



Oregon

Theodore R. Kulongoski, Governor

Department of Land Conservation and Development

635 Capitol Street, Suite 150

Salem, OR 97301-2540

(503) 373-0050

Fax (503) 378-5518

www.lcd.state.or.us



NOTICE OF ADOPTED AMENDMENT

05/01/2012

TO: Subscribers to Notice of Adopted Plan  
or Land Use Regulation Amendments

FROM: Plan Amendment Program Specialist

SUBJECT: City of Redmond Plan Amendment  
DLCD File Number 001-12

The Department of Land Conservation and Development (DLCD) received the attached notice of adoption. A Copy of the adopted plan amendment is available for review at the DLCD office in Salem and the local government office.

Appeal Procedures\*

DLCD ACKNOWLEDGMENT or DEADLINE TO APPEAL: Wednesday, May 16, 2012

This amendment was not submitted to DLCD for review prior to adoption pursuant to OAR 660-18-060, the Director or any person is eligible to appeal this action to LUBA under ORS 197.830 to 197.845, pursuant to ORS 197.830(2)(b) only persons who participated in the local government proceedings leading to adoption of the amendment are eligible to appeal this decision to the Land Use Board of Appeals (LUBA).

If you wish to appeal, you must file a notice of intent to appeal with the Land Use Board of Appeals (LUBA) no later than 21 days from the date the decision was mailed to you by the local government. If you have questions, check with the local government to determine the appeal deadline. Copies of the notice of intent to appeal must be served upon the local government and others who received written notice of the final decision from the local government. The notice of intent to appeal must be served and filed in the form and manner prescribed by LUBA, (OAR Chapter 661, Division 10). Please call LUBA at 503-373-1265, if you have questions about appeal procedures.

\*NOTE: The Acknowledgment or Appeal Deadline is based upon the date the decision was mailed by local government. A decision may have been mailed to you on a different date than it was mailed to DLCD. As a result, your appeal deadline may be earlier than the above date specified. NO LUBA Notification to the jurisdiction of an appeal by the deadline, this Plan Amendment is acknowledged.

Cc: James Lewis, City of Redmond  
Gordon Howard, DLCD Urban Planning Specialist  
Karen Swirsky, DLCD Regional Representative

<paa> YA



FORM 2

DLCD

# Notice of Adoption

This Form 2 must be mailed to DLCD within **5-Working Days after the Final Ordinance is signed** by the public Official Designated by the jurisdiction and all other requirements of ORS 197.615 and OAR 660-018-000

DATE STAMP	<input type="checkbox"/> In person <input type="checkbox"/> electronic <input type="checkbox"/> mailed
	DEPT OF
	APR 26 2012
	LAND CONSERVATION AND DEVELOPMENT For Office Use Only

Jurisdiction: **City of Redmond**

Local file number: **TA-12-1**

Date of Adoption: **4/24/2012**

Date Mailed: **4/25/2012**

Was a Notice of Proposed Amendment (Form 1) mailed to DLCD?  Yes  No Date: **1/18/2012**

Comprehensive Plan Text Amendment

Comprehensive Plan Map Amendment

Land Use Regulation Amendment

Zoning Map Amendment

New Land Use Regulation

Other:

Summarize the adopted amendment. Do not use technical terms. Do not write "See Attached".

An amendment to the text of the City of Redmond Development Code, Section 8.3035 (4)(E), Site and Design Review Standards for Multi-family Dwellings and Complexes. The amendment modifies the site and building design standards and requirements, including: omitting specific requirements for building separation and upper floor setbacks from property lines; it adds requirements for architectural features, building form and building orientation. The adopted code with findings is attached.

Does the Adoption differ from proposal? Yes, Please explain below:

The draft code sent to DLCD was modified slightly during the land use review process through the Planning Commission and City Council - based on comments received. The changes were not significant and do not change the intent and purpose of the original proposal.

Plan Map Changed from: **N/A**

to: **N/A**

Zone Map Changed from: **N/A**

to: **N/A**

Location: **N/A**

Acres Involved: **0**

Specify Density: Previous: **N/A**

New: **N/A**

Applicable statewide planning goals:

<b>1</b>	<b>2</b>	<b>3</b>	<b>4</b>	<b>5</b>	<b>6</b>	<b>7</b>	<b>8</b>	<b>9</b>	<b>10</b>	<b>11</b>	<b>12</b>	<b>13</b>	<b>14</b>	<b>15</b>	<b>16</b>	<b>17</b>	<b>18</b>	<b>19</b>
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Was an Exception Adopted?  YES  NO

Did DLCD receive a Notice of Proposed Amendment...

35-days prior to first evidentiary hearing?

Yes  No

DLCD File No. 001-12 (19143) [17018]



If no, do the statewide planning goals apply?

Yes  No

If no, did Emergency Circumstances require immediate adoption?

Yes  No

**DLCD file No.** \_\_\_\_\_

Please list all affected State or Federal Agencies, Local Governments or Special Districts:

Affects only the City of Redmond

Local Contact: **James Lewis**

Phone: (541) 923-7724 Extension:

Address: 716 S.W. Evergreen Avenue

Fax Number: 541-548-706

City: **Redmond**

Zip: 97756-

E-mail Address: [james.lewis@ci.redmond.or.us](mailto:james.lewis@ci.redmond.or.us)

## ADOPTION SUBMITTAL REQUIREMENTS

**This Form 2 must be received by DLCD no later than 5 working days after the ordinance has been signed by the public official designated by the jurisdiction to sign the approved ordinance(s)**

per ORS 197.615 and OAR Chapter 660, Division 18

1. This Form 2 must be submitted by local jurisdictions only (not by applicant).
2. When submitting the adopted amendment, please print a completed copy of Form 2 on light **green paper if available**.
3. Send this Form 2 and one complete paper copy (documents and maps) of the adopted amendment to the address below.
4. Submittal of this Notice of Adoption must include the final signed ordinance(s), all supporting finding(s), exhibit(s) and any other supplementary information (ORS 197.615 ).
5. Deadline to appeals to LUBA is calculated **twenty-one (21) days** from the receipt (postmark date) by DLCD of the adoption (ORS 197.830 to 197.845 ).
6. In addition to sending the Form 2 - Notice of Adoption to DLCD, please also remember to notify persons who participated in the local hearing and requested notice of the final decision. (ORS 197.615 ).
7. Submit **one complete paper copy** via United States Postal Service, Common Carrier or Hand Carried to the DLCD Salem Office and stamped with the incoming date stamp.
8. Please mail the adopted amendment packet to:

**ATTENTION: PLAN AMENDMENT SPECIALIST  
DEPARTMENT OF LAND CONSERVATION AND DEVELOPMENT  
635 CAPITOL STREET NE, SUITE 150  
SALEM, OREGON 97301-2540**

9. **Need More Copies?** Please print forms on 8½ -1/2x11 **green paper only if available**. If you have any questions or would like assistance, please contact your DLCD regional representative or contact the DLCD Salem Office at (503) 373-0050 x238 or e-mail [plan.amendments@state.or.us](mailto:plan.amendments@state.or.us).

**CITY OF REDMOND  
ORDINANCE NO. 2012-04**

**AN ORDINANCE AMENDING THE REDMOND CITY CODE, CHAPTER 8, ARTICLES I, AND IV (MULTIPLE SECTIONS), TO MODIFY THE EXISTING STANDARDS AND ADD NEW STANDARDS RELATED TO SITE DEVELOPMENT AND ARCHITECTURAL REQUIREMENTS FOR MULTI-FAMILY DWELLINGS AND COMPLEXES.**

**WHEREAS**, the City of Redmond has adopted zoning and planning regulations in accordance with Oregon Revised Statutes Chapter 227 that regulate and control the development of land within the City; and

**WHEREAS**, the City of Redmond City Council has an adopted set of goals that includes: "Enhance the quality of life in the City through the adoption of programs, policies and standards that balance growth while maintaining the city's unique character"; and,

**WHEREAS**, the City of Redmond has adopted Comprehensive Plan policies regarding residential compatibility which state that "new developments in existing areas shall be compatible with surrounding developments, including landscaping, visual impact, architectural styles and lighting, and their appearance should enhance the area" and that "higher density neighborhoods should complement the areas in which they are located"; and,

**WHEREAS**, the Urban Area Planning Commission held a public hearing on March 20th, 2012 and, after reviewing the record and providing an opportunity for public testimony, has recommended that the Redmond City Council adopt the amended Development Code text for Multi-family Dwellings and Complexes as set forth in Exhibit A; and

**WHEREAS**, the Redmond City Council held a public hearing on April 24th, 2012 to consider the recommendation of the Urban Area Planning Commission, review the existing record and gather additional evidence and public testimony; and

**WHEREAS**, the City Council has received the Planning Commission's recommendation and, after receiving additional evidence and testimony, determined that the requested Development Code amendments would contribute to and further implement the Redmond Comprehensive Plan Housing Goals and Policies; and

**WHEREAS**, the City Council finds that the findings for the adoption of the Development Code amendments regarding the site development and architectural requirements for Multi-family Dwellings and Complexes have fully addressed the City's Comprehensive Plan, the applicable State law, the Statewide Planning Goals and the City's standards and criteria for an amendment to the Redmond Development Code; and,



**WHEREAS**, the City Council finds that the attached code amendments are necessary to further these interests.

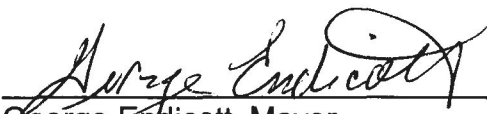
**NOW, THEREFORE, THE CITY OF REDMOND ORDAINS AS FOLLOWS:**

**SECTION ONE:** The City of Redmond hereby amends the Redmond City Code, Chapter 8, Development Code (multiple sections) – Articles I (Zoning Standards) and Article IV (Site and Design Review Standards), to amend the existing standards and add new standards related to site development and architectural requirements for multi-family dwellings and complexes. The amendments and adopted text are attached hereto as “Exhibit A.”

**SECTION TWO:** In support of the Development Code text amendments in Section One, the City of Redmond hereby adopts the findings which are attached hereto as “Exhibit B” which were prepared by City staff and demonstrate compliance with the Redmond Development Code, Section 8.0760 – Criteria for Amendments, the City’s Comprehensive Plan, and the applicable Statewide Planning Goals and Statutes.

**SECTION THREE: SEVERABILITY.** The provisions of this Ordinance are severable. The invalidity of any section, clause, sentence, or provision of this Ordinance shall not affect the validity of any other part of this Ordinance which can be given without such invalid part or parts.

**PASSED** by the City Council and **APPROVED** by the Mayor this 24<sup>th</sup> day of April, 2012.

  
George Endicott, Mayor

ATTEST:

  
Kelly Morse, City Recorder

## **Exhibit A to Ordinance 2012-04**

### **Amendments to the Text of the Redmond Development Code Articles 1 and 4:**

#### **Article I - Zoning Standards**

- Section 8.0020; Definitions**
- Section 8.0140; Table B. Minimum Standards**
- Section 8.0370; Building Setbacks for the Protection of Solar Access**

#### **Article IV – Site and Design Review**

- Section 8.3035 (4)(E); Site and Design Review Standards, Architectural Requirements, Multi-family Dwellings and Complexes**

**(in order by Article and Section)**



**Amendments to the Redmond Development Code:**  
(new text is **red**; deleted text is ~~strikethrough~~, unless otherwise stated):

**Article I, Zoning Standards:  
Definitions (Section 8.0020)**

**Architectural theme.** The use of a repetitive and dominant element or style to create a unifying and coherent form of construction.

**Article I, Zoning Standards:  
Residential Zone (Section 8.0140, Table B, Minimum Standards)**

**8.0140 Table B, Minimum Standards.** The following minimum standards apply in each of the Residential zones as follows:

Standard:	Zone:				
	R-1		R-3	R-4	R-5
<b>Minimum Lot size - Square Feet</b>					
Single Family	9,000	9,000	7,500	6,000	6,000
Duplex	NA	<del>D</del> 10,000	<del>A</del> 10,000	7,500	7,500
Duplex Lot			4,250	3,750	3,750
Townhouse				E	E
Multi-family Dwelling	NA	NA	NA	7,500/2 units	10/2 units
add per unit				F 4,250	F 4,250
Multi-family Complex	NA	NA	NA	7,500+	7,500+
Studio add per additional unit				F 750	F 250
1 Bedroom add per add'l unit				1,000	500
2 Bedroom add per add'l unit				1,500	1,000
3 Bedroom add per add'l unit				2,250	1,550
4 Bedroom add per add'l unit				2,500	1,850
<b>Maximum Density (1 unit per # s.f.)</b> F				3,000	2,500
<b>Minimum Setback Distance</b> C F					
Front	15	15	15	15	15
Interior Side	B 5/10	B 5/10	B 5/10	B 5/10	5
Street Side	15	15	15	15	15
Rear	20	20	20	20	5
Garage	20	20	20	20	20
<b>Maximum Building Height</b> F	30	30	30	40,E	40,E
<b>Minimum Street Frontage</b>					
Standard Street	50	50	50	50	50
Cul-de-sac	30	30	30	30	30
Flag Lot	20	20	20	20	20
Duplex lot (non flag or cul de sac)	N/A	N/A	25	25	25

Townhouse					E	E
A Duplexes permitted only on corner lots						
B Interior side yards must provide a minimum of 5 feet on one side and 10 feet on the other side for single family and duplex residences. Where alley access is provided, both interior side yards may be reduced to 5'. Exceptions to this 10' setback are allowed (1) when the lot was created prior to the adoption of this standard (November 9, 2006); or (2) on cul de sac lots; or (3) on flag lots, or (4) parcels created by partition.						
C Does not include solar setbacks, which are calculated separately						
D Duplexes only allowed on legally created lots of adequate size / created prior to November 9, 2006, otherwise prohibited.						
E Pursuant to the Townhouse Development Standards in Chapter 8, Article IV Site and Design Review Standards, Section 8.3035.4.f.2, Table A.						
F Does not apply to development standards for Multi-family Dwellings and Multi-family Complexes which are located in Chapter 8, Article IV, Site and Design Review Standards, Section 8.3035.4.E.2., Table A.						
N/A = "not allowed"						
All distances shown are measured in feet.						

**Article I, Zoning Standards:  
Building Setbacks for the Protection of Solar Access - Exemptions (Section 8.0370 (3))**

3. Exemptions:

- A. Property which is zoned commercial or industrial shall be exempt from meeting the solar setback. That portion of residential property abutting commercial or industrial property shall be exempt from meeting the solar setback requirements.
- B. All new residential lots, when approved through the subdivision, PUD or partition process, shall be exempt except when along the northern property line of the fully phased master plan.
- C. The governing body may exempt from the provisions of this Section any area in which it determines that solar uses are not feasible because the area is already substantially shaded due to heavy vegetation, steep north facing slopes, and any area or zone in which taller buildings are planned.
- D. The Community Development Director shall exempt a structure from the provisions of this Section if the structure will shade only a protected area in which solar uses are not feasible because the protected area is already substantially shaded at the time a request for exemption is made and approved by the Community Development Director. Notice of the proposed exemption shall be sent to the affected property owner(s). Any exemption may be appealed by the affected property owner(s) in accordance with Section 8.1105.



- E. Multi-family dwellings and multi-family complexes are exempt from the solar setback requirements of this Section except when the abutting property to the north is developed with a single-family dwelling.

**Article IV, Site and Design Review Standards:  
Multi Family Dwellings and Complexes (Section 8.3035 (4) (E))**

(Replace Section 8.3035 (4) (E) with the following)

- E. Multi-Family Dwellings and Complexes. This section establishes a process for the review of multi-family dwelling and multi-family complex development proposals in order to promote functional, safe, innovative and attractive development that is compatible with the natural and man-made environment. The intent is to promote compatible development, foster the attractiveness and functional utility of multi-family development, protect public and private investments in the area, and, raise the level of community expectations for the quality of its environment.
  - 1. Density Standards. The following residential densities shall apply to multi-family dwellings and complexes:
    - a. General Residential (R4) Zone – A minimum of 4.0 units per acre and a maximum of 14.5 units per acre.
    - b. High density residential (R5) Zone – A minimum of 8.0 units per acre and a maximum of 17.4 units per acre.
  - 2. Table A. Minimum Standards. The following minimum standards apply in each of the Residential zones as follows.

<b>Standard:</b>	<b>R-4</b>	<b>R-5</b>
<b>Minimum Lot Area –Square Feet</b>		
Multi-family Dwelling	7,500/2 units	7,500/2 units
add per unit	1,500	1,250
Multi-family Complex	15,000	12,500
<b>Maximum Density (1 unit per # s.f.)</b>	3,000	2,500
<b>Minimum Setback Distance <sup>(A)</sup></b>		
Front	15	15
Side	15	15
Rear	20	15
Garage	20	20
<b>Maximum Building Height</b>	40	40
<b>Off Street Parking</b>		
Multi-Family Dwelling (3 & 4 D.U.'s)	2 sp. / D.U.	2 sp. / D.U.
	2 sp. / D.U. + 1 sp. / Mgr. +	2 sp. / D.U. + 1 sp. / Mgr. +
Multi-Family Complex (over 4 D.U.'s)	1 sp. / 5 D.U.'s	1 sp. / 5 D.U.'s

(A) Multi-family dwellings and multi-family complexes are exempt from the solar setback requirements of Section 8.0370, except when the abutting property

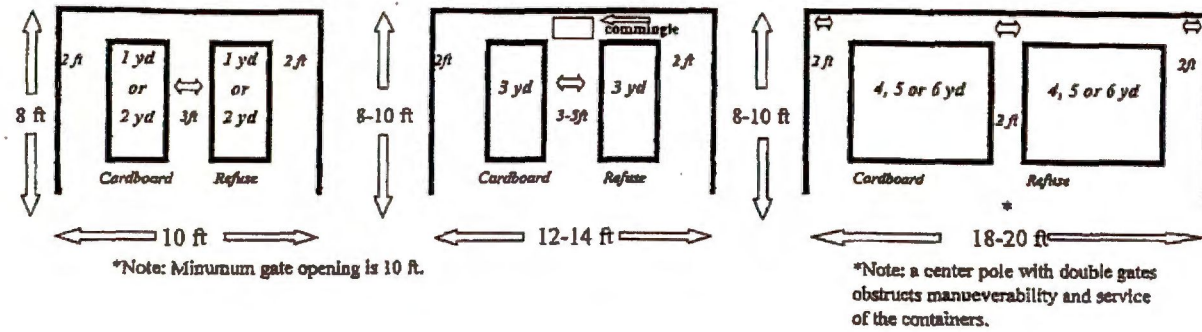
to the north is developed with a single-family dwelling.

3. **Building Orientation.** All buildings facing a public street right of way shall have a functional primary entrance oriented to each public street frontage, except for buildings fronting along and facing a Major Arterial street as designated on the City of Redmond Transportation System Plan. Additional primary entrances, if provided, or, in cases where buildings are internal to the development and do not front on the public street right of way, shall be oriented to a private common area (common areas include: private streets, courtyards or open spaces). A hard surfaced pedestrian sidewalk or pathway connecting the building entrances to the public streets right of way shall be provided.
4. **Building Form.** The continuous horizontal distance (i.e., as measured from end-wall to end-wall) of individual buildings (including buildings with multiple dwelling units) shall not exceed 90 lineal feet, unless part of a Master Plan development which may permit a maximum length of 120 feet. In order to preclude large expanses of uninterrupted building surfaces, each floor of the building shall include at least three of the following features within every 30 lineal feet or portion thereof along all elevations of the structure:
  - a. Recess (e.g., deck, patio, courtyard, entrance or similar feature) that has a minimum depth of 4 feet;
  - b. Extension (e.g., floor area, deck, patio, entrance or similar feature) that projects a minimum of 2 feet and runs horizontally for a minimum length of 4 feet; and/or
  - c. Offsets or breaks in roof elevation of 2 feet or greater in height.
  - d. Offset or breaks in building facade elevations of 2 feet or greater in relief.
5. **Detailed Architectural Features.** All buildings shall provide detailed design along all elevations (e.g., front, rear and sides). Detailed design requires use of at least five of the following architectural features on all front and exterior side (corner lot) elevations and at least three of the following architectural features on all interior and rear yard elevations, at a minimum of every 30 lineal feet of horizontal wall. Architectural features shall be varied on the different building elevations. The standard applies to each full and partial building story.
  - a. Dormers
  - b. Gables
  - c. Recessed entries
  - d. Covered porch entries
  - e. Cupolas or towers
  - f. Pillars or posts
  - g. Eaves (minimum 6-inch projection)
  - h. Off-sets in building face or roof (minimum 16 inches)
  - i. Window trim on all windows on the facade
  - j. Bay or oriel windows



- k. Balconies
  - l. Decorative patterns on exterior finishes (e.g., dramatic paint scheme, scales/shingles, wainscoting, ornamentation, and similar features)
  - m. Decorative cornices and roof lines (e.g., for flat roofs)
  - n. An alternative feature providing visual relief and detail, similar to options a-m above, may be approved through the development review process.
6. Exterior Finish. The exterior finish on all vertical surfaces shall be comprised primarily of materials such as masonry/wood lap siding, shingles, brick or stucco. The use of sheet metal, plywood, T1-11 siding, smooth face cinder block and other similar materials is not permitted. Textured cinder blocks are permitted on side and rear facades, but shall not exceed 40% of the total exterior wall area of the ground/bottom floor.
7. Building Alignment. There shall be no window to adjoining window alignment when adjacent buildings are less than 30 feet apart.
8. Trash Receptacles. A common trash enclosure shall be required and is subject to the following standards.
- a. Trash enclosures shall be oriented away from adjacent residences and shall be screened.
  - b. Trash enclosures shall be accessible to trash pick-up vehicles and shall provide an unobstructed, straight on approach a minimum of 40 feet in length.
  - c. Trash enclosures, a minimum of six-feet in height, shall be constructed of solid, durable and attractive walls, with solid screen doors and shall be visually consistent with project architecture. Gate openings shall be a minimum of 10 feet wide and shall not include a center pole or other obstruction preventing access to the enclosure. Gates must swing open 180 degrees and shall include a gate stop to hold it open.
  - d. Enclosure areas shall contain sufficient space to accommodate both refuse disposal and recycling containers adequate to accommodate the degree of development. Disposal needs shall be calculated at 0.3 yards per dwelling unit for refuse and 0.2 yards per dwelling unit for recycling. The following construction specifications shall be used as a guide for enclosure design based on the calculation requirements listed herein:

**Construction Specifications for Enclosures**



e. The area standards for trash enclosures listed in subsection (d.) above shall be met unless documentation is submitted from the applicable trash collection company indicating that an alternative design will be adequate to accommodate the amount of refuse and recycling that is anticipated to be generated on a ordinary basis.

9. Mechanical Equipment. External mechanical equipment, such as heating or cooling equipment, pumps or generators, that is located on the ground or on the roof of buildings, must be entirely screened from view at ground level by sight obscuring walls, fences, parapets or other similar means consistent with the overall architecture of the development. Landscaping is not an acceptable alternative for such screening as specified herein. Screening shall be compliant with all applicable codes.
10. Common Open Space. Common open space(s) shall be incorporated into the site plan for multi-family complexes as a primary design feature. A minimum of 15 percent of site area (inclusive of required setbacks but exclusive of dedicated street rights-of-way and land dedicated to other public uses like parks and schools), shall be provided as common open space and be suitable for a recreational play area, or group or community activities. However, in no case shall less than 3,000 square feet of common open space be provided. Such area shall be improved with grass, plantings, surfacing, equipment or buildings suitable for recreational use. The Hearings Body may require this area to be protected from streets, parking areas, or the like, by a fence or the equivalent. Sensitive lands and historic buildings or landmarks open to the public and designated by the Comprehensive Plan may be counted toward meeting the common open space requirements.  
(Note: Relocated and rewritten from Section 8.3035(4)(E)(13))

In conjunction with the open space requirements, all multi-family complexes with 20 or more units shall provide one or more amenities for the residents as listed below. Such amenities shall be centrally located for a majority of the residents.



- a. Tot lot/play structure
  - b. Community garden
  - c. Picnic tables/barbecue areas
  - d. Swimming pool
  - e. Indoor recreation facility
  - f. Sports courts (i.e. basketball, tennis, volleyball)
  - g. Other active or passive recreation area that meets the intent of this standard as approved through the development review process.
11. Private Open Space. Private open space shall be required for all multi-family dwellings and complexes based on the following standards:
- a. Ground/bottom floor housing units shall have front or rear patios or decks at least 4 feet deep and measuring at least 48 square feet in area.
  - b. A minimum of 50% of all upper floor (second floor and above) housing units shall have balconies or porches at least 4 feet deep and measuring at least 48 square feet in area.
  - c. To the maximum extent possible, private open space areas shall be oriented toward common open space areas and away from adjacent single family residences, parking areas and driveways and trash enclosures.
12. Special Yards. In order to allow air circulation and light, the distance between buildings on the same lot shall be as follows:
- a. All front and rear walls, and all walls with a primary entrance, shall be separated from all other walls on all other buildings on the same lot by a minimum of 20 feet.
  - b. The distance between side walls on buildings on the same lot shall be no less than 12 feet.
13. Special Fencing/Landscaping. A sight obscuring fence or evergreen hedge may be required by the Hearings Body when, in its judgment, such screening is necessary to preserve the values of nearby properties, protect the aesthetic character of the neighborhood or vicinity, and to provide security and privacy for occupants of the subject complex.
14. Storage. All multifamily dwellings and complexes shall provide for storage of furniture, tools, equipment, building materials or supplies belonging to the occupants or management of the complex. Each dwelling unit shall have one assigned, securable storage area, a minimum 18 square feet, but shall be of a minimum size and dimension that is suitable to accommodate one bicycle of average size. Storage areas may be indoor, such as attached or detached garages, or within specific areas that are internal to each dwelling unit. Storage areas may also be within outdoor structures such as within a separate storage building located on premises. The City may exempt or reduce the

storage space requirement for “specialty housing”, such as senior housing or for housing for long-term infirm care.

15. Off-Street Parking. All off-street parking provisions addressed herein (including: number of spaces; loading areas; and, design and improvement standards) shall be provided in conformance with Section 8.0500 through 8.0515 of the City of Redmond Development Code. Multi-family dwellings and complexes shall comply with the City’s access policies regarding vehicle access and provide adequate pedestrian ways to safely navigate the parking areas and to connect to the public sidewalks. Adequate internal vehicle access shall be designed to minimize or eliminate vehicle/vehicle or vehicle/pedestrian conflicts in off-street parking areas. If off-street parking areas are proposed to be placed between the primary building elevations and public streets, the application shall be subject to a public hearing pursuant to Article II - Land Use Procedures, Sections 8.1000 through 8.1720 of the City of Redmond Development Code. Parallel parking shall not be permitted on any common or shared driveways or private drives less than 28 feet in width for parking on one side, or less than 36 feet in width for parking on two sides.
16. Upper Floors. Third and fourth floors of multifamily dwellings and complexes constructed in residential zones along the perimeter of the site development shall occupy no more than 80% of the building footprint area (ground floor) when abutting a residential lot less than 20,000 square feet in area or any residential lot developed with a single family or duplex residential dwelling.



## **Exhibit B to Ordinance 2012-04**

### **FINDINGS OF THE REDMOND CITY COUNCIL REGARDING TA-12-1, SITE AND DESIGN REVIEW STANDARDS FOR MULTI-FAMILY DWELLINGS AND COMPLEXES**

### **AN AMENDMENT TO THE TEXT OF THE REDMOND DEVELOPMENT CODE TO ADOPT NEW AND REVISED DEVELOPMENT STANDARDS FOR MULTI-FAMILY DWELLINGS AND COMPLEXES**

**FILE NO.** TA 12- 1

**REQUEST:** A Legislative Amendment to the Redmond Development Code, Section 8.0020, Definitions; Section 8.0140, Table B. Minimum Standards; Section 8.0370, Building Setbacks for the Protection of Solar Access; and, Section 8.3035 (4)(E), Site and Design Review Standards for Multi-family Dwellings and Complexes, to amend the existing standards and add new standards related to site development and architectural requirements.

**APPLICANT:** City of Redmond  
716 SW Evergreen Avenue  
P O Box 726  
Redmond, OR 97756

**LOCATION:** The proposal includes development and design standards that are applicable to all multi-family dwellings and complexes as permitted in the R-4 and R-5 zones, within the incorporated boundary of the City of Redmond.

**STAFF:** James Lewis, Senior Planner, Long Range/Economic Planning  
Heather Richards, Community Development Director

**HEARINGS  
BODY:** Redmond City Council

**DATE& TIME:** April 24, 2012 at 7:00 p.m.  
**LOCATION:** City Council Chambers, 777 Deschutes Avenue, Redmond, Oregon

#### **I. APPLICABLE CODE SECTIONS AND CRITERIA:**

##### **Redmond Development Code, Chapter 8:**

**Article I - Zoning Standards (amending existing and adding new Sections)**

- Section 8.0020; Definitions
- Section 8.0140; Table B. Minimum Standards
- Section 8.0370; Building Setbacks for the Protection of Solar Access
- Sections 8.0750 through 8.0775; Amendments

**Article II - Land Use Procedures**

- Section 8.1110 through 8.1125; Legislative Procedures

**Article IV – Site and Design Review**

- Section 8.3035 (4)(E); Site and Design Review Standards, Architectural Requirements, Multi-family Dwellings and Complexes

**The Redmond Urban Area Comprehensive Plan, including:**

- Chapter 1, Citizen Involvement
- Chapter 2, Land Use Planning
- Chapter 10, Housing

**Oregon Revised Statutes (ORS) – ORS 197.250, 197.610, 197.763.**

**Oregon Administrative Rule (OAR), LCDC, Division 15, Statewide Planning Goals and Guidelines – OAR 660-015-0000 (as applicable)**

**Not Applicable**

**Oregon Administrative Rule (OAR), LCDC, Division 12, Statewide Planning Goals and Guidelines – OAR 660-012-0000 (specifically OAR 660-012-0060) is not applicable because the proposal does not include any changes to the allowable uses that would affect the number of trips or functional classifications of roads/streets in Redmond. The proposal is merely limited to architectural elements and design features appurtenant to existing uses permitted in the affected zones.**

**II. BACKGROUND & HISTORY:** The proposed Development Code Text Amendments have been initiated legislatively by the City of Redmond – thus, the City is the applicant. The Development Code requirements for multi-family dwellings and complexes include specific architectural and dimensional requirements for building and site. The intent of the requirements is to mitigate the potential impacts of the massing and scale of multi-family buildings, with the resulting development providing a degree of architectural compatibility, and opportunities for privacy and open space for residents of the proposed development and on adjoining lots. Recent proposals for multi-family development have shown that the intent of the standards as described above (intended for public benefit) have proven challenging with regard to efficient use of land and meeting intended densities. The proposed amendments are intended to rectify the difficulties in administering the code and to provide more affirmative action toward the designs the City of Redmond desires with multi-family development - to minimize the adverse



impacts of mass and scale, but doing so in a more architecturally complete manner that also allows flexibility to the developer. The rationale for the adoption of the proposed text amendments is also consistent with the Redmond City Council 2011-12 Goals – the following Goals apply:

**Enhance the quality of life in the City through the adoption of programs, policies and standards that balance growth while maintaining the city's unique character.**

**A. Promote quality neighborhoods and development.**

- i. Continue to incorporate the Great Neighborhood Principles in both new development and infill development**
  - a.) Amend the Redmond Development Code to ensure the principles are promoted throughout the code.**
- iv. Review Redmond Development Code, Building Codes, programs and policies to evaluate creating incentives for new development and redevelopment that are energy, water and land efficient and support a multi-modal transportation system.**

The resulting development will be compatible with existing single family and multi-family development in the R4 and R5 zones, will provide a more efficient use of land, and a more viable and livable product for the developer, the future residents and the community in general.

**III. PROPOSAL:** The request is for an amendment to the text of the Redmond Development Code, Section 8.0020, Definitions; Section 8.0140, Table B. Minimum Standards; Section 8.0370, Building Setbacks for the Protection of Solar Access; and, Section 8.3035 (4)(E), Site and Design Review Standards for Multi-family Dwellings and Complexes, to amend the existing standards and add new Standards related to site development and architectural requirements.

**IV. AREA DESCRIPTION:** As stated above, this proposal (a Text Amendment to the Redmond Development Code) is applicable to development standards for the R-4 and R-5 zoned areas within the incorporated boundary of the City of Redmond. Thus, the proposal will not include any specific Comprehensive Plan or Zoning map changes.

**V. EXHIBITS:** The following exhibits make up the record in this matter:

1. Proposed Findings and Conclusions included herein.
2. The existing text of Section 8.0020, Definitions; Section 8.0140, Table B. Minimum Standards; Section 8.0370, Building Setbacks for the Protection of Solar Access; and, Section 8.3035 (4)(E), Site and Design Review Standards for

- Multi-family Dwellings and Complexes, of the City of Redmond Development Code.
3. The proposed text for Section 8.0020, Definitions; Section 8.0140, Table B. Minimum Standards; Section 8.0370, Building Setbacks for the Protection of Solar Access; and, Section 8.3035 (4)(E), Site and Design Review Standards for Multi-family Dwellings and Complexes, of the City of Redmond Development Code.
  4. Agency and departmental comments (on-file) with the Planning Division.
  5. Notice to DLCD – January 18, 2012.
  6. Notice of Planning Commission Public Hearing “Spokesman- February 29, 2012” (file).
  7. Notice of City Council Public Hearing “Spokesman- April 11, 2012” (file).
  8. Planning Commission Work Session/Public Hearing Staff Reports (6).
  9. City Council Work Session/Public Hearing Staff Reports (2).
  10. Various graphic exhibits regarding architectural styles and designs.

**VI. SUMMARY:**

1. The request is for an amendment to the text of the City of Redmond Development Code, Section 8.0020, Definitions; Section 8.0140, Table B. Minimum Standards; Section 8.0370, Building Setbacks for the Protection of Solar Access; and, Section 8.3035 (4)(E), Site and Design Review Standards for Multi-family Dwellings and Complexes, to amend the existing standards and add new Standards related to site development and architectural requirements.
2. The intent of the proposed amendments are to rectify the difficulties in administering the code and to provide more affirmative action toward the architectural designs the City of Redmond desires with multi-family development - to minimize the adverse impacts of mass and scale, but doing so in a more architecturally complete manner that also allows flexibility to the developer..
3. The proposal will be applicable to the entirety of the R-4 and R-5 zoned areas within the incorporated boundary of the City of Redmond as they are currently the only zones which allow multi-family development – no amendments to the Comprehensive Plan text or map, and Zoning map are proposed.
4. The findings, the text for the multi-family dwelling and multi-family complex design standards, and supporting materials, all demonstrate that the proposed Development Code amendments are consistent with the Statewide Planning Goals, the Redmond Comprehensive Plan, the City Council Goals and other policies adopted by the City.
5. The four criteria set forth in RDC Section 8.0760 (*Criteria for Amendments*) are addressed herein/below, as well as all applicable state laws and requirements.

**VII. FINDINGS AND CONCLUSIONS:**



**A. REDMOND DEVELOPMENT CODE (RDC), Chapter 8, Sections 8.0750 through 8.0775 (Amendments) sets forth the procedure and standards for an amendment to the text of the Code or to the adopted Comprehensive Plan or Zoning map. Specifically, Section 8.0760 - Criteria for Amendments, sets forth the four (4) criteria that must be met:**

**1. In conformity with all applicable State statutes;**

**Finding:** The State statutes that directly apply to this application include ORS 197.610, *Local Government Notice of Amendment or New Regulation*; ORS 197.250, *Compliance with Goals Required*, and ORS 197.763, *Conduct of Local Quasi-Judicial Land Use Hearings; Notice Requirements*. The applicable City of Redmond Code standards (sections 8.0750 to 8.0775, *Amendment Procedures and Notice Requirements*), and (sections 8.1100 through 8.1125, *Legislative Procedures*), were developed in compliance with the applicable State Statutes listed above regarding noticing and public hearings. Applicability of the Statewide Planning Goals is addressed in greater detail below – those findings, incorporated by reference herein, show compliance with the applicable Statutes listed above.

With regard to the Statutory noticing requirements referenced above, notice of the proposed amendment has been provided to DLCDC and advertised in the local newspaper (public notice) as required by City Code and State Statute.

With regard to the Statutory public hearing requirements referenced above, this proposal is legislative and not necessarily quasi-judicial in nature. However, for lack of specific Statutory requirements governing such legislative actions, Sections 8.1100 through 8.1125 of the Redmond Development Code which implement the quasi-judicial Statutory requirements in similar fashion have been met. Subsequently, the Planning Commission and (ultimately) City Council's public hearing and review processes meet the Statutory requirements for the purpose of the review.

Notwithstanding the Statutory requirements addressed herein, the Oregon Administrative Rules (OAR) also implement the Statutes. The applicable Rules are addressed in the ensuing review.

**Conclusion:**

Based on the findings addressing Code amendment criterion 1, the proposed Development Code text amendment conforms to applicable State statutes.

**2. In conformity with the State-wide planning goals whenever they are determined to be applicable;**

**Finding:** The proposed amendments do not directly implement a comprehensive planning requirement of the Statewide Planning Goals, State Statutes or Administrative Rules concerning the necessary provision of housing – they do not include provisions that are directly applicable to the substantive “land use” elements of the Goals requiring a variety of housing types at urban

densities, but do fall within the “procedural” Statewide Planning Goal requirements applicable to the development of land. Thus, the only applicable Statewide Planning Goals are Goals 1 (Citizen Involvement) and 2 (Land Use Planning). Nonetheless, Goal 10 (Housing) is also addressed. All the listed Goals are addressed below.

**Goal 1- Oregon’s Statewide Planning Goals: Citizen Involvement.**

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

**Finding:** The Urban Area Planning Commission serves as the City’s formal citizen advisory committee to fulfill Goal 1, and is made up of Redmond area residents. The City conducted public meetings (Planning Commission work sessions – 5, and public hearing - 1) over the past few months regarding the proposal. Public notices and agendas for Planning Commission meetings where the proposed amendments were discussed were provided. All documents were available for the public review. Further, public notice advertising the public hearing was published in the local newspaper, the Redmond Spokesman. The City continually provided extensive public review and involvement opportunities during public work sessions and public hearings both at the Planning Commission level and City Council level as deemed necessary by such bodies. Based on these actions, Oregon Planning Goal 1 for Citizen Involvement has been met.

**Goal 2- Oregon’s Statewide Planning Goals: 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.***

**Finding:** The staff, the Redmond Urban Area Planning Commission and the Redmond City Council have received input from other City staff and residents of the community. Based on this input, these revised standards are necessary to regulate and guide development of necessary multi-family dwellings and complexes, but to do so in a manner where they are constructed with minimal adverse impact and are assets to the community. The City Council has determined that enough factual and policy basis exists to support the proposed Code amendments. The proposed amendments will better implement policies of the Comprehensive Plan and will provide clearer regulations for the City staff to administer. Based on these findings, the proposed amendments meet Goal 2.

**Goal 10- Oregon’s Statewide Planning Goals: Housing.**

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

**Finding:** The proposed text will continue to allow multi-family dwelling and multi-family complex residential development wherever it is allowed (currently allowed in the R-4 and R-5 zones). The proposal will change the design elements (both site design and architectural elements) so that new development is more affirmative toward the designs the City of Redmond desires with multi-family development rather than being reactive in its approach. The intent is to still minimize the adverse impacts of mass and scale, but doing so in a more architecturally



complete manner that also allows flexibility to the developer. The resulting development will be compatible with existing single family and multi-family development in the R4 and R5 zones (where multi-family development is currently permitted), will provide a more efficient use of land, and a more viable and livable product for the developer, the future residents and the community in general. Overall, by amending the Development Code as proposed, the City will be encouraging multi-family residential development as a desirable and economically viable housing type which provides more variety to meet the housing needs of its citizens.

**Conclusion:**

Based on the findings addressing Code amendment criterion 2, the proposed Development Code text amendment conforms to applicable Statewide planning goals.

**3. In conformity with the Redmond Comprehensive Plan, land use requirements and policies:**

**Chapter 1 – Redmond Comprehensive Plan: Citizen Involvement.**

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

**Finding:** The Urban Area Planning Commission serves as the City’s formal citizen advisory committee (as required by State Administrative Rule) and is made up of Redmond area residents. The Planning Commission is formally recognized through City Code and was appointed by the City Council. Thus, the Planning Commission is the appropriate public review and recommendation body to the City to meet this Comprehensive Plan policy.

The City, through the Planning Commission, has conducted initial public meetings, and a public hearing over the past few months regarding the proposed amendments. Public notices and agendas for Planning Commission meetings where the proposed amendments were discussed were provided. All documents were available for the public review. Further, a notice of the public hearing was published in the local newspaper, the Redmond Spokesman. The City has continually provided extensive public review and involvement opportunities during public work sessions and public hearings both at the Planning Commission and City Council levels as deemed necessary by such bodies.

The proposed amendments serve the following Policies of Chapter 1 of the Redmond Comprehensive Plan.

1. The City shall establish a citizen involvement program to provide for widespread citizen involvement.
2. The citizen involvement program shall involve a cross-section of affected citizens in all phases of the planning process.
3. The City shall assign the Redmond Urban Area Planning Commission as its officially

recognized committee for citizen involvement (CCI).

4. The City shall establish mechanisms to assure two-way communications between citizens and elected and appointed officials.
5. The City shall provide the opportunity for citizens to be involved in all phases of the planning process.
6. The City shall assure that technical information is available to citizens in an understandable form.
7. The City shall assure that recommendations resulting from the citizen involvement program shall be retained and made available for public assessment. Citizens who have participated in this program shall receive a response from policy-makers.
8. The City shall allocate adequate human, financial and informational resources for the citizen involvement program.

**Chapter 2 – Redmond Comprehensive Plan: 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.***

**Finding:** The staff, the Planning Commission and the City Council have provided opportunities for and have received public input throughout the review process. Based on this input, the City Council finds that the proposed amendments and new development/design standards are necessary to implement Chapters 1 and 2 of the City of Redmond's Comprehensive Plan, specifically, and other Chapters through the support of good design principles. The City Council has determined that enough factual and policy basis exists to support the proposed Code amendments. The proposed amendments will better implement policies of the Comprehensive Plan and will provide clearer regulations for the City staff to administer.

The proposed amendments serve the following Policies of Chapter 2 of the Redmond Comprehensive Plan.

2. The plan shall be the basis for specific implementation measures. These measures shall be consistent with and adequate to carry out the plans. Each plan and related implementation measure shall be coordinated with the plans of affected governments.
3. All land use plans and implementation ordinances shall be adopted by the governing body after public hearing and shall be reviewed and, as needed, revised on a periodic cycle to take into account changing public policies and circumstances, in accord with a schedule set forth in the plan.
4. Opportunities shall be provided for review and comment by citizens and affected



governmental units during preparation, review and revisions of plans and implementing ordinances

5. To provide a sound basis for orderly and efficient urbanization by establishing proper relationships between residential, commercial, industrial, public and open land uses, and transportation uses.

**Chapter 10 – Redmond Comprehensive Plan: Housing.**

**Finding:** The proposed text will continue to allow multi-family dwelling and multi-family complex residential development wherever it is allowed (currently allowed in the R-4 and R-5 zones). The proposal will change the design elements (both site design and architectural elements) so that new development is more affirmative toward the designs the City of Redmond desires with multi-family development rather than being reactive in its approach. The intent is to still minimize the adverse impacts of mass and scale, but doing so in a more architecturally complete manner that also allows flexibility to the developer. The resulting development will be compatible with existing single family and multi-family development in the R4 and R5 zones, will provide a more efficient use of land, and a more viable and livable product for the developer, the future residents and the community in general. Overall, by amending the Development Code as proposed, the City will be encouraging multi-family residential development as a desirable and economically viable housing type which provides more variety to meet the housing needs of its citizens.

The proposed amendments serve the following Goals of Chapter 10 of the Redmond Comprehensive Plan.

2. Allow for a variety of housing options at all income levels in both existing neighborhoods and new residential areas that match the changing demographics and lifestyles of Redmond residents.

The proposed amendments serve the following Policies of Chapter 10 of the Redmond Comprehensive Plan.

**Residential Compatibility**

1. New developments in existing areas shall be compatible with surrounding developments, including landscaping, visual impact, architectural styles and lighting, and their appearance should enhance the area.

**Multi-Family Housing Development**

24. Higher density neighborhoods should complement the areas in which they are located. Development criteria should include:

- a) Buffering by means of landscaping, fencing or distance from conflicting uses.
- b) Compatibility of design, recognizing the conflicts of mass and height between larger multi-family and mixed use buildings smaller single family houses.

- c) On-site recreation space, such as adequate yard space for residents and play space for children in a distinct area shall be required for all new neighborhoods.
- d) Open space must be used for amenity or recreational purposes. The uses authorized or required for the common open space must be appropriate to the scale and character of the development, considering the size, density, expected population, topography, and the number and type of dwellings to be provided.
- e) Open space must be suitably improved for its intended use, but common open space containing natural features found worthy of preservation may be left undeveloped. The buildings, structures and improvements which are permitted in the common open space must be appropriate to the uses which are authorized.
- f) Multi-modal transportation facilities that provide pedestrian and bicycle users access to parks, schools, mass transit stops and convenience shopping.
- g) The siting of buildings to minimize the visual impact of parking areas-from public streets.
- h) Access points for automotive, pedestrian, and bike traffic.
- i) Signage.
- j) Street connectivity.
- k) Traffic impacts.

**Conclusion:**

Based on the findings addressing Code amendment criterion 3, the proposed Development Code text amendment conforms with the Redmond Comprehensive Plan, and land use requirements and policies.

**4. That there is a change of circumstances or further studies justifying the amendment or mistake in the original zoning.**

**Finding:** This proposal in and of itself does not include a change of zoning to any particular property or area within the City. Rather, it involves the amendment of existing regulations and the creation of new regulations and design standards for multi-family dwellings and multi-family complexes as permitted in the R-4 and R-5 zones within the incorporated City limits. Thus, this criterion is applicable to the need for addressing such housing uses in relation to changes in circumstances/further study justifying the amendment since the existing standards were adopted – the existing standards have shown that the intent of the standards as described above (intended for architectural compatibility) have proven challenging with regard to efficient use of land and meeting intended densities. Additionally, prospective developers have indicated that even though the intent of the requirements is valid, the standards as written make such development impractical as it results in an inefficient use of land and does not allow necessary densities to be met. Thus, the multi-family development projects approved over the past few years have included variances to the development standards in one form or another to provide the intended design mitigation while also allowing for practical development patterns.

The proposed amendments are intended to rectify the difficulties in administering the code as described above. Further, they are intended to provide more affirmative action toward the



designs the City of Redmond desires with multi-family development rather than being reactive in its approach. The intent is to still minimize the adverse impacts of mass and scale that can be associated with multi-family residential development, but doing so in a more architecturally complete manner that also allows flexibility to the developer. The resulting development will be compatible with existing single family and multi-family development in the R4 and R5 zones, will provide a more efficient use of land, and a more viable and livable product for the developer, the future residents and the community in general. Thus, these findings include such justification as applied to the change in circumstances/further study justifying the amendment part of this criterion.

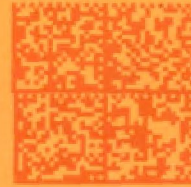
**Conclusion:**

Based on the findings addressing Code amendment criterion 4, the proposed Development Code text amendment is supported by the change in circumstances described above.

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**CONCLUSION:**

The above findings demonstrate that the proposed Development Code Text amendments to Section 8.0020, Definitions; Section 8.0140, Table B. Minimum Standards; Section 8.0370, Building Setbacks for the Protection of Solar Access; and, Section 8.3035 (4)(E), Site and Design Review Standards for Multi-family Dwellings and Complexes, to amend the existing standards and add new Standards related to site development and architectural requirements meets the Section 8.0760 Criteria for Amendments to the Redmond Development Code.



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*DLCD  
635 CAPITOL ST., NE, SUITE 150  
SALEM, OR 97301-2540*