



## STRATEGIC APPROACH

### Summary:

This document was prepared by the Residential Infill/PUD Task Force and outlines their recommended strategic approach, presented as an *Action List*, for meeting the objectives of this project. This list will serve as the framework that will guide the Task Force in the drafting of specific Code amendments.

The Task Force has identified and prioritized five “Topic Areas” which describe a specific issue or regulation in the CDC which will be addressed as part of the proposed code revisions. The first two (“PUD’s” and “Flag Lots”) were identified by the Planning Commission as the highest priority topics for the Task Force to address. The *Action List* also includes the potential regulatory tools that will be considered to address each issue. These are only potential tools, which means that they may or may not all be adopted, and that additional ones may be considered by the Task Force. The final column of the *Action List* includes items identified as “Parking Lot” issues. These are recommendations identified by the Task Force that are outside the scope of the current project but which should be recognized by the Planning Commission and City Council as priorities for future code amendments. The list of “Parking Lot” items may be expanded as the Task Force proceeds with this project.

At the end of the *Action List* are additional regulatory tools related to infill development which are successfully being used in other communities and which will be considered in more detail by the Task Force. Finally, included in Attachment ‘A’ are the Planning Commission’s approved objectives and outcomes which guided the Task Force in the drafting of this strategic approach and will continue to do so during the code amendment process.

*(amended 11-8-10)*

## ACTION LIST

TOPIC AREA	DISCUSSION OF ISSUE	AMENDMENTS OR REGULATORY TOOLS BEING CONSIDERED	“PARKING LOT”
<p><b>1. Planned Unit Development (PUD)</b></p> <p><i>Chapter 24 regulates PUD’s</i></p>	<p>Chapter 24 was intended for large residential subdivisions, but it is being applied (per CDC) to all development with environmentally sensitive lands (&lt;25%), commercial, mixed use and industrial uses, as well as to small residential infill sites.</p> <p>The PC, in particular, has spent considerable time identifying the ineffectiveness of this chapter in terms of adequately protecting environmentally sensitive lands, addressing the unique aspects of smaller residential subdivisions, permitting greater design flexibility, and providing clear and objective standards for review.</p> <p>City does not receive adequate public benefit for permitting modifications to development standards under the PUD.</p> <p>PUD’s are often perceived as offering too many ‘giveaways’ to developers and as increases in project density to the public.</p>	<p>Chapter 24 will be modified, in terms of applicability, to clarify obtuse criteria, to require more public amenities, and as follows:</p> <ul style="list-style-type: none"> <li>▪ PUD not permitted on sites &lt;3 acres</li> <li>▪ PUD no longer a requirement for sites with &lt;25% Type I or II lands or for attached housing (as is currently the case)</li> <li>▪ Require dedication of open space and preservation areas to COWL (if desired by City)</li> <li>▪ Clarify/update density transfer table that is less confusing and is consistent with other Sections of the CDC</li> <li>▪ Require overall Master/Phasing Plan, as applicable</li> <li>▪ Make certain ‘quality design features’ required elements as part of the approval</li> <li>▪ Emphasis will be on permitting more flexibility in conjunction with accompanying public benefits.</li> </ul>	<p>Create separate, <u>distinct</u> ‘planned development’ regulations for commercial, industrial, large residential developments.</p> <p>Establish design guidelines for areas of the City that have unique development characteristics. These guidelines would apply to developments in those areas. These guidelines should also include unique/desired streetscapes for distinct neighborhoods.</p>
<p><b>2. Flag Lots:</b></p> <p><i>Chapter 85 regulates flag lots</i></p>	<p>The Task Force “TF” recognizes a general public dissatisfaction with excessive number of flag lots. Flag lot developments can be incompatible in established neighborhoods due to building scale, locations and incongruous private</p>	<p>Review limiting the number of lots permitted from a flag lot. Specify the building orientation of new structures on flag lots. Apply more restrictive setbacks and height restrictions for homes on flag lots to address privacy issues. Pursue street connectivity on larger lots.</p>	<p>Some areas of the City may have inappropriate zoning. If so, the Council should consider ‘downzoning’ those areas, alleviating</p>

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... <b>2. Flag Lots (cont.)</b>	driveways. They often intrude into the privacy of surrounding homes. Flag lot partitions are often noted in community surveys as representing an increase in density.	Staff will provide a written report on the issues and ramifications of a prohibition on any future flag lot partitions as well as a review of the approach by other Cities.	pressure on these lots to be partitioned.
<b>3. Environmentally constrained lands:</b>  <i>Typically regulated in Chapters 27, 28, and 32</i>	<p>The majority of infill sites in the City include some environmentally constrained lands. Several recent development applications have resulted in less than desirable results when applying the current requirements. Issues included denials due to inability to meet CDC requirements, City purchase of property due to potential ‘takings’, and uncertainty about future maintenance of protected areas.</p> <p>The TF is not tasked with amending the environmental regulations, only how they are applied to small residential development applications.</p>	Create new ‘cluster housing’ requirements for properties with environmentally constrained lands on them. They will specify appropriate clustering of housing on site to protect natural areas/open spaces. They will specify the permitted flexibility to provide compatibility with the surroundings while protecting natural features. They will address the preservation and maintenance of natural areas/open spaces. These may differ from those of larger PUD’s.	<p>Upcoming CDC amendments to Chapter 32 should review and evaluate recent WRA applications and applicability and impact on infill developments.</p> <p>Council should consider creating a new zoning district and review requirements for public facilities such as schools and parks.</p>
<b>4. Steep Slopes:</b>  <i>Chapter 41 regulates development on steep slopes (&gt; 25%).</i>	<p>Many of the infill sites to be developed in the City are located on steeply sloped lots. Current Code application can result in ‘towering’, incompatible houses.</p> <p>Method of measuring building height on steep slopes can be confusing. TF believes excessive cut/fill takes place on steeply sloped lots.</p>	<p>Edit building height calculation and setback methodology for steeply sloped lots to encourage more flexibility in home design, minimize excavation, and lessen height variation on adjacent lots.</p> <p>Allow variation in building height based on the slope of the land.</p> <p>Clarify the CDC language on garage locations and</p>	Large, undesirable retaining walls are often required due to steep slopes.
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<p><b>4. Steep Slopes (cont.)</b></p>		<p>setbacks on steep slopes to create more compatible development with surroundings.</p> <p>Consider limiting the amount of fill/cut permitted on a site.</p>	
<p><b>5. Alternative housing types:</b></p> <p><i>CDC does not provide specific language for alternative housing types</i></p>	<p>For non-standard housing types and development techniques, the CDC requires applicants to process a PUD and request modifications, or receive a variance, to specific development regulations. This limitation is unnecessary. There are alternative housing types that could be more compatible, sustainable, equitable and affordable than the standard development permitted under the Code.</p>	<p>Establish clear and objective standards for specific housing types (e.g. zero lot lines, cottage housing, houseplexes). Each will likely have its own Code section, with criteria, applicability and procedures. This would provide predictability for neighbors and property owners, which is not currently possible under the PUD.</p> <p>Create an ‘a la carte’ menu of specific housing types and building designs that can be utilized ‘off the shelf’ on smaller lots, possibly under an expedited review.</p>	<p>Council should consider adding Code provisions for alternative housing developments for larger sites (traditional neighborhood developments) as well as for mixed use and commercial areas (mixed-use, live-work units).</p> <p>The current “Mixed Use Transition” zone has not produced any mixed use developments and should be revisited.</p>

***In addition to the tools listed above, the Task Force will be considering the impacts of the following potential regulatory tools or methods, which are utilized in other Cities. Many of these would be applicable to more than one type of development or zoning district:***

- Consider a 'tiered' setback approach (requiring increased setbacks for taller portions of a structure).
- Consider adding a two-tier approval process that would permit applicants to either; (1) meet clear standards under an expedited review; or (2) request modifications to regulations and undergo more detailed discretionary review.
- Consider specific regulations for garages regarding placement on lot, compatibility, and percentage of frontage in front yard.
- Creating a 'menu-based' option for applicants which would include a list of amenities acceptable to the City from which the applicant could pick and choose.
- Establishing compatible design through surveys of surrounding properties to establish and require similar massing, scale, building height, setbacks, or architectural character.
- Creating opportunities for minor, prescribed deviations from the CDC (and engineering standards) that permit more creative, preferred designs to be provided for small residential sites without the need for a PUD or Chapter 75 variance.
- Consider requirement for architectural renderings at neighborhood association meetings.
- Allow flexibility to consider locational context for street improvements, especially sidewalks, for certain new developments. Provide a mechanism for the City to collect fee in-lieu of improvements if the improvement is not made. The fees collected would be allocated in the vicinity of the development.
- Provide for a sliding scale for FAR's and lot coverage to encourage smaller scale homes or structures on a lot.

## Attachment A

*As part of the preparation of the work program, the Planning Commission identified the following objectives for staff and the Task Force to consider while formulating the code revisions. The final amendments should result in creating future development that achieves these purposes:*

- Achieves compatibility with the adjacent housing as well as the overall fabric of the community.
- Identifies and reinforces cherished aspects of community character.
- Preserves and enhances the natural features of the site.
- Respects property rights.
- Furthers the goals of the approved City plans (Comprehensive Plan, Imagine West Linn, Neighborhood Plans, etc.).
- Provides for a pedestrian-friendly environment.
- Provides for security and privacy for future and current residents.
- Utilizes sustainable methods and practices.
- Provides for greater diversity / choices in housing.
- Serves as a positive contribution to overall neighborhood/community, beyond just the adjacent property.

*The Planning Commission also recommended that the proposed code amendments address the following areas:*

- Provides for clear unambiguous standards for development.
- Allows for flexibility in design.
- Includes mechanisms for future enforcement of any conditions/restrictions.
- Provides for citizen involvement in the process with easy opportunities for input.
- Encourages beneficial development amenities/components.
- Specifies certain thresholds for development, such as lot size, density, housing types, etc.
- Eliminates the current automatic entitlement to deviations from the code permitted under the PUD.
- Address public / private easement and maintenance issues.