

**PLANNING COMMISSION
WEDNESDAY, OCTOBER 9, 2019
6:00 P.M.**

**Wilsonville City Hall
29799 SW Town Center Loop East
Wilsonville, Oregon**

*Minutes reviewed and
approved at the
November 13, 2019
PC Meeting*

Minutes

I. CALL TO ORDER - ROLL CALL

Chair Jerry Greenfield called the meeting to order at 6:00 p.m. Those present:

Planning Commission: Jerry Greenfield, Eric Postma, Peter Hurley, Simon Springall, Phyllis Millan, Kamran Mesbah, and Ron Heberlein

City Staff: Miranda Bateschell, Amanda Guile-Hinman, and Daniel Pauly

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was recited.

CITIZEN'S INPUT - This is an opportunity for visitors to address the Planning Commission on items not on the agenda. There was none.

ADMINISTRATIVE MATTERS

A. Consideration of the September 11, 2019 Planning Commission minutes
The September 11, 2019 Planning Commission minutes were accepted as presented.

II. WORK SESSION

A. Residential Code Modernization Project (Pauly)

Miranda Bateschell, Planning Director, reminded that work on the Residential Code Modernization Project had been in progress for several months. Previous work sessions had centered around the density calculation, lot size, and open space requirements. Tonight, the Commission would review some lot standards that needed to be modernized in order to correlate with some of the additional requirements previously discussed. Information on lot coverage ratios, the relationship with accessory dwelling units, and where that would and would not apply within the city.

Daniel Pauly, Planning Manager, noted this was the fourth work session on the Residential Code Modernization Project. He presented the Lot Standards Correlation via PowerPoint, briefly reviewing the background and topics previously discussed by the Planning Commission. Staff anticipated a final work session in December and would move forward to a public hearing in the first quarter of 2020.

Discussion and feedback from the Planning Commission was as follows with responses by Staff to Commissioner questions as noted:

- Mr. Pauly confirmed footnote B, regarding PDR-3 and PDR-4, was reflective of the current Code. (Slides 12 & 14) No change had been made. Simply put, the current Code was put into a table format.
- Was the inclusion of higher density averages skewing the calculation of lot sizes in some neighborhoods an issue when master planning occurred? (Slide 22)
 - Mr. Pauly replied at that point, the lot coverage was not much different. Currently, [right now] PDR-3 and PDR-4 had 25 percent to 30 percent lot coverage differentiation, which did not exist in the 1980s

and 1990s. In reading Staff reports, it had not come up as an issue. If Wilsonville Meadows was developed under the existing Code, a 75 percent lot coverage would be allowed because of the PDR-4 zoning. The proposed note would essentially push lot coverage to more correlate to the size of the lot, not necessarily to the zone.

- Mr. Pauly confirmed density averaging could occur on a smaller scale, such as the Vlahos Dr example. The large lots for the Street of Dreams in Frog Pond were purposeful. Density averaging occurred during the master planning process and the property owners or developers that had options in different areas expressed interest in what size of lot they wanted on their property. There were other considerations, such as properties closer to the edge or to amenities ended up being denser, but that type of density averaging happening on that scale in Frog Pond was not anticipated because of considerations made during Frog Pond master planning.
- While the Maximum Lot Coverage Table was much more readable and compact, three different wording styles were used for the three different lot coverage categories for PDR-2. The language would be more compact by giving the range, as done in the third section, “45/55 (7,000-8,000 sf lot)”. Why not state, “40/50 (8,000-12,000 sf lot)” (Slide 15)
 - Mr. Pauly explained the language as shown was more reflective of the guidelines in the current Code. The City needed to be precise on the lot coverage margins to minimize extended discussions with developers and other interested parties. For 45/55, the lot size was simply 7,000-8,000 sf, however, if 8,000-12,000 sf was used, what category would an 8,000 sf lot fall into? Using 8,001 would not work, because a lot could be 8,000.0001 sf.; meaning developers could find loopholes by using decimals.
 - He agreed a rounding footnote could be added as an option to make the table look cleaner.
 - Using less than and greater than mathematical symbols was suggested, and he noted his original version used more symbols than words, but he believed writing it out provided the most possible clarity.
 - He confirmed the numbers on either side of the slash (/) corresponded to the categories on either side of the slash in the heading.
 - Footnote C should be corrected to state, “A building ~~most~~ **must** be completely...”
 - Footnote B was included only on PDR-3 and -4, but not PDR-5. It seemed there would also be a desire to be able to reduce the lot frontage on a 2,000 sf lot if it fronted a cul-de-sac, as well.
 - Mr. Pauly explained the current Code showed Footnote B only on PDR-3 and PDR-4, and he had never received a complaint otherwise. PDR-5 was at a 30 ft minimum lot width anyway, and a cul-de-sac lot was usually larger, so if it became an issue, it would probably push the frontage into the PDR-4 standards. If a lot was more than 3,000 sf in a PDR-5 zone, it would be pushed into the PDR-4 standard, and it would subsequently apply. With PDR-2 and PDR-1, it is large enough that it would not matter.
 - Ms. Bateschell added Footnote B was not included on PDR-5 in the proposed edits, because it had not come out as a direct conflict in the current application of the Code. It was not something Staff had dealt with and it did not conflict with any proposed changes. However, the City was modernizing the Code and changing policy through this process, so if it was something the Planning Commission wanted to add to the list of proposed modifications, Staff was available for input.
 - Including Footnote B on PDR-5 was suggested for clarity because people would use the Maximum Lot Coverage Percentage Table.
 - Mr. Pauly confirmed a 24-ft lot frontage was not common, which was probably why it had never been an issue.
- There appeared to be a gradual step down in Maximum Lot Coverage in PDR-1, -2 and -3, but PDR-4 and PDR-5 were the same, although the Minimum Lot Size was different. What was the rationale for not having PDR-4 at 65 or 70 percent with PDR-5 at 75 percent to continue the gradual change in Maximum Lot Coverage?
 - Mr. Pauly said that besides concerns about down-zoning or being more restrictive in the current zone, lot sizes under 4,000 sq ft did not exist in the Residential Neighborhood Zone, so there was

- nothing to compare to the Residential Neighborhood Zone. Additionally, no compelling reason existed for changing the current 75 percent standard. A lot size of less than 4,500 sf was fairly small in a PDR-4 zone, so the tendency was that the house would occupy most of the lot.
- Ms. Bateschell stated there was no way to be sure what the intent was when that change was made in 2000. One possible reason was that the lots were smaller, and 75 percent coverage was more reflective of the lot size. She was not sure there was a full answer as to why PDR-4 was not slightly different than PDR-5 or -6.
 - Mr. Pauly noted that even under with detached rowhouses, setbacks would still apply. A two-story house would still have a 7-ft setback unless **waived**. Physical setback requirements would be a factor in reducing lot coverage.
 - Clear differences could be seen between PDR-1 through -4, but the only difference between PDR-4 and -5 was a 5 ft difference in minimum lot width, so what was the purpose of having PDR-4 and -5 with virtually no difference between the two?
 - Mr. Pauly replied that was a good question. The reason 75 percent was a maximum was because 25 percent open space or area not occupied by a building was desirable, even on an individual lot. The maximum lot coverage on any lot would be 75 percent. That ceiling was in place for PDR-4 and the lot would already be at that ceiling with any of the denser zones, so that would not change. The different zones existed because of the differentiating densities on the Comprehensive Plan Map, and a corresponding zone was needed where that density worked.
 - In the changes and the reduction in the minimum lot sizes, the difference between the two PDR zones had been reduced. Nothing needed to be done about it, it just seemed as though an unnecessary zone existed.
 - Mr. Pauly replied there was not much differentiation in the Maximum Lot Coverage Percentage Table, but in terms of calculating the density and seeing how many actual units were on a given parcel, it would make a difference. From practicality, nothing was zoned PDR-7, and no PDR-7 zone was anticipated, but it was on the books and it did not hurt anything to carry it over. While PDR-6 did exist currently, none of the vacant parcels that PDR-6 was anticipated to apply to were currently zoned PDR-6 or were anticipated to be zoned PDR-6 based on the Comprehensive Plan density. The zoning designations exist to reflect the current zones and what was currently in the Comprehensive Plan. PDR-3, PDR-4, and PDR-5 would be the zones that were actually used; however all of the zones listed currently exist.
 - The decision to keep the current zones was made at a previous work session, when it was decided that there was not a compelling reason to remove them. The pie could be sliced a number of different ways, but the simplest solution was to keep the current zones and current Comprehensive Plan densities, and work to solve the equation from that point to make sure the regulations work for those zones. The question people ask was, "I have a piece of land with this zoning, what can I do on it?" The goal was to make sure that answer was clear and feasible.
 - He confirmed no other variables really affected the zones other than lot size and density. In a lot of ways, the PDR could be considered a single zone that was differentiated by density and then by some differing lot standards based on that density. It was similar to the Residential Neighborhood Zone where the subdistricts had differentiated standards based on the anticipated lot sizes.
 - Where did building height come into consideration?
 - Mr. Pauly replied he did not recall ever receiving a single-family home application that exceeded the 35-ft height restriction. Height would more likely be considered in a multi-family development. Staff had seen some tall conceptual residences in Villebois, but that was by purpose because the buildings were around the Piazza where the design standard was to have a tall structure.
 - He confirmed that a two-story home over a garage would be permitted if less than 35-ft high; although other standards, like the percentage of façade that could be a garage, might apply.

- Slide 7 demonstrated that gaps in the Comprehensive Plan still existed. Would the gaps in the densities between PDR-7 and PDR-10, and PDR-12 and PDR-18, be filled in by PDR-4 and PDR-6?
 - Mr. Pauly answered no. While mathematically, it would be optimal to have no gap, in reality, the Comprehensive Plan Districts identified those ranges and the minimum was always 80 percent of the maximum. Once a maximum density was identified, the range was not that big. If a subdivision was drawn without addressing the density, it might not fit into a zone addressed in the Code, so that did not typically happen. It could not be handled by waiver because the project would have to comply with the Comprehensive Plan. Typically, a developer based their design on the existing density, rather than trying to fit the design into a density gap. From that point, functionally, the gap was not an issue.
 - Ms. Bateschell noted that this issue was discussed extensively in a previous work session because the initial proposal provided a proposal to fill the density gaps. At this point, because nothing was zoned according to that or any land with that Comprehensive Plan designation, there was not a clear purpose to it. However, if those densities were desired in potentially new urbanizing areas or areas currently designated a holding zone, a 15-18 density range district could be created as a new Comprehensive Plan designation to apply to that land and that would relate to a new PDR designation. She recalled that the Planning Commission had not come to a clear consensus on what direction to with regard to the density gaps. It was still on the table and the proposed edits could be incorporated into the recommendations and brought back to the Commission. Staff sought direction from the Commission tonight on whether there was value in filling the density gaps within the Comprehensive Plan Density Range Districts.
 - Mr. Pauly added that it could also be addressed when a strong policy reason existed that a certain product type fit better at the 15-18 density, which could easily be plugged in as the Comprehensive Plan was changed. However, when looking at where it would actually apply to the zoning, filling those density gaps would not have a real impact on the ground.

Mr. Pauly asked for any other thoughts from the Commission to make sure everything was clear, noting that going one way or the other would have a pretty big impact.

Comments from the Commission on whether to fill in the gaps in the Density Range Districts were as follows:

- As discussed previously, if it was not broke, there was no need to fix it. The gaps were not really an issue because the developer would work with what was in place and proceed from there.
- The existing zones, as they were now defined, provided a sufficient variety for how the city looks and feels, so why was a more fine-ranged continuum needed? The issue being considered was the types of neighborhoods and being able to distinguish a neighborhood built to a 10-12 density standard or a 14-16 density standard, which did not seem to be a very big difference. People going through those neighborhoods would probably not recognize the difference.
- Not filling the gaps was fine so long as a sufficient variety of affordable housing types and prices existed. However, if certain types of housing in demand were not able to be built because the zoning did not allow it, that should not be a problem.
- The issue did not concern Frog Pond and Villebois, but rather limited infill areas. When substantial land was added, the City had a pretty good practice in place to master plan that land separately.
 - Mr. Pauly confirmed some feedback had been received from the Homebuilders Association, but some of the ideas were tailored to specific instances. Now that Staff had received clear guidance from the Commission, the information would be taken out to the community for feedback and to identify any issues, which would be discussed at the Planning Commission's December meeting. He confirmed that the owners in the residential zones would be part of the community outreach.
- Would the changes apply to the redevelopment of a property owner's lot? For example, would the large lots on Vlahos Dr come under the new guidelines or under the original zoning for that area?
 - Mr. Pauly replied the lots would be under the Planned Unit Development for that subdivision. The entire zoning of the subdivision would have to be modified in order to do anything differently.

- An established neighborhood would not necessarily be required to rezone if a developer wanted to aggregate and redevelop; however, Staff had not run into that at this point.
- Mr. Pauly clarified the existing land use approvals would currently guide what was allowed to be done in Town Center.
 - Ms. Bateschell noted the Town Center Plan Zone was adopted through the Town Center Plan Project, and had its own zoning designation and regulations. No PDR zones existed within the Town Center Zone so the PDR standards would not apply there.

Mr. Pauly confirmed Courtside Estates and other residential areas were not within the Town Center Zone.

III. INFORMATIONAL

A. City Council Action Minutes (Sept. 5 & 16, 2019)

Commissioner Millan asked if the Dial-A-Ride community outreach effort was to see what was happening with Dial-A-Ride because it appeared to be in jeopardy when the Transit Plan was being discussed.

- Amanda Guile-Hinman, Assistant City Attorney, replied someone from SMART would reach out and provide feedback, but the City was in the process of signing an agreement for grant funding for Dial-A-Ride. She would be happy to get more feedback regarding the outreach.
- Miranda Bateschell, Planning Director, noted that with House Bill 2017, SMART was now receiving additional funding that would help with first/last mile connections, additional service, as SMART was expanding service of a number of bus lines, and she believed it might be helping expand the service of Dial-A-Ride. Staff would be sure to connect with SMART staff and send the information out to the Commission.

B. 2019 Planning Commission Work Program

Chair Greenfield noted the French Prairie Bridge was to be considered in November, but it was announced in a City Council work session that there was a bit of a setback on the bridge's funding.

Miranda Bateschell, Planning Director, stated she was uncertain on the status of the funding, adding an update would be appropriate at the next Planning Commission session. She was not sure about the content of the I-5 Bike Ped Bridge work session item at this time.

- She confirmed the Equitable Housing Strategy Plan was tentatively scheduled for the Commission's December meeting. While good input was received through the *Let's Talk, Wilsonville!* platform, as well as through the work with the task force, the project team would like to do some additional outreach to make sure Staff had a more holistic picture before bringing the draft work plan before the Task Force, Planning Commission, and City Council.

The Commission briefly discussed the Multi-City Equity Summit being held at Lake Oswego High School in October. The Summit would include Lake Oswego, Tualatin, West Linn, Wilsonville, Tigard, and the West Linn-Wilsonville School District. Registration was free and information was available on the City website under Events. Commissioner Mesbah stated he was registered to attend.

IV. ADJOURNMENT

Chair Greenfield adjourned the regular meeting of the Wilsonville Planning Commission at 7:01 p.m.

Respectfully submitted,

By Paula Pinyerd of ABC Transcription Services, Inc. for
Tami Bergeron, Administrative Assistant-Planning