

SILVERTON PLANNING COMMISSION
WORK SESSION
SILVERTON COMMUNITY CENTER
421 S. WATER STREET
August 29, 2017 - 6:00 PM

AGENDA

I. Roll Call

II. Business From The Floor

Items Not On The Agenda

III. Agenda items

3.1 Development Code Amendments: Affordable Housing

3.2 Development Code Amendments: Neighborhood Commercial

IV. Adjournment

AMERICANS WITH DISABILITIES ACT: The City of Silverton intends to comply with the A.D.A. The meeting location is accessible to individuals needing special accommodations such as a sign language interpreter, headphones, or other special accommodations for the hearing impaired. To participate, please contact the City Clerk at 503-874-2216 at least 48 hours prior to the meeting.

City of Silverton
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MEMO

DATE: August 23, 2017

FROM: Jason Gottgetreu, Community Development Director

TO: Planning Commission

RE: Affordable Housing and Neighborhood Commercial Standards

The following is proposed language to incentivize affordable housing in R-1 Subdivisions by creating a density bonus when affordable units are proposed. Standards for a variety of housing types typically not allowed in the R-1 zone are also proposed with a caveat that there be a development agreement outlining the commitments and obligations regarding affordable housing.

Standards for neighborhood commercial uses are proposed to allow small scale commercial uses in the residential districts.

Table 2.2.110.A – Land Uses Allowed in Residential Districts (R-1, R-5, RM-10, RM-20)

Uses	Status of Use in District			
Use Categories (Examples of uses are in Chapter 1.6 SDC; definitions are in Chapter 1.5 SDC.)	Single-Family Residential (R-1)	Low Density Residential (R-5)	Multiple-Family Residential (RM-10)	Multiple-Family Residential (RM-20)
Residential Categories				
<i>Household Living</i>				
Single-family (not attached; does not include cottage cluster developments)	P	P	P	P
Accessory dwelling, per SDC 2.2.200	S	S	S	S
Duplex (2 dwellings sharing a common wall on 1 lot), per SDC 2.2.200 - 1 duplex: corner lot - 1 duplex: interior noncorner lot - More than 1 duplex (4+ units) consecutively attached	S or CU S or CU N	P P DR	P P DR	P P DR
Single-family attached (2 or more common-wall single-family dwellings), each on its own lot, per SDC 2.2.200	N AH	S	S	S
Cottage cluster (2 – 4 single-family dwellings on 1 lot), per SDC 2.2.200	N AH	DR	DR	DR
Manufactured home on individual lot, per SDC <u>2.2.200</u> , except manufactured home subdivisions	S	S	S	S
Manufactured home park, per SDC 2.2.200 - Lawfully existing as of November 5, 2008 - New manufactured home park	N/A N	N/A DR	N/A DR	N/A N
Multifamily (3 or more dwellings on lot), per SDC 2.2.200	N AH	DR	DR	DR

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Shipping container or converted vehicles	N	N	N	N
<p>Key:</p> <p>P = Permitted, subject to land use review</p> <p>S = Permitted with standards (SDC 2.2.200), except standards may be modified with a planned development overlay</p> <p>DR = Design review required (Chapter 4.2 SDC)</p> <p>CU = Conditional use required (Chapter 4.4 SDC)</p> <p>AH = Allowed subject to Affordable Housing standard (SDC 2.2.210)</p> <p>N = Not permitted</p>				

2.2.210

A. Density Bonus for Affordable Housing. As an incentive to create affordable housing, the maximum densities provided in Table 2.2.100 may be increased when a developer provides “affordable housing” as part of a proposed development in conformance with (B). The density increase is based on the percentage of affordable housing units within the proposed development. Any development that receives the density bonus shall be deemed an “affordable housing development.” The table below provides the corresponding percent of increase. In no case may the density bonus exceed 135 percent of the existing Residential Zone.

Table 2.2.210A – Density Bonus

Percentage of Units That Are Affordable:	Maximum Density for Development, as a Percentage of Existing Maximum Density:
10%	115%
20%	125%
30%	135%

When calculating the number of additional units, fractional units are rounded up to the next whole unit.

B. Affordable Housing Strategies. The City of Silverton provides an incentive program to developers to assist in the development of `.

1. For the purposes of the incentive program, the City defines affordable housing as housing with a sales price or rental amount that is within the means of a household that may occupy moderate- and low-income housing, meeting one of the thresholds defined in subsections (C)(1)(a) and (b) of this section.

a. In the case of dwelling units for sale, “affordable” means housing in which the mortgage, amortized interest, taxes, insurance, and condominium or association fees, if any, constitute no more than 30 percent of such gross annual household income for a family at 80 percent of the area median income, based upon most recent American Community Survey for Silverton, Oregon.

b. In the case of dwelling units for rent, “affordable” means housing for which the rent and utilities constitute no more than 30 percent of such gross annual household income for a family at 60 percent of the area median income, based upon most recent American Community Survey for Silverton, Oregon.

2. In association with the land use review process, and prior to the issuance of a building permit for any units in an affordable housing development, the owner shall enter into an affordable housing development agreement with the City. The

development agreement shall set forth the commitments and obligations of the City and the owner, including, as necessary, conditions to ensure the completion of affordable housing in the development.

3. The owner shall execute any and all documents deemed necessary by the City in a form to be established by the City Attorney, including, without limitation, restrictive covenants, deed restrictions, and related instruments (including requirements for income qualification for tenants of for-rent units) to ensure the continued affordability of the affordable housing units in accordance with this section.

C. Triplex Development. Triplex developments are allowed in the R-1 Zone as part of an Affordable Housing project and shall comply with the following standards. The standards are intended to control development scale, and minimize impacts associated with design compatibility.

1. The side setbacks shall be as required in [SDC 2.2.120](#), Building Setbacks, for the appropriate zoning district.
2. Front and rear setbacks shall be as required in [SDC 2.1.120](#), Building Setbacks, for the appropriate zoning district.
3. There shall be a minimum of 15 percent of the site landscaped in conformance with [SDC Chapter 3.2](#). Existing natural landscaping can count as part of the landscape requirement if protected and preserved during construction.
4. Street trees shall be planted in conformance with [SDC 3.2.400](#).
5. The applicant shall provide usable open space or an exterior patio or deck consistent with the following:

Dwelling Units	Usable Open Space	Exterior Patio or Deck
1 and 2 bedroom units	200 square feet per unit	100 square feet per unit

Dwelling Units	Usable Open Space	Exterior Patio or Deck
3 bedroom units or larger	300 square feet per unit	150 square feet per unit

a. An exterior patio or deck will not be counted as part of the landscape requirement.

6. Each unit shall provide a minimum of 60 square feet of enclosed storage area for outdoor equipment, lawn chairs, barbecues, bicycles, etc. Storage shall not be located within the setbacks.

7. Each unit shall provide an enclosure area for trash and recycling.

8. Detached dwelling units shall be a minimum of six feet apart as measured between their building footprints.

D. Single-Family Attached Homes. Single-family attached housing (townhome units on individual lots) are allowed in the R-1 Zone as part of an Affordable Housing project and shall comply with the standards in subsections (D)(1) through (4) of this section. The standards are intended to control development scale; avoid or minimize impacts associated with traffic, parking, and design compatibility; and ensure management and maintenance of common areas.

1. Building Mass Supplemental Standard. Within the R-1 District, the number and width of consecutively attached townhomes (i.e., with attached walls at property line) shall not exceed four units.

2. Lot Size and Width. Single Family Attached Home lots are permitted to be 4,000 square feet in area with a minimum width of 40'.

3. Alley Access Developments. Townhome developments and subdivisions (four or more lots) shall receive vehicle access only from a rear alley, except when existing development patterns or topography make construction of an alley impractical (see subsection (D)(3) of this section for standards for street access developments). Alley(s) shall be created at the time of subdivision approval, in

accordance with [SDC Chapters 3.1](#), , Access and Circulation, 3.4, Public Improvement Standards, and 4.3, Subdivisions, Partitions, and Property Line Adjustments. As necessary, the City shall require dedication of right-of-way or easements and construction of pathways between townhome lots (e.g., between building breaks) to implement the standards in SDC 3.1, Access and Circulation.

4. Street Access Developments. Townhomes receiving access directly from a public street shall comply with all of the following standards, in order to minimize interruption of adjacent sidewalks by driveway entrances, slow traffic, improve appearance of the streets, and minimize paved surfaces for better stormwater management.

a. When garages or carports face the street, the garage or opening shall set back a minimum of 20 feet from the property line fronting the street.

b. The maximum allowable apron and driveway width facing the street is 24 feet per dwelling unit. The maximum combined garage width per unit facing the street is 50 percent of the total building width.

c. Two adjacent garages shall share one driveway when individual driveways would otherwise be separated by less than 20 feet (i.e., the width of one on-street parking space). When a driveway serves more than one lot, the developer shall record an access and maintenance easement/agreement to benefit each lot, prior to building permit issuance.

5. Areas Owned in Common. Areas shall be maintained by a homeowners association or other legal entity. A homeowners association may also be responsible for exterior building maintenance. A copy of any applicable covenants, restrictions and conditions shall be recorded and provided to the City prior to issuance of a building permit.

E. Cottage Clusters are allowed in the R-1 Zone as part of an Affordable Housing project. Where a lot is developed with two or more detached dwellings, the development shall conform to the following standards which are intended to provide light, air, and open space for the occupants:

1. Vehicular Access. The furthestmost distance from all dwellings to the closest abutting public street shall be no more than 150 feet, or an approved fire apparatus lane may be required to serve the development.

2. Central Green. The dwellings shall abut a central open space or green of not less than 400 square feet per dwelling (1,600 square feet for four dwellings). The green shall provide benches and other amenities for residents and have a minimum width of 20 feet, except where additional building separation is required under applicable building codes. A homeowners' or condominium association shall be responsible for ongoing maintenance of the green and enforcement of any shared parking.

3. Parking. Two parking spaces are required for each dwelling, plus one space for each four units. The parking spaces for all dwellings shall be oriented away from the green. Parking may be provided in parking bays, garages or carports, attached or detached from the cottages. When provided in a parking lot, parking spaces shall be screened from abutting properties and walkways shall be provided, as specified under SDC 3.2.300.

4. Design Review. Design review shall be required for new cottage developments, including conversion of existing single-family homes to cottage developments, to ensure conformance with parking, landscaping, architectural review, and other code requirements.

F. Multiple-Family Housing. Multiple-Family Housing is allowed in the R-1 Zone as part of an Affordable Housing project and shall conform to all of the following standards, which are intended to promote livability for residents and compatibility with adjacent uses.

1. Building Design and Separation. The architectural design standards under SDC 2.2.190 apply. In addition, when more than one multifamily building is built on a site, the buildings shall be separated from one another by a landscaped courtyard that is not less than 20 feet wide, unless the buildings are arranged end to end; in such case building separation may be reduced to 10 feet, provided no doorway or

entry opens into the space between the buildings and applicable building codes are met.

2. Building Height. Buildings shall be limited to a maximum of 2 stories and 25' in height measured to peak roof height and shall have pitched or gabled roofs.

2. Common Usable Open Space. Multiple-family developments shall incorporate not less than 15 percent common usable open space. Common usable open space shall be provided in accordance with all of the following criteria:

a. The site area is defined as the lot or parcel on which the development to be located, after subtracting any required dedication of street right-of-way and other land for public purposes (e.g., public park or school grounds, etc.);

b. All common open space areas shall have an average width that is not less than 20 feet and an average length that is not less than 20 feet;

c. The common open space requirement may be waived for a project that dedicates and improves a new public neighborhood park or playground of not less than one-quarter acre;

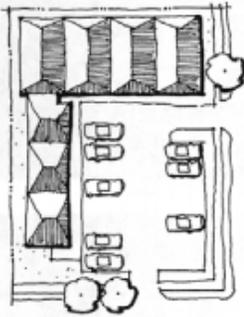
3. Private Open Space. Private open spaces shall be required for all ground-floor dwellings, and not less than 50 percent of all upper-story dwellings. "Private open space" shall be a patio, deck or other improved surface of not less than 48 square feet.

4. Parking. Parking shall be oriented to the rear of the lot and shall not be allowed between the dwellings and a street.

Parking lots and garages should not dominate the streetscape.

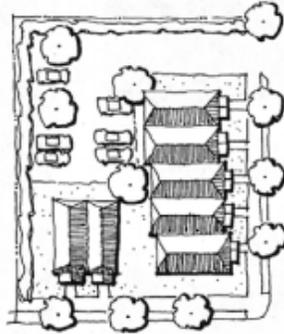
PARKING

- A narrow curb cut makes less of a visual impact on the street.
- Integrating landscaping into the parking area softens the effect of the expanse of paving.
- Group buildings around shared open space with a common access path to the parking in the back.
- Taller buildings, as opposed to bigger "footprints," preserve open space and allow more room for parking.



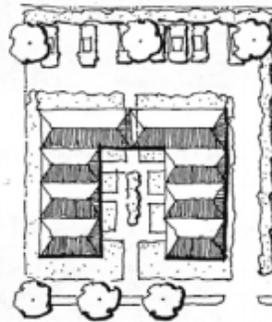
BAD

Avoid locating parking between the building and the street, especially at intersections.



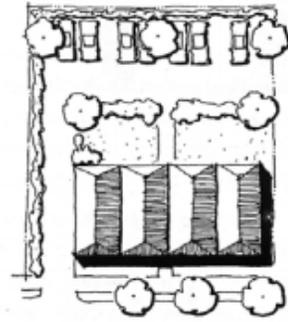
MUCH BETTER

Locate parking so that it isn't the dominant visual element: Buildings at the street edges.



EXCELLENT

Parking area should be visible from some dwelling units for casual surveillance.



EXCELLENT

Stacked units accommodate both parking and useable outdoor space on the site.

2.2.220. Neighborhood Commercial Uses.

A. Neighborhood commercial uses within the Residential Districts are intended to provide for the location of small businesses and services in a residential section of the City for the convenience of nearby residents; also to recognize existing uses of this type within the City. Neighborhood commercial uses are designed to provide land for small-scale commercial uses that are compatible with adjacent residential development. All neighborhood commercial uses shall comply with the following standards, which are intended to promote land use compatibility and transition between neighborhood commercial and residential uses.

B. Uses Not Permitted. Automobile-oriented and automobile-dependent uses and marijuana businesses are expressly prohibited.

C. Lot Location and Size Standard. Within the Residential Districts, new neighborhood commercial nodes shall be limited to lots that comply with the following location and size standards:

1. Corner lots at an intersection of a local street and another local or collector street.
2. The combined area of the lot to be developed and all adjacent lots approved for or developed with a neighborhood commercial use may not exceed one-half acre in size.

D. Node Development. A **commercial node** is defined as one or more lot(s) or parcel(s) not exceeding a total area of one-half acre, excluding road rights-of-way, located at the intersection of a local street and another local or collector street. A neighborhood commercial node may consist of multiple lots including interior lots when the following conditions exist:

1. Neighborhood commercial development exists on a corner lot or will be established prior to or concurrent with the interior lot development; and

2. The interior lot adjoins a corner lot developed with a neighborhood commercial use or another interior lot or lots that adjoin a corner lot development with a neighborhood commercial use; and
3. The combined frontage for lots used for existing and proposed neighborhood commercial uses along any one street frontage shall not exceed 150 feet.

E. Exceptions to the above location criteria may be granted if the following apply:

1. It can be documented that the historic use of the property was previously commercial.

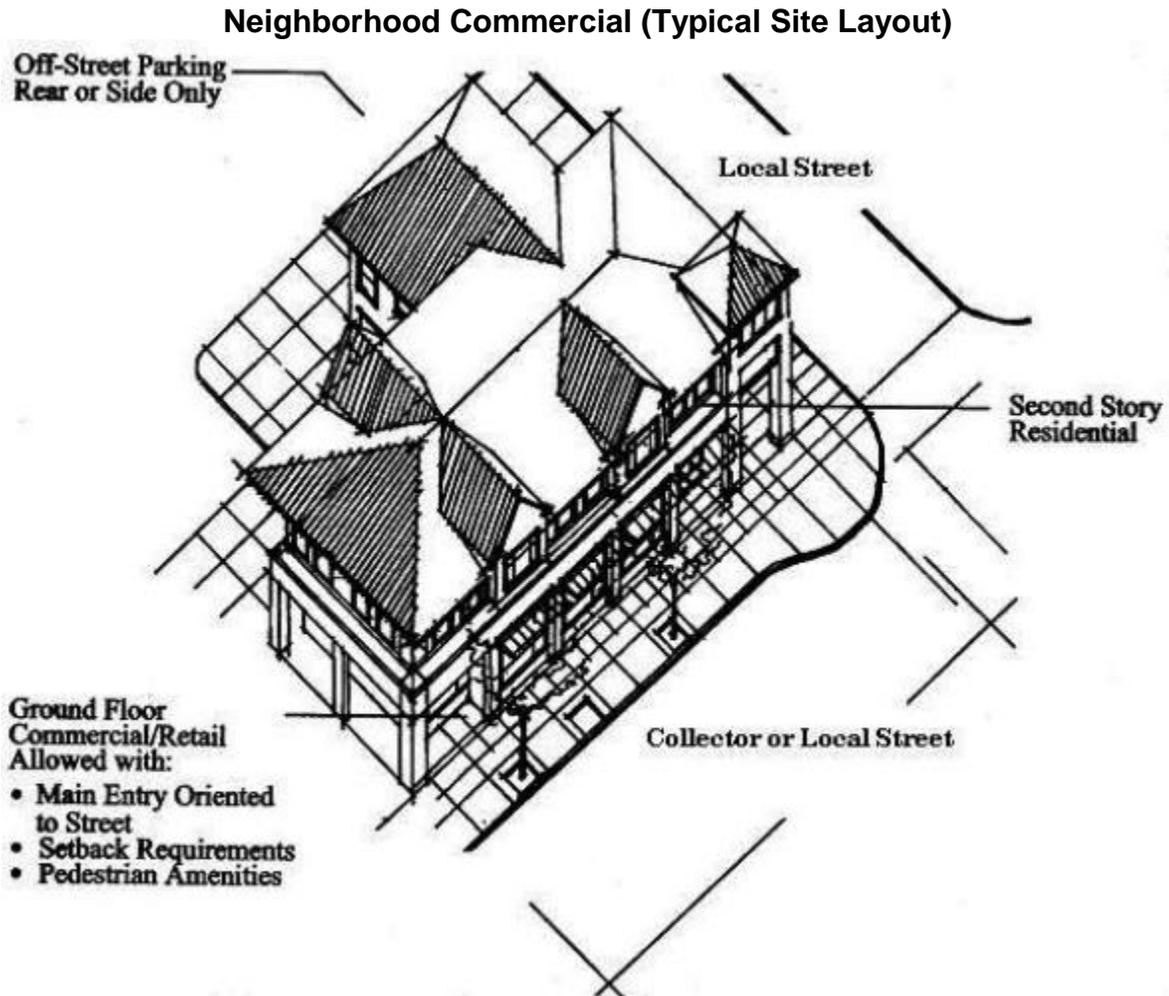
F. **Building Design Standard.** All new neighborhood commercial buildings, building additions, and existing buildings proposed for conversion to a neighborhood commercial use shall be subject to the architectural design standards in [SDC 2.3.210](#), except existing buildings constructed prior to the date of adoption of this code shall be exempt from the architectural design standards. For the purpose of this code, the term **constructed** means the date of issuance of a building permit for structural construction or alteration of a building.

G. **Building Setbacks.** All new neighborhood commercial buildings shall have a maximum front yard building setback of 10 feet, notwithstanding the underlying zone requirements.

H. **Floor Area Standard.** The maximum total commercial floor area shall not exceed 5,000 square feet total per neighborhood commercial node and shall be limited to a maximum ground-floor area of 3,000 square feet per user. Floor area is measured by totaling the interior floor area of all building stories, except crawl spaces (i.e., areas with less than seven and one-half feet of vertical clearance). Floor area dedicated to residential use within a mixed-use building shall not be counted toward the calculation of commercial floor area.

I. **Hours of Operation.** Commercial uses shall not exceed the following hours of operation: 7:00 a.m. to 10:00 p.m. In addition, live entertainment shall be prohibited.

Figure 2.2.220.a



J. Parking. Off-street parking is optional for neighborhood commercial uses located where on-street parking is available adjacent to the neighborhood commercial site, except for food service uses. Parking for food service uses shall be subject to the standards in [SDC Chapter 3.3](#), Vehicle Parking, Loading and Bicycle Parking. Off-street parking for neighborhood commercial uses is subject to the following criteria:

1. Off-street parking, driveways and other vehicular use and circulation areas shall not be placed between a building and the street.

2. Where off-street parking is adjacent to a street, the parking and maneuvering area shall be separated from the right-of-way by a three-foot minimum landscape planter.

3. In no instance shall there be more than six off-street parking spaces per site.