



MINUTES  
PLANNING COMMISSION MEETING  
1300 NE Village Street  
Fairview, OR 97024  
Tuesday, March 12, 2019

PRESENT: Hollie Holcombe, Chair  
Russell Williams, Vice Chair  
Jeff Dennerline  
Steve Owen

ABSENT: Les Bick  
Steven Hook

STAFF: Sarah Selden, Senior Planner  
Eric Rutledge, Associate Planner  
Devree Leymaster, City Recorder

**1. CALL TO ORDER**

Chair Holcombe called the meeting to order at 6:30 PM.

**2. CITIZENS WISHING TO SPEAK ON NON-AGENDA ITEMS**

None.

**3. ADOPTION OF MINUTES:** February 12 and February 22, 2019

Vice Chair Williams moved to adopt the minutes and Commissioner Dennerline seconded. The motion passed unanimously.

**4. WORK SESSION**

a. 2019 Code Maintenance Amendments: Work Session #1

Senior Planner Selden requested Commission feedback concerning technical and policy questions related to residential lot sizes and densities as summarized in *Exhibit A*. She noted if a property is limited because of proposed changes, staff will follow the Title 56 process to notify property owners.

After reviewing the Residential Use Table and Lot Area and Dimensions Table, SP Selden asked the Commission to consider if minimum density should apply to all development? Should it include lot partitions? Should some development be exempt?

Associate Planner Rutledge presented examples from other cities as referenced in *Exhibit B*.

SP Selden reviewed examples in *Exhibit A* for calculating maximum density and options to calculate minimum density. She requested direction from the Commission as to what rounding method should be used when determining lots and if the minimum density should be calculated based on actual net site area or an automatic 20% site area deduction.

Commissioner Dennerline commented the most impacted area would be in historic Fairview or some of the oversized lots along the western edge. He also noted the potential impact of HB 2001.

SP Selden noted exempting partitions would allow for the potential to retain larger lots and provides more flexibility by not having to meet density standards. As an example, an applicant with a 22,000 sq. ft. lot had the option to partition into two or three lots. The applicant opted for two lots and was able to do so because two lot partitions are currently exempt and the density requirement was not applied. Chair Holcombe supported keeping the exception.

When discussing net site area, whether it should be actual ROW dedication or 20%, Vice Chair Williams asked if landscaping, sidewalks, etc. would be included. SP Selden replied everything within a dedicated ROW would be included.

Commissioner Dennerline asked if a riparian area would be included in the net site area to determine density. SP Selden answered that would need to be defined. AP Rutledge referred to the examples in *Exhibit B*, where net area is defined and what is included and/or excluded. Commissioner Dennerline and Chair Holcombe liked this concept and requested right-of-way and restricted areas i.e. riparian buffers be excluded when defining net site area.

Commission agreed there should be naming consistency between the code and zoning map; density rounding method should always round down; the Old Town R 7-5 and Lower Density Residential "overlay zones" should be removed; and the lot area and dimensions tables should be a complete table with all zones identified.

## 5. COMMISSION AND STAFF UPDATES

SP Selden shared the code maintenance public hearing will be delayed a month or two to provide more time to work through the process. The goal is to forward complete, comprehensive packages for the corridor commercial amendments and code maintenance amendments to the Council for their consideration.

SP Selden inquired if the Commission would be interested in a spring field trip to see what other city developments are like; their creative ideas. The Commission replied yes. Staff will work on scheduling.

## 6. TENTATIVE AGENDA

March 26: Public Hearing (Zone Change) and Work Session (Food Carts)

## 7. ADJOURNMENT

Meeting adjourned by consensus at 7:48 PM.

  
Devree A. Leymaster  
City Recorder

  
Hollie Holcombe  
Chair

4-23-19  
Date

# PLANNING COMMISSION WORK SESSION

## 2019 Code Maintenance Amendments

Work Session #1  
March 12, 2019



## WORK SESSION OBJECTIVE

Provide feedback on technical and policy-related questions identified while drafting code amendments related to residential lot sizes and densities.

## RESIDENTIAL USE TABLE

Table 18.30.025.A  
Land Uses and Building Types Permitted in the Residential District

ZONES AND OVERLAYS	Residential			Town		Old	Lower
	Subdistrict	Subdistrict	Subdistrict	Zone	Zone	Town	Density Residential
USES							
a. Single-family detached	X			X	X	X	X
b. Single-family detached accessory lot use	X			X	X	X	X
c. Accessory dwellings	X			X	X	X	X
d. Accessory uses and structures (other than accessory dwellings)	X	X	X	X	X	X	X
e. Manufactured homes on individual lots	X					X	X

LAND USES →

← ZONING DISTRICTS

## LOT AREA & DIMENSIONS TABLE

Table 18.30.040 - Lot Area and Dimensions

Land Use	Dimensions and Lot Area	Lot Width/Depth	Height
Standard Residential	Minimum 20 feet at front property line, except for flag lots and lots which provide more than one development unit.	Minimum 20 feet	The average lot area and residential floor area in new developments shall comply with the standards in this table or, to protect residential density and building size
Manufactured Homes on Lots	Minimum 10,000 square feet	Minimum 20 feet	
Old Town Overlay	Minimum 10,000 square feet	Minimum 20 feet	
Lower Density Residential Overlay	Minimum 10,000 square feet	Minimum 20 feet	
Single-Family Residential	Minimum 10,000 square feet	Minimum 20 feet	
MP Subdistrict and Residential Overlay	Minimum 10,000 square feet	Minimum 20 feet	

ZONING DISTRICTS →

← DIMENSIONAL STANDARDS

HOUSING TYPES →

### LOT AREA & DIMENSIONS TABLE (TYPICAL)

DIMENSIONAL STANDARDS	Table 19.301.4 Low Density Residential Development Standards			ZONING DISTRICTS
	R-10	R-7	R-5	
<b>HOUSING TYPES (LIMITED)</b>				
<b>A. Lot Standards</b>				Standards/ Additional Provisions
1. Minimum lot size (sq. ft.)				Subsection 19.501.1 Lot Size Exceptions
a. Single-family detached	10,000	7,000	5,000	
b. Duplex	14,000	14,000	10,000	
2. Minimum lot width (ft.)	70	60	50	
3. Minimum lot depth (ft.)	100		80	
4. Minimum street frontage requirements (ft.)				
a. Standard lot				35
b. Flag lot				25
c. Double flag lot				35
<b>B. Development Standards</b>				
1. Minimum yard requirements for primary structures (ft.)				Subsection 19.301.5-A Side Yards

### LOT AREA & DIMENSIONS TABLE (TYPICAL)

DIMENSIONAL STANDARDS	TABLE 50.04.001-1: RESIDENTIAL LOW DENSITY ZONES DIMENSIONS			ZONING DISTRICTS
	R-7.5	R-10	R-15	
<b>DENSITY</b>				50.04.001.1.9
Minimum (1)	50% of max	80% of max	80% of max	
Maximum (units/acre)	80	80	80	
<b>MIN. LOT DIMENSIONS (2)</b>				50.04.001.1.6
Area (sq. ft.)	7,500	10,000	15,000	
Width (ft.)	50	65	80	Except PD (3)
Depth (ft.)	—	—	—	
<b>MAX. FLOOR AREA</b>				50.04.001.1.8
Base Calculation: 3,000 sq. ft. ÷ (actual lot size - 5,800 sq. ft.) x 0.19)	Additional floor area allowance per primary residential unit providing a garage (sq. ft.)			
	600	750	850	
<b>YARD SETBACKS</b>				50.04.001.1.7

## MINIMUM DENSITY

**METRO REGIONAL FUNCTIONAL PLAN REQUIREMENTS**

**Title 1: Housing Capacity**

3.07.120 Housing Capacity

(b) Each city and county shall adopt a minimum dwelling unit density for each zone in which dwelling units are authorized except for zones that authorize mixed-use as defined in section 3.07.1010(gg). If a city or county has not adopted a minimum density for such a zone prior to March 16, 2011, the city or county shall adopt a minimum density that is at least 80 percent of the maximum density.

## DISCUSSION QUESTION

Should minimum density requirements apply to ALL development, including 2-lot partitions, or should some development be exempt?

### MINIMUM DENSITY (FAIRVIEW CODE)

**FMC 19.30.060 Residential density and building size.**

A. Residential Density Standard. New development applications must achieve at least the minimum density of the zoning district in which they are located.

2. The following types of housing are exempt from the density standards: Residential care homes/facilities and partitions creating two lots.

### MINIMUM DENSITY (FAIRVIEW CODE)

**FMC 19.250.010 Minimum density.**

A. When single-family lots are created through partition or subdivision, a minimum density permitted in the zone is required on all parcels within the R zones. For purposes of this section, the number of lots required shall be determined by multiplying the maximum density, exclusive of potentially allowable density transfer, by 0.8.

B. In all multifamily zones 80 percent of the allowable density must be achieved by all residential developments.

### MINIMUM DENSITY

EXAMPLE: 1 acre lot (43,560 s.f.) in R-7.5 (Old Town Overlay) Zone

Maximum density:  $43,560 \div 7,500$  s.f. (smallest allowed lot size) = **5.8 lots** (either 5 or 6 depending on rounding method)

Minimum Density Option #1: Partition at maximum lot size of 10,000 s.f. = 4.4 lots (either 4 or 5 lots, depending on rounding method)

Minimum Density Option #2: Calculated at 80% of maximum  $5.8 \times 0.80 = 4.6$  (either 4 or 5 lots, depending on rounding method)

### MINIMUM DENSITY

EXAMPLE: 1 acre lot (43,560 s.f.) in Standard R Zone

Maximum density:  $43,560 \div 6,000$  s.f. (smallest allowed lot size) = **7.3 lots** (either 7 or 8 depending on rounding method)

Minimum Density Option #1: Partition at largest lot size of 10,000 s.f. = **4.4** lots (either 4 or 5 lots, depending on rounding method)

Minimum Density Option #2: Calculated at 80% of maximum density  $7.3 \times 0.80 = 5.8$  (either 5 or 6 lots, depending on rounding method)

## MINIMUM DENSITY

**EXAMPLE:** 1 acre lot (43,560 s.f.) in Multi-Family Zone with Attached Single-Family Homes (townhomes)

**Maximum density:** 43,560 ÷ 2,500 s.f. (smallest allowed lot size) = **21.8 lots** (either 21 or 22 depending on rounding method)

**Minimum Density Option #1:** Partition at largest lot size of 4,500 s.f. = **9.8 lots** (either 9 or 10 lots, depending on rounding method)

**Minimum Density Option #2:** Calculated at 80% of maximum density 21.8 x 0.80 = **17.4** (either 17 or 18 lots, depending on rounding method)

## DISCUSSION QUESTION

Should the MINIMUM density be calculated based on the actual net site area (gross site area minus road dedication), rather than an automatic 20% site area deduction for roads?

## MINIMUM DENSITY (FAIRVIEW CODE)

### 19.30.060 Residential density and building size.

Net site area = Total site area (217,800 sq. ft.) multiplied by .80 for streets and roads = 174,200 sq. ft.

Density = Net site area (174,200 sq. ft.) divided by 6,000 sq. ft. (minimum lot area) = 29.03

Minimum density = 29.03 multiplied by .80 = 23.22.

**Methodology:**  
Deducts 20% of site area for right-of-way dedication

**Result:** If less ROW dedication is needed, lose developable land area, potentially lowering the allowed density

## MINIMUM DENSITY (FAIRVIEW CODE)

### FMC 19.250.010 Minimum density.

**Methodology:**  
For purposes of this section, the number of lots required shall be determined by multiplying the maximum density, exclusive of potentially allowable density transfer, by 0.8.

## DISCUSSION QUESTION

Should allowed density vary based on the housing type (within the same zoning district)?

## HOUSING TYPES AND DENSITY

Maximum Density Based on Smallest Allowed Lot Size

**RESIDENTIAL MULTI-FAMILY EXAMPLE:**

Triplexes: 6,000 s.f. min lot size (2,000 s.f. per unit) = 21.8 units per acre MAX density

Attached SF: 2,000 s.f. min lot size = 21.8 units per acre MAX density

Multi-Family: 2,500 s.f. lot area *per unit* = 17.4 units/acre MAX density

## HOUSING TYPES AND DENSITY

MINIMUM Density Based on LARGEST Allowed Lot Size

**RESIDENTIAL MULTI-FAMILY EXAMPLE:**

Triplexes: 10,000 s.f. max lot size (3,333 s.f. per unit) = 13 units per acre MIN density

Attached SF: 4,500 s.f. max lot size = 9.7 units per acre MIN density (80% of max would be

Multi-Family: 2,500 s.f. lot area *per unit* = 17.4 units/acre MAX density

## OTHER ISSUES

- Names of zoning districts in code vs. Zoning Map
- Old Town R-7.5 and Lower Density Residential as “overlay zones”
- Density Rounding Methods

**NEXT STEPS**

- Draft code amendments
- City Attorney review
- Planning Commission work session
- Potential Measure 56 notice to property owners
- Planning Commission hearing

### **MILWAUKIE**

The minimum and maximum development densities in Subsection 19.301.4.C.1 are applicable for **land divisions and replats that change the number of lots.**

If a proposal for a replat or land division is not able to meet the minimum density requirement—due to the dimensional requirements for lot width, lot depth, or lot frontage—the minimum density requirement shall instead be equal to the maximum number of lots that can be obtained from the site given its dimensional constraints. The inability of new lot lines to meet required yard dimensions from existing structures shall not be considered as a basis for automatically lowering the minimum density requirement.

### **GRESHAM**

Minimum densities do not apply to partitions of parent parcels of 20k net SF or less in LDR-5, LDR-7, and TR districts, or parent parcels of 13,000k net SF or less in the TLDR district

ROUNDING: Round down to whole number for MINIMUM densities. For MAXIMUM densities round up or down from 0.50 to nearest whole number

### **LAKE OSWEGO**

Low Density: 80% minimum requirement. Minimum density applies to subdivisions, not to partitions. Round up for fraction 0.5 or greater, down for less than 0.5

Medium Density: Applies to subdivisions, and to multi-family in R-5 zone. Mix of 80% min and specific units/acre

High Density: Different methods: 80% of max (R-3), 12 lots/units per acre (R-2), and 20 lots/units per acre (R-0). No max density in R-2 and R-0 zones.

	Single Family Zones	Multi Family Zone
Troutdale	<p><b>Minimum:</b> 80% of maximum number of dwelling units per net acre</p> <p><b>Maximum:</b> 1 unit / 5,000-20,000 SF, depending on zone</p> <p><b>Notes:</b> Controlling factor is minimum lot size requirements. If the total contains a fraction, then the number shall be rounded down to the next lower whole number. For computing the minimum number of dwelling units, if the total contains a fraction, then the number shall be rounded down to the next lower whole number.</p> <p>Net area = total area of parcel minus public streets, constrained land, resource protection overlay land, and land dedicated to the City</p>	<p><b>Minimum:</b> 80% of maximum number of dwelling units per net acre</p> <p><b>Maximum:</b> Range based on minimum lot size</p> <p><b>Notes:</b> Controlling factor is minimum lot size requirements. If the total contains a fraction, then the number shall be rounded down to the next lower whole number. For computing the minimum number of dwelling units, if the total contains a fraction, then the number shall be rounded down to the next lower whole number.</p> <p>Net area = total area of parcel minus public streets, constrained land, resource protection overlay land, and land dedicated to the City</p>
Wood Village	<p><b>LR 12 Zone</b>  <b>Minimum:</b> 0.9 units / net acre  <b>Maximum:</b> 1 unit / 12,000 SF</p> <p><b>LR 7.5 Zone</b>  <b>Minimum:</b> 4.6 units / net acre  <b>Maximum:</b> 1 unit / 7,500 SF</p> <p><b>Notes:</b> Net land area = development project area minus unbuildable area (may include roads, environmentally constrained, parks, etc.)</p>	<p><b>MR 2 Zone Multi-unit Structures</b>  <b>Minimum:</b> 13 units / acre  <b>Maximum:</b> Range based on minimum lot size per unit, with higher density requiring less area per unit</p> <p><b>MR 2 Zone SFR/Duplex</b>  <b>Minimum:</b> 4.6 - 8.7 units / acre (depending on housing type)  <b>Maximum:</b> Range based on lot size</p> <p><b>Notes:</b> Net land area = development project area minus unbuildable area (may include roads, environmentally constrained, parks, etc.)</p>