



## Memorandum

**TO:** Chris Jordan, City Manager

**FROM:** Peter Spir, Associate Planner

**DATE:** November 23, 2009

**SUBJECT:** Amending Community Development Code (CDC) Chapter 25 as it applies to single family homes, accessory dwelling units and development in the Willamette Historic District (CDC-09-01).

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### Purpose

The Willamette Historic District has just been designated as a National Historic District. This designation heightens the importance of amendments to CDC Chapter 25 that will help preserve the architecture, height, massing, setbacks and other characteristics of historic single family homes and accessory dwelling units (ADU).

### Background

The goal of the district is to showcase the primary or secondary historic homes. These homes are generally 24-28 feet from grade to top of peak. The average square footage is somewhere between 1,400 and 1,800 square feet. In order for a visitor or passersby to fully appreciate the 100-year old historic Queen Anne home, it cannot be hidden between two new homes 35 feet tall comprising 2,800 square feet with monolithic side to side running ridgelines. Thus, the overriding purpose of the proposed changes is to protect and honor existing historic homes by making new construction and home remodeling deferential in height and mass to existing historic homes.

Similarly, although ADUs are a very popular means of increasing housing options and urban density, some recent ADUs have been almost as big as the main house they are supposed to be accessory to. These large ADUs have resulted in loss of privacy and sunlight for adjoining neighbors. Being on small lots, larger ADUs can be visually overwhelming and can create the impression that the house extends to the rear property line. The proposed amendments address the scale of ADUs (see Exhibit A, page 7). Other proposed code changes include language relating to partitions, sidewalks, foundations, lot coverage and setbacks.

## **Discussion**

The salient proposed changes are as follows:

1. New homes would be limited to 125% of the square footage of the smallest of the houses on abutting lots. Currently there is no size standard, other than the limits created by height and setback requirements.
2. The maximum house height is proposed to be 28 feet. Currently, the allowed height is 35 feet.
3. The gable ridgeline of new homes must be oriented at right angle to the street when adjacent to a smaller primary structure. Currently, there is no standard.
4. One-story ADUs would be limited to 600 square feet. Currently, the limit is 1,000 square feet.
5. Two-story ADUs would be limited to 500 square feet. Currently, the limit is 1,000 square feet.
6. The maximum proposed height of ADUs would be 23 feet. Currently, the allowed height is 35 feet.
7. The side yard setbacks for two-story ADU are proposed to be increased to 10 feet. The current set back is three feet.
8. No windows on two-story ADU may, as proposed, face the neighbor's side lot line. Currently, there is no restriction.

The amendments, contained in Exhibit B, were reviewed by the West Linn Historic Resource Advisory Board, the Clackamas County Historic Review Board and the Planning Commission and recommended for approval. Staff is offering a second set of proposed amendments which include the Planning Commission amendments plus recommendations from the City Attorney and Staff in consultation with residents of the Willamette Falls National Historic District. These proposed amendments are contained in Exhibit A.

## **Options**

- A. The City Council could adopt the post-Planning Commission modified language (Exhibit A).
- B. The City Council could adopt the Planning Commission's recommended language (Exhibit B).
- C. The City Council could modify, add to, or delete the recommended changes to Chapter 25 based on discussion and testimony.
- D. The City Council could leave the code "as is".

## **Recommendation**

Staff proposes the post-Planning Commission amendments that incorporate the Planning Commission's recommendations plus the refinements from the City Attorney and Staff in consultation with residents of the Willamette Falls National Historic District (Exhibit A).

Memo2009-WILL HST DST-CDC-09-01-Oct 22, 2009 to CC