



# **Basalt Creek Text Amendment City Council Hearing**

**Monday, August 10, 2020**



# Introductions

## Applicants

Lennar Northwest, Inc.



Michael Anders, Director of Land Acquisition  
David Force, Forward Planning Manager

Venture Properties, Inc.



VentureProperties  
INCORPORATED

Kelly Ritz, President  
Al Jeck, Project Manager

## Property Owners

P3 Properties, LLC  
Autumn Sunrise, LLC

## Land Use and Civil Engineering

AKS Engineering and Forestry

Mimi Doukas, AICP, RLA



## Legal Counsel

Schwabe Williamson and Wyatt

Michael Robison



# What is being proposed?

**The Applicants are requesting a change to the City of Tualatin's Development Code to allow detached housing in the RML zone.**

- Addition of single-family detached housing as an allowed use in the Residential Medium-Low (RML) District
  - Only in the Basalt Creek Planning Area in the RML zone
  - Only for project sites 15 acres or larger
  - Removes need for a discretionary Conditional Use Permit
- Addition of development standards for detached homes in the Basalt Creek Planning Area
  - Lot Size Averaging
  - Setback and lot coverage standards for Basalt detached lots
- **No density changes have been proposed**

# What is being proposed?

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    - Removes need for a discretionary Conditional Use Permit
  - Addition of development standards for detached homes in the Basalt Creek Planning Area
    - Lot Size Averaging
    - Setback and lot coverage changes for small lots
  - **No density changes have been proposed**
  - Added language to the RML purpose statement to reflect this change
  - Added a provision requiring a minimum of 15% attached homes
- 

# From the 2019 Housing Needs Analysis:

These factors suggest that Tualatin needs a broader range of housing types with a wider range of price points than are currently available in Tualatin's housing stock. This includes providing opportunity for development of housing types such as: single-family detached housing (e.g., small homes like cottages or small-lot detached units, traditional detached homes, and high-amenity detached homes), townhouses, and multifamily products (duplexes, triplexes, quadplexes, and apartments and condominiums).

Exhibit 89 shows the final forecast for housing growth in the Tualatin city limits during the 2020 to 2040 period. The projection is based on the following assumptions:

- Tualatin's official forecast for population growth shows that the city will add 1,014 households over the 20-year period. Exhibit 89 shows Metro's forecast for growth of 1,014 new dwelling units over the 20-year planning period.
- The assumptions about the mix of housing in Exhibit 89 are consistent with the requirements of OAR 660-007<sup>52</sup>:
  - **About 40% of new housing will be single-family detached**, a category which includes manufactured housing. In 2013-2017, 53% of Tualatin's housing was single-family detached.
  - **Nearly 15% of new housing will be single-family attached**. In 2013-2017, 6% of Tualatin's housing was single-family attached.
  - **About 45% of new housing will be multifamily**. In 2013-2017, 41% of Tualatin's housing was multifamily.

### TDC 41.220. - Housing Types.

Table 41-2 lists Housing Types permitted in the RML zone. Housing types may be Permitted Outright (P), Conditionally Permitted (C), or Not Permitted (N) in the RML zone.

**Table 41-2  
Housing Types in the RML Zone**

<b>HOUSING TYPE</b>	<b>STATUS</b>	<b>LIMITATIONS AND CODE REFERENCES</b>
Single-Family Dwelling	C/P	Limited to single-family dwellings in a small lot subdivision, with conditional use permit, subject to TDC 36.410. <b>Permitted for a maximum of 85% of the proposed dwelling units within the Basalt Creek Planning Area subject to TDC 41.330.</b>
Accessory Dwelling Unit	P	Subject to TDC 34.600.
Duplex		
Townhouse (or Rowhouse)	P	See TDC definition in 31.060.
Multi-Family Structure	P	See TDC definition in 31.060.
Manufacturing Dwelling	N	See TDC definition in 31.060.
Manufactured Dwelling Park	P	Limited to locations designated by the Tualatin Community Plan Map and subject to TDC 34.190.
Retirement Housing Facility	C	Subject to TDC 34.400.
Residential Home	P	See TDC definition in 31.060.

### TDC 41.300. - Development Standards.

Development standards in the RML zone are listed in Table 41-3. Additional standards may apply to some uses and situations, see TDC 41.310 and TDC 41.330. The standards in Table 41-3 may be modified for greenway and natural area dedications as provided in TDC 36.420. The standards for lot size, lot width, building coverage, and setbacks that apply to single-family dwellings in small lot subdivisions are provided in TDC 36.410(2)(b).

### TDC 41.330. - Development Standards.

Development standards for Household Living Uses in the RML zone within the Basalt Creek Planning Area are listed in Table 41-4. The standards of TDC 41.330 apply to RML-zoned properties within the Basalt Creek Planning Area with project sites which are greater than 15 acres in size. Additional standards may apply to some uses and situations, see TDC 41.310.

**Table 41-4  
Development Standards in the RML Zone within the Basalt Creek Planning Area**

STANDARD	REQUIREMENT	LIMITATIONS AND CODE REFERENCES
<b>MAXIMUM DENSITY</b>		
Household Living Uses	10 units per acre	Up to a maximum of 85% of proposed dwelling units may be detached single-family homes.
<b>MINIMUM AVERAGE LOT SIZE</b>		
Single Family Lot	3,000 square feet	
<b>MINIMUM AVERAGE LOT WIDTH</b>		
Single Family Detached Lot	26 feet	
Townhouse (or Rowhouse)	14 feet	
Flag Lots	—	Must be sufficient to comply with minimum access requirements of TDC 73C.
<b>MINIMUM SETBACKS</b>		
Front Setback		
• building	10 feet	
• garage	20 feet	
Side Setback	5 feet	
Rear Setback	10 feet	
Street side setback	10 feet	
Any Yard Area Adjacent to Basalt Creek Parkway	50 feet	
<b>MAXIMUM STRUCTURE HEIGHT</b>		
All Uses	35 feet	May be increased to a maximum of 50 feet with a conditional use permit, if all setbacks are not less than 1½ times the height of the building.
<b>MAXIMUM LOT COVERAGE</b>		
Single Family Detached Lot	55%	
Townhouse (or Rowhouse)	90%	

## **TDC 5.040. - Planning District Objectives.**

- (2) *Medium-Low Density Residential Planning District (RML)*. To provide areas of the City suitable for commonwall dwellings such as condominiums, townhouses, duplexes, triplexes, and other multi-family dwellings. Condominiums and small lot subdivisions may be allowed by conditional use permit. **Detached housing is permitted for projects over 15 acres in size within the Basalt Creek Planning Area.** Owner occupancy of dwelling units shall be encouraged. Parks for manufactured dwellings shall be allowed in those portions of the district designated on the Plan Map. Except for retirement housing and nursing and convalescent homes which shall not exceed 15 dwelling units per net acre and manufactured dwelling parks with single-wide manufactured dwellings which shall not exceed 12 dwelling units per net acre, the maximum density of any residential use shall not exceed ten dwelling units per net acre. The raising of agricultural animals and the construction of agricultural structures may be allowed by conditional use permit in those portions of the District designated on the Plan Map.

# Key Issues

## How is this in the Public Interest?

- Consistent with Tualatin | 2040
  - Housing affordability
  - Small lot development
- Diversity of housing types
  - Lot size averaging results in increased housing diversity
  - Minimum of 15% proposed housing will be attached
- Current code does not work
  - Density of 10 du/ac does not match apartments
  - Current small lot code results in all 4,500 sf
  - Uncertainty with a discretionary review

## Secondary questions

- Existing Small Lot Conditional Use Permit
- Tree Preservation
- Stormwater

# Tualatin|2040

## High Priorities by Topic

### 1: COMMUNITY AND LIVABILITY POLICY PRIORITIES (HIGH PRIORITY BASED ON STAKEHOLDER FEEDBACK<sup>1</sup>)

#### Housing and Livability

**Housing affordability** was a major topic of discussion and a concern for all stakeholders and some noted the need for the City to have a plan for housing.

**Greater diversity of Housing Types** in Tualatin was broadly supported; many felt a wider variety of options (other than single-family homes) would provide more affordable options. Alternative housing types discussed with stakeholders were **townhomes/rowhouses, mixed-use development, duplexes, triplexes, and accessory dwelling units (ADU)**. Most stakeholders were in favor of the full range of housing types. One stakeholder noted that small lot and zero lot line subdivisions could provide higher density that doesn't feel cramped.

**Basalt Creek** was mentioned by a number of stakeholders. Others noted that the proposed zoning allows for a good diversity of housing (low density residential, medium low density residential and some high density residential, but that lots should be 3,000 or 4,000 square foot lots.

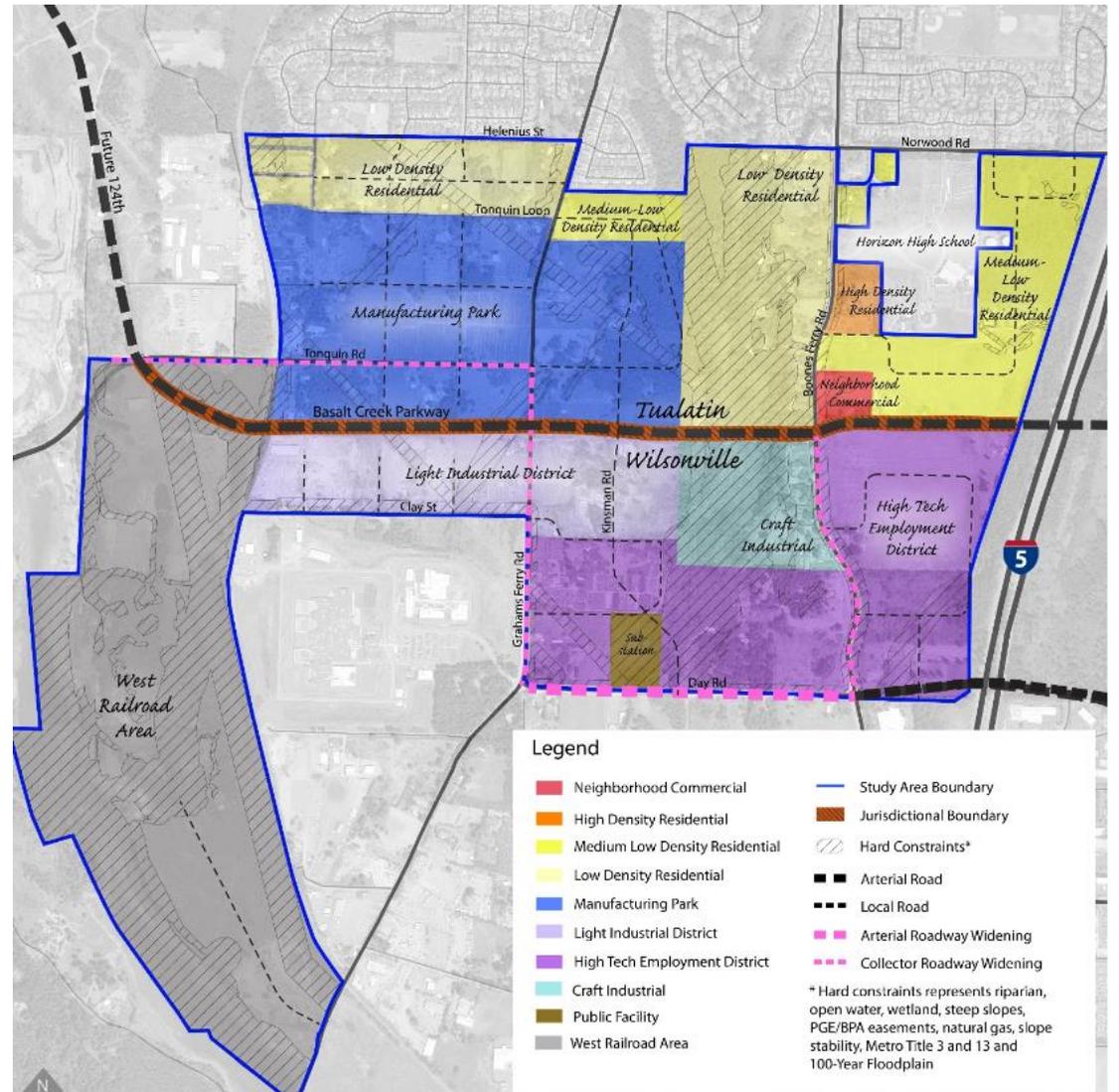
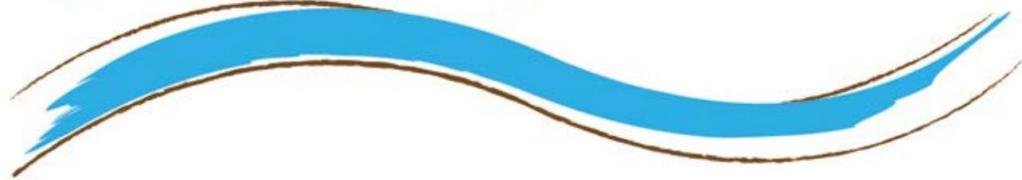
# Tualatin|2040

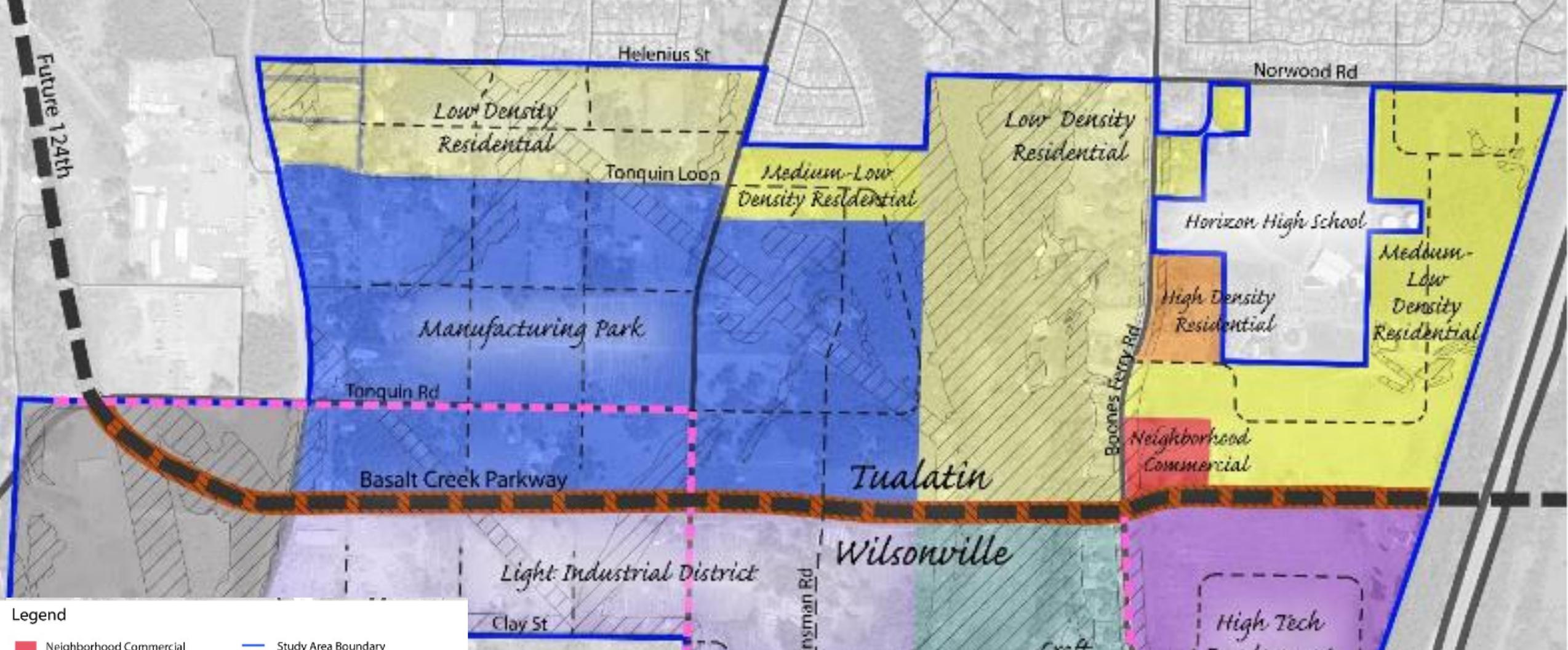
## Summary of Actions

The table below summarizes the strategies, actions, and recommendations made by the CAC. The priority shown in the table is based on discussions with the CAC about the actions they view to be in need of prompt attention. Low-priority actions represent actions that the CAC thinks are important but that may be executed later in the Tualatin 2040 process. At some level, all of the actions in this strategy are a high priority for the CAC.

Strategies, Actions, and Recommendations	Priority
<b>Strategy 1: Ensure an adequate supply of land that is available and serviceable.</b>	
<p><b>Action 1.1. Evaluate opportunities to increase development densities within Tualatin's existing zones by modifying the Development Code.</b></p> <ul style="list-style-type: none"> <li>▪ <b>Recommendation 1.1a:</b> Evaluate increasing densities in the Residential High and Residential High Density / High Rise residential designations by allowing buildings that are five to eight stories tall.</li> <li>▪ <b>Recommendation 1.1b:</b> Conduct an audit of the City's Development Code to identify barriers to residential development (e.g., lot size, setbacks, and lot coverage ratio) and identify alternatives for lowering or eliminating the barriers.</li> <li>▪ <b>Recommendation 1.1c:</b> Evaluate off-street parking requirements for multifamily housing to identify opportunities for reduction in parking requirements, especially for housing developed for groups who have fewer cars.</li> <li>▪ <b>Recommendation 1.1d:</b> Adopt a Planned Unit Development (PUD) ordinance to allow flexibility in both development standards and housing types.</li> </ul>	High

# Basalt Creek Concept Plan

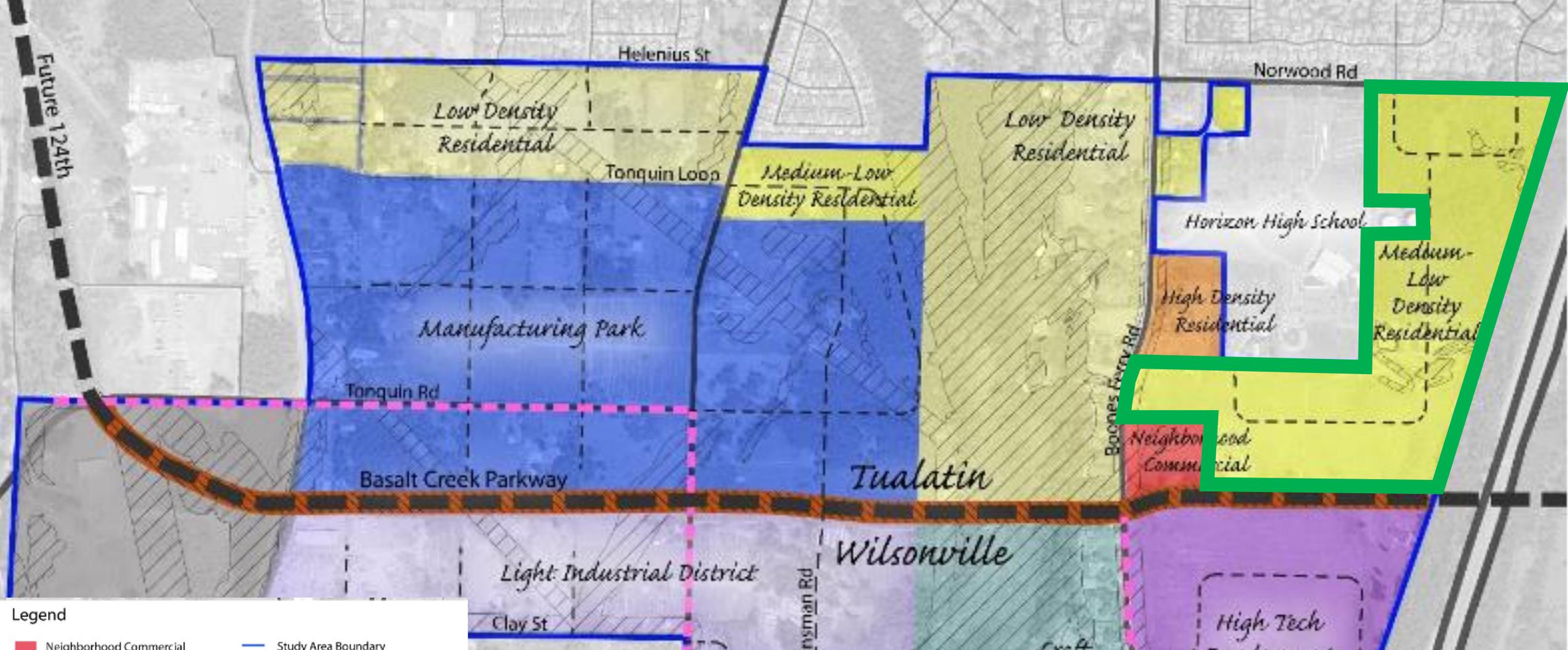




**Legend**

- |  |   |
|--|---|
| <span style="display:inline-block; width:15px; height:15px; background-color:red; border:1px solid black;"></span> Neighborhood Commercial           | <span style="display:inline-block; width:15px; height:15px; border-bottom:2px solid blue;"></span> Study Area Boundary            |
| <span style="display:inline-block; width:15px; height:15px; background-color:orange; border:1px solid black;"></span> High Density Residential       | <span style="display:inline-block; width:15px; height:15px; border-bottom:2px solid orange;"></span> Jurisdictional Boundary      |
| <span style="display:inline-block; width:15px; height:15px; background-color:yellow; border:1px solid black;"></span> Medium Low Density Residential | <span style="display:inline-block; width:15px; height:15px; border-bottom:2px dashed black;"></span> Hard Constraints*            |
| <span style="display:inline-block; width:15px; height:15px; background-color:lightyellow; border:1px solid black;"></span> Low Density Residential   | <span style="display:inline-block; width:15px; height:15px; border-bottom:2px solid black;"></span> Arterial Road                 |
| <span style="display:inline-block; width:15px; height:15px; background-color:blue; border:1px solid black;"></span> Manufacturing Park               | <span style="display:inline-block; width:15px; height:15px; border-bottom:2px dashed black;"></span> Local Road                   |
| <span style="display:inline-block; width:15px; height:15px; background-color:lightpurple; border:1px solid black;"></span> Light Industrial District | <span style="display:inline-block; width:15px; height:15px; border-bottom:2px dashed pink;"></span> Arterial Roadway Widening     |
| <span style="display:inline-block; width:15px; height:15px; background-color:purple; border:1px solid black;"></span> High Tech Employment District  | <span style="display:inline-block; width:15px; height:15px; border-bottom:2px dashed magenta;"></span> Collector Roadway Widening |
| <span style="display:inline-block; width:15px; height:15px; background-color:teal; border:1px solid black;"></span> Craft Industrial                 |   |
| <span style="display:inline-block; width:15px; height:15px; background-color:grey; border:1px solid black;"></span> Public Facility                  |   |
| <span style="display:inline-block; width:15px; height:15px; background-color:grey; border:1px solid black;"></span> West Railroad Area               |   |

\* Hard constraints represents riparian, open water, wetland, steep slopes, PGE/BPA easements, natural gas, slope stability, Metro Title 3 and 13 and 100-Year Floodplain



**Legend**

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|--|---|
| <span style="color: red;">■</span> Neighborhood Commercial           | <span style="color: blue;">—</span> Study Area Boundary               |
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| <span style="color: yellow;">■</span> Medium Low Density Residential | Hard Constraints*   |
| <span style="color: lightyellow;">■</span> Low Density Residential   | <span style="color: black;">—</span> Arterial Road                    |
| <span style="color: blue;">■</span> Manufacturing Park               | <span style="color: black;">- - -</span> Local Road                   |
| <span style="color: lightpurple;">■</span> Light Industrial District | <span style="color: magenta;">—</span> Arterial Roadway Widening      |
| <span style="color: purple;">■</span> High Tech Employment District  | <span style="color: magenta;">- - -</span> Collector Roadway Widening |
| <span style="color: teal;">■</span> Craft Industrial                 |   |
| <span style="color: brown;">■</span> Public Facility                 |   |
| <span style="color: gray;">■</span> West Railroad Area               |   |

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# Basalt Creek Concept Plan

## Purpose

*“Housing. Most of the remaining land north of the proposed Basalt Creek Parkway (beyond employment land) is allocated to a mix of residential uses at varying densities. The Concept Plan organizes residential land uses into two general areas that are intended to have easy access to services and be connected to parks, schools, and natural areas.*

*1. The plan focuses the lowest density housing (a mixture of low-density and medium-low density) along the northern portion of the Planning Area and low density along the west side of Boone’s Ferry Road, adjacent to existing neighborhoods of Tualatin. This land is expected to accommodate 134 new households.*

*2. The eastern portion of the Tualatin future annexation area is anticipated to be a mixture of high and medium-low density residential; the land immediately east of Boones Ferry Rd is intended for high density housing; The remainder of the land east and south of Horizon School is planned for medium-low density residential. This eastern subarea is expected to accommodate 407 new housing units in Tualatin. This land is near the intersection between Boones Ferry Road and the new Basalt Creek Parkway.*

# Basalt Creek Concept Plan

From the Findings for Ord No 1418-19:

- Medium Low Density Residential (RML): An area with the RML (Medium Low Density Residential) Zone is proposed south of Norwood Road, east of Boones Ferry Road, and west of I-5. An additional area of RML Zone is also planned east of Grahams Ferry Road between the two above described areas of RL Zone. These areas lends themselves to a slightly higher density than traditional single-family due to the excellent transportation access and the close relationship to the employment centers. The use of the RML District in this area provides for the needed higher densities with a District that will allow development that is similar in character and density to the RL lands.

# RML Zone

## Purpose

*Medium-Low Density Residential Planning District (RML).* To provide areas of the City suitable for commonwall dwellings such as condominiums, townhouses, duplexes, triplexes, and other multi-family dwellings. Condominiums and small lot subdivisions may be allowed by conditional use permit. **Detached housing is permitted for projects over 15 acres in size within the Basalt Creek Planning Area.** Owner occupancy of dwelling units shall be encouraged. Parks for manufactured dwellings shall be allowed in those portions of the district designated on the Plan Map. Except for retirement housing and nursing and convalescent homes which shall not exceed 15 dwelling units per net acre and manufactured dwelling parks with single-wide manufactured dwellings which shall not exceed 12 dwelling units per net acre, the maximum density of any residential use shall not exceed ten dwelling units per net acre. The raising of agricultural animals and the construction of agricultural structures may be allowed by conditional use permit in those portions of the District designated on the Plan Map.

- Red text is proposed by Applicants to reflect proposed text amendment
- Recognizes Small Lot subdivisions
- Owner occupancy is a priority
- Maximum density is 10 dwelling units per acre for most uses

# RML Zone

## TDC 5.040. - Planning District Objectives.

(2) *Medium-Low Density Residential Planning District (RML)*. To provide areas of the City suitable for commonwall dwellings such as condominiums, townhouses, duplexes, triplexes, and other multi-family dwellings. Condominiums and small lot subdivisions may be allowed by conditional use permit. **Detached housing is permitted for projects over 15 acres in size within the Basalt Creek Planning Area.** Owner occupancy of dwelling units shall be encouraged. Parks for manufactured dwellings shall be allowed in those portions of the district designated on the Plan Map. Except for retirement housing and nursing and convalescent homes which shall not exceed 15 dwelling units per net acre and manufactured dwelling parks with single-wide manufactured dwellings which shall not exceed 12 dwelling units per net acre, the maximum density of any residential use shall not exceed ten dwelling units per net acre. The raising of agricultural animals and the construction of agricultural structures may be allowed by conditional use permit in those portions of the District designated on the Plan Map.

- General description provided in the 'Comprehensive Plan' portion of the TDC
- Recognizes Small Lot subdivisions
- Owner occupancy is a priority
- Maximum density is 10 dwelling units per acre for most uses

# RML Zone

## *CHAPTER 41 - MEDIUM LOW DENSITY RESIDENTIAL ZONE (RML)*

### *TDC 41.100. - Purpose.*

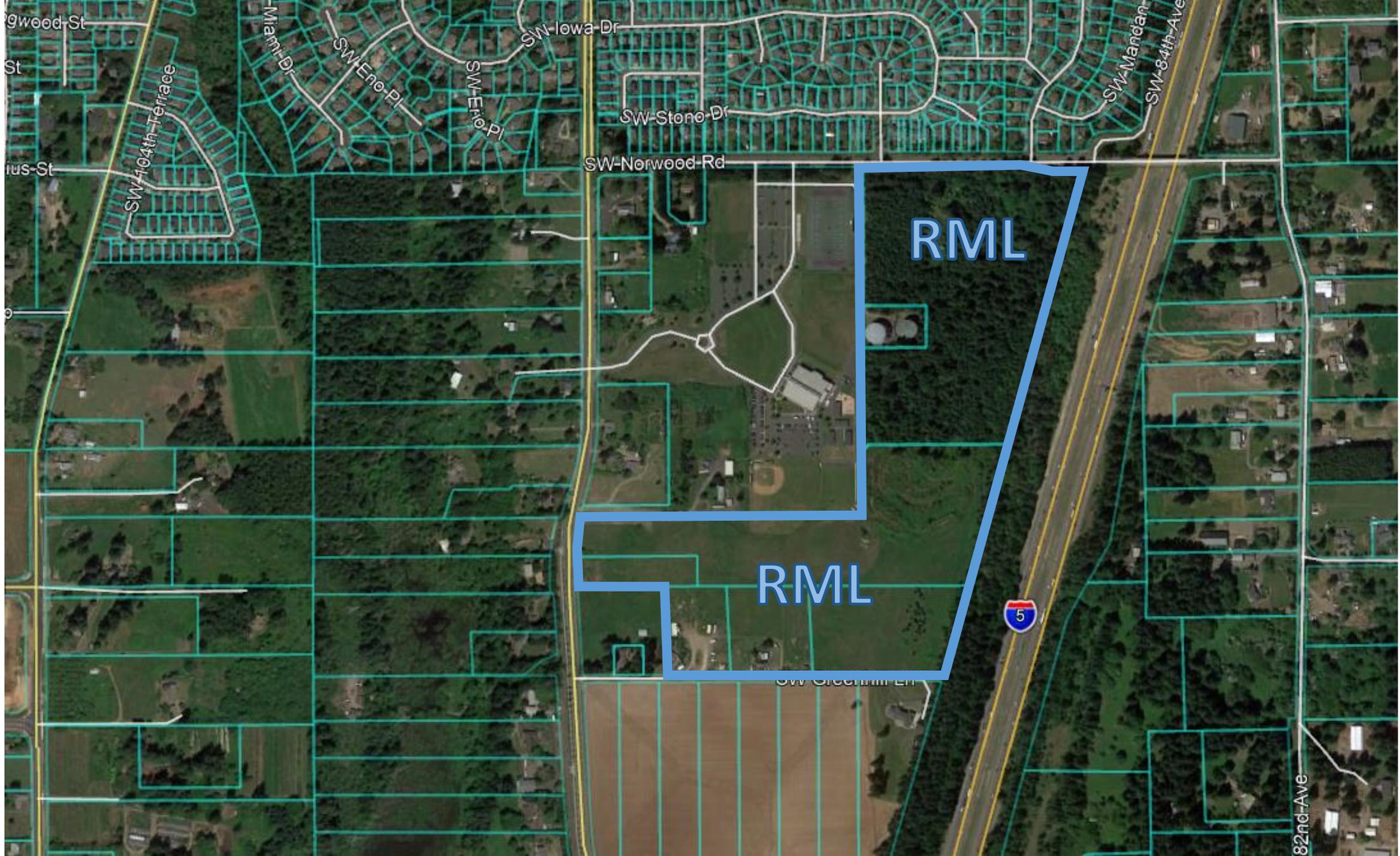
*The purpose of this zone is to provide areas of the City suitable for townhouses, condominiums, duplexes, triplexes and other multi-family dwellings, as well as areas for small-lot, small home subdivisions, and manufactured dwelling parks in designated areas.*

- Defined Purpose Statement for the RML zone
- Expressly states the purpose of the zone includes small-lot, small home subdivisions

# Small Lot Subdivision

(b) *RML Zone.* In the RML zone, small lot subdivisions must comply with the following:

- (i) Small lots must be no less than 4,500 square feet;
- (ii) Maximum building coverage must not exceed 45 percent;
- (iii) Minimum lot width must be at least 30 feet. Lots that have frontage on a public street must have a minimum lot width of 50 feet or 30 feet for lots on a cul-de-sac bulb. For flag lots, the minimum lot width at the street must be sufficient to comply with at least the minimum access requirements contained in TDC [73C](#);
- (iv) Front yard setback must be a minimum of 20 feet to the garage and 12 feet to the house;
- (v) Side yard setback must be a minimum of five feet;
- (vi) On corner lots, the setback for yards adjacent to streets must be a minimum of 20 feet to the garage and 12 feet to the house in the yard where a driveway provides access to a street other than an alley and must be a minimum of 12 feet in the yard where no driveway access exists; and
- (vii) Rear yard setback must be a minimum of 15 feet.

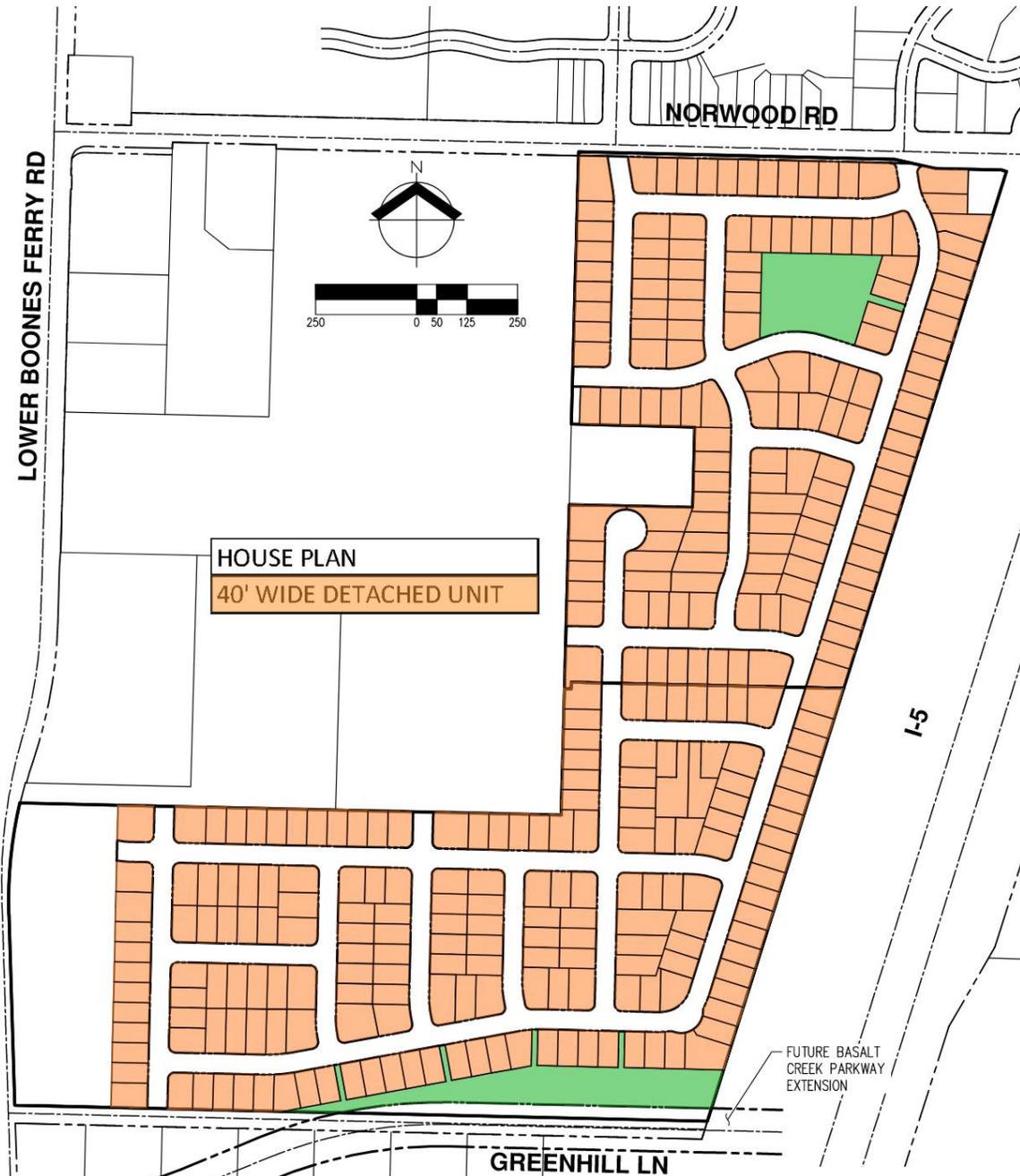


RML

RML



82nd Ave



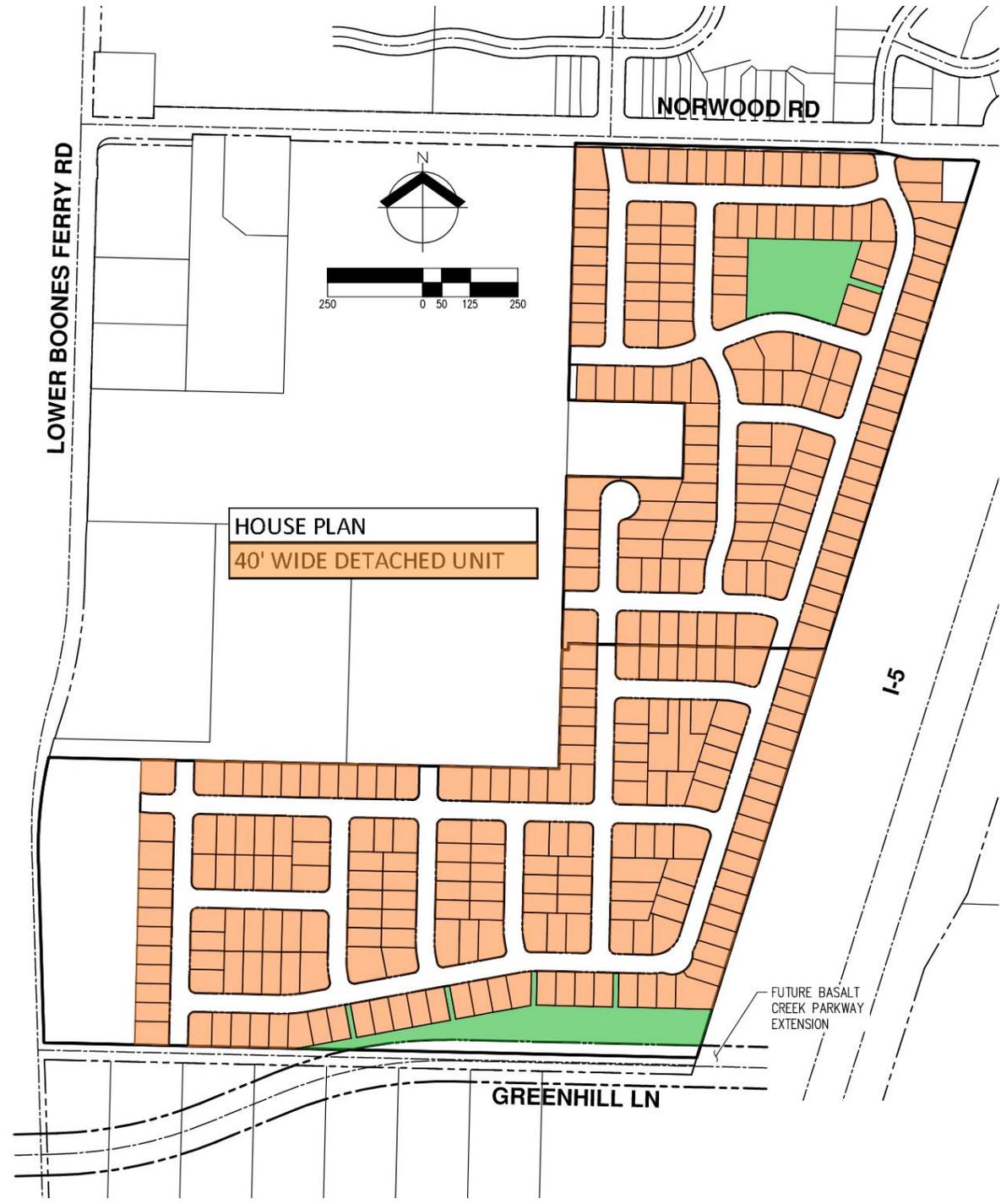
- All lots 50'x90'
- All lots 4,500 SF
- No diversity
- Discretionary review
- Allowed today

# Small Lot CUP Conceptual Layout



- 15% attached homes
- Five lot sizes
- Five market sectors
- Increased diversity of housing type, range of SF per house, and diversity of house price

# Proposed Code Amendment Conceptual Layout





## Proposed Text Amendment:

- Substantially increases housing diversity within Basalt Creek
- Provides for a minimum of 15% attached homes consistent with the Housing Needs Analysis
- Provides improved compatibility with the existing neighborhoods
- Provides a clear and objective path for detached homes
- Can be a test case for future code amendments

Request approval of the proposed Text Amendment with proposed revisions.

Questions?