



STAFF REPORT
AMENDMENTS TO CMC CHAPTER 18.23
PLANNED RESIDENTIAL DEVELOPMENT (PRD)
File #ZC14-01
January 15, 2015

To: Bryan Beel, Chair Planning Commission Public Hearing: January 21, 2015
Applicant: Randy Printz, Landerholm Owner: Green Mountain, LLC
Staff: Phil Bourquin, Community Development Director
Robert Maul, Planning Manager
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Agency Compliance: Notice of the public hearing was published in the Camas Post Record on January 13, 2015 (publication no. 526907).

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SUMMARY

The applicant proposes to amend CMC§18.23.030 Scope, which currently reads, "A PRD may be allowed in all R and MF zoning districts." The applicant proposes the following text be added:

"Commercially zoned property may be allowed within a PRD when it is part of an overall master plan that includes an Urban Village and which is subject to a Development Agreement. Where commercially zoned property becomes part of a PRD as provided for in this section, residential uses and commercial uses may be arranged in a manner that causes commercial uses to occur on residentially zoned land and residential units uses to occur on commercially zoned land. Nothing in this section shall allow the number of residential units to exceed the number of residential units that could otherwise occur in the residentially zoned portion of the PRD."

This staff report supports the concept of incorporating limited commercial uses within a PRD project. First, the report discusses specific concerns with the proposed modification as written, and then provides alternatives for Planning Commission consideration.

## DISCUSSION

The proposed code amendment is namely to remedy a perceived barrier within the Planned Residential Development (PRD) code, which only allows for residential development, and restricts PRDs to residentially zoned lands. The applicant represents the owner, Green Mountain, LLC, of 283 acres of property at the northern end of the city. The 253 acre property as consolidated contains single-family, multi-family, and commercial zoning designations. Although the applicant represents a specific group of properties, and has developed a master plan for the area, the proposed code change would apply universally to all properties over ten acres in the city.

From this inclusive perspective, staff identified the following concerns with the amendment as proposed, given that the code change would apply to any future development proposals.

1. The term “urban village” is not defined in the CMC.
2. There is no control for the location of commercial uses, or the type of commercial uses.
3. Requiring a development agreement.
4. The calculation of land uses at CMC§18.23.030, subsections E, F, and H, for single family, multi-family and open space, could limit commercial land uses, regardless of density provisions.

**(1) Urban village.** The application does not define “urban village”. The PRD chapter contains a section for definitions that are applicable only to the PRD chapter and perhaps a definition for the term “urban village” should be added there, or the term should be replaced within the proposed amendment with another term that is defined throughout CMC, which would include other standards associated with that known term. For example, the term and zone of “mixed use” is subject to the use tables of CMC§18.07.030; density and development dimension standards of CMC§18.09.030; parking standards of CMC Chapter 18.11; landscaping standards of CMC Chapter 18.13; design review requirements for gateway areas of CMC Chapter 18.19; and where zoning is designated, Chapter 18.23 Mixed Use.

**(2) Type of commercial uses.** The commercially zoned land within the 283 acres property is located at the intersection of NE Goodwin Rd/NE 28<sup>th</sup> Street and NE Ingle Road. It is zoned Community Commercial (CC), and is subject to the use limitations within that zone. If approved as a PRD, then permitted uses per CMC§18.23.060, states, “*Permitted or conditional uses currently listed in the applicable zoning classification shall be considered permitted within a PRD. All proposed uses shall be reviewed in conjunction with the preliminary master plan review.*” If the amendment is approved, and the subject property contains commercially zoned land, then the code would allow any permitted and conditional use of that commercial zone outright. Given that commercial development often changes use over time, this provision restricts uses to those reviewed with the preliminary application. The code is silent as to a process for changing uses after a PRD has been approved.

**Location of commercial uses.** Regarding location, the proposed amendment reads, “*...residential uses and commercial uses may be arranged in a manner that causes commercial uses to occur on residentially zoned land...*” A plain reading would permit commercial uses to occur anywhere on the property (or nowhere), albeit the actual plans as presented in a development agreement to Council are more specific. However, a change to the code would apply to any PRD development. The city must ensure there is adequate land for economic development, and the proposed text should be more precise.

**(3) Requiring a development agreement.** A PRD must include a preliminary master plan per CMC§18.23.070 Preliminary master plan-requirements, which is subject to a public hearing before Planning Commission and final decision of council. Following that permit, the PRD must return to council with a Final Master Plan for approval (no hearing). Staff is concerned that adding a requirement for approval of a development agreement, would be duplicative, and overly burdensome to an applicant unless there is a qualifier included in this requirement, beyond what is already required within the existing code.

For example, should the development agreement include a list of allowed commercial uses, associated parking standards, and landscaping/buffer design?

**(4) Land use allocation formula in a PRD.** CMC§18.23.030, subsections E, F, and H, regulates the mix of uses in a PRD. Subsection “E” requires fifty percent to a “maximum” of seventy percent of the overall permitted density be single family homes. Subsection “F” requires multi-family development, which would not be between thirty and fifty percent of the density provisions. In general, the code is silent at “H” regarding the minimum amount of open space, other than it must include trails and passive open space areas. If commercial uses are allowed within a PRD, should the code provide a similar performance measure, such as specifying a minimum percentage of the total property, or provide a number of potential jobs within the project? If the code is silent regarding a minimum measure of commercial development, then how would the city ensure that there is no impact to the city’s employment forecast?

#### ALTERNATIVE

The PRD code is intentionally discretionary and flexible, in order to “*facilitate the innovative development of land*” CMC§18.23.010-Purpose. The applicant’s proposal to amend the PRD code to include limited commercial uses is consistent with the purpose statement. The alternative amendments are intended to address the concerns raised in the discussion section of this report, and maintain the flexibility of the PRD code as intended.

#### **Proposed alternative** **18.23.020 Definitions**

"Planned residential development" (hereinafter referred to as a PRD) means a development constructed on land of at least ten acres in size, designed and consistent with an approved master plan. A PRD is comprised of two primary components: single-family and multifamily units. The single-family component shall contain only single-family detached residences on lots equal to or greater than four thousand square feet. The multifamily component may contain either attached or detached single-family residences on lots smaller than four thousand square feet, or it may contain, but may not be limited to, duplexes, rowhouses, apartments, and designated manufactured homes, all developed in accordance with [Section 18.23.030\(A\)](#) of this chapter. [Secondary components include parks and recreational amenities, accessory uses, and limited commercial uses as provided in this Chapter.](#)

#### **18.23.030 - Scope.**

Planned residential developments (PRDs) are optional. If proposed, it shall be established under the following criteria:

- A. A PRD may be allowed in all R and MF zoning districts. [Where a PRD is contiguous to lands planned and zoned for commercial uses, the City, may subject to a Development Agreement, provide for the inclusion of the commercial area into the PRD master plan for the purposes of establishing continuity community design, pedestrian and commercial circulation, streetscape standards and design, and effective transitions between commercial and residential uses.](#)
- B. The minimum land area necessary to apply for a PRD shall be ten acres of contiguous land.
- C. All land in which a PRD is to be developed shall be held and maintained in a single ownership, including but not limited to an individual, partnership, corporation, or homeowner's association. Evidence of such ownership shall be provided to the planning commission and city council before PRD approval.
- D. Permissible uses within a PRD include any use listed as a permitted use or conditional use in the applicable zones, as per CMC [Section Chapter 18.07.040 Table 2](#), when approved as part of a master plan. Notwithstanding an approved master plan, incidental accessory buildings, incidental accessory structures, and home occupations may be authorized on a case by case basis.

- E. A minimum of fifty percent to a maximum of seventy percent of the overall permitted [residential](#) density of the PRD must be single-family homes.
- F. The multifamily component (two or more attached dwelling units) of a PRD shall ideally be developed toward the interior of the tract, rather than the periphery, to ensure compatibility with existing single-family residences that border the surrounding properties. Deviation from this requirement shall be requested during the preliminary master plan review, and specifically approved by the planning commission and city council.
- G. Density standards and bonuses for [the residential portion of](#) a PRD shall be in accordance with CMC Sections [18.23.040](#) and [18.23.050](#)
- H. An equivalent amount of up to twenty percent of the developable area shall be set aside and developed as recreational open space in a PRD, and shall include the following:
  1. Passive or active recreation concentrated in large usable areas;
  2. Provide trails and open space for connection and extension with the city's open space and trail plan, if feasible; and
  3. Be held under one ownership, and maintained by the ownership; or be held in common ownership by means of homeowners' association, and maintained by the homeowners' association. The open space and recreation areas shall be dedicated for public use and be maintained by the ownership or homeowners' association.

## FINDINGS

The following findings address the concerns raised in this report, and support the approval of the alternative amendments as proposed by staff.

(1) As discussed, the term “urban village” is not defined in the CMC.

**Findings: The definition of PRD could be amended to include secondary uses, rather than introduce new terminology. See alternative CMC§18.32.020 above.**

(2) As discussed, staff is concerned regarding the location of commercial uses being uncertain, and whether decision makers are comfortable with CMC§18.23.060 as adopted.

**Findings: The proposed alternative text at 18.23.030(A) provides direction as to the manner for including commercial uses by requiring, “(E)ffective transitions between commercial and residential uses.” The current code at CMC§18.23.060 limits uses to those allowed by the underlying zone, and no amendments to this section are proposed by staff, if a development agreement is required.**

(3) As discussed, requiring a development agreement may be duplicative if it does not include standards beyond what is required in the PRD Chapter.

**Findings: The alternative text provides a purpose statement at CMC§18.23.030(A), which only applies to projects that include commercial land.**

(4) As discussed, the calculation of land uses at CMC§18.23.030, subsections E, F, and H, for single family, multi-family and open space, could limit commercial land uses.

**Findings: The alternative text inserted the term “residential portion” at subsections E and G to address those concerns.**

RECOMMENDATION

**That Planning Commission reviews the proposed amendments, conducts a public hearing, deliberates, refines amendment as necessary, and forwards a recommendation to City Council to approve the alternative amendments to CMC Chapter 18.23 Planned Residential Development.**