

CITY OF MADRAS PUBLIC NOTICE

ORDINANCE NO. 983

The City Council of the City of Madras, Oregon, will be considering approval of the following proposed ordinance during their regularly scheduled Council meeting on Tuesday, April 9, 2024 at approximately 5:30 p.m. in the Madras City Hall Council Chambers.

ORDINANCE NO. 983

AN ORDINANCE AMENDING THE MADRAS COMPREHENSIVE PLAN AND MADRAS DEVELOPMENT CODE TO CLARIFY RESIDENTIAL DENSITY STANDARDS AND CALCULATIONS

A copy of the proposed ordinance is available for review at Madras City Hall, located at 125 SW "E" Street, between 8:00 am and 5:00 pm, Monday through Friday. The proposed ordinance can also be found on the City's website at www.ci.madras.or.us on the Public Notices page.

Published: Madras Pioneer April 3, 2024

ORDINANCE NO. 983

AN ORDINANCE AMENDING THE MADRAS COMPREHENSIVE PLAN AND MADRAS DEVELOPMENT CODE TO CLARIFY RESIDENTIAL DENSITY STANDARDS AND CALCULATIONS

WHEREAS, the City of Madras (“City”) adopted the Madras Comprehensive Plan (“Comprehensive Plan”) as the guiding document for land use planning and growth management;

WHEREAS, City adopted the Madras Development Code (“MDC” or the “Development Code”) to implement the Comprehensive Plan and regulate land uses and development within the City;

WHEREAS, City’s public facility master plans and housing need analysis, which are elements of the Comprehensive Plan, make assumptions of anticipated residential densities based on minimum and maximum densities in residential zones and based on whether lands are not buildable on account of such factors as steep slopes;

WHEREAS, City staff determined there were inconsistencies in the range of permitted residential densities and the manner of calculating residential densities between the Comprehensive Plan, planning documents incorporated as part of the Comprehensive Plan, and the Development Code;

WHEREAS, City filed the land use application identified as Planning File No. TA-23-1 (the “Application”) to amend the Comprehensive Plan and Development Code to provide for consistency in the permitted range of residential densities and the manner of calculating residential density;

WHEREAS, City provided appropriate notices to the Department of Land Conservation and Development, interested parties, and the public for the Application and a public hearing on the Application to be held by the City of Madras Planning Commission (“Planning Commission”);

WHEREAS, after holding a public hearing on February 7, 2024, and after fully deliberating the matter, the City’s Planning Commission recommended that the City Council approve the Application;

WHEREAS, City provided appropriate notices to interested parties and the public for a public hearing on the Application to be held by the Madras City Council (“City Council”);

WHEREAS, after holding a public hearing on February 27, 2024, and fully deliberating the matter, the City Council voted to approve the Application.

NOW, THEREFORE, the City of Madras ordains as follows:

SECTION 1: FINDINGS

- 1.1 The findings contained in the recitals and those found in the staff report delivered at the February 27, 2024, public hearing before City Council are hereby adopted and incorporated herein by reference. City Council finds that the proposed amendments are consistent with the City’s Comprehensive Plan and statewide land use goals and do not significantly impact any existing or planned transportation facilities.

SECTION 2: AMENDMENTS

- 2.1 The amendments to the Comprehensive Plan contained in the attached Exhibit A are hereby adopted.
- 2.2 The amendments to the Development Code contained in the attached Exhibit B are hereby adopted.
- 2.3 The provisions of the Comprehensive Plan and Development Code that are not amended or modified by this Ordinance No. 983 (this “Ordinance”) remain unchanged and in full force and effect. The amendments supersede any conflicting provisions and/or policies in any City enactment or adopted document. Staff are directed to take such actions as are necessary to incorporate and/or codify the adopted amendments into the Development Code.

SECTION 3: MISCELLANEOUS

- 3.1 Severability. If any section, subsection, sentence, clause, and/or portion of this Ordinance is for any reason held invalid, unenforceable, and/or unconstitutional, such invalid, unenforceable, and/or unconstitutional section, subsection, sentence, clause, and/or portion will (a) yield to a construction permitting enforcement to the maximum extent permitted by applicable law, and (b) not affect the validity, enforceability, and/or constitutionality of the remaining portion of this Ordinance.
- 3.2 Corrections. This Ordinance may be corrected by order of the City Council to cure editorial and/or clerical errors.

APPROVED AND ADOPTED by the City Council of the City of Madras and signed by the Mayor this _____ day of _____, 20 _____.

Ayes: _____
Nays: _____
Abstentions: _____
Absent: _____
Vacancies: _____

Mike Lepin, Mayor

ATTEST:

Keli Pollock, City Recorder

EXHIBIT A
COMPREHENSIVE PLAN AMENDMENTS

[attached]

EXHIBIT A
AMENDMENTS TO COMPREHENSIVE PLAN

Added language in double underline

Deleted language ~~in-strikethrough~~

1. R-1 "Moderate Density Residential"

The Moderate Density Residential (R-1) zone is intended to provide opportunities for a variety of residential housing types at the most common residential densities in places where sewer and water services are available. The R-1 zone is intended to provide for residential uses, with a mix of single-unit detached dwellings and other housing types at a scale compatible with single-unit dwellings. It also provides opportunities for supporting public and institutional uses on a case-by-case basis. The intended residential density of the R-1 Zone is 4 – 7.3 dwelling units per gross acre as calculated and further refined in the Development Code.

2. R-2 "Higher Density Residential"

The Higher Density Residential (R-2) zone is intended to provide for a mix of housing types, with an emphasis on multi-unit residential and medium-scale attached housing types, and opportunities for limited neighborhood commercial uses. It also provides opportunities for supporting public and institutional uses on a case-by-case basis. It is suitable in areas where sewer and water service are available. It is most appropriate for areas in proximity to commercial areas and along or near major transportation and transit corridors. The intended residential density of the R-2 Zone is 7-4 – 21.7 dwelling units per gross acre as calculated and further refined in the Development Code.

3. R-3 "Planned Residential Development"

Planned Residential Development land use areas, as designated on the Comprehensive Plan Map, are intended to recognize and enhance areas of scenic quality and view amenities by allowing for flexibility in project design while providing for essential development standards. Within these areas development which is sensitive to the natural topography of the site, minimizes alterations to the land, and maintains and enhances significant natural resources, and is compatible with the surrounding development is encouraged. The intended residential density of the R-3 Zone is 46 – 21.7 dwelling units per gross acre as calculated and further refined in the Development Code.

EXHIBIT B
DEVELOPMENT CODE AMENDMENTS

[attached]

EXHIBIT B
AMENDMENTS TO DEVELOPMENT CODE

Added language in double underline
Deleted language ~~in-strikethrough~~

18.05.030 Definitions.

...

Maximum Density. Maximum housing densities are calculated based on gross acreage (i.e., including areas to be dedicated for rights-of-way, utility easements, etc., but excluding areas dedicated for public parks, portions of the site with slopes in excess of 25%, and portions of the site within the flood hazard area) of the subject property with fractional units rounded down to the next whole unit.

...

Minimum Density. Minimum housing densities are calculated based on gross acreage (i.e., including areas to be dedicated for rights-of-way, utility easements, etc., but excluding areas dedicated for public parks, portions of the site with slopes in excess of 25%, and portions of the site within the flood hazard area) of the subject property with fractional units rounded up to the next whole unit.

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Table 18.15.040-3. Development Standards in the R-1, R-2, and R-3 Zones

Standard	Residential Zones			Limitations and Qualifications
	R-1	R-2	R-3	
A. Lot Size Requirements				
1. Minimum lot size (square feet)	7,500	7,500	6,000	Minimum lot size in this table applies to all new lots of record except for lots created as part of townhome or cottage cluster developments. For permitted housing types on this lot size see MDC Table 18.15.040-2 above.
2. Maximum lot coverage (percent of total lot area)	50%	50%	50%	See MDC <u>18.50.030</u> and <u>MDC 18.60.100</u> . See definition of lot coverage in MDC <u>18.05.030</u> , Definitions, for explanation of what portions of a building on a lot are included.
3. Minimum density see definition in MDC 18.05.030	4	4	7 <u>6</u>	A land division with the residential zones may create a remainder development lot in excess of one-half (1/2) acre only if approved as part of a phased subdivision.

4. Maximum density see definition in MDC 18.05.030	7.3	21.7	21.7
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Table 18.15.070-3. Development Standards in the C-1, C-2, and C-3 Zones

Standard	Commercial Zones			Limitations and Qualifications
	C-1	C-2	C-3	
B. Development Standards				
4. Minimum density (dwelling units per gross acre see definition in MDC 18.05.030)	N/A	12	12	Only applies to standalone residential uses. There is no maximum density.

...

18.30.191 Townhouse design and development standards.

...

(4) Development Standards.

...

(f) Density, ~~Minimum. (i) In the R-1 and R-3 zones: six dwelling units per acre.~~ [The minimum and maximum density in the applicable zone.](#)

~~(ii) In the R-2, C-2, and C-3 zones: 12 dwelling units per acre.~~

...

18.30.192 Cottage cluster design and development standards.

...

(4) Development Standards.

...

(c) Density, Maximum. ~~N/A~~ [The maximum density in the applicable zone.](#)

...

(d) Density, Minimum. ~~(i) In the R-1 and R-2 zones: four dwelling units per acre~~[The minimum density in the applicable zone.](#)

~~(ii) In the R-3 zones: seven dwelling units per acre.~~

~~(iii) In the C-2 and C-3 zones: twelve (12) dwelling units per acre.~~

...

18.60.100 Lot standards.

The size, width, and orientation of lots/parcels shall be appropriate for the location of the land division and for the type of development and use contemplated, and shall be consistent with the lot size provisions of the governing zoning district, subject to the following:

...

~~(1) Lot Sizes. Portions of a lot with slopes in excess of twenty percent (20%) will not be counted for purposes of meeting minimum lot sizes.~~

[\(1\) Steep Slopes. More than fifty percent \(50%\) of a lot or parcel must be comprised of slopes of less than twenty five percent \(25%\).](#)