

# ADDENDUM

## STAFF EVALUATION OF THE PROPOSAL'S COMPLIANCE WITH APPLICABLE CRITERIA

CDC Section 98.100 lists the factors to be addressed in the staff report for legislative proposals. The applicable factors along with staff's response are as follows:

**1. *The Statewide Planning Goals and rules adopted under ORS Chapter 197 and other applicable state statutes.***

**Staff Response:** Staff reviewed the Statewide Planning Goals and found that the following goals are applicable. Staff is not aware of any other state regulations that apply to the proposed amendments that are not reflected in the Metro and City plans and regulations addressed in this Addendum.

Goal 1: Citizen Involvement: "To develop a citizen involvement program that insures the opportunity for citizens to be involved in all phases of the planning process".

**Staff Response:** The project to develop the proposed amendments provided for public involvement as noted in the staff memo, including a Task Force, posting preliminary and public hearing drafts of the proposed amendments on the department's web page, Measure 56 Notice, Open House, and soliciting comments from affected and interested parties. In addition, two public hearings will be held as required by CDC Chapter 98. Staff determines that the project is consistent with Goal 1.

Goal 2, Land Use Planning: "To establish a land use planning process and policy framework as a basis for all decision and actions related to use of land and to assure an adequate factual base for such decisions and actions." Guidelines for implementing Goal 2 call for collection of factual information pertaining to ordinances implementing land use plans and consideration of alternative solutions.

**Staff Response:** Staff, the Task Force, and the Planning Commission have discussed the proposed amendments extensively and considered various alternatives to address issues with the existing PUD and residential development regulations.

Goal 5, Natural Resources, Scenic and Historic Areas, and Open Spaces: "To protect natural resources and conserve scenic and historic areas and open spaces."

**Staff Response:** The proposed PUD and cluster development amendments include provisions that encourage the protection of natural resources. The PUD regulations provide a bonus to projects that provide open space. The proposed amendments are consistent with Goal 5.

Goal 10 Housing: "To provide for the housing needs of citizens of the state."

**Staff Response:** The proposed amendments generally apply to residential developments. The proposed PUD, cluster development and cottage housing amendments encourage, and in some cases, incentivizes development that provides a variety of housing types and options. The proposed amendments are consistent with Goal 10.

Goal 14, Urbanization: “To provide for an orderly and efficient transition from rural to urban land use, to accommodate urban population and urban employment inside urban growth boundaries, to ensure efficient use of land, and to provide for livable communities.”

**Staff Response:** The proposed amendments substantially relate to residential development and providing housing for the population within the existing Metro Urban Growth Boundary. The proposed regulations encourage variations in lot size and housing type, which would make efficient use of the land. To provide for livable communities, the proposed PUD amendments permit a variety of housing types and encourage open space, parks, and affordable housing. The proposed amendments are consistent with Goal 14.

**2. *Any federal or state statutes or rules found to be applicable;***

**Staff Response:** Staff is not aware of any applicable state or federal regulations which are not implemented by the Metro and City plans and codes addressed in this Addendum.

**3. *Metro plans and rules found to be applicable***

**Staff Response:** The proposed amendments are in accordance with the Metro Urban Growth Management Functional Plan. Specifically, the proposed amendments facilitate greater options for housing types within the City consistent with Title 7, Housing Choice. In addition, consistent with Title 3, Water Quality and Flood Management and Title 13, Nature in Neighborhoods, the proposed PUD and cluster development regulations facilitate development while protecting natural resources and other environmentally constrained lands.

**4. *Applicable Comprehensive Plan provisions;***

Goal 1 sub-goals:

1. Provide the opportunity for broadly based, ongoing citizen participation, including opportunities for two-way dialogue between citizens and City elected and appointed officials.

Policy 4: Provide timely and adequate notice of proposed land use matters to the public to ensure that all citizens have an opportunity to be heard on issues and actions that affect them.

Policy 5: Communicate with citizens through a variety of print and broadcast media early in and throughout the decision-making process.

**Staff response:** Notice of the proposed amendments was provided through publication in the newspaper, posting on the City website, emails to potentially interested parties, and a Measure 56 notice to affected individuals. Two formal public hearings are scheduled.

Goal 2 sub-goals:

1. Maintain land use and zoning policies that continue to provide for a variety of living environments and densities within the city limits.

4. Encourage energy-efficient-housing (e.g. housing with solar energy, adequate insulation, weatherproofing, etc.).

Policy 2: Allow clustering of residential development on land with significant environmental constraints only if:

- a. Such clustering can be demonstrated to protect environmental resources, not only on the affected parcel, but on surrounding parcels; and,
- b. Such clustering is found to be compatible with and complementary to existing neighborhoods in the vicinity of the parcel to be developed.

Policy 3: Develop incentives to encourage superior design, preserve environmentally sensitive open space, and include recreational amenities.

Policy 4: Require open space to be provided in planned unit developments to allow for shared active and passive recreational opportunities and meeting areas for future residents.

Policy 5: New construction and remodeling shall be designed to be compatible with the existing neighborhood through appropriate design and scale.

**Staff response:** The proposed PUD amendments provide for variations in housing densities beyond what is permitted in the underlying zone and require sustainable design features, many of which encourage energy-efficient housing. The proposed cluster development, cottage housing, and zero lot line development regulations provide for a variety of housing types. Development utilizing a PUD or the cluster development provisions could protect the natural areas and any environmental resources on the site and, along with the existing dimensional and other requirements encourage compatible development. The proposed PUD amendments require superior design, require and/or incentivize open space for some developments, and require recreational amenities or other public benefits. Many of the amendments address design and scale elements that encourage superior architectural elements and compatibility with surroundings areas.

Goal 5 sub goals:

2. Protect sensitive environmental features such as steep slopes, wetlands, and riparian lands, including their contributory watersheds.
3. Preserve trees in park lands, natural areas, and open space wherever possible.

Policy 5: Preserve important wildlife habitat by requiring clustered development or less dense zoning in areas with wetlands and riparian areas, natural drainageways, and significant trees and tree clusters.

**Staff response:** The proposed PUD and cluster regulations discourage the development of steep slopes, wetlands, riparian areas, and other environmentally constrained lands through density transfer. The preservation of trees is encouraged through density transfers and density bonuses for parks and open spaces.

Goal 10: sub-goals:

1. Encourage the development of affordable housing for West Linn residents of all income levels.
2. Assure good functional and aesthetic design of multi-family and clustered single-family developments.

Policy 2: Provide the opportunity for development of detached and attached single-family units, duplexes, garden apartments, town houses, row houses, multiplex units and boarding houses, lodging or rooming houses, and manufactured housing.

Policy 5: Allow for flexibility in lot design, size, and building placement to promote housing variety and protection of natural resources.

Policy 10: Encourage use of energy efficient building materials and practices in the design, construction, and remodeling of housing.

**Staff response:** The proposed PUD amendments provide a density bonus for the development of affordable housing, encourage the development of various types of residential housing, and require sustainable design features, which could include energy efficient building materials and practices. The proposed PUD and cluster development amendments allow for flexibility in lot design and size to protect natural resources.

**5. *Portions of implementing ordinances relevant to the proposal***

**Staff response:** Staff is not aware of any ordinances relevant to the proposed amendments that are not addressed above.