,000)*
PDR-2	2-3	3	2.4	7,000 *(12,000)*
PDR-3	4-5	5	4	4,500 *(5,000)*
PDR-4	6-7	7.5	6	3,000 *(4,000)*
PDR-5	10-12	12	9.6	2,000 *(2,500)*
PDR-6	16-20	20	16	None *(none)*
PDR-7	Over 20	As approved by Zoning Order/Stage 1 Master Plan, at least 20	80% of Max Density	None

*Density Range Districts are listed with whole numbers for ease of reference and use on the map, actual density range listed in columns to the right

**Lot sizes based on applying density to conceptual 10 acre site with 25% open space, 20% streets and right-of-way, and consistent lot size. Min lot size reflects maximum density.

Topic 1.4: Conflicting “Land Consuming Requirements”

- Details:
  - Due to lack of or unclear correlation, it is sometimes not mathematically possible to meet minimum density, allow SROZ density transfer, meet open space requirements, and meet lot size requirements, particularly on smaller projects with SROZ. Added open space requirements from Ord No. 589 in 2005 did not adjust other “land consuming” requirements for appropriate correlation.

Topic 1.4: Conflicting "Land Consuming Requirements"

- Draft Recommendations:
  - Lot Size:
    - Modify lot size requirements to enable open space requirements to be met under typical conditions.
  - Flexibility without Waivers
    - Continue to allow flexibility in application of the PDR zones when rezoning from RA-H.
    - Establish a defined "Adjustment" process to reduce lot size and open space as necessary to meet minimum density rather than rely on uncertain "Waiver" process.

Draft Adjustment Text

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(.10) Adjustments to Ensure Minimum Density is Met. In development not involving Multi-Family Dwelling Units, if demonstrated by the applicant that it is not physically possible to accommodate the minimum number of units at the required minimum lot size and the minimum open space the following adjustments shall be made to the minimum extent necessary to enable minimum density to be met plus any SROZ density transfer pursuant to Subsection 4.139.11 (.02). Adjustments to minimum lot size, width, and depth shall be used to the extent allowed prior to any adjustment to minimum open space requirements.

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Draft Adjustment Text Continued

A. Adjustments to Minimum Lot Size, Width, Depth: Up to 20% of the lots rounded down to the nearest whole number, or a minimum of 1 for subdivisions of 4 lots, can be reduced below the minimum lot size by 20%. For example, the maximum allowed, as necessary, adjustment for a 100 lot subdivision in the PDR-5 zone would be to reduce 20 lots to as low as 1,600 square feet (20% of 2,000 square foot minimum lot size). The minimum lot width and minimum lot depth can also be adjusted by up to 20% as necessary to allow the reduction of lot size by up to 20%.

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Draft Adjustment Text Continued

B. Adjustment to Open Space Area: Non-SROZ open space may be reduced to the extent necessary following maximizing the allowed reduction of lot size. However, all subdivisions with 10 or more lots shall require a minimum of one individual usable, programmed open space of at least 2,000 square feet meeting the requirements of Subsection 4.113 (.01) C. 1.-2. and subdivisions with less than 10 lots shall require one individual usable open space of at least 1,000 square feet meeting the same requirements.