

# Ordinance No. 3835 Exhibit B



## MEMORANDUM

To: Tim Simons, Community Development Director  
Evan McKenzie, Senior Planner

From: Greg Winterowd

Date: June 28, 2012

Re: **Technical Memorandum 5.1:  
Potential Residential Redesignation Areas and Policy Options**

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### BACKGROUND AND CONTEXT

Statewide Planning Goal 10 (Housing) requires that cities project housing needs for the 20-year planning period by housing type and density, based on a comparison of housing costs and household incomes. Phase I Tech Memo 4 (Residential Capacity Analysis) determined that Pendleton had an adequate overall supply of buildable residential land. However, discussions with City staff, Planning Commissioners and Councilors indicated that Pendleton's Medium and High Density Residential land supply may not be located in areas most suitable for those uses.

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Phase I Tech Memo 5 (Draft Residential Policy and Code Amendments) proposed policies for designating or redesignating suitable Medium Density Residential (MDR) and High Density Residential HDR) areas. These policies were adopted in Phase I.

At the May 24, 2012 Joint Work Session there was a general consensus that (a) existing zoning may not provide the flexibility needed to encourage workforce housing in Pendleton and (b) master planning is needed for large developable sites that meet adopted criteria for MDR and HDR development.

## **What This Memorandum Does**

This memorandum, **Tech Memo 5.1: Potential Residential Re-designation Areas and Policy Options** includes a review of existing vacant and partially vacant residential areas against adopted residential plan policies. Winterbrook’s analysis determined that (a) there are large buildable tracts designated mostly for Low Density Residential (LDR) use that meet the criteria for redesignation to MDR or HDR; and (b) there are existing HDR and MDR areas that do not meet these criteria.

As a result of the Joint Planning Commission – City Council Work Session (May 24, 2012), Winterbrook has also developed a “residential opportunities area” concept that allows greater development flexibility through the master planning process. The idea would be to create a single residential “overlay zone” that would be applied to large buildable tracts that meet adopted MDR and HDR locational criteria.

Later in this memo, Winterbrook takes the residential opportunity area concept a step further and suggests a Residential Opportunity Area (ROA) comprehensive plan designation that applies to large tracts of residentially-designated land near McKay Creek, Patawa Creek and South Pendleton. The idea would be to allow the full range of residential housing types and densities through the master planning process – regardless of the underlying zoning district.

## **Related Memoranda**

- **Tech Memo 3.1: Revised Buildable Lands Inventory** determines the amount of buildable land within each of Pendleton’s residential zones, considering terrain and natural features. Map 3.1 (Residential Buildable Lands Map) indicates the location of buildable residential areas within the Pendleton UGB.
- **Tech Memo 5: Draft Residential Policy and Code Amendments** (completed in Phase I) provided the comprehensive plan residential land designation policies and criteria applicable to this memorandum.<sup>1</sup>

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<sup>1</sup> The Planning Commission shall consider –but need not be absolutely bound by – the following criteria when making recommendations to the City Council regarding the designation of residential land within the Pendleton Urban Growth Boundary:

*1. High Density Residential generally shall be designated in areas with:*  
*a. Direct access to a Collector or Arterial Street;*

- **Tech Memo 5.3: Draft Commercial Lands and EOA Review** (2012) which suggests combining the Residential Opportunity Area (ROA) concept discussed in this tech memo with a new “mixed use opportunity area” comprehensive plan designation in areas with (a) a lot of buildable land and (b) a mix of commercial, residential and/or industrial zoning. Under this expanded concept, uses allowed in any of the zoning districts with in the mixed use opportunity area plan designation would be allowed anywhere on a site through the master planning process.<sup>2</sup>
- **Tech Memo 5.3: Commercial Lands and EOA Review** analyzes commercial land supply and location, and expands upon the Opportunity Areas concept raised in this memorandum. This memorandum also introduces the concept of a “mixed use” comprehensive plan designation that could be applied in Central Pendleton, the Goad Road area, and near the new hospital site.

## PRELIMINARY FINDINGS

Generally speaking, residential plan policies adopted in 2011 suggest that the MDR and HDR designations should be applied to large tracts of land that are relatively flat and unconstrained by natural features, served by collector or arterial streets, and located near commercial areas, parks and schools.

- Winterbrook applied these residential land designation criteria to the revised BLI and identified five large sites (with 10 or more buildable residential acres) for potential redesignation from LDR to MDR *or* HDR.
- Using GIS analysis, Winterbrook also determined that two existing HDR areas do *not* meet the plan criteria for the HDR designation.

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- b. Within a short walking distance (one quarter mile) of downtown or from an existing or planned commercial area where everyday shopping needs can be met;*
  - c. Within short walking distance from a public park, recreational facility or public school;*
  - d. On land with slopes of less than 15%;*
  - e. On land that is not predominantly constrained by the 100-year floodplain or by soils with shallow bedrock;*
  - f. On land that can be provided efficiently with sanitary sewer, water and storm drainage.*
  - 2. *Medium Density Residential generally shall be designated in areas with:*
    - a. Access to a Collector or Arterial Street without driving through established Low Density Residential neighborhoods;*
    - b. Within one half mile of downtown or from an existing or planned commercial area where everyday shopping needs can be met;*
    - c. Within one-half mile of a public park, recreational facility or public school;*
    - d. On land with slopes of less than 20%;*
    - e. On land that is not substantially constrained by the 100-year floodplain or soils with shallow bedrock;*
    - f. On land that can be provided efficiently with sanitary sewer, water and storm drainage.*
  - 3. *Low Density Residential generally shall be designated in areas with that do not meet suitability criteria for High or Medium Density Residential designation.*

<sup>2</sup> Pendleton currently has a “Mixed Use Subdistrict” that applies this concept to tracts of land of 100 acre or more.

Table 1 and Map 5.1a show buildable (vacant and infill) residential tax lots that are within 50 feet of an arterial or collector street, and within quarter-mile of a commercial area or downtown. This sort identified a total of 312 buildable acres of vacant or infill land that qualified for an HDR or MDR designation.

Of note, only 11.5 acres of the total 136 buildable HDR acres identified in Tech Memo 3.1 met the plan criteria for HDR designation.

**Table 1: Potential Buildable High or Medium Residential Density Areas**

<b>Zone</b>	<b>Vacant Buildable Acres</b>	<b>Infill Buildable Acres</b>	<b>Total Buildable Acres</b>
<b>LDR</b>	166	42	208
<b>MDR</b>	55	37	92
<b>HDR</b>	11	0.5	11.5
<b>Total</b>	232	79.5	311.5

Map 5.1b overlays slope, soil, riparian area, and flash flood hazard area constraints. As shown on Map 5.1b, many of the tax lots identified in Map 5.1a are predominantly constrained.

All potential MDR/HDR redesignation areas contain some constrained areas. The four large (over 10-acre) areas without substantial constraints are:

- SW 28<sup>th</sup> Drive: 63 acres (57 LDR south of 28<sup>th</sup>, 6 HDR north of 28<sup>th</sup>);
- SW Perkins Avenue: 38 acres (15 LDR on the north side, 23 MDR on the south side);
- Tutuilla Road: 16 acres of LDR along Runnion Avenue; and
- SE 10<sup>th</sup> Street: 25 acres of LDR.

Large areas currently designated for HDR that do not meet HDR designation criteria include:

- SW 2<sup>nd</sup> Street: 52 acres constrained by soils and slopes; and
- East of Southgate: 67 acres that do not meet proximity requirements.

## **Methodology**

To determine residential potential HDR and MDR opportunity areas, Winterbrook applied GIS analysis to buildable residential lands identified in Tech Memo 3.1 (Revised BLI). To create Map 5.1a, Winterbrook:

- Identified arterial and collector streets based on the City of Pendleton Transportation System Plan;
- Identified buildable residential lots within 50' of arterial or collector streets; and
- Identified buildable residential lots within ¼ mile of existing or planned commercial areas.

To create Map 5.1b, Winterbrook added the following elements to Map 5.1a:

- Overlay of sloped areas 15-25% (the BLI excluded slopes of 25% or greater);
- Overlay of constrained soils as identified by the 2011 BLI prepared for the Pendleton Solutions Housing Committee; and

- Overlay of natural features and hazard constraints identified in Phase I.

## **RESIDENTIAL OPPORTUNITY AREA CONCEPT**

The “Residential Opportunity Area” concept is based on what we heard at the May 24<sup>th</sup> Work Session and is designed to allow property owners / developers to be creative in providing a variety of housing types and densities. The property owner / developer would have two choices: (a) develop under existing zoning standards which are objective *or* (b) prepare a master plan subject to the more flexible and discretionary provisions of the ROA overlay zone. If the developer were to choose the more flexible option, then:

- A combination of MDR and HDR zoning standards would apply:
  - All housing types permitted.
  - Permitted densities range from 6-35 dwelling units per buildable acre. However, minimum densities do not apply to land with mapped development constraints (slopes over 20%, flood plains and high bedrock areas) or to land dedicated for public rights-of-way or unusable easements. The minimum density equates to an average lot size on buildable of just over 7,000 square feet.
  - To exceed the 18 units per buildable acre standard in the MDR district, density transfer would be permitted from protected natural features (wetlands, riparian corridors, flash flood zones, flood plains, steep slopes, high bedrock) to buildable areas if desired.
  - No minimum lot size or internal setback requirements (other than those required by the building code and public safety); street standards may be modified if approved by the Community Development Director; parking standards may be modified if sufficient on-street parking provided (but with a minimum of one space per unit).
- The Master Plan would cover the entire site (tax lots under common ownership) and must provide for (as determined by the Planning Commission):
  - Safe and efficient street, bicycle and pedestrian access.
  - Protection of inventoried natural features and historic resources.
  - Graduated density if single-family residential abuts the site (perimeter single family homes).
  - Minimal impacts on views of surrounding hills from adjacent properties.
  - Avoidance of garage-dominated homes (the width of the garage cannot be greater than the width of the home); garage must be setback 20’ from property line to allow for parking; parking not allowed in front or side yards.
  - Provision for long-term maintenance of common open space.
  - Provision of adequate public facilities (sewer, water, storm drainage, electricity, communications) if approved by the Community Development Director.

## NEXT STEPS

If the City Council (with advice from the Planning Commission) agrees that the ROA concept is a good idea, the City would draft overlay zone standards to be applied to the four large sites identified in this memorandum. The property owner / developer could then choose whether to make use of OAC provisions or be subject to the standards of the applicable base residential zone. The four large (over 10-acre) areas without substantial constraints are:

- SW 28<sup>th</sup> Drive: 63 acres (57 LDR south of 28<sup>th</sup>, 6 HDR north of 28<sup>th</sup>);
- SW Perkins Avenue: 38 acres (15 LDR on the north side, 23 MDR on the south side);
- Tutuilla Road: 16 acres of LDR along Runnion Avenue; and
- SE 10<sup>th</sup> Street: 25 acres of LDR.

If some or all identified opportunity areas are deemed suitable for the ROA overlay, we recommend that HDR property owners with substantial development constraints be offered the option of redesignation to MDR or LDR. If chosen, this option would greatly reduce the minimum density requirement (12 units per buildable acre) that currently applies to HDR properties. Large areas currently designated for HDR that do not meet HDR designation criteria include:

- SW 2<sup>nd</sup> Street: 52 acres constrained by soils and slopes; and
- East of Southgate: 67 acres that do not meet proximity requirements.

At the end of the day, however, Goal 10 (Housing) requires cities to provide enough buildable land to meet identified housing needs. Last year the City adopted a Housing Needs Analysis: the City must retain at least 57 buildable acres of HDR and/or OAC land – the supply of HDR land identified as needed in Phase I Tech Memo 4 (Residential Land Needs).

If the ROA concept proves effective in attracting work force housing to Pendleton, we would suggest broadening this concept to other buildable and serviceable areas of the City.

## Potential Residential Opportunity Areas (ROA) Plan Designations

Winterbrook has identified three potential Residential Opportunity Area plan designations that include large tracts of land currently designated (on the comprehensive plan map) and zoned (on the zoning map) for LDR/R1, MDR/R2 and/or HDR/R3 residential uses.<sup>3</sup> The ROA plan designation takes the idea of a single residential zone (the ROA overlay zone) one step further – by applying a common residential plan designation to large tracts of buildable land – regardless of underlying zoning.

As noted above, in Pendleton MDR and HDR land is often located in areas that don't meet high and medium density residential criteria adopted by the City Council in 2011; and land designated LDR often does meet MDR and HDR locational criteria.

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<sup>3</sup> Please see Tech Memo 5.3 for a discussion of how some residential opportunity areas could be combined with large commercial tracts to allow greater development flexibility in mixed use comprehensive plan designations.

Rather than redesignating land according to these criteria, an alternative would be to adopt a new Residential Opportunity Area plan designation that allows the full range of housing types and densities – so long as there is a master plan approved by the planning commission. Thus, the ROA designation would allow a property owner / developer to plan for the full range of housing types and densities on a site – regardless of underlying zoning. A comprehensive plan map and zoning map amendments would no longer be necessary to allow this level of flexibility.

Alternatively, the property owner / developer could simply choose to develop under existing zoning standards.

Please see the discussion in Tech Memo 5.3 regarding Pendleton’s current “two map program” of comprehensive plan designations and implementing zoning districts. With a master plan approved by the planning commission, the developer would determine where to place high, medium and low density residential housing types and densities on the site (tax lots under common ownership). To the extent that property owners can agree on a common master plan, everyone benefits because the costs of streets, sewer, water and storm drainage facilities can be efficiently allocated and each property owner can determine the type of residential development that works from a market perspective.

The criteria for planning commission approval of a master plan are described earlier in this memo. *Potential ROA plan designations*<sup>4</sup> include:

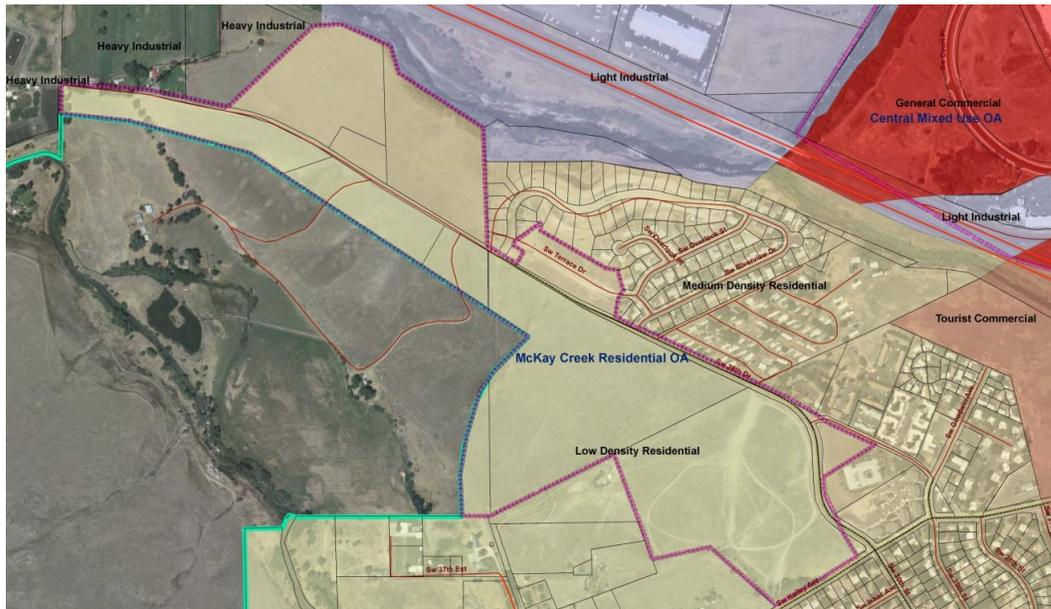
### **The McKay Creek Residential Opportunity Area**

The McKay Creek ROA could potentially include 95 total buildable acres of residential land designated LDR – some of which meets adopted MDR and HDR criteria. As shown on Figure 1 below, there are relatively few ownerships.

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<sup>4</sup> These potential ROA plan designation areas are shown on Map 5.3b: Opportunity Areas.

**FIGURE 1: MCKAY CREEK RESIDENTIAL OPPORTUNITY AREA**

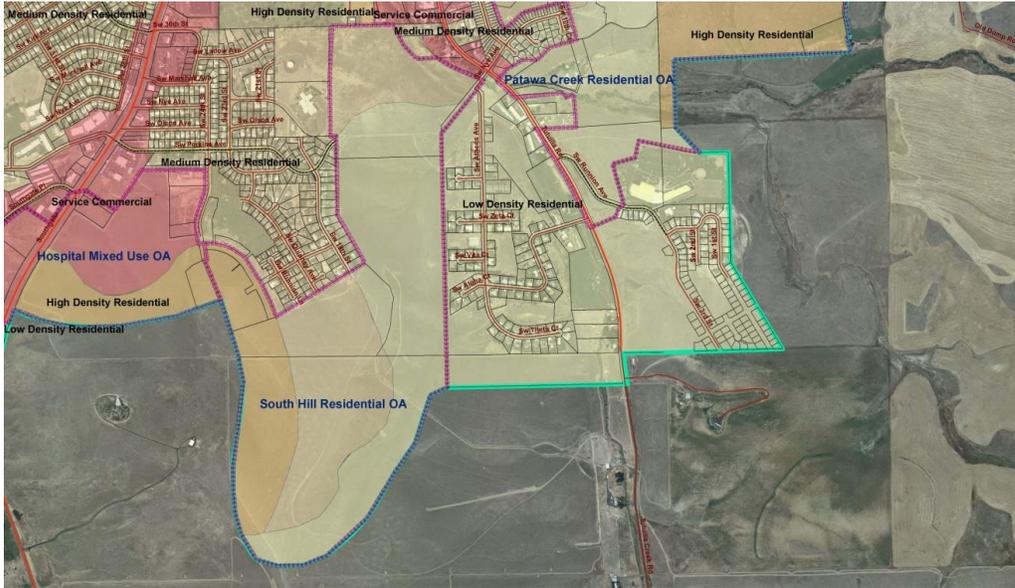


**The South Hill Residential Opportunity Area**

The South Hill ROA would extend the SW Perkins Avenue ROA south to the UGB to include 213 buildable residential acres with only a couple of property owners. This potential ROA has HDR and MDR land with steeper slopes and relatively far from urban services while LDR land is relatively flat and closer to Central Pendleton.

The key issue for this area is how to provide access and public facilities at least cost . Preparation of a common master plan could benefit both owners.

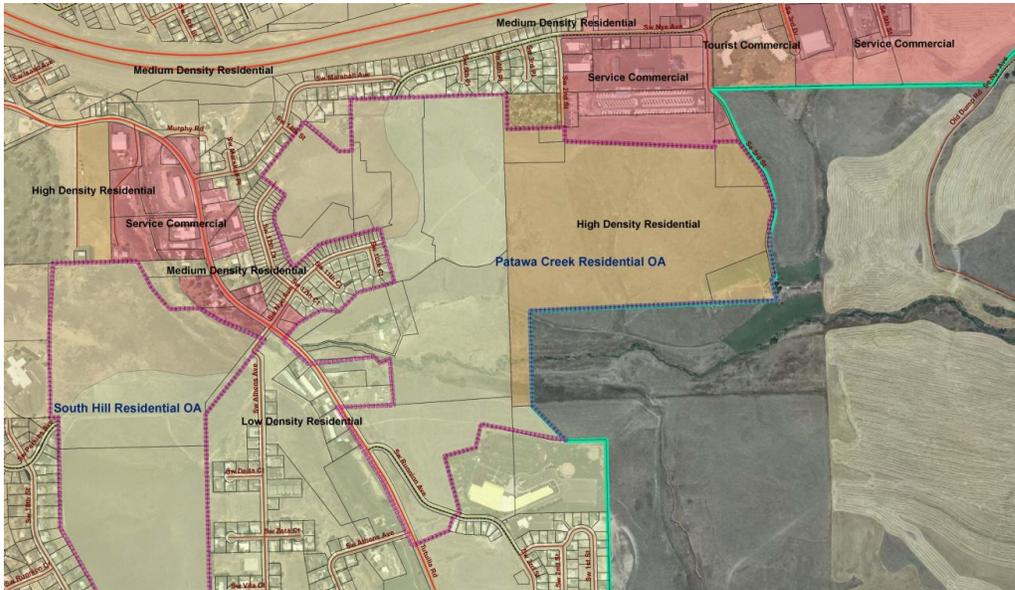
**FIGURE 2: SOUTH HILL RESIDENTIAL OPPORTUNITY AREA**



**The Patawa Creek Residential Opportunity Area**

The Patawa Creek ROA would include some 154 buildable residential acres with HDR/R3, MDR/R2 and LDR/R1 plan designations / zoning. Again, the designation of residential land in this area does not appear to meet adopted locational criteria. There are several owners of large parcels in this area that could benefit from the flexibility and efficiency that could result from a common master development plan.

**FIGURE 3: PATAWA CREEK RESIDENTIAL OPPORTUNITY AREA**



## **Potential ROA Plan Designation Next Steps**

If the Planning Commission and City Council support the idea of an Residential Opportunity Area (ROA) plan designation, then the next step would be to amend the Pendleton Comprehensive Plan text (to describe the purpose of the ROA plan designation) and map (to replace the existing HDR, MDR and LDR designations).

Developers would then have the choice of (a) meeting existing zoning standards, or (b) preparing a master plan for review by the planning commission that allows the full range of housing types and densities permitted in the R1, R2 and R3 zoning districts.



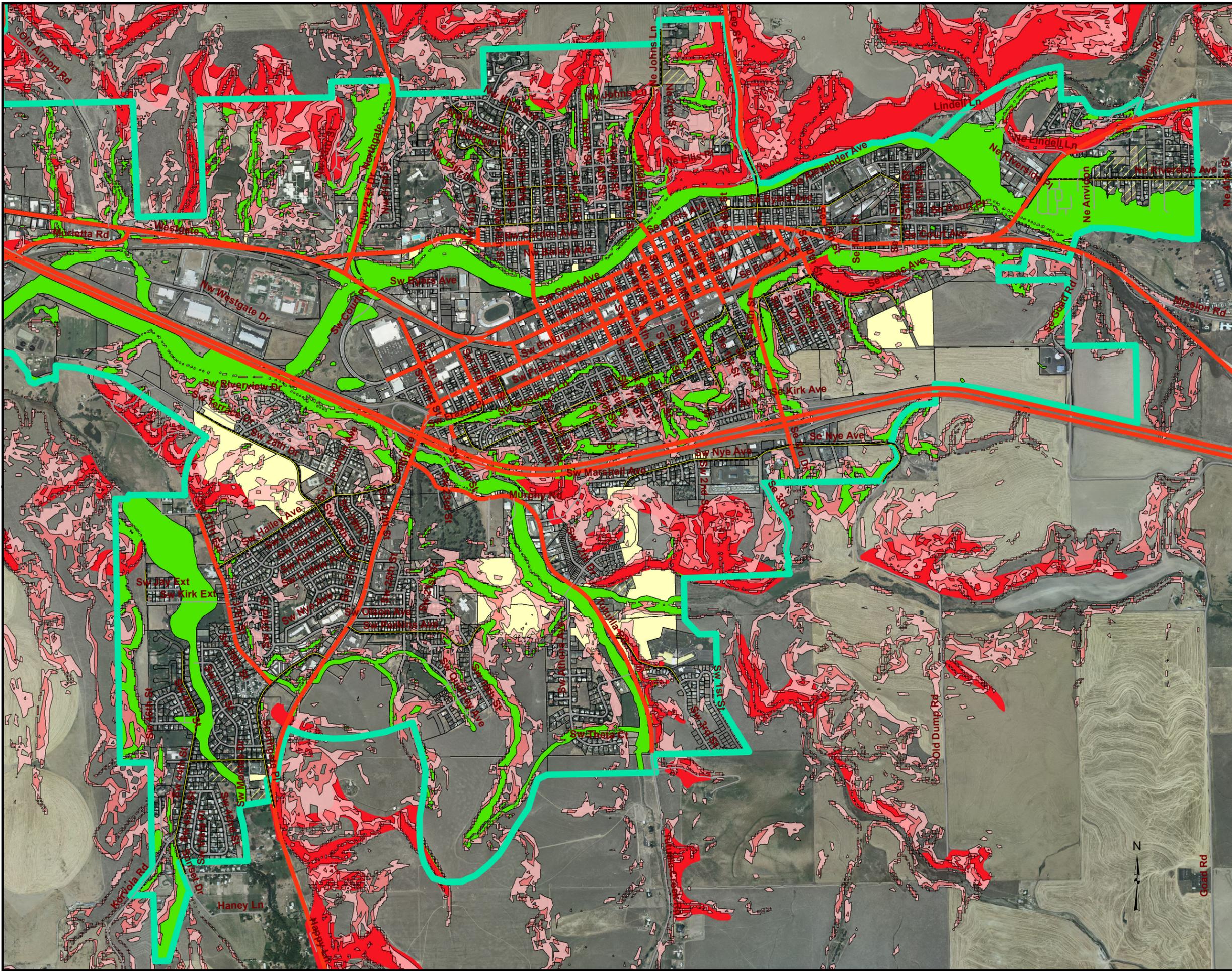


# City of Pendleton

PERIODIC REVIEW

Draft Map 5.1b:  
Residential Allocations  
Opportunity Areas  
Constraints Shown

Map draft: May 16, 2012



Legend

- UGB & URA
- Infill Lots 1/4 Mile of Com, 50' Roads
- Vacant Lots 1/4 Mile of Com, 50' Roads
- Phase I Constraints
- Constrained Soils

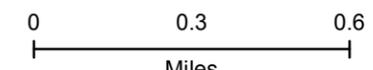
SlopeClass\_SA

Slope %

- 15-20
- 20-25

Pendleton Roads

- Local
- Arterial
- Collector



1 in = 1,833 feet