



City of Tigard Land Use Permit Application

PRE-APP. HELD BY:

File # Other Case #

Date By Receipt # Fee Date Complete

TYPE OF PERMIT YOU ARE APPLYING FOR

- | | | |
|---|---|---|
| <input type="checkbox"/> Adjustment/Variance (II) | <input type="checkbox"/> Historic Overlay (II or III) | <input type="checkbox"/> Site Development Review (II) |
| <input type="checkbox"/> Comprehensive Plan Amendment (IV) | <input type="checkbox"/> Home Occupation (II) | <input type="checkbox"/> Subdivision (II or III) |
| <input type="checkbox"/> Conditional Use (III) | <input type="checkbox"/> Minor Land Partition (II) | <input type="checkbox"/> Zone Change (III) |
| <input checked="" type="checkbox"/> Development Code Amendment (IV) | <input type="checkbox"/> Planned Development (III) | <input type="checkbox"/> Zone Change Annexation (IV) |
| <input type="checkbox"/> Downtown Design Review (II, III) | <input type="checkbox"/> Sensitive Lands Review (II or III) | |

NOTE: FOR REQUIRED SUBMITTAL ELEMENTS, PLEASE REFER TO YOUR PRE-APPLICATION CONFERENCE NOTES

LOCATION WHERE PROPOSED ACTIVITY WILL OCCUR (Address if available)

N/A

TAX MAPS & TAX LOT NOS.

TOTAL SITE SIZE

ZONING CLASSIFICATION

APPLICANT*

RYAN O'BRIEN

MAILING ADDRESS/CITY/STATE/ZIP

1862 NE ESTATE DRIVE, HILLSBORO, OR 97124

PHONE NO.

503-780-4061

FAX NO.

PRIMARY CONTACT PERSON

PHONE NO.

E-MAIL

RYANOBRIEN1@FRONTIER.COM

PROPERTY OWNER/DEED HOLDER (Attach list if more than one)

N/A

MAILING ADDRESS/CITY/STATE/ZIP

PHONE NO.

FAX NO.

*When the owner and the applicant are different people, the applicant must be the purchaser of record or a lessee in possession with written authorization from the owner or an agent of the owner. The owners must sign this application in the space provided on the back of this form or submit a written authorization with this application.

PROPOSAL SUMMARY (Please be specific)

ADD SECTION 18.730.050.D.5 TO THE TIGARD DEVELOPMENT CODE TO ALLOW ONE FOOT BAY WINDOWS AND POP OUTS TO INCREASE FLOOR AREA WITH 3 FOOT SIDE YARDS.

THE APPLICANT SHALL CERTIFY THAT:

- ◆ If the application is granted, the applicant shall exercise the rights granted in accordance with the terms and subject to all the conditions and limitations of the approval.
- ◆ All the above statements and the statements in the plot plan, attachments, and exhibits transmitted herewith, are true; and the applicants so acknowledge that any permit issued, based on this application, may be revoked if it is found that any such statements are false.
- ◆ The applicant has read the entire contents of the application, including the policies and criteria, and understands the requirements for approving or denying the application(s).

SIGNATURES OF EACH OWNER OF THE SUBJECT PROPERTY ARE REQUIRED.

Ayan D. Buer

5-19-12

Owner's Signature

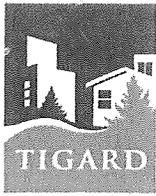
Date

Applicant/Agent/Representative's Signature

Date

Applicant/Agent/Representative's Signature

Date



City of Tigard Land Use Permit Application

APPLICATIONS WILL NOT BE ACCEPTED IN PARTIAL SUBMITTALS. ALL ITEMS MUST BE SUBMITTED AT ONE TIME.

- This form is **required** to complete your submittal. The **applicant** must check the box next to the item verifying that the information is present. Staff will check off the items at intake.
- **Three (3) copies of all materials are required for the initial review process.** The balance of the copies will be requested once your submittal is deemed substantially complete.
- **Each packet must be collated.**
- **Plans are required to be a minimum of 24" x 36" or 22" x 34".**
- **Plans must be FOLDED, rolled plans are not accepted.**

Applicant	Staff	Documents, Copies and Fees Required
X		Completed Master "Land Use Permit" Application with property owner's signature or name of agent and letter of authorization
N/A		Title transfer instrument or grant deed
X		Written summary of proposal
X		Narrative demonstrating compliance with <u>all</u> applicable development standards and approval criteria (as specified in the Pre- Application Conference notes)
N/A		Documentary evidence of Neighborhood Meeting: Neighborhood Meeting Affidavits of Posting & Mailing Notice, Minutes, Sign-in Sheets
"		Service Provider Letter
"		Impact Study per Section 18.390.040.B.2(e)
X		Copy of the Pre-Application Conference notes
X		Filing Fee (see fee schedule)
N/A		Preliminary Sight Distance Certification
"		Preliminary Storm Calculations
"		Arborist Report
"		Traffic Report (if Required)
X		Maps or Plans (Plans must be at least 24" x 36")
X		Architectural Drawings (elevations & floor plans)
N/A		Existing Conditions Map
"		Landscape Plan
"		Preliminary Grading/Erosion Control Plan
"		Preliminary Partition/Lot Line Adjustment Plan
"		Preliminary Storm Drainage Plan
"		Preliminary Utilities Plan
"		Public Improvements/Streets Plan
"		Site Development Plan
"		Subdivision Preliminary Plat Map
"		Topography Map
"		Tree Preservation/Mitigation Plan
"		Vicinity Map

- **Once your application has been deemed substantially complete you will be notified by the Planning Division in the form of a completeness letter indicating that you will need to provide the following:**

Two (2) sets of stamped, addressed #10 envelopes for all owners of property within 500 feet of the subject property (the 2 sets must remain separated for the purpose of 2 mailings). Mailing envelopes shall be standard legal-size (#10), addressed with 1" X 4" labels (**please see envelope submittal requirements**). Property owner mailing lists must be prepared by the City for a minimal fee (**please see request for 500' property owner mailing list form**).

PRE-APPLICATION NOTES

City of Tigard

April 17, 2012

STAFF PRESENT: Gary Pagenstecher

APPLICANT: Ryan O'Brien

PROPERTY LOCATION: NA

TAX MAP/ LOT #: NA

PROPOSAL DESCRIPTION:

To amend the development code text in Chapter 18.730, Exceptions to Development Standards, to allow additional projections into required yards under 18.730.050.D. The proposed text change would be as follows:

“5. In the R-12 zone, prop outs and bay windows with living area may project into side yards by one foot provided the pop outs or bay windows do not exceed 12 feet in length or contain over 30% of that dwelling unit's side elevation square footage and provided the width of such side yard is not reduced to less than 3 feet.”

COMP PLAN DESIGNATION: Medium Density Residential

ZONING: R-12

NEIGHBORHOOD MEETING

A neighborhood meeting is not required for a CDC text change.

NARRATIVE

Include a narrative that responds to the applicable review criteria. The narrative must contain the text of the applicable review criteria, findings of fact relative to each criterion, and a conclusion as to whether the criterion has been met.

APPLICABLE REVIEW CRITERIA:

Zoning Map and Text Amendments 18.380.020

A. Legislative amendments. Legislative zoning map and text amendments shall be undertaken by means of a Type IV procedure, as governed by Section 18.390.060G.

Type IV Decision Making Procedure 18.390.060

Based on the information provided, the text amendment request will be a Type IV Process, with a public hearing before the Planning Commission. The Planning Commission makes a recommendation to City Council to either approve the request as proposed, modify the request, or deny the request. A subsequent hearing (or hearings) is then held by the City Council for a decision.

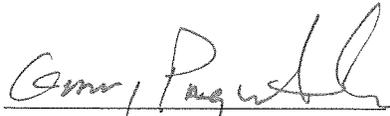
The recommendation by the Commission and the decision by the Council shall be based on consideration of the following factors:

1. The Statewide Planning Goals and Guidelines adopted under Oregon Revised Statutes Chapter 197; [Goals 1, Public Involvement; Goal 2, Land Use Planning; Goal 9, Economic Development; Goal 10, Housing]
2. Any federal or state statutes or regulations found applicable;
3. Any applicable METRO regulations;
4. Any applicable comprehensive plan policies; [Goal: 1, Public Involvement; Goal 2, Land Use Planning; Goal 9.1, Policy 3, Economic Development; Goals 10.1 and 10.2 Housing]; and
5. Any applicable provisions of the city's implementing ordinances [TDC 18.380, Zoning Map and Text Amendments; 18.390, Decision Making Procedures; 18.510, Residential Zoning Districts; and 18.730, Exceptions to Development Standards].

Application Fees for Zoning Text Amendment (Legislative): \$3,787

Decision timeline is approximately 3 months from receipt of a complete application. The 120-day rule is not applicable to legislative changes.

PREPARED BY:



Gary Pagenstecher
Associate Planner

Planning & Land Design LLC
1862 NE Estate Drive
Hillsboro, Oregon 97124

Cell: 503-780-4061
Office: 503-846-1095
Email: ryanobrien1@frontier.com

TO: City of Tigard

FROM: Ryan O'Brien, Planning Consultant

DATE: 8-1-12

SUBJECT: **Amendment to the Tigard Community Development Code**

We request an amendment to Section 18.730.050 (Miscellaneous Requirements and Exceptions) to the Tigard Development Code by adding Section 18.730.050.D.5 to allow one foot bay windows and pop outs with living floor area in the side yard, but not less than 3 feet from the side property line. This code addition would only apply to land zoned R-12. If the approved interior side yard is 5 feet, then the bay windows or pop outs would have a 4 foot setback. If the approved interior side yards are 4 feet, the bay windows and pop outs would have a 3 foot setback. Pop outs and bay windows would also be allowed along exterior side yards and street side yards. The existing Tigard code Section 18.730.050 with the proposed Section to be added is attached as Exhibit "A". The added Section 18.730.050.D.5 would read as follows:

In the R-12 zone, pop outs and bay windows with living area may project into side yards by one foot provided the pop outs or bay windows do not exceed 12 feet in length or contain over 30% of the dwelling unit side elevation square footage and provided the width of the approved side yard is not reduced to less than 3 feet.

The houses in the Solera Subdivision north of Greenburg Road, on the east side of 96th Avenue, were developed with one foot pop outs and bay windows which increases the architectural character of the houses and created better interior floor plans. Pop outs and bay windows are necessary for upstairs bathrooms, down stair dining rooms and side elevations of the corner lots to create more attractive elevations and because of the limited width of a 25 foot lot. This amendment is limited to the R-12 zone only in order to encourage in-fill housing. Many future lots in the R-12 zone may be 25 feet in width which is the minimum frontage requirement in the R-12 zone. If a 4 foot side yard is proposed with a subdivision, then the pop outs could be 3 feet from the side property line at the interior and 9 feet from the side property line for corner lots. An existing lot in the R-12 zone would have 4 foot setbacks for pop outs without requesting 4 foot interior side yards. The setback of pop outs on a corner lots would be 9 feet. These options are a great advantage for in-fill housing.

Many of the older lots in the City of Portland are zoned R-2 with dimensions of 25 by 100 feet. In order to provide architectural variety and to increase the living area of the units, the City of Portland allows pop outs and bay windows on 30% of the square footage of the side elevations. Portland also allows 3 foot interior side yards when lots are created by a subdivision or partition. These code requirements have been very effective. Pop outs are allowed to project one foot into the side yards, including the street side yards. This allows architectural variety and eliminates the long blank walls along corner lots. It also creates architectural variety for interior side elevations and more interesting interior house floor plans. The Washington County code allows 8 street side yards and 3 foot interior side yards in the R-15 zone. The building code is used for the interior side yards.

This proposed amendment to the Tigard Development Code will increase infill on land zoned R-12 zone and allow construction of more efficient detached houses. Home builders want to develop infill lots and home owners prefer to buy narrow detached houses compared to attached houses. As mentioned above, these codes have been very successful in the City of Portland and Washington County which has produced a significant amount of affordable and attractive housing units. This proposed addition to the City of Tigard code will create better housing opportunities and encourage in-fill housing construction on vacant R-12 zoned land.

Exhibits attached to this application are as follows:

- “A” - Existing code and the proposed addition to Section 18.730.050 for the City of Tigard Development Code
- “B” - Elevations and site plans for 2 story houses with bay windows and pop outs on 24 to 25 foot wide lots without garages in a 5 lot subdivision located on a street corner in the City of Portland
- “C” - Elevations, floor plans and a site plan for a 3 story house with 2 master bedrooms, bay widows and pop outs on a 25 foot wide lot in the City of Portland.
- “D” - Photos of houses shown by Exhibit “C”
- “E” - Elevations, floor plans and a site plan for a 3 story house with 3 bedrooms, bay widows and pop outs on a 25 foot wide lot in the Solera Subdivision located in the City of Tigard on north of SW Greenberg Road and east of SW 96th Avenue.
- “F” - Photos of houses shown by Exhibit “E”
- “G” - City of Hillsboro Guidelines for projections into required yards
- “H” - City of Tigard buildable lands inventory for R-12 zoning

APPLICABLE REQUIREMENTS

TIGARD DEVELOPMENT CODE

Chapter 18.380 - ZONING MAP AND TEXT AMENDMENTS

Sections:

- 18.380.010 Purpose
- 18.380.020 Legislative Amendments to this Title and Map
- 18.380.030 Quasi-Judicial Amendments and Procedures to this Title and Map
- 18.380.040 Record of Amendments

Chapter 18.390 - DECISION MAKING PROCEDURES

Sections:

- 18.390.010 Purpose
- 18.390.020 Description of Decision-Making Procedures
- 18.390.060 Type IV Procedure
- 18.390.070 Special Procedures
- 18.390.080 General Provisions
- 18.390.010 Purpose

Chapter 18.510 - RESIDENTIAL ZONING DISTRICTS

Sections:

- 18.510.010 Purpose
- 18.510.020 List of Zoning Districts
- 18.510.030 Uses
- 18.510.040 Minimum and Maximum Densities
- 18.510.050 Development Standards
- 18.510.060 Accessory Structures
- 18.510.010 Purpose

Chapter 18.730 - EXCEPTIONS TO DEVELOPMENT STANDARDS

Sections:

- 18.730.010 Purpose
- 18.730.020 Exceptions to Building Height Limitations
- 18.730.030 Zero Lot Line Setback Standards
- 18.730.040 Additional Setback Requirements
- 18.730.050 Miscellaneous Requirements and Exceptions
- 18.730.010 Purpose

TIGARD COMPREHENSIVE PLAN

- GOAL 1 - CITIZEN INVOLVEMENT
- GOAL 2 - LAND USE PLANNING
- GOAL 9 - ECONOMIC DEVELOPMENT
- GOAL 10 - HOUSING

METRO TITLE 7: HOUSING CHOICE

LCDC GOALS

- GOAL 1 - CITIZEN INVOLVEMENT
- GOAL 2 - LAND USE PLANNING
- GOAL 9 - ECONOMIC DEVELOPMENT
- GOAL 10 - HOUSING

TIGARD DEVELOPMENT CODE

18.380.010 Purpose

A. Purpose. The purpose of this chapter is to set forth the standards and process governing legislative and quasi-judicial amendments to this title and the zoning district map. These will be referred to as zoning map and text amendments. It is recognized that such amendments may be necessary from time to time to reflect changing community conditions, needs and desires; to correct mistakes; and/or to address changes in the law.

18.380.020 Legislative Amendments to this Title and Map

A. Legislative amendments. Legislative zoning map and text amendments shall be undertaken by means of a Type IV procedure, as governed by Section 18.390.060G.

COMMENT: This application will be processed as a Type IV amendment.

Chapter 18.390

DECISION-MAKING PROCEDURES

Sections:

18.390.010 Purpose

A. Purpose. The purpose of this chapter is to establish a series of standard decision-making procedures that will enable the City, the applicant, and all interested parties to reasonably review applications and participate in the local decision-making process in a timely and effective way. Each permit or action set forth in Chapters 18.320 - 18.385 have been assigned a specific procedure type.

COMMENT: Public hearing will occur at the Planning Commission and the City Council to allow all interested parties to participate in the decision making process.

18.390.020 Description of Decision-Making Procedures

A. General. All development permit applications shall be decided by using one of the following procedure types.

B. Types defined.

There are four types of decision-making procedures, as follows:

- 4. Type IV Procedure. Type IV procedures apply to legislative matters. Legislative matters involve the creation, revision, or large-scale implementation of public policy. Type IV matters are considered initially by the Planning Commission with final decisions made by the City Council.

COMMENT: Since this is a proposed amendment to the Tigard development code, it will be processed as a Type IV application even though it is proposed by an individual and not Tigard staff, the Planning Commission or the City Council.

18.390.060 Type IV Procedure

A. Pre-Application conference. A pre-application conference is required for all Type IV actions. The requirements and procedures for a preapplication conference are described in Section 18.390.080.C.

COMMENT: A pre-application was conducted by the City staff and the notes are attached.

B. Timing of requests. The Director shall receive proposed Type IV actions twice yearly. A completed application shall be submitted not more than 75 days and not less than 45 days before the first commission meeting in April and October. The Director may waive any of the above periods.

COMMENT: The Director has waived this 6 month limitation because it only involves one specific issue with an addition to the code for the R-12 zone.

C. Application requirements.

1. Application forms. Type IV applications shall be made on forms provided by the Director as provided by Section 18.390.080.E.1.

2. Submittal information. The application shall:

- a. Contain the information requested on the form;
- b. Address the appropriate criteria in sufficient detail for review and action;
- c. Be accompanied by the required fee; and
- d. Be accompanied by 18 copies of the narrative.

COMMENT: All of the above information has been provided with this application.

D. Notice of hearing.

1. Required hearings. Two hearings, one before the Commission and one before the Council, are required for all Type IV actions, except annexations where only a hearing by the City Council is required.

2. Notification requirements. Notice of the public hearings for the request shall be given by the Director in the following manner:

- a. At least 10 days prior to the scheduled hearing date, notice shall be sent to:

- (1) The applicant;**

(2) Any affected governmental agency;

(3) Any City-recognized neighborhood group whose boundaries include the site; and

(4) Any person who requests notice in writing and pays a fee established by Council resolution.

b. At least 10 business days prior to the scheduled public hearing date, notice shall be given in a newspaper of general circulation in the City.

c. The Director shall:

(1) For each mailing of notice, cause an affidavit of mailing to be filed and made a part of the record as provided by Subsection D.2.a; and

(2) For each published notice, cause an affidavit of publication to be filed and made part of the record as provided by Subsection D.2.b.

3. Content of notice. The notice given to persons entitled to mailed or published notice pursuant to this section shall include the following information:

a. The number and title of the file containing the application and the address and telephone number of the Director's office where additional information can be obtained;

b. A description of the location of the proposal reasonably calculated to give notice as to the location of the affected geographic area;

c. A description of the substance of the proposal in sufficient detail for people to determine that a change is contemplated and the place where all relevant materials and information may be obtained or reviewed;

d. The time(s), place(s), and date(s) of the public hearing(s); a statement that public oral or written testimony is invited; and a statement that the hearing will be held under this title and rules of procedure adopted by the Council and available at City Hall or the rules of procedure set forth in Section 18.390.060.E;

COMMENT: The required hearings will be schedule and the notices prepare and mailed in accordance with the above requirements.

G. Decision-making considerations. The recommendation by the Commission and the decision by the Council shall be based on consideration of the following factors:

1. The Statewide Planning Goals and Guidelines adopted under Oregon Revised Statutes Chapter 197;
2. Any federal or state statutes or regulations found applicable;
3. Any applicable METRO regulations;
4. Any applicable comprehensive plan policies; and
5. Any applicable provisions of the City's implementing ordinances

COMMENT: All of these code are addressed with this application

Chapter 18.510 - RESIDENTIAL ZONING DISTRICTS

Sections:

18.510.010 Purpose

A. Preserve neighborhood livability. One of the major purposes of the regulations governing development in residential zoning districts is to protect the livability of existing and future residential neighborhoods, by encouraging primarily residential development with compatible nonresidential development—schools, churches, parks and recreation facilities, day care centers, neighborhood commercial uses and other services—at appropriate locations and at an appropriate scale.

B. Encourage construction of affordable housing. Another purpose of these regulations is to create the environment in which construction of a full range of owner-occupied and rental housing at affordable prices is encouraged. This can be accomplished by providing residential zoning districts of varying densities and developing flexible design and development standards to encourage innovation and reduce housing costs.

COMMENT: This addition to the code will have a positive effect on existing neighborhoods. It will help provide affordable housing and more usable living area for narrow houses on 25 foot wide lots, the minimum street frontage requirement for lots in the R-12 Zone. More creative and attractive housing will be developed in the R-12 Zone and this addition to the code will encourage single family detached, owner occupied housing. The limited impact from reduced setbacks will be significantly less compared to development of attached housing in neighborhoods where only single family detached houses exist.

The attached Exhibit “G” are the design guideline for the city of Hillsboro which allows 4 foot projections of bay windows and alcoves into all yards up to 25% of the length of the wall, but the yard cannot be less than 3 feet.

**TABLE 18.510.2 - (Cont'd.)
DEVELOPMENT STANDARDS IN RESIDENTIAL ZONES**

STANDARD	R-12	
	MF DU*	SF DU**
Minimum Lot Size - Detached unit - Attached unit - Duplexes - Boarding, lodging, rooming house	3,050 sq.ft.per unit	3,050 sq.ft. per unit
Average Lot Width	None	None
Minimum Setbacks - Front yard - Side facing street on corner & through lots - Side yard - Rear yard - Side or rear yard abutting more restrictive zoning district - Distance between property line and garage entrance	20 ft. 20 ft. 10 ft. 20 ft. 30 ft. 20 ft.	15 ft. 10 ft. 5 ft. [1] 15 ft. 30 ft. 20 ft.
Maximum Height	35 ft.	35 ft.
Maximum Lot Coverage [2]	80%	80%
Minimum Landscape Requirement	20%	20%

[1] Except this shall not apply to attached units on the lot line on which the units are attached.

[2] Lot coverage includes all buildings and impervious surfaces.

* Multiple-family dwelling unit

** Single-family dwelling unit

18.510.020.F. R-12: Medium-Density Residential District. The R-12 zoning district is designed to accommodate a full range of housing types at a minimum lot size of 3,050 square feet. A wide range of civic and institutional uses are also permitted conditionally.

COMMENT: As indicated by Table 18.510.2 above, the one foot pop outs and bay windows will benefit both single family attached and detached housing. The side yard is 10 feet for attached housing and 5 feet for detached housing in the R-12 zone. Section 18.510.020.F indicates the R-12 zone is intended to provide a full range of housing types which implies flexibility in design and appearance. The architectural and livability benefits for the house owner of lots in the R-12 zone are described on pages 1 and 2 of this report.

Chapter 18.730 - EXCEPTIONS TO DEVELOPMENT STANDARDS

Section:

18.730.010 Purpose

A. Purpose. The purpose of this chapter is to present exceptions to the height and setback standards which apply in various zoning districts as detailed in Chapters 18.510, 18.520 and 18.530. Flexible and/or more stringent setback standards are designed to allow for the maximum use of land and to allow for a varied building layout pattern while ensuring there will be adequate open space, light, air and distance between buildings to protect public health and safety.

COMMENT: The city provides for exceptions to allow 4 foot interior side yards in the R-12 zone. The code amendment will allow the pop outs and bay windows on both interior and exterior side yards. This will greatly help house construction and provide architectural variety which will benefit both the owners of the house to be constructed and the neighborhood.

TIGARD COMPREHENSIVE PLAN

GOAL 1 - CITIZEN INVOLVEMENT

“To develop a citizen involvement program that ensures the opportunity for citizens to be involved in all phases of the planning process.”

Goal 1 requires the local citizen involvement program “clearly define procedures by which the general public will be involved in the ongoing land-use process.” These actions include methods to involve citizens in land use issues; promoting successful two-way communication and feedback between the City and its citizens; means by which citizens may affect outcomes; clarity and availability of technical information; and financial support and other resources for citizen involvement efforts. All of these actions align with the community’s vision where citizens are informed about how to access public services and understand their responsibility to participate as members of the community.

GOAL 1.1

Provide citizens, affected agencies, and other jurisdictions the opportunity to participate in all phases of the planning process.

COMMENT: This will occur with the public hearing process.

GOAL 2 - LAND USE PLANNING

“To establish a land use planning process and policy framework as a basis for all decisions and actions related to use of land and to assure an adequate factual base for such decisions and actions.”

Policy 6. The City shall promote the development and maintenance of a range of land use types which are of sufficient economic value to fund needed services and advance the community's social and fiscal stability.

Policy 12. The City shall provide a wide range of tools, such as planned development, design standards, and conservation easements that encourage results such as:

- A. High quality and innovative design and construction;
- B. Land use compatibility;
- C. Protection of natural resources;
- D. Preservation of open space; and
- E. Regulatory flexibility necessary for projects to adapt to site conditions

Policy 24. The City shall establish design standards to promote quality urban development and to enhance the community's value, livability, and attractiveness.

COMMENT: The public hearing and Tigard staff review of this code addition will comply with Goal 2. In accordance with Policy 6, this code addition will encourage more owner occupied and attractive single family detached housing with higher economic values compared to the current code. Higher values and additional in-fill housing will help pay for city services. Small scale in-fill housing will generally be developed on improved streets with existing utilities. This code addition also provides regulatory flexibility as indicted in Sub-Section "E" above.

GOAL 9 - ECONOMIC DEVELOPMENT

"To provide adequate opportunities throughout the state for a variety of economic activities vital to the health, welfare, and prosperity of Oregon's citizens."

Policy 3. The City's land use and other regulatory practices shall be flexible and adaptive to promote economic development opportunities, provided that required infrastructure is made available.

COMMENT: This code amendment provides flexibility in accordance with the above Policy 3. The benefit to the Tigard economic vitality has already been explained in this report.

GOAL 10 - HOUSING

“To provide for the housing needs of citizens of the state.”

Some of the factors that local governments can influence are the supply of available residential land; the availability of public services; development regulations (density and design), and support for low and moderate income housing. In the Portland metropolitan region, only land included in the Metro Urban Growth Boundary (UGB), an invisible line that separates rural areas from suburban, can be developed at residential densities requiring urban services. At the local level, each state and regional jurisdiction must inventory its buildable land, which is defined as vacant and re-developable land suitable for residential use, to determine housing capacity. Tigard maintains a buildable lands inventory (BLI) that tracks available residential land. Two state and Metro requirements help determine housing capacities on buildable land within the Portland Metropolitan Area – the state Metropolitan Housing Rule and Title 1 of Metro’s Urban Growth Management Functional Plan (Functional Plan). Both focus on increasing jurisdictions’ housing capacity in order to use land within the UGB efficiently.

COMMENT: This code amendment will help provide more housing opportunities in the City of Tigard and increase the supply of land for development of R-12 zoned property by providing more flexible housing design and low and moderate income housing opportunities. The supply of buildable land in the Metro UGB is limited and every city should attempt to maximize land already included in the UGB and especially in-fill property where public infrastructure already exist, such as roads, utilities, schools and parks.

Exhibit “H” is a map showing the Tigard Buildable Lands Inventory date 1-1-12. The R-12 zoned Land is highlighted in red. A total of 58 lots and 38.57 acres are identified as buildable. However, additional land will be available from small partitions, removal of older houses on larger lots combinations of lots which are not identified on this map. With this code change, additional buildable land will become available for infill development.

GOAL 10.1:

Provide opportunities for a variety of housing types to meet the diverse housing needs of current and future City residents.

Policies:

1. The City shall adopt and maintain land use policies, codes, and standards that provide opportunities to develop a variety of housing types that meet the needs, preferences, and financial capabilities of Tigard’s present and future residents.
2. The City’s land use program shall be consistent with applicable state and federal laws.

3. The City shall support housing affordability, special-needs housing, ownership opportunities, and housing rehabilitation through programs administered by the state, Washington County, nonprofit agencies, and Metro.

4. The City shall adopt and maintain land use regulations that provide opportunities to develop housing for persons with special needs. The scale, design, intensity, and operation of these housing types shall be compatible with other land uses and located in proximity to supporting community services and activities.

RECOMMENDED ACTION MEASURES:

i. Update the City’s Buildable Land Inventory regularly to monitor the rate of development and the availability of residential land.

ii. Monitor regional and local housing trends and periodically review and update the City’s land use policies and regulations accordingly to provide the range of housing development opportunities needed by Tigard’s residents.

COMMENT: This code addition will provide opportunities for a variety of housing types to meet the diverse housing needs of current and future City residents as already mentioned in this report. The attached Exhibits “B”, “C” and “D” are floor plans, site plans, building elevations and photos of actual projects already built in the City of Portland. These plans and photos show significant architectural variety. This type of house design has been used extensively in the City of Portland and it has been very successful. The lots are 24 to 25 feet in width and generally 100 feet in depth. Because of the architectural variety, the house values have increased and the sales rate is much higher compared to other areas in the Portland metropolitan area. Exhibits “E” and “F” are floor plans, building elevation and photos of houses in the Solera Subdivision located in the City of Tigard on the north side of Greenburg Road on the east side of 96th Avenue. This project has been very successful and the home owners are very happy with the interior floor plans and the exterior elevations.

GOAL10.2:

Maintain a high level of residential livability

Policy 5. The City shall encourage housing that supports sustainable development patterns by promoting the efficient use of land.

COMMENTS: This code addition will promote more efficient use of land in the R-12 zone and maintain a high level of residential livability. The interior floor plans and the exterior elevations of the houses will be better as demonstrated by Exhibits “B” to “F”. In fact, the city should probably promote this type of house design. This code addition will make it much easier for home builders to have certainty with their house plans rather than requesting setback adjustments for every project. Home builders really appreciate certainty and clear development standards.

RECOMMENDED MEASURES:

- i. Encourage future housing development on designated buildable lands in areas where public facilities and services can be most readily provided.
- ii. Develop infill design standards to ensure that new housing constructed within existing residential neighborhoods complements and is compatible with existing development .

COMMENT: This code addition will promote more in-fill housing in compliance with the above Recommended Measures. One foot pop outs and bay windows will provide more compatibility with existing housing in the area and help offset the interior and exterior appearance of narrow houses 15 feet in width.

METRO CODES

METRO TITLE 7: HOUSING CHOICE

3.07.710 Intent

The Regional Framework Plan calls for establishment of voluntary affordable housing production goals to be adopted by local governments and assistance from local governments on reports on progress towards increasing the supply of affordable housing. It is the intent of Title 7 to implement these policies of the Regional Framework Plan.

COMMENT: Affordable housing will be encouraged with this code addition and help increase the supply of affordable and attractive housing.

LCDC GOALS

GOAL 1: CITIZEN INVOLVEMENT

OAR 660-015-0000(1)

To develop a citizen involvement program that insures the opportunity for citizens to be involved in all phases of the planning process.

GOAL 2: LAND USE PLANNING

OAR 660-015-0000(2)

PART I -- PLANNING

To establish a land use planning process and policy framework as a basis for all decision and actions related to use of land and to assure an adequate factual base for such decisions and actions.

GOAL 9: ECONOMIC DEVELOPMENT

OAR 660-015-0000(9)

To provide adequate opportunities throughout the state for a variety of economic activities vital to the health, welfare, and prosperity of Oregon's citizens.

GOAL 10: HOUSING

OAR 660-015-0000(10)

To provide for the housing needs of citizens of the state.

COMMENT: All of these goals were addressed with the Goals and Policies of the City of Tigard Comprehensive Plan.