

CITY OF NORTH PLAINS PLANNING COMMISSION
REGULAR SESSION AGENDA
North Plains Senior Center
31450 NW Commercial Street
WEDNESDAY, SEPTEMBER 9, 2015 7:00 P.M.

1. **CALL TO ORDER**

2. **FLAG SALUTE**

3. **ROLL CALL**

4. **PUBLIC COMMENTS**

(This time is provided for questions or statements by persons in the audience on any item of Planning Commission business, except those items which appear on this agenda. Comments shall be limited as determined by the Chairperson.)

5. **APPROVAL OF MINUTES:**

Review and approval of August 12, 2015, Special Session Minutes

6. **PUBLIC HEARING**

None Scheduled

7. **NEW BUSINESS**

None Scheduled

8. **UNFINISHED BUSINESS**

A. Revisit and discuss code changes and design review.

9. **COMMISSIONER COMMENTS**

10. **STAFF COMMENTS**

11. **ADJOURNMENT**

The Planning Commission meetings to be held at the North Plains Senior Center, 31450 NW Commercial Street, North Plains, Oregon. Meetings will be held on the following dates at 7:00 p.m.:

Wednesday, October 14, 2015 Thursday, November 12, 2015 Wednesday, December 9, 2015

**CITY OF NORTH PLAINS PLANNING COMMISSION.
REGULAR SESSION MINUTES
August 12, 2015, 7:00 P.M.
North Plains Senior Center
31450 NW Commercial Street**

1. Chairperson King called the meeting to order at 7:00 p.m.
2. The pledge of allegiance was led by Chairperson King.

3. ROLL CALL

Members: Chair Stewart King, Vice Chair Heather LaBonte, Garth Eimers, James Fage, Larry Gonzales, Lonnie Knodel, Doug Nunnenkamp
Ex-Officio: City Councilor Sherrie Simmons-absent
Staff: Planning Consultant Heather Austin, 3J Consulting, Inc.; Public Works Director / Interim City Manager Blake Boyles; City Recorder Margaret Reh

4. PUBLIC COMMENTS

None were forthcoming.

5. APPROVAL OF MINUTES

- A. Approval of the July 27, 2015, Special Session Minutes.

Motion by Knodel. Second by Eimers to approve the July 27, 2015, Special Session Minutes. Motion was approved unanimously.

6. PUBLIC HEARING

None Scheduled

7. NEW BUSINESS

None Scheduled

8. UNFINISHED BUSINESS

- A. Revisit and discuss Comprehensive Plan status-previously reviewed at the August 13, 2014 Planning Commission meeting

Chair King stated since only Commissioners were present at this meeting, this portion of the meeting would be conducted as a workshop. King asked for a staff report. Boyles stated he was not present at the August 13, 2014 meeting so he had nothing to report on. King proceeded to give his understanding of the steps and the meetings that were conducted for the Comprehensive Plan. This information was also included in the Commissioners agenda packets.

Discussion ensued regarding recommendations that were to be presented to City Council. There were issues that developed because of the timing of the workshop on May 6, 2015 and the ensuing Planning Commission meeting that took place on May 13, 2015.

The agenda packet had been distributed prior to staff receiving the changes that were discussed at the workshop. These changes were not incorporated into the documents that ended up being discussed at the public hearing of the Planning Commission meeting on May 13, 2015. Also, the timing of staffing changes with the prior City Manager being let go, caused issues with items falling through the cracks. The documents that were approved to be recommended to City Council did not include the most updated changes from the workshop. This was also not caught by any of the Commissioners at the time of the public hearing.

Heather Austin suggested some various ways that this could be addressed. Staff will consult legal and find the best solution for moving this forward. Steps will include sending some documents to the Department of Land Conservation and Development (DLCD) that have been approved—all the Comp Plan changes are ready for submission except for the R-2.5 zone (the R-2.5 will be filed separately once the Lands Needs Analysis is completed); reviewing the changes that were discussed at the May 6, 2015 workshop; incorporate those changes into the documents. Chapters 16.60; 16.170; 16.205 and 16.45 were removed from the public hearing held on May 13, 2015 and need to be reviewed further.

After consulting with legal, Austin may draft a memo to Council stating that due to the staff changes, the documents submitted were not representative of the final iteration of the Planning Commission. The language in packet did not reflect what the Planning Commission really wanted to send to Council. Austin will work with staff to make sure that the suggested revisions are what will be moved forward for approval.

Discussion ensued regarding current code and the possible changes to the code and issues that could arise during the transition.

Discussion ensued regarding density requirements from the state and how the development in the city is fulfilling or falling short of those requirements.

Discussion ensued regarding the Lands Needs Analysis that will be required for the Comprehensive Plan submissions. Austin will work on the Public Facility Zone documentation. Properties will need to be adjusted that are not truly available for residential development and they may not have to be included in the available land inventory. This may strengthen the case for an UGB expansion in the future. Staff will need to draft a request for proposal to hire a company to conduct the Housing Needs Analysis.

9. COMMISSIONER COMMENTS

Discussion ensued regarding the process for documents getting updated after workshops and meetings. There are issues with multiple versions of documents going through the system. There is not a good system of keeping track of what has been revised. The

changes need to get put into the documents. Discussion ensued regarding the processes. Normally a city planner would be the one responsible for keeping track of changes and making revisions to documents. Austin suggested the Planning Commissioners could take this role on. Funding is not there for the consultant to do this work.

10. STAFF COMMENTS

None at this time.

11. ADJOURNMENT.

Chairperson King adjourned the meeting at 8:26 p.m. The next scheduled regular session of the Planning Commission is tentatively set for Wednesday, September 9, 2015, which is currently scheduled to be held at the North Plains Senior Center.

Submitted by:

Margaret L. Reh, City Recorder

Date Minutes Approved: _____

TO: **North Plains Planning Commission**

FROM: Heather Austin, AICP, Consulting Land Use Planner

DATE: September 2, 2015

RE: Planning Commission Meeting September 9, 2015



CODE UPDATE:

On May 13, 2015, you the Planning Commission made a recommendation to the City Council of adoption of a suite of code changes. Among those code changes was an increase in the minimum lot size for single-family detached dwellings in the R-2.5 zone from 2,500 square feet to 4,000 square feet, and an increase in the minimum lot size for attached dwellings.

On May 14, 2015, DLCD responded that the City had not provided adequate evidence that the proposed changes meet Statewide Planning Goal 10 (Housing) and that the City would need to address this before adopting these code changes.

On August 14, 2015 I sent Anne Debbaut at DLCD the Memorandum dated August 1, 2014 from former City Manager Martha DeBry to the Planning Commission detailing housing mix and density issues in the City of North Plains (as discussed at the August 12th Planning Commission meeting). The intent of this correspondence was to see if this memo satisfied the requirements to provide a housing needs analysis under Goal 10.

On August 19, 2015, Anne Debbaut responded via e-mail that the memorandum did not directly address how the proposed changes meet the city's housing needs. She strongly urged the City to conduct a housing needs analysis and buildable lands inventory. Anne's e-mail provided examples from other jurisdictions and identified potential grant funding available to assist the City in this effort. This e-mail is included in the Planning Commission packet.

On August 27, 2015, the City of North Plains hosted the Portland Metro Regional Solutions team on a tour of North Plains. Anne Debbaut was a member of the team, as well as representatives from the Governor's Office, Department of State Lands, Department of Transportation, Department of Environmental Quality, Department of Energy and Business Oregon. This group was really energized by what type of support they could bring to the City via technical support, funding sources or process assistance. At this tour, Mayor Hatcher and Blake Boyles directed Cogan Owens Greene to apply for the grant for funding the housing needs analysis and directed me to put together a request for proposals for an economic opportunities analysis, both of which would be part of the comprehensive plan update that the Planning Commission and City Council are holding a joint work session to discuss on September 14, 2015.

After visiting North Plains, Anne Debbaut compiled some documents she thought could aid the City in developing better residential design. She e-mailed these documents on September 1, 2015.

All e-mails from Anne Debbaut as well as the code language recommended for approval to City Council are in this packet.

RECOMMENDATION:

Staff recommends the Planning Commission direct staff to forward the code changes to City Council with a staff recommendation to remove the R-2.5 lot size sections based on DLCD concerns.

Staff further recommends the Planning Commission review the information provided by Anne Debbaut and discuss any items the Planning Commission would like to have addressed at the September 14, 2015 joint work session.

From: Debbaut, Anne [<mailto:anne.debbaut@state.or.us>]
Sent: Wednesday, August 19, 2015 3:39 PM
To: Heather Austin
Cc: blake@northplains.org
Subject: RE: North Plains Housing Needs Analysis

Hello Heather,

Thank you for the Comprehensive Plan Memorandum (attached and dated August 1, 2014) and the opportunity to provide additional comments! I would first like to commend the city for undertaking the difficult task of updating the comprehensive land use plan and I offer our support and assistance.

The purpose of Goal 10 (Housing) and its implementing rule (Oregon Administrative Rule 660-008) is to ensure the opportunity for the provision of adequate numbers of needed housing units, the efficient use of buildable land within urban growth boundaries and to provide greater certainty in the development process so as to reduce housing costs. The mix and density of needed housing is determined in what is called a housing needs projection (or a Housing Needs Analysis). And sufficient buildable land must be designated to satisfy this projected housing need by type and density. Needed housing is specifically defined as the housing types determined to meet the need at particular price ranges and rent levels.

The Memorandum does not directly address how the proposed changes to the residential zoning districts, particularly the larger minimum lot size requirement, meets the city's housing needs. There is a general discussion that the city is developing with too much high density housing - there is mention of a low/medium/high density mix of 40-40-20, with actual development of more like 40-30-30 and the potential for even higher percentages of higher density housing. But there is no discussion of what the definition of "low," "medium" and "high" density housing is in terms of dwelling units per acre. There is also a conflicting discussion that there exist only 5 apartment units in the city for rent that are not age-restricted or income-restricted, with the presumption that this number is insufficient.

The city needs to provide sufficient evidence and a plausible analysis of why the plan amendment under discussion (DLCD #001-15) meets the housing needs of the city when, in fact, it proposes to both reduce the housing density in residential districts and to limit outright permitted housing to only detached single family. The plan amendment findings should provide clear justification for the amendment and include policies which explain how this will provide for needed housing.

We strongly encourage the city to conduct a housing needs analysis and buildable land inventory. I have attached two examples of recent housing needs analyses (cities of Harrisburg, which includes additional materials, and Hood River) to give you an idea of what such a project might entail.

We also have a competitive technical assistance grant program available for the 2015-2017 biennium for which applications are due at the end of September 2015. If the city were to receive a grant award, you could anticipate funding available in early 2016 and grant completion would be required by May 2017. Here is the link to the grant program on our website: http://www.oregon.gov/LCD/Pages/grants.aspx#Per_Review_Tech_Assistance. DLCD staff and I will be glad to assist you with this process. In addition, we have several types of Transportation and Growth Management Funding available including: Education and Outreach, and Code Assistance, as well as a number of other resources at: <http://www.oregon.gov/LCD/TGM/pages/index.aspx>

I look forward to working closely with you on a comprehensive plan update and to understanding the issues first hand. Please let me know how I can further assist you.

Best Regards,

Anne Debbaut | DLCD Metro Regional Representative | Portland Metro Regional Solutions Center
o: 503.725.2182 | c: 503.804.0902

Margaret Reh

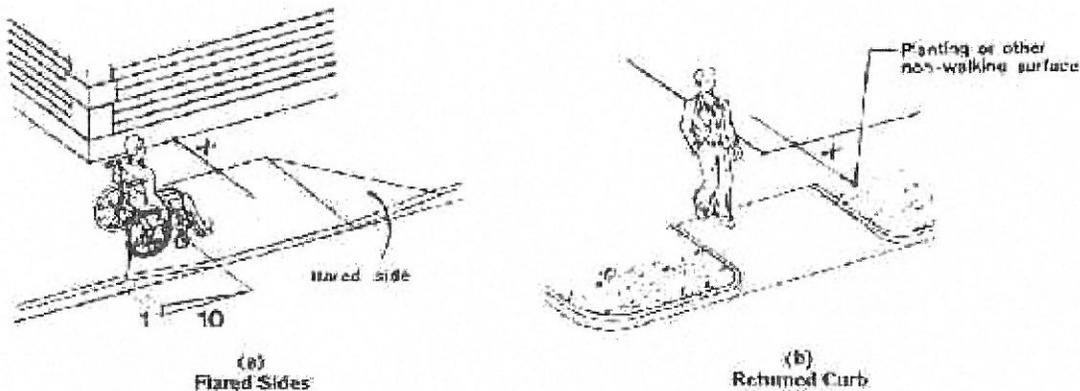
From: Debbaut, Anne <anne.debbaut@state.or.us>
Sent: Tuesday, September 01, 2015 3:34 PM
To: Heather.Austin@3j-consulting.com
Subject: Suggestions for addressing housing concerns

Hi Heather,

In addition to my previous rather “regulatory” email, I wanted to send along some additional information and resources from our transportation and growth management staff that may help you with some of the housing concerns in North Plains. As I think it is unlikely that increasing the residential lot size will solve what I understand is the primary issue, I encourage the city to consider addressing building and site design standards, as well as more variety in housing type.

Here are some specific examples that may help:

- The City’s zoning code requires two off-street spaces for a single-unit dwelling. And this in turn drives the residential street frontage to be made up of garage doors. The city may want to consider reducing the off-street parking requirement for single-unit dwellings to one. Plus, you may want to allow any on-street parking spaces on the property’s frontage to count for a full off-street space rather than 0.5.
- Where there’s a planting strip, standards for building driveway aprons should require the “curb return” style, not driveway flares. This will cut down on the amount of concrete used in driveway construction (leaving more room for green and a street less dominated by driveways) and also is a design that leads drivers to slow down more before making a turn across a sidewalk into a driveway. The purpose of driveway flares is to increase the turning radius, which permits a faster turn, moving vehicles off the roadway faster. This may be an acceptable goal on an auto-oriented thoroughfare with fast-moving traffic, but not in a pedestrian-friendly community. Driveway flares, combined with wide two-car driveways, will lead to cars making fast turns, putting pedestrians, cyclists, and playing children at risk. I couldn’t find an image to illustrate the difference between the two for driveways, but I found one for sidewalks (related to ADA design) that shows curb return vs flares – you’ll get the idea even though it’s a different context. If you look around you’ll see that older driveways in cities are typically curb return, while newer ones tend to have driveway flares.



*If X is less than 48 in,
then the slope of the flared side
shall not exceed 1:12.*

Fig. 12
Sides of Curb Ramps

- One expedient way to avoid having houses on small lots that are close together is to institute minimum setbacks and maximum lot coverage standards. You’ll need to put some thought into whether this would be the right

solution. Naturally, developers will tend to build the largest house they can on each lot. The larger the house, the higher ROI they'll have, since they have to pay the same amount for the land (and usually the same SDCs) regardless of the size of the house. However, to reference the recommendation on parking – the pressure to build larger houses may go down if so much of the space wasn't required to be occupied by parking.

- I would also like to encourage the community to look at different ways to accommodate “needed” housing. Some of the “needed” housing might be accommodated through multi-unit dwellings downtown and through ADUs, duplexes, fourplexes, and cottage clusters? Below are some resources on those types.

Missing Middle Housing is a great initiative of Dan Parolek of Opticos Design, supported by the Congress for the New Urbanism. It shows how infill can really fit in and that there are lots of dwelling styles that work well with attractive, dense, walkable environments. It's a work in progress, but has tons of examples.

<http://missingmiddlehousing.com/>

Cottages:

Here are some examples of nice-looking smaller dwellings. These can be either stand-alone single-unit dwellings or organized into cottage clusters. This website and Ross Chapin's website (both from Washington) use the term “pocket neighborhood,” which is the same thing as the term I prefer: cottage cluster. I don't like the term pocket neighborhood, because the ideal neighborhood is complete (i.e., includes housing, services, retail, etc.) and these small developments are housing only.

<http://www.cottagecompany.com/>

Small house plans

<http://rosschapin.com/plans/small-houses/>

PDF of all plans from cottages to small houses to larger houses:

<http://rosschapin.com/wp/wp-content/uploads/2014/04/GFPlansAll150324.pdf>

This page also has a link to Langley's code for cottage clusters.

Third Street Cottages, Langley, WA

<http://rosschapin.com/projects/pocket-neighborhoods/third-street-cottages/>

TGM did a project in Grants Pass a few years ago that included cottage cluster standards. Here's the link to the final deliverable.

More cottage housing resources – MRSC (Municipal Research and Services Center), Washington

<http://mrsc.org/Home/Explore-Topics/Planning/Specific-Planning-Subjects,-Plan-Elements/Housing/Cottage-Housing.aspx>

If you're interested, there is a special event in November at PSU.

Build Small – Live Large Summit (November)

<http://living-future.org/cascadia/buildsmall/>

A few things to think about. And let us know how we can help.

Regards,

Anne

Anne Debbaut | Metro Regional Representative
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Oregon Department of Land Conservation and Development
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ZONING PRACTICE

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PRACTICE TOWN HOUSE STANDARDS



Town House Standards

Mary Fishman and Tom Smith



Town houses have historically played an important role in cities and are an attractive option for suburbs.

Originally conceived as in-town housing for the rich, whose mansions were in the countryside, the town house form proved readily adaptable to the more modest means of the working class in older cities such as Philadelphia, New York, Boston, and Chicago. Today, many cities and suburbs have town house developments built at densities that promote pedestrian-oriented neighborhoods and support the use of mass transit.

Limited in height by the number of flights of stairs a person can comfortably climb, town houses have a human scale. Most are only two or three stories. Many town houses have small front yards that provide welcome flowers and shrubs in a dense urban neighborhood. They may have front stoops and bay windows that work with short setbacks to put residents in neighborly proximity to passersby on the sidewalks.

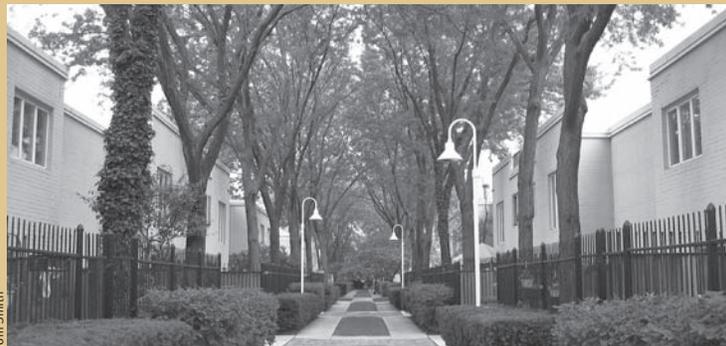
We worked for the Chicago Department of Planning and Development during the housing boom of the 1990s and early 2000s. Before the city's Townhouse Ordinance was passed in 1998, most town house projects had to be approved either through the Zoning Board of Appeals process or the planned development process. The town house form did not fit under Chicago's as-of-right zoning, mainly because individual units lacked side yards between them. As we reviewed more and more town house projects and saw some shockingly bad buildings being proposed, it became clear that the zoning code's silence on town houses was putting Chicago's neighborhoods at risk.

TOWN HOUSES DOWNTOWN?

While no one can argue against the preservation of historic town houses wherever they may be, not everyone is a fan of modern town house construction in the densest parts of the city. In Chicago in the early 1990s, some city planners were disappointed with downtown development projects that included significant numbers of town houses. They argued that new residential buildings should be predominantly mid rise or high rise to fit the downtown context.

Developers, however, felt that they could sell town houses more reliably and with more profit than new condos in a central area where residents were still considered pioneers. They pointed to the example of Dearborn Park just south of the Loop, a 51-acre former rail yard site whose redevelopment began in the late 1970s. Phase I included 166 town houses with gracious areas of common open space and large private yards, along with 803 condominium units in one mid-rise and three high-rise structures and a 190-unit building for the elderly. Many of the residents of Dearborn Park routinely walked to their jobs downtown a few blocks to the north.

The success of Dearborn Park is often credited with spurring the redevelopment of the South Loop, which took off in the 1990s. An unfortunate feature of the Phase I town houses, however, was the fortress-like appearance their walled-in yards presented to the streets, and the purposeful dearth of pedestrian entry points into and through the development. Later town house developments in the central area (e.g., Phase II of Dearborn Park and Central Station) exhibited greater sensitivity to the public side of urban life, dropping the walled-in look that characterized their immediate predecessors while retaining the spacious outdoor common areas.



ASK THE AUTHOR JOIN US ONLINE!

Go online from March 22 to April 2 to participate in our “Ask the Author” forum, an interactive feature of Zoning Practice. Tom Smith and Mary Fishman will be available to answer questions about their article. Go to the APA website at www.planning.org and follow the links to the Ask the Author section. From there, just submit your questions about the article using the e-mail link. The authors will reply, and Zoning Practice will post the answers cumulatively on the website for the benefit of all subscribers. This feature will be available for selected issues of Zoning Practice at announced times. After each online discussion is closed, the answers will be saved in an online archive available through the APA Zoning Practice webpages.

About the Authors

Mary Fishman is a licensed architect and holds a master’s in urban planning. She has worked for 25 years in the fields of architecture and urban design, including eight as a preservation architect and director of design review for the City of Chicago’s Planning Department. She is currently at work on an independent documentary film about Catholic nuns and social justice.

Tom Smith holds a master’s in city planning and a master’s of business administration and has more than 25 years of experience in the field. He worked for more than 15 years for the City of Chicago, including positions as an assistant commissioner in the Department of Planning and Development and as the acting zoning administrator. Since 1991, he has taught land-use planning and zoning in the graduate school of urban planning of the University of Illinois in Chicago.

TOWN HOUSES IN TROUBLE

In their original configuration, town houses could be summed up simply as attached single-family dwellings. They were no different in relation to the public street than the single-family houses, flats, or commercial buildings with which they mixed. Their garages (or stables), if they had them, were detached and faced the alley. They had small backyards, and most had small front yards or stoops, as well.

In the town house developments in Chicago of the 1990s (as in many other cities, we suspect), things changed. In larger projects (those that occurred on former industrial or railroad sites), for every one row of town houses that lined the streets, another one, two, or three rows might have no frontage on a public right-of-way. Often even the town houses that faced the streets would not have entrances off of them, nor any major living spaces overlooking them.

On smaller lots, two facing rows of town houses would be squeezed in with minimal separation space, often with blank end walls facing the street. On corner lots, the garage doors would line the sidewalk—an endless sea of blankness and curb cuts—while the “front-door” entrances would be sequestered to a side yard. Private car courts lacked trees, walkways, and pedestrian doors that would have afforded neighbors a casual place to meet, but they did have plenty of pavement and garbage cans through which drivers were required to navigate.

A few very expensive town house developments had sufficiently large private yards, setbacks that matched the neigh-

borhood, common green space, and even landscaped and decoratively paved car courts that kids could play in. But woe to the average project, which typically had small, unusable yards or no yards at all, minimal setbacks, inadequate landscaping, and no common open space whatsoever. And woe to its neighbors: It seemed as though most of the developers’ attention, once they had squeezed the maximum

Suddenly a familiar, urban, low-scale residential building type that encouraged interaction between pedestrians and residents was facing inward, turning its back on the neighborhood.

number of units and parking spaces from their site, was given toward luxury interior finishes, tall ceilings, and “media rooms.” There appeared to be little concern for the neighborliness of the new town houses.

Suddenly a familiar, urban, low-scale residential building type that encouraged interaction between pedestrians and residents was facing inward, turning its back on the neighborhood. What could explain

this? Had architects forgotten how to design for the community as well as for the client? Had developers become so greedy that they were blind to the unpleasant environments they were creating? Were town house buyers too anxious about finding the “right” location versus the “right” project? Had city planners been too accommodating to the developers? Was our dependence on cars to blame? Were these problems merely unfortunate lapses in design and planning, or were they indicative of, or even contributing to, an alarming decline in civic engagement?

CHICAGO INCHES TOWARD DESIGN REGULATIONS

We couldn’t definitively answer those questions (though we did have our opinions), but we could try to stem the tide of bad town house design. Up until this point, Chicago had no design regulations and no design review, except for designated landmarks and planned developments. Neighborhood groups had been filling in the void, often forming in reaction to some egregious development.

The only chance for the Department of Planning and Development or for neighbors to have any input on most new town house construction was before the Zoning Board of Appeals (ZBA), where smaller projects landed because they needed a variance for side yards. (Larger town house projects were reviewed as planned developments.) But in reality there was no relief for the neighbors’ concerns at the ZBA. When these projects came up for a hearing, neighbors would come to argue that

garages should not face the street, that homes oriented to interior courts should be illegal, and that gated communities were unacceptable. The board would then politely explain that the placement of parking, the orientation of unit entrances, and the issue of gates were not relevant to the hearing. The only issue before the board was the request to eliminate the side-yard requirement. Most neighbors would acknowledge it was impossible to build town houses with side yards between units.

In theory, the planned development review process offered more oversight and protection for the larger projects. But without any guidelines specific to town houses, neither the staff nor the developer's team knew just how far a particular project could or should be pushed. It was clear that a town house ordinance would give planned development review a leg to stand on, a baseline from which further negotiations could proceed. And it could streamline the development process for smaller projects, which could be approved as-of-right.

After almost a year of intense study, experimentation, listening, meeting with key aldermen and concerned neighborhood groups, wrangling with home builders associations, and compromise, the Chicago Townhouse Ordinance was approved by the zoning committee and the city council. Following is an explanation of its interesting features, and a critique of the ordinance from the luxurious perspective that time and distance provide.

A REVIEW OF THE 1998 CHICAGO TOWNHOUSE ORDINANCE

Parking and Driveways

The trouble with modern town houses (and other residential forms) is that cars have taken over. Builders, neighbors, and elected officials are convinced that at least two parking spaces per town house are needed even in neighborhoods with excellent access to buses and trains. When 20-foot-wide town houses provide two spaces in an attached garage, not much room is left on the ground floor. One facade of the structure at ground level is typically taken up with a row of two-car garage doors. The opposite side has the entries, stairs up to the main floor of the unit, and a small room in front of the garage that is usually isolated from the rest of the home.

What the town house ordinance accomplished was to relegate the row of



Photos by Tom Smith



⤷ Clockwise: Facing rows of town houses separated by only 12 to 15 feet violate a person's sense of privacy; this six-foot-deep fenced-in yard is not worth the concrete it's paved with; blank end walls facing the street, a design to be avoided at all costs; this sea of garage doors lining the sidewalk should never have happened.

garage doors to the interior of the lot. No longer could developers use the public sidewalk as a driveway or parking space. The new ordinance required that parking be accessed from an alley or an interior drive. The streetscape was given back to the pedestrian. In the unusual cases where the site did not have an alley and could not accommodate an interior driveway, town houses could have garage doors facing the street but were required to have a 20-foot setback so that a car parked in front of the garage did not obstruct the sidewalk.

Building Spacing

One of the most pressing problems the town house ordinance addressed was

the tendency of some developers to cram town houses in rows so closely spaced that they violated many people's sense of privacy. It's one thing to have one's bedroom windows along the side property line separated six to 10 feet from the bedroom windows in the building next door—city dwellers are used to that. Single-family houses and flats often have this condition. But their front and rear rooms have an open street or backyard to look out on. When a new town house development's living rooms, entries, and other main living spaces are only 12 to 15 feet from the next row's, it shocks the sensibilities. Even high-rise dwellers in the densest neighborhoods usually have at least one wall of

windows that faces a public way or a large rear court. At a density level much closer to single-family homes than to high rises, town houses should provide breathing space more like single-family houses do.

Defining the front and rear facades of a town house as “those walls that are generally perpendicular to party walls” and “typically the primary sources” of light and air for the unit, the ordinance set minimum distances between two rows of town house structures and between town houses and lot lines. The standards varied based on the density allowed by different zoning classifications. For example, properties zoned in RM-4 and RM-4.5 classifications required more separation than those properties in higher (i.e., denser) classifications like RM-5 and RM-5.5. The actual numbers were based on field observation. We classified and measured existing cases, eventually settling on the median distance we found in the projects we labeled “good” (as opposed to “bad” or “really good”).

No More Blank Facades

Prior to the ordinance, developers and architects came up with some creative reasons why they chose to design street facades with few or no windows or doors. Some cited the noise of a busy street as justification, or the fear of crime. Others simply didn’t provide windows on the end wall of a row of units facing the street because that would involve a slight variation in the floor plan of the end unit. Whatever the reason, these decisions were devastating to the blocks where these developments occurred.

The ordinance dealt with this problem as follows: “to avoid the appearance of blank walls, building facades that face public streets must include elements of a front facade, including doors and/or windows.” This was one of the weaker provisions of the ordinance. While it expressed the intent of avoiding blank walls, it proved to be too open-ended. Was one small window per unit enough to cover the requirement?

Planners returned to this issue in 2004 as part of the much-needed updating of Chicago’s entire zoning code. New provisions relating to all residential districts now required “eyes on the street” to be attained by providing pedestrian entrance doors or transparent windows covering at least 17.5 percent of the area of each building facade facing a street. This percentage represents

about half of the window or door area that habitable rooms would normally generate on a facade. So while this new requirement was an improvement in terms of making neighborhoods safer (allowing residents to see what takes place on the street), it doesn’t guarantee that new town house facades will have the amount of fenestration typical of most residential buildings.

Private Yards and Common Open Spaces

The town house ordinance was developed at the same time that the Department of Planning and Development was studying how to accommodate new park space to go along with all the new housing being constructed. One of the results of this assessment was an Open Space Impact Fee for all new residential development. The other was a requirement for private yards and common open space in town house developments, where some of the most densely packed new construction was occurring. (Open space requirements for other residential types were added in the 2004 zoning code overhaul.)

The town house ordinance requires 200 square feet of private yard space per unit in all but the densest districts, where the number is reduced to 175 square feet. We arrived at the figure of 200 square feet through a combination of factors. Most units we were seeing ranged from 16 to 20 feet wide. With the front yard setback of 12 feet required by the ordinance, the yard that could readily be associated with one unit would thus range from 192 to 240 square feet in area. This coincided with the yard sizes in existing town house developments we had measured and categorized as “good.” The town house ordinance required these yards to be directly accessible from the unit.

Some young professionals who purchase or rent town houses might prefer not to have the responsibility of caring for yards, cutting grass, or planting or seeding a yard. However, housing lasts for a long time, and owners age and mature. The current owner might not be a gardener, but the next owner may be. We reasoned that a town house is like a single-family house and should provide some of the experience of one.

The common open space requirement kicked in with developments of 40 or more units, which were required to provide 150 square feet per unit. No one qualifying area

DESIGN OF COMMON OPEN SPACE

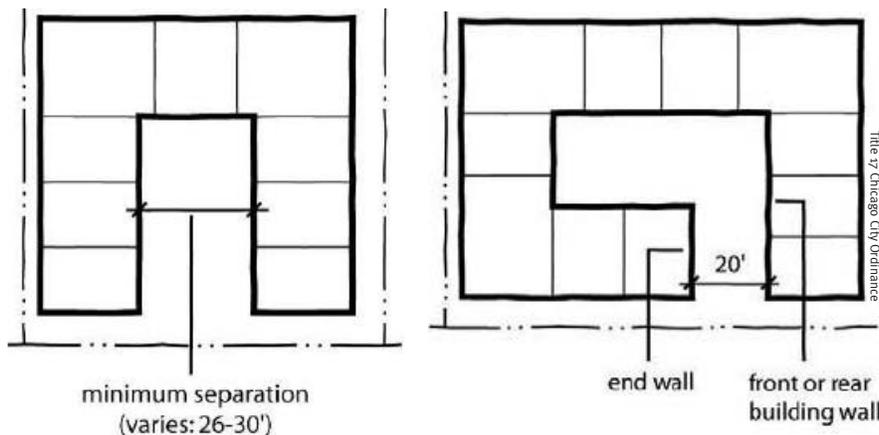
One of the most difficult things to imagine when reading plans is what an outdoor space is going to look like. This is partly because the details will have a lot to do with the outcome, and they may not be available at the time of plan review. These details include colors, type and layout of planting, lighting, furniture, paving materials, etc. Beyond this, being able to visualize three dimensions from a two-dimensional plan is not a common skill.

A good way to get a handle on this is to study the plans and elevations of a project that has already been completed and try to visualize what the open space will look and feel like. Then go out and check your imagination against the real thing. Pay particular attention to the heights and shapes of the buildings that enclose the space. Study the effect of landscaping. Take note of details that impress you. Take pictures! Back in the office, compare your photos with the plans. If you do this often, it should become easier to read plans with greater comprehension.

The best examples of common open space follow the classical approach to city building: The outdoor space is considered as a room, a void carved out from the mass of the buildings, or a predetermined shape around which buildings are arranged. Its shape is well defined, and its size is big enough for the use to which it is put, not just what is left over after the buildings are plunked down. The space is an active environment that shapes the buildings and is shaped by them.

could be less than 2,000 square feet nor less than 25 feet in the smallest dimension. An innovative feature of the ordinance allowed decoratively paved and landscaped car courts 36 feet wide or more to count for up to 50 percent of the required open space.

The common open space requirement recognized that town houses are a good building form for families with children and hence made provision for play space on-site. It also was intended to provide some breathing room for units without street frontage that were accessed off narrow, private driveways with minimal landscaping. The common open space provision was one of the more challenging features of the



⤷ Top: These illustrations show the new building separation requirements of the 1998 Chicago townhouse ordinance. Left: This decoratively paved and landscaped private car court is also a safe place for kids to play. Below: The ideal town house layout has entrances facing the street and garages facing the alley.

Repetition is in the nature of the town house facade. It can be a blessing or a curse, depending on how skillfully it is handled. In very expensive projects, luxurious materials and details, combined with significant “ins and outs” in plan and elevation, a curve, or a change in grade or building height can carry off even the most repetitious design. More commonplace developments need to be more judicious in their use of repetition or they risk monotony.



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Chicago's town house ordinance broke new ground in a city that publicly had shied away from design regulation.

new ordinance. It forced projects that previously would have provided no common open space at all to set aside a significant amount of it.

Landscaping

Since town house developments are frequently densely packed, considerable attention must be applied to landscaping to soften the hard surfaces of buildings and driveways. Chicago's ordinance has specific requirements for planting in common spaces, in required setbacks, and in private open spaces, though once the permit is issued, no one is going to force a town house owner to maintain flowers in their private yard. The more enforceable and critical element of the ordinance is its requirement for landscaping within auto courts that have pedestrian entrances. One tree must be planted for every four units.

CONCLUSION

Chicago's town house ordinance broke new ground in a city that publicly had shied away from design regulation. In private, architects told us they secretly thanked the city for codifying into rules what they were unsuccessfully lobbying for with their developer clients. The ordinance delivered a streamlined review and approval process. No longer do routine, smaller projects have to go the Zoning Board of Appeals for a variance. The rules of the ordinance are clear and require very little interpretation; they can be administered by persons untrained in design review.

Since most of the troubles with town houses were with the projects too small to be planned developments, the ordinance was mainly written with smaller developments in mind. In large part these problems have been eliminated. If there is an area where the ordinance could be strengthened, however, it would be concerning the inward orientation of larger developments. How do we ensure that planned developments do not become enclaves? Perhaps units that face interior private drives should be discouraged in favor of requiring larger developments to create real public streets.

At the very least, new developments should be permeable; walkways through the development should be open to the neighborhood. Entry points should be frequent and wide enough to create an inviting view from the street.

Town houses remain an attractive housing type with great flexibility. In cities like Chicago, New York, and Boston where density limits are not strict, town houses can be built at densities up to 25 to 35 units per acre. When they are mixed with condominiums or lofts, even higher densities can be achieved. In suburbs and less dense cities, town houses can fit in comfortably with single-family houses to provide more housing diversity. In these communities, town houses may be the only option for planners who want to encourage more density. However, if you don't get the details right on these projects, you will lose any political or popular support you may have had for adding a little density. In any setting, the treatment of facades, location of drives and garages, separation between structures, provision of private and common open space, quality of landscaping, and relationship with the surrounding neighborhood are the key design features that determine a town house project's success.

Townhouse development can be an attractive and affordable option but these projects will only be successful when tough urban design standards are applied.
iStockphoto.com/Ranplett; design concept by Lisa Barton.

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Zoning Practice will sponsor a six-session track at the 2010 APA National Planning Conference, April 10 to 13 in New Orleans. "Rules That Shape Urban Form" is intended to be an exciting, cutting-edge exploration of some of the major issues in modern urban land-use regulation. We invite you to join us for any or all of the following:

■ Parking Management Innovations (S540)

Sunday, April 11, 10:30–11:45 a.m.

CM I 1.25

■ Graduated Density Zoning (S439)

Sunday, April 11, 1:00–2:15 p.m.

CM I 1.25

■ Dealing with Nonconformities in a Down Economy (S507)

Monday, April 12, 10:30–11:45 a.m.

CM I 1.25

■ Context-Sensitive Affordable Housing (S521)

Monday, April 12, 2:30–3:45 p.m.

CM I 1.25

■ Retrofitting Commercial Strip Corridors (S542)

Monday, April 12, 4:00–5:15 p.m.

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■ Rules That Shape Tomorrow (S587)

Tuesday, April 13, 9:00–10:15 a.m.

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HOW DO TOWN HOUSES ENHANCE YOUR COMMUNITY?

2



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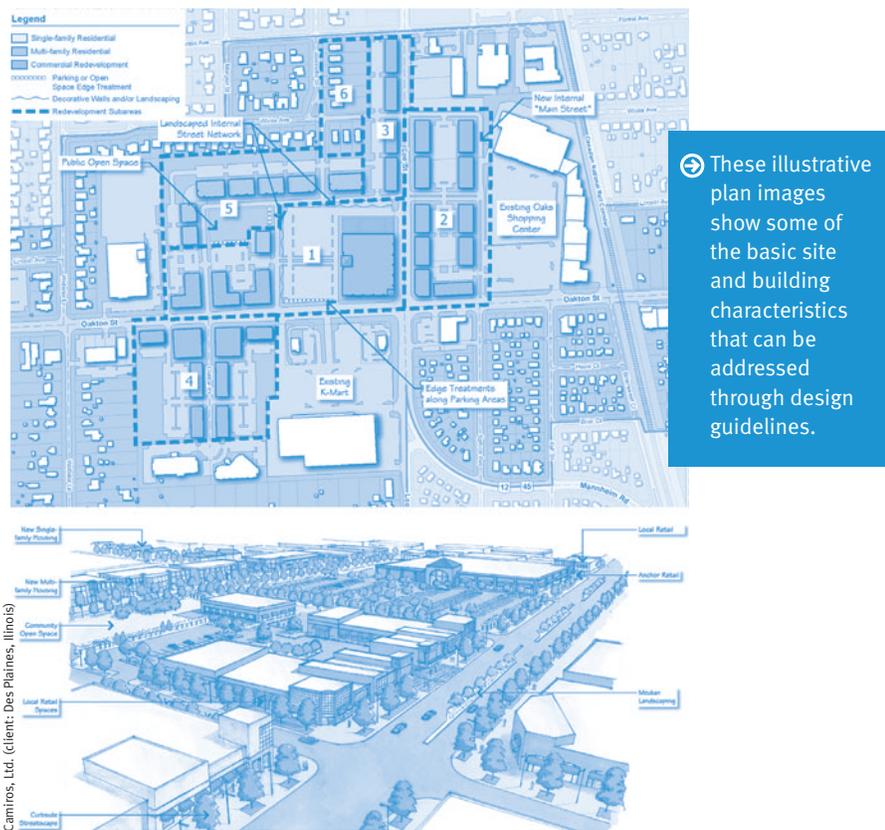
PRACTICE DESIGN GUIDELINES



Creating Design Guidelines That Work: Empowering the Local Planner

By Douglas Hammel, AICP

Creating interesting urban places is not easy.



The local planner faces so many challenges—establishing the vision, aligning development policies, leveraging the market for investment, assessing the municipal role in implementation, administering the zoning and development review process—that any bump in the road can result in an unbuilt project, or just as bad, a built project that compromises the goals of the town for the next half-century.

One tool municipalities use to shape investment is design guidelines. While design guidelines have become common, many communities find them ineffective. Listening to their experiences offers clues as to why:

- “They don’t match the look of our town.”

- “I’m not sure what they’re requiring me to do.”
- “I can’t figure out how to use the document.”
- “The design guidelines say one thing, but the zoning ordinance says another.”
- “I’m not a designer, so who am I to determine what good design is?”

All of these statements, whether uttered by designers, developers, engaged citizens, or design reviewers, are symptomatic of broken guidelines, and the more broken the guidelines are, the easier it is to leave them on the shelf. In the worst-case

scenario, design guidelines can get saddled with the most incriminating claim—that they drove development away—though this end is often the result of other symptoms rather than a cause in and of itself. In fact, it is often the case that well-crafted design guidelines can streamline the development process by providing clear expectations that remove arbitrary decision making and interpretation.

This article sets forth some fundamental principles to follow while developing design guidelines. (Note: For the most part, *design guidelines* and *form-based code* can be used interchangeably in this article. Many of the principles are the same, even if the levels of codification or the administrative processes vary.) It will pose a series of key questions to be asked *prior to the development of design guidelines* that aim to proactively address the sentiments stated above.

WHAT ARE DESIGN GUIDELINES?

Before developing design guidelines, it is helpful to have a realistic understanding of what they are, or more importantly, ought to be. Too often, guidelines are developed with little regard to physical, political, market, or regulatory contexts. The result is ideals that have little relevance to what can be. This sets the guidelines up for failure before they are even adopted. Consider the following as a working definition for design guidelines in this article:

Design guidelines should be an articulation of appropriate and acceptable development solutions to contextual challenges and goals

Guidelines should be *appropriate and acceptable*—not necessarily ideal—since an “ideal” may not work for a given location based on a number of local factors, and they must address *contextual challenges and goals* because every community’s vision, process, and policy climate is different.

ASK THE AUTHOR JOIN US ONLINE!

Go online during the month of March to participate in our “Ask the Author” forum, an interactive feature of Zoning Practice. Douglas Hammel, AICP, will be available to answer questions about this article. Go to the APA website at www.planning.org and follow the links to the Ask the Author section. From there, just submit your questions about the article using the e-mail link. The author will reply, and Zoning Practice will post the answers cumulatively on the website for the benefit of all subscribers. This feature will be available for selected issues of Zoning Practice at announced times. After each online discussion is closed, the answers will be saved in an online archive available through the APA Zoning Practice web pages.

About the Author

Douglas Hammel, AICP, is an urban designer and senior associate at Camiros, Ltd. He has developed design guidelines and form-based codes for several communities, either as specific assignments or as part of comprehensive or subarea planning assignments.

WHAT ASPECTS OF DESIGN SHOULD THEY CONTROL?

Many communities struggle with this broad question, but there are actually many clues in local policy and context that quickly give shape to a concrete answer.

Clue #1: The Local Vision

Comprehensive plans, subarea plans, and other policy documents establish a vision with varying levels of detail. Many of these plans include, at a minimum, illustrative plans that imply some of the basic characteristics of physical development: the relationship between building/parking/street, scale and intensity, mix of use, and site and building access. Others delve more deeply into the characteristics of development: architectural styles, materials, commercial storefront design, public realm improvements, and so on. All these imply characteristics of desired development that can inform design policy.

Clue #2: The Existing Built Context

Assuming there is a clearly stated vision, one can compare and contrast it against the existing built environment to determine the key design elements that need to be addressed. This will also illustrate the magnitude of the challenge. Is the vision close to reality, meaning the design guidelines can focus on details and retrofitting an existing environment, or are

the two so different that the design guidelines must address the big ideas to make sure the stage is set for transformation over time?

Clue #3: The Regulatory Context

One of the simplest exercises is to ask what the existing ordinance does not address. Traditional zoning focuses on mitigating the impacts of development on adjacent properties. Design guidelines can complement this by either tightening up requirements (i.e., build-to zones instead of typical required setbacks) or introducing new controls related to building massing, materials, site and building access, facade design, and landscaping.

Collectively, these clues can focus the attention in the drafting of design guidelines to those characteristics of development that represent local tastes and accomplish the primary design objectives.

WHAT FORCES SHAPE THE DESIGN GUIDELINES?

You’ve determined that the specific location of a building on its site is important. Now what is the appropriate setback related to the public right-of-way? What should happen between the front of the building and the sidewalk? Where should parking be located, and how should it be accessed to best serve the building? The answers to these and many other questions become the heart of the design guidelines. Any characteristic of

design—whether it is building location and scale, landscape palette, style, awning form, etc.—must be described with enough detail to demonstrate the design intent and define the metrics necessary for users to interpret it. Determining what that specific intent is and what the metrics are for assessing is not always easy, but there are several techniques to assist the authors.

Focused Visioning

As mentioned earlier, planning documents and policies can provide clues about the intended vision of a community. However, these plans may not specifically address the geographic area design issue at hand. In many cases, focused visioning can concentrate the community on the specific question, “What should this type of development in this part of our town look like?” Image preference surveys are an effective tool for this, and the most effective surveys use street-level photographs of sample development types. This offers the audience the same perspective through which they would experience their own built environment. It is then the role of the author to translate the input into plans, elevations, perspectives, or diagrams.

Assessment of the Built Context

In order to turn the “ideal” into the “acceptable and appropriate,” preferred development



➡ When assessing existing conditions, it can be helpful to look at satellite images to see variations in parcel, street, and block types from place to place.

models must be tested on local parcels. The following are some of the most important factors in assessing the potential for varying forms of development, though there are likely several others that vary by place:

Typical parcel dimensions. Since development regulation is applied at the parcel level, lot width and depth become the primary factors in what can be accommodated, from the building footprint to landscaping, parking, and circulation.

Alley network. Alleys can be the most significant piece of infrastructure in terms of design guidelines and placemaking. They create additional freedoms in regard to access to parking areas, building mechanical equipment, and support services such as utilities and trash storage and removal.

Neighborhood connectivity. Greater connectivity to the surrounding neighborhood implies less reliance on automotive access to an area. As a result, design policy

may be more assertive in requiring pedestrian-oriented infrastructure and amenities.

Functionality of the public street. How the public street operates—the speed and volume of traffic, spacing between control points, number of entry points along the block—impacts how sites and buildings should be designed. Authors should carefully consider the type of street on which development faces when drafting guidelines. For example, on a high-speed arterial without on-street parking, requiring zero-setback development can create an uncomfortable pedestrian environment. In some cases, it may be necessary to require a setback that allows for a more comfortable sidewalk.

Design of the public realm. The physical design of the street and sidewalk also impact private development. Does on-street parking provide a safety barrier between cars and pedestrians? Is the sidewalk wide enough to accommodate street furniture, pedestrian move-

ment, and sidewalk commercial activity safely and efficiently? Is there a specific streetscape palette that establishes a theme?

Existing development characteristics. Existing private development offers clues for future investment: How big should new buildings be? What are their key design elements? How do they address the street, and how do they collectively form a sense of place?

Review of Existing Development Policies

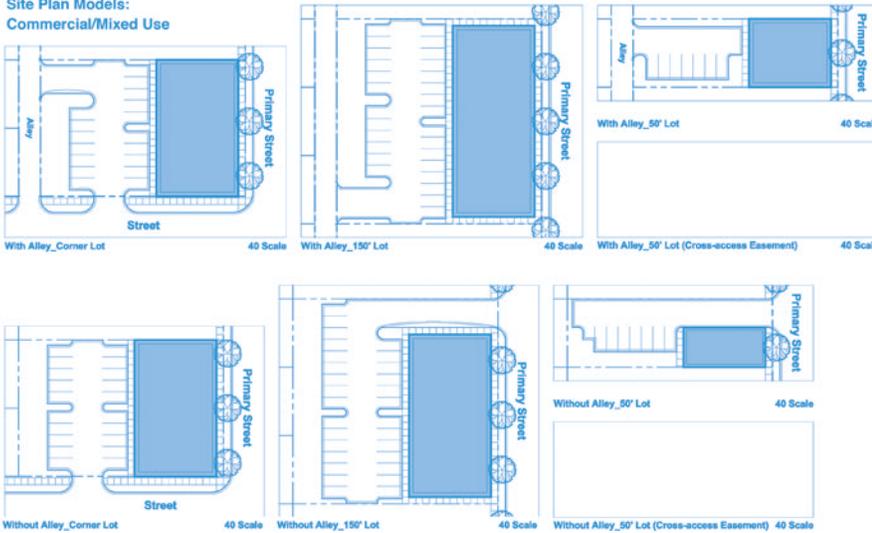
Too frequently, design guidelines don't conform to existing development regulations. Sometimes this is easily avoidable—for example, by not requiring things in the design guidelines that are prohibited under zoning. Other times it's not as obvious. For example, design guidelines may require building or site design characteristics that make it difficult to meet parking requirements. This is where an understanding of the site characteristics described above complements the application of a vision against real-world constraints.

Consideration of the Market Context

To a certain extent, design guidelines can help define and shape the development market for a specific area. At the very least, they should not inhibit desirable development from being built. Especially in times of market instability, it is difficult to predict exactly what the market may be able to bear. It is nonetheless important to consider the impacts of design regulation on economic development potential.

One example is common in traditional commercial areas where a main street feel with a vertical mix of uses is desired. Though this is inarguably a best practice from a planning perspective, not everyone wants to build, occupy, or patronize these buildings.

Site Plan Models:
Commercial/Mixed Use



➔ These site plans and summary tables were created to illustrate different development models for Mundelein, Illinois.

Minimum Permeable Area Regulations by Project Type

Commercial

	Lot Dim.	Lot Area	Building Area	Lot Area/du	# Res. of Stories	Units/ff	Units	Impervious Pavement Area	Pervious Area	Provided % of Pervious Surface	Pervious Surface Surplus/Deficit
With Alley											
Corner Lot	*100' x 150'	14,500	6,000	-	-	-	-	6,307.63	2,192.37	15.12%	0.12%
Interior Lot	*50' x 150'	7,250	3,000	-	-	-	-	3,034.85	1,215.15	16.76%	1.76%
Interior Lot (Cross-access)	*50' x 150'	7,250	3,000	-	-	-	-	2,935.37	1,314.64	18.13%	3.13%
Interior Lot	*150' x 150'	21,750	8,400	-	-	-	-	10,078.04	3,271.96	15.04%	0.04%
Without Alley											
Corner Lot	*100' x 150'	14,500	6,000	-	-	-	-	5,939.74	2,560.26	17.66%	2.66%
Interior Lot	*50' x 150'	7,250	1,740	-	-	-	-	4,230.84	1,279.16	17.64%	2.64%
Interior Lot (Cross-access)	*50' x 150'	7,250	3,000	-	-	-	-	2,935.37	1,314.64	18.13%	3.13%
Interior Lot	*150' x 150'	21,750	7,140	-	-	-	-	10,945.69	3,664.31	16.85%	1.85%

Mixed-use: Residential on upper floor

	Lot Dim.	Lot Area	Building Area	Lot Area/du	# Res. of Stories	Units/ff	Units	Impervious Pavement Area	Pervious Area	Provided % of Pervious Surface	Pervious Surface Surplus/Deficit
With Alley											
Corner Lot	*100' x 150'	14,500	6,000	3,625	1	4	4	6,307.63	2,192.37	15.12%	0.12%
Interior Lot	*50' x 150'	7,250	3,000	3,625	1	2	2	3,034.85	1,215.15	16.76%	1.76%
Interior Lot (Cross-access)	*50' x 150'	7,250	3,000	3,625	1	2	2	2,935.37	1,314.64	18.13%	3.13%
Interior Lot	*150' x 150'	21,750	8,400	3,625	1	6	6	10,078.04	3,271.96	15.04%	0.04%

Camros, Ltd. (client: Mundelein, Illinois)

Careful consideration must be given to the ability of local developers to provide such a product and the market to absorb it.

Use of Innovative Planning Techniques

New urbanism, smart growth, complete streets, LEED, sustainability—this is a shortlist of the many movements or philosophies that help structure our thinking about urban development. Many have overlapping goals that point the compass toward responsible and attractive growth, and they all have something to offer in the development of design guidelines. Regardless of which philosophy or combination of philosophies is valued locally, they come with two valuable assets: 1) a set of development principles that have some relevance to site and building design and 2) a system of metrics for assessing the effectiveness of a proposal to attain those principles. The latter is especially helpful to the design guidelines author. It is important to include metrics that can easily be provided by applicants or extracted from development plans by reviewers.

It is also important to use metrics that specifically relate to physical design. For example, two common zoning measurements that do not relate to site and building design are density and floor area ratio (FAR). Communities often cite density as a regulatory number, but few understand how it translates to the built environment. Take, for example, a typical small-town main street with two-story mixed use development on 30' x 125' lots. This local main street flavor is typical of what many design guidelines try to foster. If each building had two 900-square-foot apartments on the second floor, the residential density would be approximately 23 units per acre on site. This is a number that frequently elicits fear for local residents

and policy makers, even though it represents the form of development they desire. FAR is often confused for a design control when it is simply a measure of development intensity. It does not dictate building location, setbacks, parking location, or building scale. When the right combination of build-to zones, maximum building height, parking location, or permeable surface requirements are used, FAR is no longer relevant.

in Mundelein’s downtown, consultants did a comprehensive study looking at different combinations of project types and parcel and block characteristics. Using design software, hypothetical yet functional site development plans were created. This identified general parameters for minimum lot sizes, building locations and build-to zones, vehicular access and storage capacity, build-

Innovative planning techniques come with two valuable assets: a set of development principles that have some relevance to site and building design and a system of metrics for assessing the effectiveness of a proposal to attain those principles.

A CASE STUDY IN CONTEXTUAL REGULATIONS

The following case study of Mundelein, Illinois, demonstrates how these five critical factors come together in a new form-based code. The Village of Mundelein is currently undertaking a village-wide update of its zoning ordinance. The downtown area, home to the village’s oldest building stock and a commuter rail train station, is anticipating new development with an orientation towards a transit-based lifestyle and walkable streets. Based on a transit-oriented development (TOD) plan adopted within the past five years, the new zoning ordinance will incorporate a form-based district for the downtown. With this project as the context, let’s see how the code addresses the five points described above.

The TOD plan provides tangible recommendations regarding preferred development forms in various portions of the downtown. Multistory mixed use, single-story commercial, structured parking, multifamily residential, and town house development types are all anticipated. To complement this plan, the process to develop the zoning regulations included additional meetings with stakeholders, staff, and the community to ensure that the vision is still relevant. The draft regulations continue to be vetted through these channels to tweak them as formal adoption approaches.

In order to properly understand how the proposed development types would fit

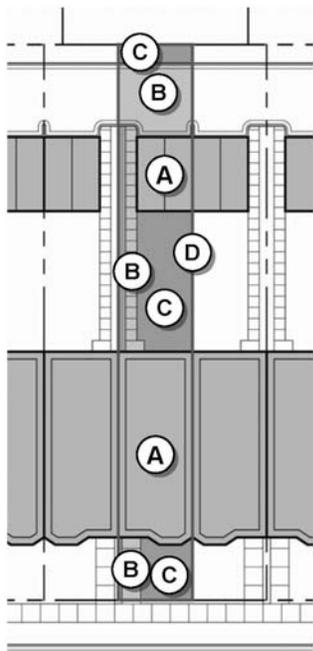
ing scale, landscaping, and several other physical attributes.

Once the general parameters of the preferred vision were quantified, they could be compared to existing zoning regulations. In this case, the two did not reflect one another. The study of the vision-based development provided a basis for conversation with community leaders to explain the correlation between the preferred development models and proposed zoning regulations. The draft regulations for the downtown district include build-to zones, reduced parking requirements, remote and shared parking allowances, landscaping and permeability minimums, and building and site access requirements that foster pedestrian-oriented development with an attractive face on the public street.

Mundelein has been blessed with a number of tools for testing market viability of the draft downtown zoning regulations. First, the TOD plan set forth expectations regarding the scale of downtown development. Second, there was a community survey done to determine the preferred uses in downtown. This didn’t specifically identify absorption numbers for various uses, but it did suggest how buildings might be configured to accommodate the preferred uses and create an attractive environment sought by residents. Finally, there was a development proposal for a mixed use project on a key block in the downtown. This provided two important insights: 1) It demonstrated

Com. Prkg. Req.	Res. Prkg. Req.	Prkg. Required	Prkg. Provided	Parking Surplus/Deficit
12.5	-	12.5	17.0	4.5
5.0	-	5.0	7.0	2.0
5.0	-	5.0	10.0	5.0
18.5	-	18.5	28.0	9.5
12.5	-	12.5	20.0	7.5
1.9	-	1.9	7.0	5.2
5.0	-	5.0	10.0	5.0
15.4	-	15.4	29.0	13.7

Com. Prkg. Req.	Res. Prkg. Req.	Prkg. Required	Prkg. Provided	Parking Surplus/Deficit
12.5	4	16.5	17.0	0.5
5.0	2	7.0	7.0	0.0
5.0	2	7.0	10.0	3.0
18.5	6	24.5	28.0	3.5



➡ This illustration and table shows the final draft pervious surface requirements for Mundelein’s new zoning ordinance.

- A** Building Area (impervious)
- B** Paved Area (impervious or semi-impervious)
- C** Planted Area (pervious)
- D** Building Site Area

VILLAGE OF MUNDELEIN, ILLINOIS	
TABLE 9-7: PERVIOUS SURFACE REQUIREMENTS	
Project Type	Pervious Surface Requirement
Multi-family	20%
Townhouse	
150'+ parcel depth	
with public alley	25%
without public alley	15%
100-150' parcel depth	
with public alley	25%
without public alley	20%

that there are local developers who are willing and able to develop the preferred types of projects and 2) it confirmed the relevance of the draft regulations by allowing zoning review staff to assess the project against the draft regulations. This demonstrated that the regulations borne out of the community’s vision for downtown could be followed by private developers without any major concessions, incentives, or variances.

The Village of Mundelein downtown form-based district demonstrates the level of rigor necessary in developing guidelines or regulations that are tightly tailored to the local context: a clearly defined vision, an understanding of what the parcels and accommodate and how existing policies fall short, a realistic expectation of the private market, and creative thinking about how to keep the community competitive for several generations.

WHAT KIND OF DOCUMENT WILL BE MOST EFFECTIVE?

Once appropriate and contextual guidelines are established, they must be packaged in

a legible and concise manner, whether it is a document, website, or other product. Following the principles below will help avert difficult or confusing guidelines.

Understand the Audience

Knowing who will learn from or refer to the guidelines is imperative and will directly impact the tone, format, and structure of the guidelines package. Depending on how they are to be implemented, the product should reflect the end user. A product used by decision makers—whether they be zoning administrators, the planning board, design review commission, or another similar body—must include quantitative criteria that are clearly stated and defensible. Guidelines intended to demonstrate a preferred product to developers can include a balance of measurable criteria and qualitative statements that demonstrate an overall design intent. Sometimes, guidelines are simply an expression of the community vision and can be advisory. In this case, they may include few measurable design requirements, but use imagery to express the desired end result in three dimensions.

Reflect How the Guidelines Will be Administered

Consider the review process. By understanding the materials required as part of a submittal, the bodies responsible for various technical reviews, and the decision-making process for approval or denial, the guidelines can be packaged to fit in as seamlessly as possible. For example, the guidelines can be arranged according to chapters that respond to different areas of plan review (e.g., site planning and engineering, architectural design, landscaping, etc.).

Craft the Language Carefully

Drafting “tight” guidelines involves avoidance of broad or general statements, such as “a fence that provides an adequate level of screening” or “a facade of reasonable transparency.” Some elements of design cannot be quantified, and that’s fine. But wherever possible, removing interpretation strengthens the role of the design reviewer and eliminates unpredictability that drives developers to other communities.

Incorporate Images, Diagrams, and Plans Where Possible

Consider the use of diagrams, photographs, and plans in the design guidelines. Often, a few words set aside an image of a design concept can create a clear understanding of the intent and provide enough objective description to foster consistent and clear interpretation. This can even include a design glossary that uses both words and images to demonstrate design concepts, materials, architectural features, and other aspects of design.

Consider Other Assessment Tools

Not everyone who administers design review is a designer. To foster consistent interpretation of design requirements, guidelines may include a tool that leads the reviewer through an assessment. There is a danger to this, however. Objective assessment tools, such as scoring sheets or checklists, can lead to formulated design and uninteresting variation in development. The assessment tool must be designed to be flexible over time, responding to changing community priorities, construction innovations, and development conditions.

WHAT COMPLEMENTARY POLICIES OR PROCEDURES ARE REQUIRED?

O.K. You’ve assessed your local conditions, determined community priorities, drafted smart and clear design guidelines, packaged them into an attractive and inspiring

product, and determined the processes and procedures related to design review. You've done everything within the purview of the design guidelines to make sure they will work. But there is still housekeeping to do to foster full implementation. The good news is that by undertaking the process of developing the design guidelines according to the principles above, you should know what obstacles remain. The following represent the most common final steps faced by communities as they undertake design guidelines implementation.

Identify the Person or Party to Administer Them

This issue will have already been touched on in order to determine how to describe and package the design guidelines. However, administering the guidelines may be a new technical process for which existing staff and review boards have little time or expertise. Whether it is up to existing staff or a new body—a design review commission, for example—the role of design review must be clearly attributed to someone.

Modify Existing Zoning Regulations

Through the process of focused visioning and design guidelines drafting, you may have uncovered conflicts between existing

zoning regulations and preferred development. In doing so, you must determine where the guidelines will advance the vision or defer to zoning. If they are to advance to vision, existing zoning must be appropriately modified to enable it to happen. This seems—and is—logical, but is often overlooked at the end of the design guidelines process.

Consider New Zoning Regulations

In addition to modifying existing zoning regulations, you may need to consider new techniques to increase the likelihood of full implementation of the vision. For example, in order to reduce the on-site parking capacity along a corridor but maintain an overall balance of parking supply and demand, you may need to adopt new zoning allowances for shared parking, remote parking, or fees in lieu of parking. If a “fee in lieu” system is proposed, there must also be a capital plan in place for the installation of municipal lots or structures in order to justify the fee.

Formalize the Design Review Process

Formalizing the design review process enables developers to understand the steps necessary to attain approval. It is also a chance to build in no-cost incentives for design guidelines conformance. For exam-

ple, if your community prefers an incentive-based approach to implementation, you can use land acquisition, tax deferrals, tax increment financing, or other capital incentives to trigger the guidelines applicability. However, you can also use a process incentive—providing expedited review for project that follow the design guidelines—as a no-cost lure to get a higher quality development in a shorter time frame.

CONCLUSIONS

Design guidelines are too often viewed as scary things that make zoning review difficult and chase development to less restrictive communities. But by following the principles described throughout this article, they can provide clarity to an otherwise arbitrary and unpredictable process, formalize the vision of the community, empower local planners in determining the course of the future, and result in an attractive place with a unique identity and character.

See the online version of the December 2010 *Zoning Practice* (www.planning.org/zoningpractice) for a revised version of the “Community Character and the Courts” sidebar that appeared on page 7 of the print issue.

Downtown Gateway District Building Massing

Overall Building Scale

- A** Buildings should have a minimum front façade height of 18'. Single-story buildings may use extended parapets or faux upper-story facades that match building architecture.
- B** Upper stories can be set back to reduce the “canyon” effect and create upper story balconies or landscaping opportunities.
- C** Vertical façade elements should be used to avoid large blank surfaces. Elements should be spaced not more than 25' apart, and can include structural elements, architectural columns or pilasters, or changes on the building plane.
- D** Horizontal and vertical façade elements should be used to create an appropriate pedestrian scale. Elements may include structural elements, decorative cornices and trim, architectural massing, or materials.
- E** Knee walls, cornices, and/or trim elements should be used to clearly define a building base (ground plane and commercial storefront), middle (upper story façade), and top (decorative cornice or roofline).

Caminos, Ltd. (Client: Fort Dodge, Iowa)

➔ Guidelines that combine photographs with text can help clarify important design concepts.

Cover: © iStockphoto.com/Vasko Miokovic Photography; design concept by Lisa Barton.

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ARE YOUR DESIGN GUIDELINES POINTING IN THE RIGHT DIRECTION?

3

MEMORANDUM

AUGUST 1, 2014

TO: North Plains Planning Commission

FROM: Martha DeBry, City Manager

RE: Comprehensive Plan Update

In February 2013, the Planning Commission held a work session to discuss the Comprehensive Plan (Plan). At that time it was noted that City Ordinance and policies did not always align, and some aspects of Comprehensive Plan are in need of evaluation.

The Plan was originally adopted in 1973. At that time Glencoe High School was still on the drawing board and the City's population was at 715 persons. It has been updated numerous time with Ordinances adoptions (the significant changes are in bold), 47, 93, 103, 115, 125, 140, 158, 165, **170** 1988 Revision , 172, 195, 197, 200, 207, 216, 217, **224** 1993 Revision, 229, 237, 241, 242, 245, 269, 270 master plan documents, **288** 2001 revision, 300, **301** 2002 Revision, 303 , 314, 320 Wetlands Assessment, 325 Transportation Plan, 331, 335, 336, 339, 343, 344, 345 SNR Overlay, 346 TSP, 348 Parks, 352 Water Master Plan, 360, 365, 403 Walking Trails Plan, Chapters 3, 4 and 5 of the Plan have not been updated since 1993.

The 2002 revision projected land use needs through 2021 based on population of 4,000. Growth within the community has been slower than anticipated and the timeline for reaching 4,000 may be pushed back as far as 2030 based on historic norms. The City is awaiting an official population projection to be prepared by Portland State University. After that is completed the City can look to set a time line for a 14 or 20 year land supply.

A draft of revisions were prepared and submitted to the State Department of Land Conservation and Development (DLCD). The stated purpose of the revision is to update information. No comments were received from DLCD. Notices were sent to all property owners in advance of the August 13, 2014 meeting date, and notice published in the newspaper. Additionally, the City has published several articles in its monthly newsletter to advise residents that changes to the plan are being discussed.

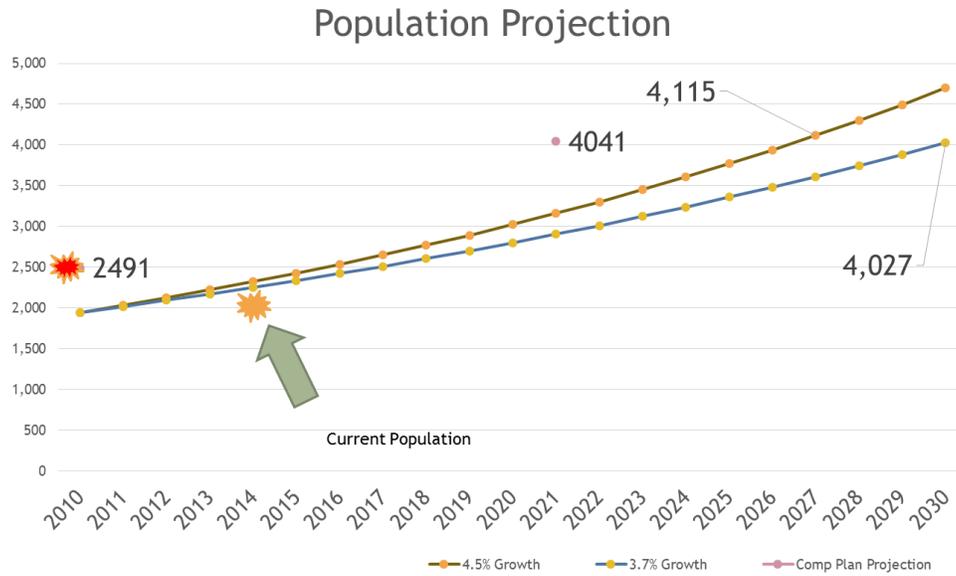
At this time the Planning Commission can review the draft, accept comments from the public, propose revisions and make a recommendation to the City Council for the amendment Chapter 15 of the Municipal Code.

Below are highlights of the major areas of changes. Attached are documents providing detailed information.

Land Use Planning 15.02.020

Population projections play an important role in determining the planning horizon for the Comprehensive Plan. Growth has traditionally be projected at 4.5% annually. Historically the City has grown at rate of 3.7% per year. Both projection numbers overestimated growth, when applied to 2000 census. After the numbers are applied to the

2010 census, and with significant housing starts in 2014 and 2015 the City's population will not hit 4,000 until the mid 2020's. Demographers with Portland State University should be able to provide validated numbers in the coming year.



Two Zone Proposals

Two new comprehensive map zones are proposed:

The first would be Downtown Transition Overlay that would support the change of residential and industrial areas on Commercial Street to downtown commercial. By outlining a strategy for the growth of the downtown area, property owners can be prepared for transitions. Easing the zone change process is essential to attract businesses to convert housing and warehouses to higher uses. Areas proposed for the transition are shown below.



Staff is proposing a Public Facility Zone (PF Zone) be created to replace the Community Service Overlay zone. Presently, facilities like Jessie Mays Park and North Plains Elementary School are included in residential zones, with an overlay for Community

Services. The total acreage for these facilities is counted with residential acreage available for development. It is highly unlikely such public facilities would ever be redeveloped. For example the School accounts for 13 acres or 14% of the land zoned R7.5, that is significant amount of property that cannot be developed to meet the 8.4 DU/NA.

A complete list of proposed changes to the PF zone is included in the Commission's packet.

Housing 15.02.020, 15.02.080

At the heart of the Comprehensive Plan are the housing goals. In general, the Plan strives for compact growth, and the ability to accommodate up to 4,000 residents by 2021. The approved plan sets a goal of 1,600 housing units, assuming that the average household size in the North Plains remains about 2.5 persons per dwelling.

Municipal Code Section 15.02.020 Land Use Planning states "*Residential: The City's goal is to achieve a mix of low density (40%), medium density (40%), and high density (20%) residential uses providing an average density of 8.4 units per acre.*" North Plains cannot achieve all of these goals by 2021. There is insufficient land and an inadequate code to attain the 40/40/20 mix. The 8.4 DU/NA can be achieved with a substantial increase in codes and dense development. The 1,600 is likely to be met without any changes to the code or the Urban Growth Boundary (UGB).

The City has not successfully achieved the 40/40/20 mix. In 2014, the housing mix is about 38% low, 31% medium and 30% high, excluding the few housing units in the commercial and industrial areas. By 2015, if progress is made by developers to build out McKay Fields and Sunset Ridge Phase I (the east expansion area) the City will have 859 dwelling units and the mix of housing will be about 26/40/33. Mathematically and physically the 40/40/20 mix is not possible as the expansion area master plans are laid out. The housing mix will likely evolve to 22/26/51%. (This assumes the housing mix in the north is roughly the same as in the east.) This will yield a citywide average of 6.8 DU/AC.

The potential additional housing in the high density R2.5 zone is a wild card as it can yield anywhere from a high of 17 DU/NA down to 7.26 DU/NA when maximum lot sizes are pursued. A known project on the low end is Sunset Terrace which has lot sizes in excess of 4,000 square feet. At this time staff is aware of one other proposal to develop 5 acres with approximately 58 homes, which is above 8.4 DU/NA but well below 17 DU/NA. Zoning codes are written in a manner that allows meeting density goals, but nothing requires the property owner to meet a density goal. (The exception is the Neighborhood Community zone which requires a density of 8.4 DU/NA.) While most developers are likely to favor smaller lots not all will do so. For the purpose of housing inventory completed for this update an average of 8 DU/NA was used.

No minimum density per zone is proposed in the draft plan, but it may be something to consider as a strategy for meeting 1,600 DU goal is shaped. If this was pursued, it would be practical to offer some flexibility around 8.4 DU/NA requirement in the NC zone.

Pursuing 8.4 DU/NA remains a goal in the revised plan, as the plan is still the concept through 2040.

This revision does not propose an UGB change. It does contemplate the direction of growth if should occur in the future. Generally, only lands that are contiguous to the City’s existing boundaries should be considered. Residential lands should be required to be contiguous to other residential lands. The east expansion has created an isolated neighborhood separated from the City center and school, without pedestrian or bicycle access plans. Correcting this deficiency should be high priority when the next UGB expansion is considered.

Attached Housing 15.02.085.1.A.2

The Plan states a strong preference for attached housing suggesting that 25% of new dwelling units should be attached housing. Recent revisions to the zoning code make this goal unnecessary. Lots can be as small as 2,500 square feet, and host housing that is similar in dimensions as attached housing. The substantive difference to modifying this goal is that long term, the value of the detached housing will likely be higher than the attached, which improves assessed values in the community overall.

	
<p>Attached House on Pacific Lot Size 2,500 sq feet Distance between houses 6 ft Transportation Development Tax: \$3,8275</p>	<p>Detached House on Curtis Lot Size 2,500 sq feet Distance between houses 6 ft Transportation Development Tax: \$6,249</p>

Multifamily Housing

As of 2014 the City of North Plains has the following apartment facilities:

	Location	Units
Senior Plaza	314 th and Kaybern	33
Kaybern Terrace	314 th and Kaybern	14
Highland Court	Highland Court	30
ShyLee Building	Commercial St	1
Red House	Commercial St	4
	TOTAL	82

Of the existing apartment units, only 5 can be obtained without meeting criteria for age or income restrictions. Effectively this makes it difficult for younger persons with ordinary earning capacity to obtain housing in North Plains.

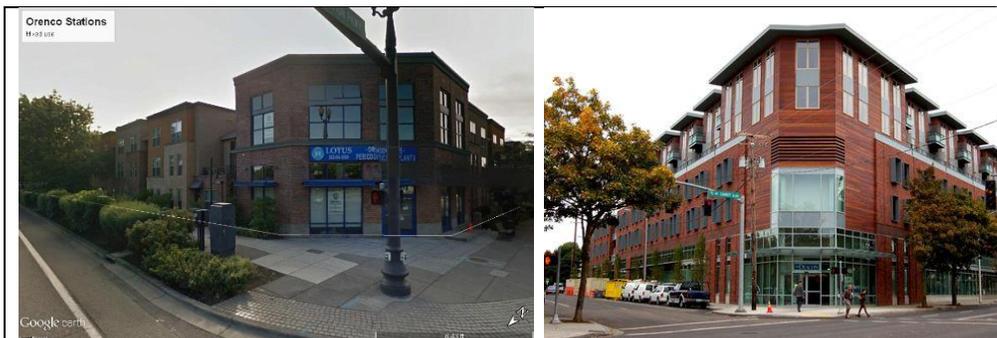
Some rental housing is available through duplexes, most of which can be found on Hillcrest Street. Most duplexes have multiple bedrooms.

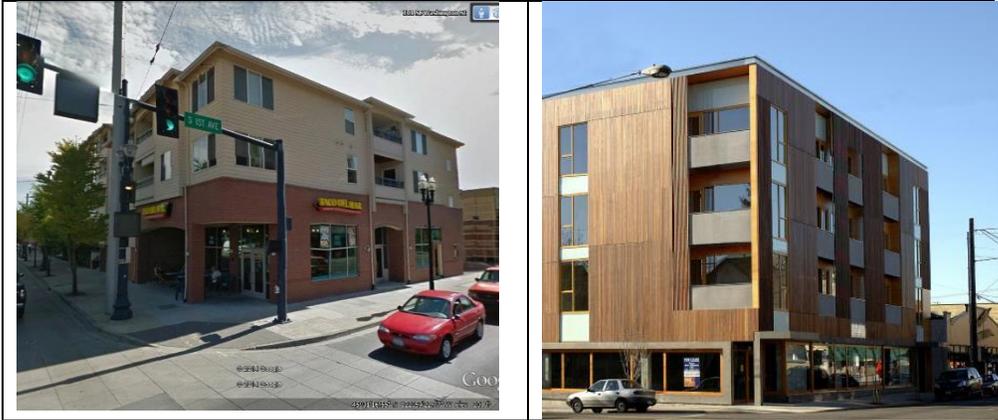
Location
10749 311 th
31120 Hillcrest
31160 Hillcrest
31188 Hillcrest
31280/31290 Hillcrest
10441/10445 313th
31580 Cottage
31710/31720 Wascoe

Neither the approved master plan for the east expansion or conceptual plan for the north contains apartment or condominium housing. There are 47 townhomes proposed in the east which have a 750 sq ft footprint. Likewise it is anticipated a variety of townhouses and cluster homes will be developed in the north. (Townhouses or rowhouses usually include ownership of the ground below the structure, and condominiums typically have ownership of property in common. Cluster homes can be a townhouses or condominiums.)

At this time no dwelling units are attributed to the mixed use areas within the expansion areas. This will likely result in exceeding the 1,600 DU goal in the long run. It is highly unlikely the 5 acres of mixed use land in the east will be developed without housing. There is no significant demand for commercial properties in North Plains, and the development of highway commercial properties is more likely than development on a more remote piece of West Union Road. Even with the addition of 295 DU there is an insufficient population to support 5 acres of commercial development.

Examples of mixed use house and retail facilities in Hillsboro and Portland are below. The building are between 3-4 stories tall and are designed the communities within which they were built.





Unfortunately, the City’s Neighborhood Community zone provides only minimal guidance on standards for building mixed use facilities. Adding a Mixed Use Zone chapter would be helpful in preparing for such development in the future. Such a zone would facilitate the review of a master plan for the north area.

It is possible the east master plan can be refined to meet housing goals and to provide more medium and low density housing. For example if the mixed use could be developed with retail on a bottom floor and housing above, the need to build small lot houses and townhouse could be reduced from 74% of units to 50%. This would still fall short of the 40/40/20 mix sought in the plan, but would lessen the overall percentage of small lots.

Housing Type	Master Plan		Option 1		Option 2		Option 3	
Large	20	10%	35	18%	55	29%	20	8%
Medium	29	15%	51	27%	44	23%	98	41%
Small	105	55%	40	21%		0%		0%
Townhouse	37	19%		0%		0%		0%
Mixed Use		0%	65	34%	92	48%	120	50%
Total	191		191		191		238	

Since the City has developed codes for multifamily, manufactured homes and small lot developments 15.02.085.3.2 goal “*The City will develop specific and enforceable design standards for multi-family, manufactured home and small lot developments.*” is recommended to be removed.

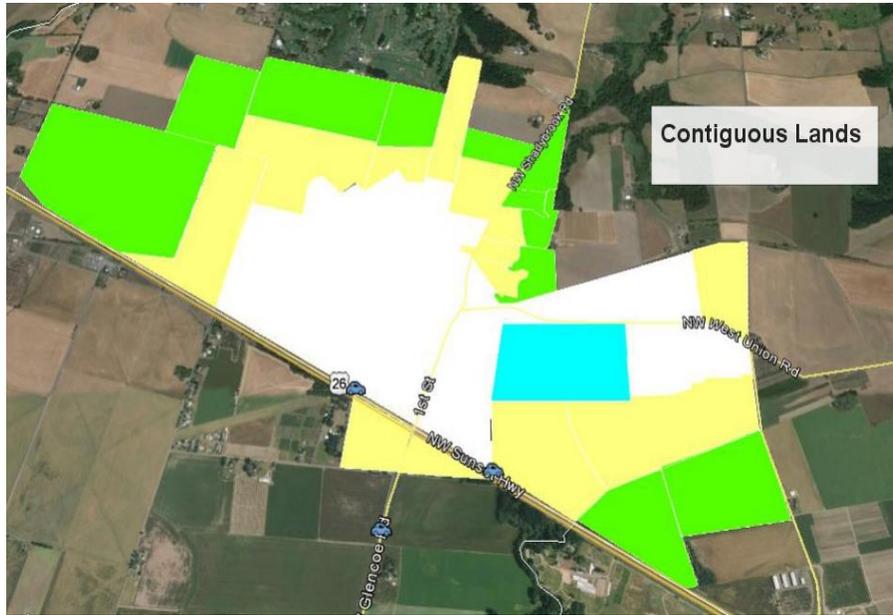
Transportation 15.02.101

It is proposed that the Public Works Standards be separated from the Comprehensive Plan.

Land Needs 15.02.140

Until the City receives projections for population, it cannot estimate the future land needs for the community. Staff is recommending that review be triggered by population and housing development in the interim.

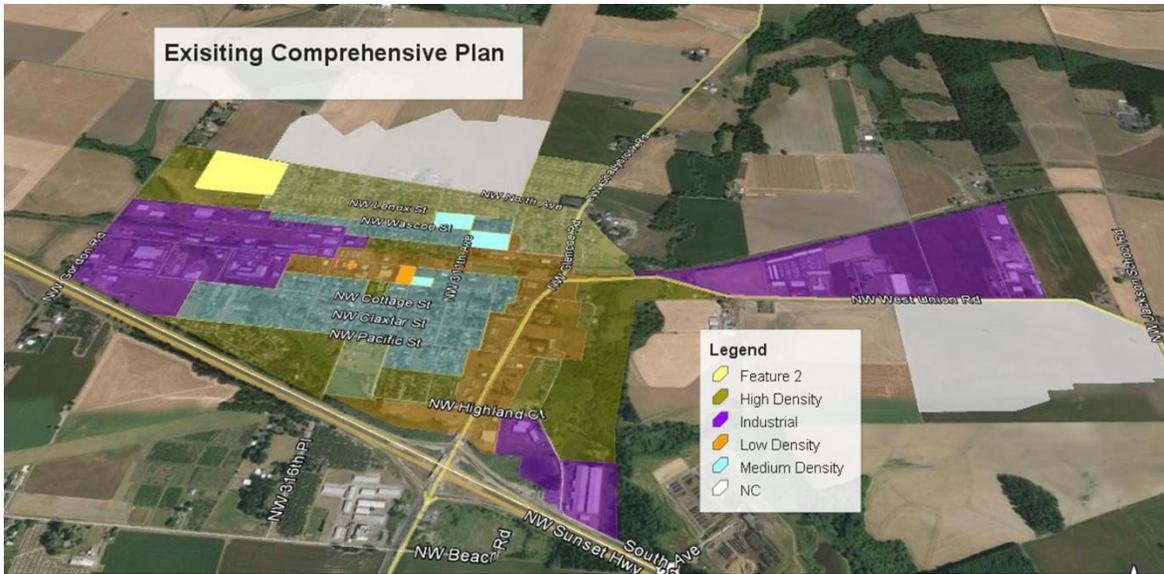
A simple map update of the direction of growth is proposed. The blue area is needed to correct pedestrian and bicycle connectivity issues the yellow area represents lots immediately adjacent to existing boundaries, and the green are lots further out from first lots. (White is within the current UGB.)



The City has received comments requesting that the area immediately south of Hwy 26 at Glencoe be considered for future commercial property. A recent State action moved the rural reserve boundary north from Zion Church Road to Beach Road. This means that under no circumstances will North Plains expand to the south of Beach Road. The addition of commercial property adjacent to the Glencoe Interchange is likely to encourage economic growth in the community.

Comprehensive Plan Map

Below is the current version of the Comp Plan Map (Feature 2 is Low Density)

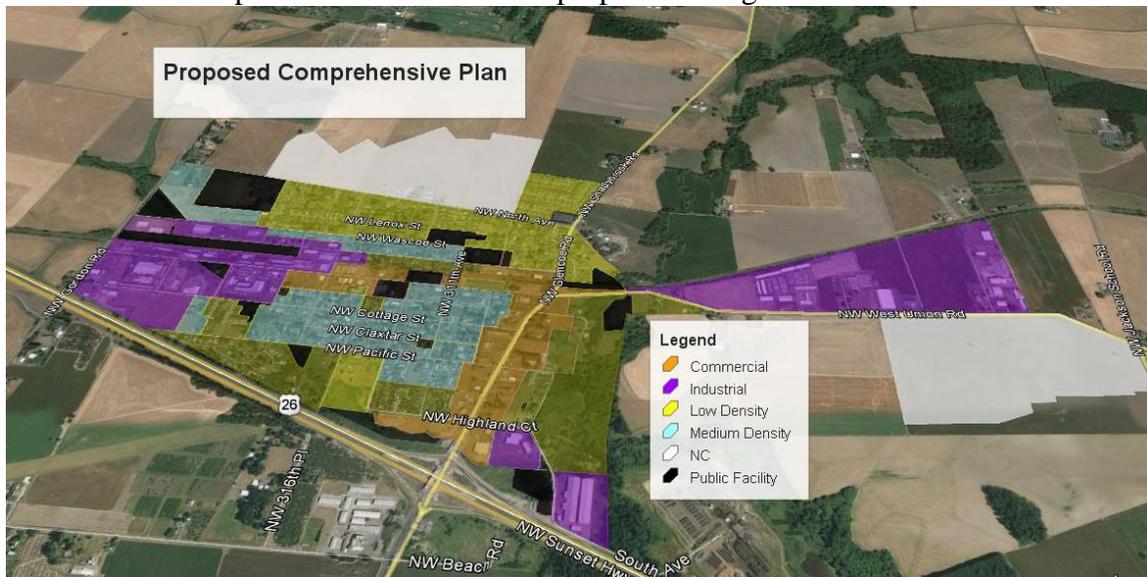


Seventeen (17) changes were proposed with the notice sent to property owners in the Community. An additional 8 were identified by the community and staff.

Site	Current Designation	Comp Plan Map	Zone Map
1. North Plains Elementary	R7.5	Institutional	Public Facility
2. North Plains Christian/Yellow House	COMM	Institutional/ Public Facility	Public Facility
3. St Edward 1	R5	Institutional	Public Facility
4. Jessie Mays Park	R5	Public Facility	Public Facility
5. Centurylink CO	COMM	Public Facility	Public Facility
6. Old West Union Open Space	R7.5	Public Facility	Public Facility
7. City Hall/Library, Fire	COMM	Public Facility	Public Facility
8. New Life Church	R5	Institutional	Public Facility
9. LaMordden Park	R2.5	Public Facility	Public Facility
10. ODOT Open Space	IND	Public Facility	Public Facility
11. Galaway Park	COMM	Public Facility	Public Facility
12. Kaybern House	R5	High Density	R2.5
13. Pacific Purple Park	R5	Public Facility	Public Facility
14. Senior Plaza	COMM	High Density	R2.5
15. Cottage Pointe Subdivision	R5	High Density	R2.5
16. Frank Wing Park/Water Tank	IND	Public Facility	Public Facility
17. Dant Russell	IND	Public Facility	Public Facility

Site	Current Designation	Comp Plan Map	Zone Map
18. Brown (1 lot)	R5	Industrial	Industrial
19. Eggiman (1 lot)	C2	High Density	R2.5
20. Cottage Pointe Open Space	R5	Public Facility	Public Facility
21. St Edward 2	R5	Institutional	Public Facility
22. Louie Wentz Park	R5	Public Facility	Public Facility
23. CWS Lift Station	IND	Public Facility	Public Facility
24. McKay Fields Open Space	R2.5	Public Facility	Public Facility
25. Hillcrest (3 lots)	C1	High Density	R2.5

Below is the Comprehensive Plan with the proposed changes.



If the Comprehensive Plan changes are approved they can be incorporated in the zoning map.

Flood Plain Construction

The proposed draft strengthens the City’s policy regarding construction in the flood plain, and explicitly prohibits it.

Related Code Amendments

Related code amendments have been discussed by the Planning Commission previously. Many of these are needed to implement the proposed changes in the Comprehensive Plan. Some additional changes may be needed in the future.

16.05 Definitions has been refined to add more definitions and more clarity.

16.60 Community Service Overlay District is eliminated in the draft proposal in favor of public facility zone

16.125 Lot Standards has several changes:

- Set backs reflect other parts of code
- Addresses alley access for easements
- Refers to Public Works Standards
- Street tree minimum of 1/lot

16.140 Planned Use Developments has been revised to make the process more accessible in all zones. This will allow the development of some awkward but relatively small lots, which cannot be developed without numerous variances.

16.170 Application process has some revisions to improve review of applications, including adding minor subdivision modification as Type 2 review, and at the request of staff additional language to make Final Plats a Type 2 application that requires public notice, but not a Planning Commission review.

16.205 Annexations includes an expanded outreach process. Improving outreach will be essential to facilitating the next annexations that may be proposed as soon as 2015.

Additionally a Public Facilities draft ordinance has been prepared.

Recommendation: The Planning Commission accept public comments on the draft revisions and consider amendments to the revisions.

Chapter 16.125 Lot Development Standards

16.125.000 Purpose

Standards provide for the orderly, safe, efficient and livable development of land within the City of North Plains.

16.125.005 Scope

The provisions of this subsection shall apply to all partitions and subdivisions within the City of North Plains.

16.125.010 Standards for Lots

- A. **Minimum lot area:** Minimum lot area shall conform to the requirements of the zoning district in which the lot is located.
- B. **Access:** All lots ~~created after the effective date of this Ordinance~~ shall provide a minimum of 20 feet of frontage on an existing or proposed public street, with the following exception:

Flag lots, accessed by a private driveway, may be permitted by the Planning Commission when any of the following conditions are met:

1. The subject property is surrounded by developed properties and the terrain, shape of the parcel, or the location of existing structures precludes accessing the property with a public street.
2. The proposed flag lot(s) front on the arc of a cul-de-sac and the use of flag lots would result in a better lot pattern around the cul-de-sac than that which might otherwise result.
3. The subject property is located in the Commercial or Industrial Zoning District and the Planning Commission finds that full frontage on a public street is unnecessary to the logical development of the property.
4. The Planning Commission finds that the use of flag lots is necessary due to conditions of terrain or other physical features of the property.
5. The Planning Commission finds that the use of flag lots accessing from a collector or local street is preferable to direct access from an arterial street.

(Revised 09/01/2015 based on Planning Commission Recommendation on May 13, 2015)

C. **Flag Lots:** When authorized by the Planning Commission pursuant to the access requirements of Subsection Chapter 16.125.010 (B)(1), flag lots shall be subject to the following development standards:

1. The access strip shall be a minimum of 15 feet in width, except as required by the Uniform Fire Code. The improved surface shall be a minimum of 12 feet in width, except as required by the Uniform Fire Code.

~~1. A three-foot wide landscaped planter strip shall be provided between the access strip and the side lot line of the neighboring lot.~~

2. The access strip shall not be included in the calculation of lot area for purposes of determining compliance with any minimum lot size provision of this Ordinance.

3. The access strip shall be in fee ownership of the property provided access and shall not be as an easement. In the case of multiple lots having the same access strip, all lots served shall have ownership of an equal amount of the access strip. There shall be provided an easement over the remainder of the access strip for each property served.

4. The length of the access strip is subject to the requirements of the Uniform Fire Code, ~~but~~ and shall not exceed 200 feet.

~~5. Where more than one flag lots abut, access shall be via a shared drive wherever possible. The shared drive access strip shall be a minimum of 20 feet in width for two lots, and increased by 5 foot increments for each additional lot, with a maximum of four lots having access off of one access strip, except as required by the Uniform Fire Code. The improved surface shall be a minimum of 16 feet in width for two lots and increased by four feet for each additional lot, except as required by the Uniform Fire Code. A two foot wide vegetated planter strip shall be provided between the access strip and the abutting side lot lines.~~

5. Setbacks in Residential Zoning Districts. Subsequent development on flag lots in the R-7.5, R-5 and R-2.5 zoning districts shall provide a minimum:

a. 15 feet in the yard facing the garage door or carport entrance

b. 10 feet in the yard facing the front of the residence

c. 10 feet in the yard facing the rear of the residence

d. Side yard setbacks shall be the same as the underlying zone

~~6. front, rear and side yard setbacks of 10 feet, except that the yard facing the garage door or carport entrance shall be a minimum of 20 feet.~~

D. **Through Lots:** Through lots shall be avoided except where essential to provide separation of residential development from major traffic arteries, adjacent

(Revised 09/01/2015 based on Planning Commission Recommendation on May 13, 2015)

nonresidential activities, or to overcome specific disadvantages of topography and orientation. Screening or buffering may be required by the Planning Commission during the review of the land division request.

- E. **Lot Side Lines**: The side lines of lots, as far as practicable, shall run at right angles to the street upon which the lots face.
- F. **Lot Grading**: Lot grading shall conform to the requirements of Chapter 70 of the Uniform Building Code, hereby adopted by reference, and to the following standards unless physical conditions demonstrate the propriety of other standards:
 - 1. Cut slopes shall not exceed one and one-half feet horizontally to one foot vertically.
 - 2. Fill slopes shall not exceed two feet horizontally to one foot vertically.
 - 3. The character of soil for fill and the characteristics of lots and parcels made usable by fill shall be suitable for the purpose intended.
- G. **Large Lots**: In dividing tracts into large lots which at some future time are likely to be re-divided, the applicant's tentative plan shall also demonstrate that any redevelopment or re-subdivision may readily take place at the planned residential density without violating the requirements of this ordinance.

The Planning Commission may require that the blocks be of such size and shape, be so divided into building sites and contain such site restrictions as will provide for extension and opening of streets at intervals which will permit a subsequent division of any tract into lots of smaller size.

- H. **Land for Public Purposes**: Where a proposed park, school or other public use indicated on the Comprehensive Plan is located in whole or in part within a subdivision, the sub-divider shall dedicate and reserve said area for such purpose. Where the City or other public authority has declared its intention to acquire said area, it shall proceed to perfect the title or a contract right to the same within three (3) years from the date of platting, and failing such, this reservation shall automatically expire. The public body shall expeditiously proceed, within its financial ability, to consummate such acquisitions.

16.125.015 Standards for Blocks

- A. **General**: The length, width, and shape of blocks shall take into account the need for adequate building site size and street width and shall recognize the limitations of the topography.

(Revised 09/01/2015 based on Planning Commission Recommendation on May 13, 2015)

- B. **Sizes:** Residential Districts shall have a maximum 600 foot block length, a minimum 160 foot street adjacent lot depth, and a 1,600 foot perimeter. Commercial Districts shall have a block length of 400 foot and a 1,200 foot perimeter. Light Industrial Districts shall have a block length of 600-800 feet and a 1,600-2,000 foot perimeter. General Industrial Districts do not have block length or perimeter requirements. A block shall have sufficient width to provide for two tiers of building sites unless topography or the location of adjoining streets justifies an exception.

16.125.020 Easements

- A. **Utility Lines:** Minimum 5 foot wide easements for sewers, water mains, electric lines, or other public utilities shall be dedicated along the front, side, and rear lot or parcel lines of each lot. Easements shall be centered on lot lines. Properties with alley access are only required to have easements in the front and rear lot lines.
- B. **Water Courses:** If a tract is traversed by a water course such as a drainage way, channel or stream, a storm water easement or drainage right-of-way shall be provided which substantially parallels the lines of the water course.
- C. **Pedestrian and Bicycle Ways:** When desirable for public convenience and access, a pedestrian or bicycle way easement may be required to connect to a cul-de-sac or to pass through an unusually long or oddly spaced block, or to otherwise provide appropriate circulation.

16.125.025 Improvement Requirements

- A. **Partitions:** During the review of partition proposals, the City shall require as a conditions of approval, the improvement of:
1. Public streets upon which the property fronts to public standards, including: surfacing of street adjacent to property, installation of curbing, storm sewers, sanitary sewers, waterlines and other necessary public utilities.
 2. Sidewalks, five feet in width, along public street frontage.
 3. Paved private driveways serving flag lots.

All improvements required under this subsection shall be completed or assured through an irrevocable letter of credit, assignment of bank account, performance bond or other instrument acceptable to the City Attorney prior to the issuance of building permits.

(Revised 09/01/2015 based on Planning Commission Recommendation on May 13, 2015)

B. **Subdivisions:** The following improvements shall be required for all subdivisions in the City of North Plains.

1. **Frontage improvements:** Street improvements to full City Standards shall be required for all public streets on which a proposed subdivision fronts. Such improvements shall be blended to match with existing improved surfaces across the centerline and for a reasonable distance beyond the frontage of the property. Additional frontage improvements shall include: sidewalks, curbing, storm sewer, sanitary sewer, waterlines, other public utilities as necessary, and such other improvements as the City shall determine to be reasonably necessary to serve the development or the immediate neighborhood.
2. **Proposed Streets:** All public streets within the subdivision shall be constructed to current City of North Plains Public Works Standards as required by the provisions of the Street Standards section of this chapter.
3. **Monuments:** Upon completion of street improvements, monuments shall be reestablished and protected in monument boxes at every street intersection and all points of curvature and points of tangency of street center lines. Elevation bench marks shall be established at each street intersection monument with elevations to U.S. Geological Survey datum.
4. **Sanitary Sewers:** Sanitary sewers shall be installed to serve the subdivision and to connect the subdivision to existing mains both on and off the property being subdivided.

If the required sewer facilities will, without further sewer construction, directly serve property outside the subdivision, the Planning Commission may recommend to the City Council construction as an assessment project with such arrangement with the sub-divider as is desirable to assure financing his share of the construction.

The City, at the request of Clean Water Services, may require that the sub-divider construct sewage lines of a size in excess of that necessary to adequately serve the development in question, where such facilities are or will be necessary to serve the entire area within which the development is located when the area is ultimately developed. The City may also require that the construction take place as an assessment project with such arrangement with the sub-divider as is desirable to assure his share of the construction.

5. **Water System:** Water lines with valves and fire hydrants serving the subdivision and connecting the subdivision to the city mains shall be installed. The design shall take into account provisions for extension beyond the

(Revised 09/01/2015 based on Planning Commission Recommendation on May 13, 2015)

subdivision to adequately grid the City system and to serve the area within which the development is located when the area is ultimately developed.

6. Street Lights The installation of street lights is required at locations and of a type established by City standards.

~~6-7.~~ **and Street Trees**: The installation of street ~~lights and street~~ trees is required at locations and of a type established by City standards. At a minimum one tree shall be planted per residence.

~~7-8.~~ **Street Signs**: The installation of street name signs and traffic control signs is required at locations determined to be appropriate by the City and shall be of a type established by City standards.

All improvements required under this subsection shall be completed to City standards, or assured through an irrevocable letter of credit, assignment of bank account, performance bond or other instrument acceptable to the City Attorney, prior to the approval of the Final Plat of the subdivision.

16.125.030 Improvements Procedures

Improvements installed by a developer for any land division, either as a requirement of these regulations or at his own option, shall conform to the requirements of this Ordinance and improvement standards and specifications adopted by the City, and shall be installed in accordance with the following procedure:

- A. Improvement work shall not be commenced until plans have been checked for adequacy and approved by the City. Plans shall be prepared in accordance with requirements of the City.
- B. Improvement work shall not be commenced until the City has been notified in advance; and, if work has been discontinued for any reason, it shall not be resumed until the City has been notified.
- C. Improvements shall be constructed under the inspection and to the satisfaction of the City. The City may require changes in typical sections and details in the public interest, if unusual conditions arise during construction to warrant the change.
- D. All underground utilities, sanitary sewers, and storm drains installed in streets by the sub-divider shall be constructed prior to the surfacing of the streets. Stubs for service connections for underground utilities and sanitary sewers shall be placed to a length eliminating the necessity for disturbing the street improvements when service connections are made.

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- E. A map showing all public improvements as built shall be filed with the superintendent of public works upon completion of the improvements.

DRAFT

Chapter 16.05 DEFINITIONS

100-Year Flood Plain: Land subject to one percent or greater chance of flooding in any given year as defined by the Federal Insurance Administration (FIA) on its official Flood Insurance Rate Map (FIRM). In this Ordinance, "100-year flood plain" is synonymous with "area of special flood hazard."

Access: The way or means which allows pedestrians and/or vehicles to ingress and egress a property.

Accessory Structure or Use: A detached, subordinate structure, the use of which is customarily incidental to that of the dominant use of the main building, structure, or land and which is located on the same lot or parcel as the main building, structure or use. Examples of accessory structures or uses include, but are not limited to, private garages, greenhouses, decks, fences, arbors, gazebos, air conditioners, heat pumps, tool sheds and satellite dishes per definition. (An Accessory Dwelling is not considered an Accessory Building or Use. See definition for Dwelling, Accessory.) Accessory structures and accessory uses are not allowed in floodplains or floodways.

Alcoholic Beverage Establishment: A commercial establishment including, but not limited to, bars, taverns, pool halls, coffee houses, or similar establishments where a dance floor, music, games, or other entertainment may be provided and where the sale of alcoholic beverages is an integral component of the business.

Alley: A narrow ~~street~~ driveway primarily used for vehicular service access to the back or side of properties ~~otherwise abutting on another street~~.

Amusement Enterprise, Indoor: Any enterprise, wholly contained within a structure, whose main purpose is to provide the general public with an amusing or entertaining activity. Indoor amusements may include arcades, skating rinks, dance halls, theaters, ice rinks, pool halls, bowling alleys, indoor shooting ranges, health/sports facilities/gyms, and similar enterprises. Indoor amusement enterprises may also include business that hold classes in acting, art, dance, music, photography, and martial arts.

Amusement Enterprise, Outdoor: Any enterprise whose main purpose is to provide the general public with an amusing or entertaining activity. Outdoor amusements may include zoos, carnivals, expositions, miniature golf courses, fairs, exhibitions, athletic contests, rodeos, tent shows, Ferris wheels, children's rides, roller coasters, private soccer and baseball fields, go-cart tracks, archery range, golf courses, driving ranges, and similar enterprises.

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Animal Care Facilities: A place where animals are boarded and/or bred, including, but not limited to, veterinary clinics, stables, dog day cares, animal groomers, and kennels.

Art Studio or Gallery: Where objects of art are created or displayed for public enrichment or where said objects of art are displayed for sale (including, but not limited to, the teaching of photography, painting, sculpture, and other similar skills) as the primary use of the structure.

Automobile, Recreational Vehicle or Trailer Sales Area: A lot used for display, sale, or rental of new or used automobiles, recreational vehicles, light trucks, or trailers, where no repair work is done except minor, incidental repairs of automobiles or trailers to be displayed, sold or rented on the premises.

Automobile Service Station: A building designed primarily for supplying of motor fuel, oil, lubrication and accessories to motor vehicles, but excluding major repair and overhaul.

Awning : A roof-like cover extending over or in front of a place (as over the deck or in front of a door or window) as a shelter.

Bed and Breakfast Inn: A structure where rooms are rented to transient paying guests on an overnight basis and meals are served where no cooking facilities are provided in the rooms.

Building: A structure built for the support, shelter, or enclosure of persons, animals or property of any kind.

Bulk Storage Tank: A container for the storing of chemicals, petroleum products, grains, and other materials for subsequent resale to distributors or retail dealers or outlets.

Bus Depot/Terminal: A use that includes a building and area in which patrons may purchase tickets for bus transportation. Bus terminals may provide for the storage, maintenance, and services of busses including repair, washing, and fueling facilities.

Business Office: A room or group of rooms used for conducting the affairs of a business, profession, service, industry or government and generally furnished with desks, tables, files, and communication equipment.

Carport: A structure which has enclosing walls for less than 50% of its perimeter covered with a roof and constructed specifically for the storage of one or more vehicles.

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Catering establishment: A business where the scope of activity is the preparation and sale of meals and beverages for consumption by large parties in conjunction with events such as weddings, parties, and other events with large numbers of attendees.

Child Care, Certified Center: As defined by the State of Oregon, a Certified Child Care Center typically provides care for more than 12 children in a building that usually is constructed as other than a single-family dwelling.

Child Care, Certified Home: As defined by the State of Oregon, a Certified Child Care Home provides child care for up to 12 children, and may be certified for up to 16 children with prior approval from the State of Oregon; and is located in a building constructed as a single-family dwelling.

Child Care, Registered Home: As defined by the State of Oregon, a Registered Child Care Home provides child care to more than 3 children and up to a total of 10 children at any one time, unless they are all from the same family; provides child care on other than an occasional basis; or receives payment from an agency that requires registration.

City: The City of North Plains, Oregon.

City Planner: The City employee or contractor authorized by the city manager or City Council to implement, administer, interpret and enforce the Zoning and Development Ordinance

Civic/government use: Uses that principally serve a public need, such as libraries, museums, post offices, parks, community centers, police stations, and fire stations.

Clinic, Medical & Dental: A facility operated by one or more physicians, dentists, chiropractors, or other licensed practitioners of the healing arts for the examination and treatment of persons solely on an outpatient basis.

Cold Storage Facility : A commercial establishment where foods or other commodities are stored either in lockers, rented or leased, or in vaults in bulk for distribution to the home or other commercial businesses. No slaughtering of animals or fowl is allowed on the premises.

Corner Lot: [\(See Lot, Corner\)](#)

Country Club: Land area and buildings containing golf courses or other recreational facilities, a clubhouse, and customary accessory uses, open to members and their guests.

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Commission: The City of North Plains Planning Commission.

Conference/Convention Center: A large civic building or group of buildings designed for conventions, industrial shows, and the like, having large unobstructed exhibit areas and often including conference rooms, hotel accommodations, restaurants, and other facilities.

Condominium: A condominium or townhome is a group of housing units where each homeowner owns their individual unit space, usually from the wall studs in, and share ownership of most or all common elements. Condominiums are subject to the provisions of ORS Chapter 100.

Council: The City of North Plains City Council.

Day: A business day unless specifically noted as a calendar day.

Dwelling, Attached Two Family: A two family dwelling, with each dwelling unit being located on its own lot, and sharing one common wall and common property line with the other dwelling unit.

Drive-in/Thru window: A takeaway restaurant, bank, etc. designed so that customers can do business without leaving their cars. This may include, but is not limited to, fast food, bank, and pharmacy drive-thrus.

Dwelling, Accessory: A detached, secondary, and subordinate dwelling unit which is located on the same lot or parcel as the main building, structure, land, or use. Examples of accessory dwellings include, but are not limited to, granny flats, garage apartments, and accessory apartments.

Dwelling, Multi-Family: A building containing four or more dwelling units.

Dwelling, Single-Family, Attached (Townhouse, condominium, or row house): Two or more single family dwellings with common end-walls.

Dwelling, Single-Family, Detached: A detached building containing one dwelling unit.

Dwelling, Three-Family (Triplex): A detached building containing three dwelling units, located on one legal lot.

Dwelling, Two-Family (Duplex): A detached building containing two dwelling units, located on one legal tax lot.

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Dwelling Unit: One or more rooms designed for occupancy by one family and not having more than one cooking facility. Includes all conventional and prefabricated housing which meets Uniform Building Code specifications

Easement: A grant of right to use an area of land for a specified purpose.

Educational Facility: Any facility or premises regularly attended by one or more persons for the purpose of instruction. Such facilities may include tutoring businesses and primary, secondary, colligate, and vocational/trade schools.

Entity: Every natural person, firm, partnership, association, social or fraternal organization, corporation, estate, trust, receiver, syndicate, branch of government, or any other group or combination acting as a unit.

Extended Care Facility, Convalescent Home, or Nursing Home: A building, or portion thereof, used or designed for the housing of the aged, and/or mentally or physically handicapped persons who are under daily medical, psychological, or therapeutic care; provided that this definition shall not include rooms in any residential dwelling, hotel, or apartment hotel not ordinarily intended to be occupied by said persons.

Farm product processing: The alteration or modification, for the purpose of storage, transport, or sale of an agricultural product produced on a farm site through the addition of other ingredients or components, provided that the initial agricultural product must be the principal ingredient or component. Types of establishments that conduct farm product processing may include canneries, meat packing plants, saw mills, and grain elevators.

Fence, Sight Obscuring: A fence or evergreen planting arranged in such a way as to obscure vision.

Flag Lot: (See Lot, Flag)

Flag Lot: ~~A lot with two distinct parts:~~

- ~~— A flag, which is the only building site; and does not abut a public street; and~~
- ~~— The pole, which connects the flag to a public street; provides the only street frontage for the lot; and at any point is less than the minimum lot width for the zone.~~

Flood or Flooding: A general and temporary condition of partial or complete inundation of normally dry areas from the overflow of water bodies and/or unusual and rapid accumulation of surface water from any source.

Floor Area: The sum of the gross horizontal areas of the several floors of a building,

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measured from the exterior faces of the exterior walls or from the centerline of walls separating two buildings, but not including:

- A. Attic space providing headroom of less than seven feet;
- B. Basement, if the floor above is less than six feet above grade;
- C. Uncovered steps or fire escapes;
- D. Private garages, carports, or porches;
- E. Accessory water towers or cooling towers;
- F. Accessory off-street parking or loading spaces.

Fraternity or Sorority: An organization formed chiefly to promote friendship and welfare among the members.

Fraternal Lodge: A structure where a group of people meet who are organized for a common interest, usually cultural, religious, or entertainment with regular meetings, rituals, and formal written membership.

Fuel Sales: A business for retail delivery of motor-combustible fuels, including but not limited to gasoline, diesel, propane, natural gas, bio-diesel, or hydrogen to individual motor vehicles.

Frontage: All the property on one side of a street between two street intersections, crossing or terminating, measured along the line of the street; or if the street is dead-ended, then all of the property abutting on one side between a street intersection and the dead-end of the street.

Garage, Private: A detached accessory building or portion of a main building for the parking or temporary storage of vehicles owned or used by occupants of the main building.

Garage, Public: A building, other than private garage, used for the care, repair, or equipping of motor vehicles, or where such vehicles are parked.

Grade: The average elevation of the finished ground level at the center of all walls of the building. In case a wall is parallel to and within five feet of a sidewalk, the ground level shall be measured at the sidewalk.

Greenhouse or Garden, Commercial: A structure or location where plants, vegetable, flowers, and similar materials are grown for sale.

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Health Club/Sports Facility: A building designed and equipped for the conduct of sports, or exercise, or other customary and usual recreational activities, operated for profit or not for profit and which is open only to members and guests of the club or facility.

Height of Building: The vertical distance from the "grade" to the highest point of the coping of a flat roof or the deck line of a mansard roof or to the point midway between the ridge and the eaves of a pitch or hip roof.

Hospital or Sanitarium: A building, or portion thereof, used or designed for the medical or surgical treatment of the sick, mentally ill, or injured persons, primarily on an inpatient basis, and including as an integral part, related facilities such as laboratories, outpatient facilities, or training facilities; provided that this definition shall not include rooms in any residential dwelling, hotel, or apartment hotel not ordinarily intended to be occupied by said persons.

~~**Hotel/Motel:** A building, or group of buildings, used or intended to be used as living quarters for visitors or transient guests, but not excluding permanent guests, and may include a cafe, drugstore, clothes pressing shop, barber shop, or other service facilities for the guests for compensation. A visitors or transient guest is any visitor or person who owns, rents, or uses a lodging or dwelling unit, or a portion thereof, for less than 30 days and whose permanent address for legal purposes is not the lodging or dwelling unit occupied by the visitor.~~

Home Occupation: A commercial activity that is conducted within a dwelling unit and/or accessory buildings by ~~members of the family~~ persons occupying the dwelling, with no servant, employee, or other person being engaged, provided the occupation is conducted in such a manner as not to give an outward appearance, nor manifest any characteristic of a business, in the ordinary meaning of the term, nor infringe upon the rights of neighboring residents. ~~Such occupations shall be a secondary use of the premises.~~

Hospital: An establishment which provides sleeping and eating facilities to persons receiving medical, obstetrical, or surgical care and with nursing service on a continuous basis.

Hotel: A building in which lodging is provided for guests for compensation ~~and in which no provision is made for cooking in the lodging rooms.~~

Impervious Surface: Hard surfaces such as roofs, driveways, patios and pavement that prohibit water from soaking into the ground.

Industrial, Light: A use engaged in the manufacture, predominantly from previously prepared materials, of finished products or parts, including processing, fabrication,

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assembly, treatment, packaging, incidental storage, sales, and distribution of such products, but excluding basic industrial processing. Light industrial establishments may include cabinetry/carpentry/woodworking shops, machine shops, welding shops, and sheet metal shops.

Industrial, Heavy: A use engaged in the basic processing and manufacturing of materials or products or parts, predominantly from extracted raw materials, or a use engaged in storage of, or manufacturing processes using flammable or explosive materials, or storage or manufacturing processes that potentially involve hazardous or commonly recognized offensive conditions. Heavy industrial also includes farm product processing establishments, including grain elevators; saw mills, meat packing plants, and canneries.

Land Division: A partition or subdivision of a lot or parcel.

Light Truck: Truck with a gross cargo weight of 1-1/2 tons or less.

Live/Work Townhouse: An attached single family dwelling which is designed to accommodate a commercial business on the ground floor. The commercial or office portion of the building shall be oriented to the front of the building and shall be directly accessible by the primary front entrance.

Livestock: Domestic animals of types customarily raised or kept on farms for profit or other purposes. Refer to Municipal Code Chapter 4.25 Livestock.

Local Improvement District (LID): The area determined to be specially benefitted by a local improvement within which properties are assessed to pay for the cost of the local improvement.

Lot: Unless the context provides otherwise (e.g. a "lot of record"), a unit of land created by ~~subdivision~~land division.

Lot of Record: Any lot, or parcel lawfully created by a partition, subdivision, deed, or sales contract that is recorded plat in the ~~Ex-Officio~~ County Clerk's Office of Washington County.

Lot of Record: Any lot, or parcel lawfully created by a partition, subdivision, or deed, or sales contract that is recorded plat in the County Clerk's Office of Washington County if there were no applicable planning, zoning or partitioning ordinance or regulation. (August 14, 1967)

Lot Area: The total area of a lot or parcel measured in a horizontal plane within the lot

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boundary lines exclusive of public and private roads. For flag-shaped lots, the access strip shall not be included in the lot area for the purposes of minimum lot area requirements ~~of this Ordinance~~.

Lot, Corner: A lot or parcel abutting on two intersecting streets other than an alley provided that the streets do not intersect at an angle greater than 135 degrees.

Lot Coverage: That portion of a lot or parcel covered by buildings and structures usually expressed in percentage of total square feet of lot size.

Lot Depth: The horizontal distance from the midpoint of the front lot or parcel line to the midpoint of the rear lot line.

Lot, Flag: A lot or parcel that does not front on or abut a public road and where access to the public road is usually by a narrow access strip.

Flag Lot: A lot with two distinct parts:

1. A flag, which is the only building site; and does not abut a public street; and
2. The pole, which connects the flag to a public street; provides the only street frontage for the lot; and at any point is less than the minimum lot width for the zone.

Lot Interior: A lot or parcel other than a corner lot or parcel.

Lot- Line Adjustment: The relocation or elimination of a common boundary between two legal lots or parcels, provided no new lots or parcels are created.

Lot Line, Front: The line separating the lot or parcel from the ~~public street other than an alley;~~ and in the case of a corner or through lot or parcel, the line along a street ~~other than an alley~~ over which the primary pedestrian access to the property is gained. In the case of a flag lot, the front lot line for setback purposes shall be the parallel projection of the shortest side lot line of the driveway flag.

Lot line, Rear: The line which is opposite and most distant from the front lot line. In the case of an irregular, triangular, or other shaped lot, a line ten feet in length within the lot parallel to and at a maximum distance from the front lot line.

Lot Line, Side: Any property line that is not a front or rear lot line.

Lot Width: The average horizontal distance between the side lot lines; ordinarily measured parallel to the front lot line.

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Manufactured Home: A structure that has a Department of Housing and Urban Development label certifying that the structure is constructed in accordance with the National Manufactured Housing Construction and Safety Standards Act of 1974 (42 U.S.C. Secs. 5401 et seq.), as amended on August 22, 1981; and is constructed for movement on the public highways has plumbing, and cooking facilities, is intended for human occupancy, and is being used for residential purposes.

Manufactured Home Park: A place where two or more manufactured homes are located on a lot, tract, or parcel of land under the same ownership, the primary purpose of which is to rent space or keep space for rent to any person or to offer space free in connection with securing the trade or patronage of such a person.

Mixed Use Development: A development that integrates some combination of retail, residential, commercial, office, institutional, recreation, or other functions. It is pedestrian-oriented and contains elements of a live-work-play environment. It maximizes space usage, reduces reliance on the automobile, and encourages community interaction.

Manufactured Home Subdivision: A subdivision intended for and designed to accommodate manufactured homes on individual lots and developed pursuant to the provisions of this Ordinance.

Motel: A building or group of buildings on the same lot or parcel and containing guest units with separate entrances and individual sleeping quarters, detached or in connected rows, ~~with or without cooking facilities,~~ for rental to visitors. The term includes auto courts, tourist courts, tourist homes and motor lodges.

Nonconforming Structure or Use: A lawfully existing structure or use, at the time this Ordinance or any amendment thereto becomes effective, which does not conform, or becomes nonconforming, to the requirements of the zone in which it is located as a result of amendments or other changes to this ordinance..

Parking Space: A space with room for maneuvering and access space required for a standard automobile to park space.

Partition: To divide land into not more than three parcels within a calendar year.

Place of Worship: A building or structure, or group of buildings or structures, that by design and construction are primarily intended for conducting organized religious services and associated accessory uses.

Planned Unit Development: Type of development in which some departure from lot

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size, density, and other requirements of the underlying zone is permitted in order to accommodate unique physical characteristics and/or facilitate use of innovative building techniques and materials.

Rear Lot: (See Lot, Rear)

Recycling Facility: A facility that involves the separation, collection, and/or processing of metals, glass, paper, plastics, and other materials which would otherwise be disposed of as solid waste, which are intended for reuse, re-manufacture, or re-constitution for the purpose of using the altered form.

Recycling Drop-Off Center: A facility for the drop-off and temporary holding of materials such as paper, cardboard, glass, metal, plastic, batteries, and motor oil. Processing of materials is limited to glass breaking and separation. Recycling materials are not sold to a recycling drop-off center. A recycling drop-off center is intended for household or consumer use. Use by commercial or industrial establishments is not included. Unattended drop-off stations for single materials, such as newsprint, are also not included.

Residential Facility: A residential care, residential training or residential treatment facility, as those terms are defined in ORS 443.400, that provides residential care alone or in conjunction with treatment or training or a combination thereof for six to fifteen individuals who need not be related. Staff persons required to meet licensing requirements shall not be counted in the number of facility residents, and need not be related to each other or to any resident of the residential facility.

Residential Home: A residential treatment or training home, as defined in ORS 443.400, a residential facility registered under ORS 443.480 to 443.500 or an adult foster home licensed under ORS 443.705 to 443.825 that provides residential care alone or in conjunction with treatment or training or a combination thereof for five or fewer individuals who need not be related. Staff persons required to meet licensing requirements shall not be counted in the number of facility residents, and need not be related to each other or to any resident of the residential home.

Restaurant: An establishment that serves food and beverages primarily to persons seated within the building. This includes, but is not limited to, cafes, tea rooms, and outdoor cafes.

Restaurant, Fast Food: An establishment that offers quick food which is accomplished through a limited menu of items already prepared and held for service, or prepared quickly. Orders are not generally taken at a customer's table and food is generally served

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in disposable wrapping or containers. This type of establishment may or may not include a drive in/thru window.

Retail Sales & Service: Indoor establishments engaged in selling goods and services to the general public for personal or household consumption and rendering services incidental to the sale of such goods.

RV Park: A campground for day use and overnight accommodations by motor homes.

Salvage Yard: A facility or area for storing, keeping, selling, dismantling, shredding, compressing, or salvaging material or equipment. Materials include, but are not limited to, lumber, pipes, metal, paper, rags, tires, bottles, motor vehicle parts, machinery, structural steel, equipment/vehicles, and appliances.

Satellite Dish: As regulated by the FCC, a direct-to-home satellite dish or antenna that is less than one meter in diameter, a TV antenna on a mast less than 12 feet above the roofline, and wireless cable antennas associated with a single family or manufactured home, a townhouse, apartment or condominium. The City may restrict such devices if it is necessary to accomplish a clearly defined safety objective, or is necessary to preserve an historic district listed or eligible for listing in the National Register of Historic Places and imposes no greater restrictions than on other devices.

School, Elementary, Junior High or High School: An institution, public or parochial, offering instruction in the several branches of learning and study, in accordance with the rules and regulations of the State Department of Education.

Scientific Testing/Research Laboratory: An establishment or facility used for carrying on investigation in the natural, physical or social sciences, which may include engineering and product development.

Senior Housing: A residential development which is limited to residents 55 years and over.

Setback: An imaginary line which marks the minimum distance a structure must be located from the property line, and establishes the minimum required front, side, or rear yard space of a building plot.

Side Lot: [\(See Lot, Side\)](#)

Sign: An identification, description, illustration, or devise which is affixed to or represented, directly or indirectly, upon a building, structure, or land, and which directs attention to a product, place, activity, person, institution or business.

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Sign, Monument: A sign that extends from the ground, or has support which places the bottom of the sign less than two (2) feet from the ground.

Solid Waste Transfer Station: A facility at which solid waste is transferred from one solid waste vehicle to another solid waste vehicle for transportation to a solid waste facility.

Solid Waste Transfer Station, Material Recovery Facility: A solid waste transfer station designed and operated to process waste by utilizing manual and/or mechanical methods to separate useful materials from the incoming waste stream for return to the economic mainstream for use as raw materials or products. This definition includes recycling plants that process discarded metals, glass, paper, plastics, and other materials for re-use.

Storage, Outdoor: The keeping, in an unenclosed area, of any goods, junk, materials, or merchandise in the same place for more than twenty-four hours and not actively being sold.

Storage, Self Service/RV: A structure containing separate, individual, and private storage spaces of varying sizes that may include, but is not limited to, storage areas for Recreational Vehicles (RVs) and boats. Storage for RVs does not include RV parks.

Story: The portion of a building included between the first surface of any floor and the upper surface of the floor next above, except that the top story shall be that portion of a building included between the upper surface of the top floor and the ceiling above. If the finished floor level directly above the basement or cellar is more than six feet above grade, such basement or cellar shall constitute a story.

Street: The entire width between the boundary lines of every way of travel which provides for public use for the purpose of vehicular and pedestrian traffic and the placement of utilities and including the terms "road," "highway," "~~land,~~" "place," "avenue," "~~alley,~~" and other similar designations.

Structural Alteration: Any change to the supporting members of a structure including foundation bearing walls or partitions, columns, beams or girders, or any structural change in the roof or in the exterior walls.

Subdivision: To divide an area of land into four or more lots for the purpose of transfer of ownership or building development, whether immediate or future, when such lot exists as a unit or contiguous units.

Substandard lot: A lot which does not meet the lot size requirements of the zoning

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district in which it is located and is therefore considered a nonconforming property.

Taxlot: A reference number on a taxmap (Assessor's Map) to identify a tax account for the purpose of taxing/assessing by the Washington County Assessors' Office.

Theater: A building or part of a building devoted to showing motion pictures or for dramatic, dance, musical, or other live performances.

Trailer (Travel or Vacation): A vehicle or structure equipped with wheels for highway use that is intended for human occupancy, which is designed primarily for vacation and recreation purposes.

Travel Trailer Parks: An area containing one or more spaces designed for the temporary parking and convenience of travel trailers and similar recreational vehicles.

Truck Stop/Freight/Trucking Terminal: Any building, premises, or land in which or upon which a business, service, or industry involving the maintenance, servicing, storage, or repair of commercial vehicles is conducted or rendered, including the dispensing of motor fuel or other petroleum products directly into motor vehicles and the sale of accessories or equipment for trucks and similar commercial vehicles. A truck stop also may include overnight accommodations and restaurant facilities primarily for the use of truck crews.

Unstable Soil: Soil types which pose severe limitations for development due to potential flooding, structural instability, or inadequate sewage waste disposal, as defined by the U.S. Soil Conservation Service and identified in the Comprehensive Plan.

Use: The purpose for which land or a structure is designed, arranged, or intended, or for which it is occupied or maintained.

Utility Facility: A site where infrastructure services and structures necessary to deliver basic utilities are undertaken. This includes all lines and facilities provided by a public or private agency and related to the provision, distribution, collection, transmission or disposal of water, storm and sanitary sewage, oil, gas, power, information, telephone cable, electricity and other services provided by the utility.

Variance: The modification of a specific standard in this Ordinance. Variances are granted by the Planning Commission. Minor variances may be approved administratively by the City Planner

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Vehicle Wash: A place containing facilities for washing automobiles which may include the automatic or semiautomatic application of cleaner, brushes, rinse water, and heat for drying.

Vehicular Sales, Rental, Repair & Service: Any premises or structures when used for the sales, rental, servicing and/or repair of motor vehicles, including paint and body work, engine rebuilding and minor maintenance activities, irrespective of commercial gain derived there from. Motor vehicles may include, but are not limited to, automobiles, marine craft, motorcycles, and air craft. This use does not include sales, repair/service, and rental of commercial freight trucks/semi-trailers and farm/logging equipment.

Vision Clearance: The triangular area at the intersection of any two streets, a street and a railroad, or a driveway providing vehicular access to a public street, including alleys. These areas provide increased site distance to drivers, pedestrians, wheelchairs, and other users of the intersection. For more details, refer to Chapter 16.16048, Clear Vision Areas.

Warehousing: The storage of goods or merchandise at a facility such as a storehouse.

Waste/Recycling Services: Trash removal and recycling services for residents and business of an area. This may include, but is not limited to, solid waste transfer stations, material recovery facilities, and recycling facilities.

Wholesale Sales/Service: Establishments or places of business primarily engaged in selling merchandise to retailers; to industrial, commercial, institutional, or professional business users; to other wholesalers; or acting as agents or brokers and buying merchandise for, or selling merchandise to, such individuals or companies.

Wireless Telecommunication Facility: An unstaffed facility operating for the transmission and reception of ~~low power~~ radio signals consisting of an equipment shelter or cabinet, a support structure, antennas, and related equipment.——

Wireless Telecommunication Tower: A tall structure with the intended purpose of elevating a ~~Radio-radio Frequency Transmission Facility antennae~~ high above the ground. This definition includes but is not limited to a tower, pole, or mast over 20 feet tall.

Yard: An open space on a lot which is unobstructed from the ground upward except as otherwise provided in this ordinance.

Yard, Rear: A yard between side lot lines measured at a right angles from the rear lot line to the nearest point of a main building.

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Yard, Side: A yard between the front and rear yard measured at a right angles from the side lot line to the nearest point of the building.

**Chapter 16.140
Planned Unit Development**

16.140.000 General Provisions

Special uses included in this Section are uses which, due to their effect on surrounding properties, must be developed in accordance with special conditions and standards. These conditions and standards may differ from the development standards established for other uses in the same Zoning District. When a dimensional standard or a special use differs from that of the underlying district, the standard for the special use shall apply.

16.140.005 Purpose

The purpose of a planned unit development is to permit the application of new technology and greater freedom of design in land development than possible under a strict interpretation of the provisions of this ordinance, including those governing lot size, setbacks, and density. The use of these provisions are dependent upon the submission of an acceptable plan and satisfactory assurance it will be carried out. Such plan should accomplish substantially the same general objectives as proposed by the Comprehensive Plan for the City.

16.140.010 Objectives

The following objectives shall be considered in reviewing an application for a conditional use permit for a planned unit development:

1. To provide more desirable living, shopping, and working environments by preserving the natural character of open fields, stands of trees, brooks, ponds, flood plains, hills, and similar natural assets.
2. To encourage the use of innovative siting and construction techniques and materials as a means of reducing building and maintenance costs and conserving energy.
3. To encourage developers to provide residents with a variety of amenities, including recreational facilities and pedestrian and bicycle paths.
4. To encourage variety in the physical development pattern of the community.

16.140.015 Standards and Requirements

The following standards and requirements shall govern the application of the planned unit development:

- A. Minimum Size For A Planned Unit Development. No application shall be made for an area of less than 4 acres in any zone.
- B. Limitation On Application. No application shall be accepted for a use which will require a change of zone unless accompanied by an application for a zoning amendment.
- C. Standards For Approval. Such uses may be permitted as a special use upon the following findings:
 - 1. The proposal conforms with the Comprehensive Plan.
 - 2. The project will satisfactorily accommodate the traffic it generates by means of adequate off-street parking, access points and additional street right-of-way and improvements and any other traffic facilities required. All such improvements shall be developed to City Public Works standards.
 - 3. Streets and roads in Planned Unit Developments which are to be dedicated shall be public and developed to City Public Works standards.
 - 4. Pedestrian walkways shall be provided for adequate pedestrian and bicycle traffic and these shall be constructed to City Public Works standards except as varied by the Planning Commission.
 - 5. All utility facilities shall be installed underground and in accordance with City Public Works standards.
 - ~~6. The design of a Planned Unit Development shall provide direct access for all units and lots to open space areas and facilities.~~
 - ~~7.6.~~ The project will be compatible with adjacent development and will not adversely affect the character of the area.
 - ~~8.7.~~ All public utilities will be developed consistent with Urban Growth Boundary policies, plans and standards.
 - ~~9.8.~~ The Planned Unit Development shall not have adverse impacts on public facilities such as schools, roads, water and sewage systems, fire protection, etc.
 - ~~10. A Planned Unit Development shall not be approved in any R zone if the housing density of the proposed development will result in an intensity of land use greater than permitted by the Comprehensive~~

Plan.

~~11.9.~~ 11.9. Developments which either provide for or contemplate private streets, ~~and~~ common areas, open spaces or parks which will be or are proposed to be maintained by the owners of units or lots within a development must organize and maintain an owner's association. The owners association shall consist of all the owners of units or lots within the development and membership in the association must be required of all owners who must adopt and record bylaws as provided by ORS 100.410. The owners association shall adopt bylaws that contain the provisions required by ORS 100.415 and specifically the power to create a lien upon the unit or lot for services, labor or material lawfully chargeable as common expenses as provided in ORS 100.450. The owners associations power to create such a lien shall exist whether or not the property is submitted to the Oregon Unit Ownership Law (ORS 100.005-100.620).

~~12.10.~~ 12.10. All other subdivision restrictions contained in the City of North Plains Subdivision Ordinance shall be met.

~~13.11.~~ 13.11. The system of ownership of the units and open space, and the means of developing, preserving and maintaining open space is adequate.

~~14.12.~~ 14.12. That sufficient financing exists to assure the proposed development will be substantially completed within four years of approval.

~~15.13.~~ 15.13. Sixty-five percent (65%) of the land is to be maintained in open space.

16.140.020 Procedure

The following procedure shall be observed when a planned unit development proposal is submitted for consideration:

- A. The applicant shall submit two paper copies and an electronic copy ~~5 copies~~ of a preliminary development plan to the Commission for study at least 30 days prior to the scheduled public hearing. The preliminary plan shall include the following information in graphic and written form:
1. Proposed land uses, building locations, and housing unit densities.
 2. Proposed access and circulation, including the status of street ownership.

3. Proposed open space uses.
 4. Proposed grading and drainage pattern.
 5. Proposed method of water supply and sewage disposal.
 6. Relation of the proposed development to the surrounding area (a minimum of 1,500 feet) and the Comprehensive Plan.
- B. Public notice of the proposed planned unit development shall be provided in accordance with the public notice provision of this chapter.
- C. In considering the plan, the Commission shall determine whether:
1. There are special physical conditions or objectives of development which the proposal will satisfy to warrant a departure from the standard ordinance requirements.
 2. Resulting development will not be inconsistent with the Comprehensive Plan provisions or zoning objectives of the area.
 3. The area around the development can be planned and used in substantial harmony with the proposed plan.
 4. The plan can be completed within a reasonable period of time.
 5. The streets are adequate to support the anticipated traffic. ~~and the development will not overload the streets outside the planned area.~~
 6. ~~Proposed utility and drainage facilities are adequate for the population densities and type of development proposed.~~
- D. If, in the opinion of the Commission, the provisions of Chapter 16.140.020 (C) are satisfied, the proposal shall be approved. If the Commission finds the provisions are not satisfied, it may deny the application or return the plan to the applicant for revision.
- E. In addition to the requirements of this section, the Commission may attach conditions it finds are necessary to carry out the purposes of this Ordinance.
- F. Building permits in a planned development shall only be issued on the basis of the approved plan. Any changes in the approved plan shall be submitted to the Commission for processing as an amendment to the approved conditional use permit for a planned unit development.

(Revised 09/01/2015 based on Planning Commission Recommendation on May 13, 2015)

- G. An approved planned unit development shall be identified on the zoning map as an overlay to the existing zoning district. _____

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**Chapter 16.20
ZONING DISTRICT R-7.5**

16.20.000 Purpose

The purpose of the **R7.5 District** is to provide for the development of ~~single family uses and limited multi-family~~ residential uses, and to implement the housing policies of the Comprehensive Plan.

16.20.005 Permitted Uses

Permitted uses subject to the requirements of Design Review in this chapter, if applicable. Refer to Zoning Code Use Table.

- A. Single family detached dwelling
- B. Accessory Dwellings, Subject to Chapter 16.105, Accessory Uses, Structures & Dwellings
- C. Accessory Structures related to residential uses, Subject to Chapter 16.105, Accessory Uses, Structures & Dwellings
- D. ~~Child Care, Certified Home~~
- E. ~~Child Care, Registered Home~~
- F. ~~Home occupations, subject to Chapter 16.85, Home Occupations~~
- G. ~~Manufactured Homes, Subject to Chapter 16.110, Manufactured Homes~~
- H. ~~Planned Unit Development, Subject to Chapter 16.140, Planned Unit Development~~
- I. Residential Home
- J. ~~Single family detached dwelling~~

16.20.010 Conditional Uses

Subject to the requirements of Design Review section of this chapter, if applicable. Refer to Chapter 16.15, Zoning Code Use Table.

The following uses and their accessory structures may be permitted in the R7.5 District when authorized by the Planning Commission pursuant to Conditional Use Permit section of this chapter.

- A. Child Care, Certified Center
- B. Civic /Governmental use
- C. Educational Facility

16.20-1

(Revised 09/01/2015 based on Planning Commission Recommendation on May 13, 2015)

~~D.~~ Extended Care Facility / Convalescent / Nursing Home

~~D-E.~~ Child Care, Certified Home

~~E-F.~~ Child Care, Registered Home

~~K-G.~~ Home occupations, subject to Chapter 16.85, Home Occupations

~~L-H.~~ Manufactured Homes, Subject to Chapter 16.110, Manufactured Homes

~~M.~~ Planned Unit Development, Subject to Chapter 16.140, Planned Unit Development

~~F.~~

~~G.~~ Fraternal Lodge

~~H.~~ Places of Worship

~~I.~~ Utility Facilities

16. 20.015 Dimensional Standards

The following dimensional standards shall be the minimum requirements for all development in the R7.5 District except for modifications permitted under Lot, Building, & Yard Exceptions or Planned Unit Development sections of this chapter. ~~In addition, a minor adjustment of up to 10% of the required setback, area, lot size, lot depth or lot width may be granted by the City pursuant to Variance Review section of this chapter.~~

A. Lot/Parcel Size

~~1. Single family detached dwelling: 7,500 square feet minimum lot/parcel size~~

~~2.1.~~ _____ A
II ~~other~~ uses minimum: 7,500 square feet

~~3.2.~~ _____ 9
,000 square feet maximum for lots created by subdivision. Subdivisions greater than 10 acres must average a minimum of 4 dwelling units per net acre

B. Lot/Parcel Depth and Width

1. The minimum average lot width shall be 60 feet.

2. The minimum average lot depth shall be 80 feet.

C. Minimum Setback Requirements

16.20-2

1. Principle structures, accessory dwellings, and accessory structures with a floor area greater than 200 square feet shall maintain the following minimum yard setbacks, ~~except that development on flag lots shall be subject to the setback standards of 16.125.010.~~
2. Front Yard (Principle structure) 20 feet
3. Garages, carports, accessory dwellings and accessory structures shall be flush with, or recessed behind, the front building elevation of the principle structure.
4. Rear Yard:
 - a. 10 feet for street-access lots
 - b. 6 feet for alley-access lots
 - c. 5 feet for Accessory Structures and Accessory Dwellings
 - ~~e.~~
5. Side Yard:
 - a. Interior 5 feet
 - b. Adjacent to street 10-feet plus additional necessary to comply with the standards of Clear Vision Areas section of this chapter.
 - ~~e.~~ Accessory Structures and Accessory Dwellings: **5-10 foot** Side Yard (adjacent to street) setback, except as provided for in 16.105.
 - c.
 - ~~d.~~ ~~Flag Lots approved 10 feet for all yards, except pursuant to 16.125.010, that the yard facing the garage door shall be a minimum of 20 feet, except as otherwise provided in this chapter.~~

D. Height of Buildings

Buildings shall not exceed a height, measured from grade, of 35 feet. Accessory dwellings and accessory structures shall not exceed 25 feet.

E. Lot/Parcel Coverage

In the R7.5 District, the maximum impervious surface coverage shall not exceed sixty five (65) percent of the total area of ~~any~~ the lot.

16.20-3

F. Flag Lots

Flag lots are subject to the standards set forth in Chapter 16.125.010.C.

16. 20.020 Parking Requirements

At least two (2) off-street parking spaces shall be provided for each single family detached dwelling unit. Parking requirements for all other uses are specified in the Off Street Parking and Loading section of this chapter.

16. 20.025 Development Standards

The following standards will be applied to all single family dwellings (site-built, modular and manufactured homes) to be constructed or located in the City of North Plains:

A. All single family units shall utilize at least two of the following design features to provide visual relief along the front of the home:

- 1. dormers;
- 2. gables;
- 3. recessed entries;
- 4. covered porch entries;
- 5. cupolas;
- 6. pillars or posts;
- 7. bay or bow windows;
- 8. eaves (minimum 6" projection);
- 9. offsets on building face or roof (minimums 16");

B. All manufactured homes shall also comply with the requirements of Chapter 16.100, Manufactured Homes.

Chapter 16.25
HOW LAND MAY BE USED AND DEVELOPED
ZONING DISTRICT R-5

16.25.000 Purpose

The purpose of the R5 District is to provide for the development of single family residential uses and limited multi-family residential uses, and to implement the housing policies of the Comprehensive Plan.

16.25.005 Permitted Uses

Permitted Uses subject to the requirements of the Design Review section of this chapter, if applicable. Refer to Zoning Code Use Table.

- A. Single family detached dwelling
- B. Accessory Dwellings, Subject to Chapter 16.105, Accessory Uses, Structures, & Dwellings
- ~~C. Accessory Structures related to residential uses, Subject to Chapter 16.105, Accessory Uses, Structures, & Dwellings~~
- ~~D. Child Care, Certified Home~~
- ~~E. Child Care, Registered Home~~
- ~~F. Duplex dwellings, Subject to Chapter 16.105, Duplex, Triplex, and Attached Single Family Dwellings~~
- ~~G. Home occupations, subject to Chapter 16.85, Home Occupations~~
- ~~H. Manufactured Homes, Subject to Chapter 16.110, Manufactured Homes~~
- ~~I. Manufactured Home Parks, Subject to Chapter 16.110, Manufactured Homes~~
- ~~J. Planned Unit Development, Subject to Chapter 16.140, Planned Unit Development~~
- ~~K. Residential Home~~
- ~~L. Single family attached homes/row houses. Subject to Chapter 16.100, Duplex, Triplex, and Attached Single Family Dwelling~~
- M.C. Single family detached dwelling

16.25.010 Conditional Uses

Conditional uses are subject to the requirements of the Design Review section of this chapter, if applicable. Refer to Zoning Code Use Table.

The following uses and their accessory structures may be permitted in the R.5 District when authorized by the Planning Commission pursuant to Conditional Use Permit section of this chapter.

- A. Bed & Breakfast
- B. Child Care, Certified Center
- C. Civic /Governmental Use
- D. Educational Facility
- E. Extended Care Facility / Convalescent / Nursing Home
- F. Fraternal Lodge
- G. Places of Worship

H. Utility Facilities

~~N.I.~~ Child Care, Certified Home

~~O.J.~~ Child Care, Registered Home

~~P.K.~~ Duplex dwellings, Subject to Chapter 16.105, Duplex, Triplex, and Attached Single Family Dwellings

~~Q.L.~~ Home occupations, subject to Chapter 16.85, Home Occupations

~~R.M.~~ Manufactured Homes, Subject to Chapter 16.110, Manufactured Homes

~~S.N.~~ Manufactured Home Parks, Subject to Chapter 16.110, Manufactured Homes

~~T.O.~~ Planned Unit Development, Subject to Chapter 16.140, Planned Unit Development

~~U.P.~~ Residential Home

~~V.~~ Single family attached homes/row houses. Subject to Chapter 16.100, Duplex, Triplex, and Attached Single Family Dwelling

H.Q.

16.25.015 Dimensional Standards

The following dimensional standards are the minimum requirements for all development in the R5 District except for modifications permitted under the Lot, Building, & Yard Exceptions or Planned Unit Development sections of this chapter. ~~In addition, a minor adjustment of up to 10% of the required setback, area, lot size, lot depth or lot width may be granted by the City. For land within the city limits of the City of North Plains as of July 1, 2004, a minor adjustment of up to 10% of the lot size may be granted by the City pursuant to the Variance Review section of this chapter.~~

A. Lot/Parcel Size

1. Single family detached dwelling - 5,000 square feet minimum

~~• Within a Planned Unit development - 4,000 square feet minimum~~

~~• _____ Lots created by Subdivision - 6,000 square feet maximum~~

~~2.~~ Two family dwelling (duplex), triplex & attached single family dwelling - ~~4~~5,000 square feet minimum per unit

~~2.~~ All other uses - 5,000 square feet minimum

3. Lots created by Subdivision shall have a 7,500 square feet maximum

B. Lot/Parcel Depth and Width

1. The minimum average lot width shall be 40 feet, ~~except that lots for attached single family dwellings may have a minimum average lot width of 25 feet.~~

2. The minimum average lot depth shall be 80 feet.

C. Minimum Setback Requirements

Principle structures, accessory dwellings accessory structures with a floor area greater than 200 square feet shall maintain the following minimum yard setbacks ~~except that development on flag lots shall be subject to the setback standards of 16.125.010(C).~~

1. Front Yard

- Garage - 20 feet
- All other structures - 15 feet

With alley access garages, carports, accessory dwellings and accessory

structures shall be flush with, or recessed behind, the front building elevation of the principle structure.

2. Rear Yard

- Street-access lots - 10 feet
- Alley-access lots - 6 feet
- Accessory Structures and Accessory Dwellings - 5 feet

3. Side Yard

- Interior – 5 feet
- adjacent to street - 10 feet plus additional necessary to comply with the standards of the Clear Vision Areas section of this chapter
- Accessory Structures and Accessory Dwellings:
 - 5 feet interior
 - 5-10 foot feet Side Yard (adjacent to street) setback
 - ~~, except as provided in the Accessory Uses Structures and Dwellings section of this chapter.~~

4. Flag Lots

~~All yards shall have setbacks of 10 feet, except that the yard facing the garage shall be a minimum of 20 feet. Flag lots are subject to the standards set forth in Chapter 16.125.010.C.~~

5. Height of Buildings

Buildings shall not exceed a height, measured from grade, of 35 feet. Accessory dwellings and accessory structures shall not exceed 25 feet.

6. Lot/Parcel Coverage

In the R5 District, the maximum impervious surface lot coverage shall not exceed 65% ~~the following percentage~~ of the total area of the any lot.

- ~~Single family detached dwellings – 65%~~
- ~~Duplexes, triplexes and single family attached dwellings – 65%~~
- ~~Non-residential uses – 65%~~

16.25.020 Parking Requirements

At least two (2) off-street parking spaces shall be provided for each single family detached dwelling unit. Parking requirements for all other uses are specified in Off Street Parking and Loading of this chapter.

16.25.025 Development Standards

- A. The following standards will be applied to all single family dwellings (site-built, modular and manufactured homes) to be constructed or located in the City of North Plains:

All single family units shall utilize at least two of the following design features to provide visual relief along the front of the home:

1. dormers;
 2. gables;
 3. recessed entries;
 4. covered porch entries;
 5. cupolas;
 6. pillars or posts;
 7. bay or bow windows;
 8. eaves (minimum 6" projection);
 9. offsets on building face or roof (minimums 16");
- B. All manufactured homes shall also comply with the requirements of the Manufactured Homes section of this chapter.

Revised 09/01/15

(Revised 09/01/2015 based on Planning Commission Recommendation on May 13, 2015)

**Chapter 16.30
ZONING DISTRICT R-2.5**

16.30.000 Purpose

The purpose of the R-2.5 District is to provide for the development of multi-family-high density housing, and to implement the housing policies of the Comprehensive Plan.

16.30.005 Permitted Uses

Permitted uses are subject to the requirements of the Design Review section of this chapter, if applicable. Refer to Zoning Code Use Table. _____

A. Single family detached dwelling

~~A.B. _____ Accessory Dwellings, Subject to Chapter 16.105, Accessory Uses, Structures & Dwellings—~~

~~B.C. _____ Accessory Structures related to residential uses, Subject to Chapter 16.105, Accessory Uses, Structures, & Dwellings—~~

~~C.D. _____ Child Care, Certified Home~~

~~D.E. _____ Child Care, Registered Home~~

~~E.F. _____ Duplexes, Subject to Chapter 16.100, Duplex, Triplex, and Attached Single Family Dwellings~~

~~F.G. _____ Home occupations, Subject to Chapter 16.85, Home Occupations~~

~~G.H. _____ Manufactured Homes, Subject to Chapter 16.110, Manufactured Homes~~

~~H.I. _____ Manufactured Home Parks, Subject to Chapter 16.110, Manufactured Homes~~

~~I.J. Multi-family dwellings, Subject to Chapter 16.175 Multi-Family Dwelling(s) Section and Chapter 16.100, Duplex, Triplex, and Attached Single Family Dwelling~~

~~J.K. _____ Planned Unit Development, Subject to Chapter 16.140, Planned Unit Development~~

~~K.L. _____ Residential Facility~~

~~L.M. _____ Residential Homes~~

~~M.N. _____ Single family attached homes row houses, 4 units. Subject to Chapter~~

Revised 09/01/15

(Revised 09/01/2015 based on Planning Commission Recommendation on May 13, 2015)

~~16.100, Duplex, Triplex, and Attached Single Family Dwellings~~

~~N.O. Single family detached dwelling~~

~~O.P. Townhomes/condominiums, subject to Subject to Chapter 16.175, Multi-Family Dwelling(s) Section and Chapter 16.100, Duplex, Triplex, and Attached Single Family Dwelling~~

~~P.Q. Triplexes, Subject to Chapter 16.100, Duplex, Triplex, and Attached Single Family Dwelling~~

16.30.010 Conditional Uses

Conditional uses are subject to the requirements of the Design Review of this chapter, if applicable. Refer to Zoning Code Use Table.

The following uses and their accessory structures may be permitted in the R2.5 District when authorized by the Planning Commission pursuant to Conditional Use Permit.

A. Bed & Breakfast

B. Extended Care Facility / Convalescent / Nursing Home

C. Child Care, Certified Center

D. Civic / Governmental Use

E. Educational Facility

F. Places of Worship

G. Fraternal Lodge

H. Utility Facilities

~~H.I. Child Care, Certified Home~~

~~H.J. Child Care, Registered Home~~

~~J.K. Duplexes, Subject to Chapter 16.100, Duplex, Triplex, and Attached Single Family Dwellings~~

~~K.L. Home occupations, Subject to Chapter 16.85, Home Occupations~~

~~L.M. Manufactured Homes, Subject to Chapter 16.110, Manufactured Homes~~

Revised 09/01/15

(Revised 09/01/2015 based on Planning Commission Recommendation on May 13, 2015)

- M.N. Manufactured Home Parks, Subject to Chapter 16.110, Manufactured Homes
- N.O. Multi-family dwellings, Subject to Chapter 16.175 Multi-Family Dwelling(s) Section and Chapter 16.100, Duplex, Triplex, and Attached Single Family Dwelling
- O.P. Planned Unit Development, Subject to Chapter 16.140, Planned Unit Development
- P.Q. Residential Facility
- Q.R. Residential Homes
- R.S. Single family attached homes row houses, 4 units. Subject to Chapter 16.100, Duplex, Triplex, and Attached Single Family Dwellings
- S. Single family detached dwelling
- T. Townhomes/condominiums, subject to Subject to Chapter 16.175, Multi-Family Dwelling(s) Section and Chapter 16.100, Duplex, Triplex, and Attached Single Family Dwelling
- U. Triplexes, Subject to Chapter 16.100, Duplex, Triplex, and Attached Single Family Dwelling
- V.

16.30.015 Dimensional Standards

The following dimensional standards shall be the minimum requirements for all development in the R 2.5 District except for modifications permitted under Lot, Building, & Yard Exceptions or Planned Unit Development sections of this chapter. ~~In addition, a minor adjustment of up to 10% of the required setback, area, lot size, lot depth or lot width may be granted by the City pursuant to Variance section of this chapter provided the adjustment complies with administrative variance review criteria.~~

A. **Lot/Parcel Size**

1. Single-family dwelling shall have a 4,000 square feet minimum
- ~~•~~ 2. Lots created by subdivision shall have a maximum lot size of 6,000 per dwelling unit. 6,000 square feet maximum lot size per dwelling unit
 - ~~• Single family dwelling: 2,500 square feet minimum~~

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- 3. Two-family dwelling (duplexes), Triplexes & attached single family dwellings: 2,500-3,500 square feet per unit minimum lot size
- 4. Multi-family dwelling developments (greater than 3 units): ~~10,000~~ 4,000 square feet minimum foot lot;
- 5. All other uses 4,000 square feet minimum

B. Lot/Parcel Depth and Width

- No minimum lot width or depth.

C. Setback Requirements

Principle structures, accessory dwellings and accessory structures with a floor area greater than 200 square feet shall maintain the following minimum yard setbacks except that development on flag lots shall be subject to the setback standards for Flag Lots.

1) Front Yard:

- For all structures: 10 feet
- Garage: 20 feet

Garages, carports, accessory dwellings and accessory structures shall be flush with, or recessed behind, the front building elevation of the principle structure.

2) Rear Yard:

- street-access lots 10 feet
- alley-access lots 6 feet
- Accessory Structures and Accessory Dwellings 5 feet

3) Side Yard:

- Side yards should be established to create separation between structures and meet fire codes and provide space for pervious surface area
- Single family dwellings created by subdivision must have at least one side yard
- Adjacent to street - 10 feet plus additional necessary to comply with the

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standards of Clear Vision Areas section of this chapter.

- Accessory Structures and Accessory Dwellings - 5 foot Adjacent to street setback, except as provided for in the Accessory Use, Structures and Dwellings section of this chapter.

4) Flag lots approved:

10 feet for all yards, except pursuant to that the yard facing the garage shall be a minimum of 20 feet.

5) Height of Buildings

Buildings shall not exceed a height, measured from grade, of 35 feet. Accessory dwellings and accessory structures shall not exceed 25 feet.

Maximum height for multi-family buildings containing 4 or more units shall be 45 feet measured from grade.

6) Lot/Parcel Coverage

In the R2.5 District, the maximum lot coverage for impervious surfaces shall not exceed 65%

16.30.020 Parking Requirements

Parking requirements are specified in Chapter 16.155 Off Street Parking and Loading.

16.30.025 Development Standards

The following standards will be applied to all single family dwellings (site-built, modular and manufactured homes) to be constructed or located in the City of North Plains:

A. All units shall utilize at least two of the following design features to provide visual relief along the front of the home:

~~A.~~

A-1. dormers;

B-2. gables;

C-3. recessed entries;

D-4. covered porch entries;

E-5. cupolas;

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~~F.6.~~ pillars or posts;

~~G.7.~~ bay or bow windows;

~~H.8.~~ eaves (minimum 6" projection);

~~I.9.~~ offsets on building face or roof (minimums 16");

B. All manufactured homes shall also comply with the requirements of the Manufactured Homes section of this chapter.



QAMAR AND ASSOCIATES

ARCHITECTURE AND TOWN PLANNING CORP.

DATE: August 24, 2015

TO: Kirstin Greene, Cogan Owens Greene, AICP

FROM: Laurence Qamar, AIA, CNU-A

RE: Initial impressions from August 12 tour of North Plains, OR

Kirstin Greene, Blake Boyles and I toured the City of North Plains to evaluate a variety of current citywide planning issues. This memo is a summary of my initial impression of the city and some brief recommendations for consideration in the context of the vision to comp plan update process.

Issues considered include:

1. Commercial Street town center
2. Newer commercial gateway from Highway 26
3. New residential housing standards
4. Historic residential neighborhoods
5. Edge conditions surrounding town

- 1. Commercial Street** - The town's main street is the historic and ongoing heart of North Plains and as such deserves special consideration as a place to revitalize the economic and cultural heart of the town. North Plains has actual industry in its center, which many small towns strive to attract. Maintaining old and encouraging new business is the lifeblood of a town. A main street revitalization strategy could address issues such as streetscape updates, storefront revitalization, and renovation of some simple industrial buildings into new retail shops and active workshops.

The core of the retail on Commercial Street remains somewhat isolated from the more heavily trafficked Glencoe Road, so some consideration could be given to growing new mixed-use retail from the heart of Commercial Street out toward the Glencoe intersection. Good signage into Commercial Street at the Glencoe intersection would be a start. Eventually consideration should be given to new mixed-use buildings on the corners of Commercial and Glencoe as a way to identify it as the town's new "Main and Main" and a symbol of a gateway into Commercial Street.

New building design standards for mixed-use retail infill could organically blend the old with the new. There are excellent examples of one and two-story mixed use buildings right on Commercial Street, not to mention in nearby towns. Retaining that small-town character of the main street buildings would help blend the new with the old.

- 2. Commercial gateway on Glencoe from Highway 26** - At some point in recent decades a new commercial zone was added along Glencoe Road likely in recognition of the traffic counts coming from Highway 26. We heard plans for new larger format commercial to be



QAMAR AND ASSOCIATES

ARCHITECTURE AND TOWN PLANNING CORP.

built along Glencoe, such as a grocery store. Currently the character of this district is more “auto oriented commercial strip” than “pedestrian oriented main street” as on Commercial Street. Under current transportation and land use regulations, Glencoe is destined to continue growing into an auto-oriented strip rather than a walkable and attractive main street. The current road section has two travel lanes, a center turn lane and bike lanes, but no on-street parking. Without on-street parking, the retail developers should not be expected to push their building fronts up to the sidewalk, which is one component of a walkable main street. Instead, they will be understandably inclined to locate parking lots in front. There are a couple of strategies for providing much needed, easily accessible customer parking without resorting to a commercial strip format.

- 3. New residential housing standards (R2.5)** - There is currently much concern in the North Plains community with the character and quality in the past year or two of houses in R2.5 zone, which allow minimum 2,500 sq. ft. lots. Developers have been mass producing these subdivisions in a standardized pattern consisting of 25’ wide x 100 deep lots with ~18’ wide single family detached houses and code minimum separations of about 7’ between homes. The houses are setback ~20’-25’ from the street right-of-way (ROW) thus allowing cars to park in driveways in the setbacks in front of one or two car garage doors. Sidewalks are typically placed curb tight with driveways cutting through the walking path in front of each house. The overall effect is monotonously repetitive, and not conducive to walking.

It might seem that the way to resolve these issues would be to simply increase the minimum lot sizes to something like 4,000 sq. However, without good design standards and models of successful small lot houses to inspire current builders, it’s likely that making houses larger will not improve the character of new residential neighborhoods. Pending further discussion, we can say that the continuous row of narrowly spaced garage doors and cars parked in front of these houses makes them unappealing and uninviting. Improving the “curb appeal” is not dependent on new colors and materials alone. Making a lively house front depends primarily on properly designed front porches, stoops, windows or other living spaces that offer opportunities for the residents to engage with their neighbors walking by.

- 4. Historic residential neighborhoods** - The old residential neighborhoods surrounding the core of town contain modest, and attractive homes from a range of eras. We notice that the streets are being upgraded in places with new sidewalks and storm drainage. Historically, deep rural-style ditches were used to collect storm water, and while they do so in a relatively low cost and “green” manner with limited concrete structure, they also take up a lot of space on the street edges that otherwise would provide sidewalks. If there is little traffic on a small town street, it is not always necessary to install a new sidewalk if people can stroll on the sides of the street and drivers are slow-moving and respectful. On certain streets; however, sidewalks are essential for pedestrian safety and convenience. We recommend an assessment of design standards, including a provision that all new sidewalks be separated from the edge of the street curb by at least 3 feet and preferably 5-6 feet in order to buffer



QAMAR AND ASSOCIATES

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pedestrians from the moving traffic, allow space for driveway ramps out of the walking path, and accommodate street trees between the sidewalk and the street.

- 5. Edge conditions surrounding town** - We drove around most of the edges of the existing town, and looked out to open farm fields or wooded areas that are currently considered for future urban expansion. We are struck by the beauty of the open farm fields on one side of the street with existing houses on the other side. The edges of town are clear and distinct. There are ways to recreate this “public town edge” in the design of new neighborhood expansions, rather than the typical planning practice of backing-up houses to the UGB, and privatizing that farm field view for only a limited number of homeowners. The ability to “design” the edges of a town is a very unique opportunity, and one that North Plains should consider with great care.

We would be pleased to explore these ideas and more with the City, and help North Plains grow in a manner that is appealing to existing and future members of the community.

Sincerely,

Laurence Qamar, AIA, CNU-A

3/31/15 North Plains Code Revisions

16.05 Definitions

Lot

Lot of Record

Taxlot

16.125 Lot Development Standards

16.125.005 Scope

Add Created after the implementation of zoning (could also add date)

16.125.0110 Standards for Lots

H- Land for public use- clarification

16.130 Land Partitioning

16.130.20 Process for Final Partition Approval

C- Recording of Approved Partition Required. *Modify last sentence, as building permit for SFD should be allowed if parent parcel qualifies*

16.135 Subdivisions

16.135.011 Preliminary Plat approval criteria

F- How do they provide evidence improvements/conditions have been or can be met?

16.135.015 Preliminary Review of Tentative Subdivision Plan

E- does this remain?

16.135.030 Submittal of Final Subdivision Plat

3- Remove Block

5-Remove last sentence (easements cannot be located in owners certificate of dedication, they are to be listed in plat notes)

8- Remove

9a-remove record title and replace with ownership. All other interest shall sign consent affidavits which will be noted on the plat

16.135.035 Final subdivision plat review

A. 3rd sentence modify-The planning commission chairman or if unavailable their designee shall signify planning commission approval of the final plat by signing the mylar plat. However, if the plat includes dedication of any newly created public roads the city council or their designee shall signify acceptance by also signing the mylar.

16.135.045

The applicant is responsible for recording the approved subdivision plat with the Washington County recorders office. A building permit shall not be issued, or parcel sold, transferred or assigned until the approved subdivision has been recorded. However, if the parent lot(s) were determined to be legal lots of record they would qualify for a permit.

16.150 Street Standards

16.150.115 General Right of way & improvement widths

First sentence- *remove and/or and replace with and*