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Date: 03 June 2021
Subject: **Madras Code Amendments**
To: City of Madras Code Committee
From: Marcy McInelly AIA, Urbsworks, Inc.

MADRAS HOUSING AND DOWNTOWN PARKING CODE UPDATE PROJECT

Title 18 Development Code – Overview of Amendments

This table was produced in conjunction with the Draft Evaluation Memorandum as part of the Madras Housing and Downtown Parking Code Update project. It summarizes the code sections that will be amended and provides a brief description of the type of amendments that will be needed to implement the project objectives.

Relevant subsections

Relevant subsections of the Development Code are described in one or both of following ways: what is being regulated (i.e., a building setback or building height), and/or how it is being regulated (i.e., through a dimension or percentage). When relevant provisions are cited verbatim, the citation is *italicized*.

Anticipated amendments

Anticipated amendments are noted in the third column. For example, where it is clear that the standards for a particular housing type may conflict with provisions of the cited section, or the provision potentially conflicts with the project objectives, specific amendments are identified.

Assessments

In some cases, additional assessment is needed to understand the scope of amendments. Assessments may take the following forms:

1. Assess the effect of regulations on meeting overall project objectives.
2. Assess the applicability of regulations to certain types of residential development, such as cottage clusters or townhouses.
3. Assess how provision(s) will affect the financial or physical feasibility of certain housing types.
4. Assess the effect of regulations on specific or prototype housing sites (e.g., HURD sites).
5. Assess the effect of regulations on housing in relationship to specific street types or functional classifications, e.g., arterial or major collectors.

Title 18 Development Code Amendments Summary Tables

On the following pages are four tables:

- Table 1 | Title 18 Summary
- Table 2 | Chapter 18.15 – Land Use Zones
- Table 3 | Chapter 18.20 – Public Improvement Standards
- Table 4 | Chapter 18.25 – Supplementary Provisions

Table 1 includes all 16 subchapters of Title 18 and identifies the amendments or assessments for that chapter. In three cases, anticipated amendments are too numerous for the summary table, and additional tables are provided for these subchapters: Land Use Zones, Public Improvement Standards, and Supplementary Provisions.

TABLE 1 | TITLE 18 SUMMARY

Title 18 Development Code is the eighteenth document in the City of Madras’ Municipal Code. It consists of 16 chapters as listed below.

Title 18 Development Code chapters	Relevant subsections	Amendments
18.05 –Introductory Provisions	18.05.030 –Definitions	Amend definitions for dwelling types to be consistent with other amendments.
18.10 –Basic Provisions	18.10.020 – Preexisting approvals, and (7) <i>Legality of Preexisting Approvals.</i>	Review relative to Housing Action Plan (HAP) section: “HAP notes that the City of Madras has previously approved several residential subdivisions whose approvals have now expired. As the report states, “Without changing existing procedures, the same residential subdivisions, re-filed for approval, would need to meet many of the same conditions of approval.”
18.15 –Land Use Zones	See table below for detail on relevant subsections and anticipated amendments.	
18.20 –Public Improvement Standards	See table below for detail on relevant subsections and anticipated amendments.	
18.25 – Supplementary Provisions	See table below for detail on relevant subsections and anticipated amendments.	

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Title 18 Development Code chapters	Relevant subsections	Amendments
18.30 – Special Standards for Certain Uses	<p>18.30.100 – Mixed-use residential</p> <p><i>“Residential uses in commercial zones (multifamily dwellings) shall be permitted only when part of a mixed-use development (residential with commercial or public/institutional uses) and subject to the following standards:</i></p> <p><i>(1) “Vertical” mixed-use (housing above the ground floor) and “horizontal” mixed-use (housing on the ground floor) developments may be permitted.</i></p> <p><i>(a) Within horizontal mixed-use developments, residential uses shall be located behind commercial uses relative to the front lot line.</i></p> <p>18.30.190 – Townhouse design and development standards.</p>	<p>Consider the impact of the Mixed-use residential provisions and prohibition of residential uses except when commercial uses are present.</p> <p>Consider residential development typologies for vertical and horizontal mixed uses and applicability to downtown and downtown transition zones.</p> <p>Consider adding other special housing / development types (e.g., Cottage Clusters, courtyard apartments) to this Subchapter.</p> <p>For any added subsections, consider using a similar organization and content, i.e., context sensitive standards by zone, which would allow R-1, R-2, and R-3-specific design and siting approaches.</p>
18.35 – Signs	No change	

<p>18.40 – Zoning Review, Site Plan Review, and Design Review</p>	<p>18.40.010 – Zoning review</p> <p>(2) <i>Approval Criteria.</i></p> <p>(a) <i>The proposed land use is a permitted or conditionally permitted use in the zoning district.</i></p> <p>18.40.020– <i>Site plan review</i></p> <p><i>Purpose. To determine compliance with this Development Code for development not subject to zoning review.</i></p> <p>(1) <i>Applicability. Site plan review is required for the following:</i></p> <p>(c) <i>New multifamily dwelling buildings.</i></p> <p>(f) <i>All townhome developments.</i></p> <p>18.40.030 – <i>Design review.</i></p> <p>(1) <i>Purpose. The purpose of design review is to ensure that the public health, safety, and general welfare are protected, and the general interest of the public is served. The standards provide for originality, flexibility, and innovation in site planning and development in order to enhance the special characteristics that make Madras a unique place to live.</i></p> <p>(2) <i>Applicability. Unless exempt, the provisions of this section shall apply to the following activities:</i></p> <p>(b) <i>All multifamily dwellings.</i></p> <p>(c) <i>Exterior modifications to existing buildings except single-family dwellings.</i></p> <p>(d) <i>All new parking lots.</i></p>	<p>Amend housing types as permitted in 18.15.020, and coordinate with Site Plan Review provisions in this Chapter. Site plan review for middle housing (e.g., multidwelling up to 4 or 5 units, and townhouses) needs to be the same as for single dwellings.</p> <p>Middle housing cannot be subject to design review if single dwelling residential structures in the same zone are not; criteria and procedures for approval need to be equal.</p>
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Title 18 Development Code chapters	Relevant subsections	Amendments
18.45 – Flood Hazard Areas	Assess the effect of regulations on meeting project objectives. This includes an assessment of regulations on any or all of the following: Specific or prototype housing sites (e.g., HURD sites); specific housing types (e.g., cottage clusters, townhouses or courtyard apartments), or specific street types or functional classifications.	
18.50 – Exceptions and Variances	No change	
18.55 – Master Planned Developments	Assessment needed; see page 1	
18.60 – Land Divisions, Replats, and Property Line Adjustments		
18.65 – Conditional Uses		
18.70 – Annexation	No change	
18.75 – Amendments	No change	
18.80 – Administrative Provisions	No change	

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Summary of amendments by chapter

The following chapters will require substantial review and amendments, and they are detailed in separate tables (Tables 2, 3, and 4).

TABLE 2 | CHAPTER 18.15 – LAND USE ZONES

Chapter 18.15 – LAND USE ZONES		
Title 18 Development Code chapters	Relevant subsections	Amendments
Chapter 18.15.010 –Establishment of zoning districts and overlay designations	None	No changes
18.15.020 –Location of zones	None	No changes
18.15.030 –Zoning district boundaries	None	No changes

<p>18.15.040 –Single-family residential (R-1)</p> <p>18.15.050 –Multifamily residential (R-2)</p> <p>18.15.060 –Planned residential development (R-3)</p>	<p>These three zoning districts are established primarily for residential uses, and permit housing types that include single family dwellings, duplexes, triplexes, apartments, and accessory dwelling units. For a side-by-side table comparison of which housing types are currently permitted in each zone, see Appendix A (Use Comparison Table).</p> <p>Other uses are permitted or conditionally permitted in these zones, such as daycare, office uses, and clubs.</p> <p>Subchapters for each of the three zones consist of the following regulations subsections:</p> <ul style="list-style-type: none"> · Purpose statement (for R-3 only) · Permitted uses · Conditional uses · Lot size requirements · Setback requirements · Height of building · Off-street parking regulations · Sanitation regulations · Water regulations · Flood hazard areas · Lighting · Landscaping 	<p>Increase the range of housing types permitted in some or all of the zones.</p> <p>Assess the benefits or drawbacks of the following approaches:</p> <ul style="list-style-type: none"> · Combine the three zones into a single subchapter, similar to the way that commercial zones (C-1, C-2, and C-3) are combined. · Permit greater residential density by applying a form based approach. Such an approach would regulate the shape and size of residential structures more and density or housing types less, with more emphasis on regulations for minimum lot size, setbacks, height, shape, orientation of residential structures, and lot coverage. · A form based approach that bundles development standards for 1-4 units separately from those for townhouses and cottage clusters. · Development standards that govern one-to-four units would provide flexibility regarding number of units., as long as form based standards are met. · Assess context-sensitive design approaches to housing, e.g., in relationship to specific street types or functional classifications (arterials or major collectors).
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Chapter 18.15 – LAND USE ZONES		
Title 18 Development Code chapters	Relevant subsections	Amendments
		During the assessment of code concepts listed above, consider establishing a purpose statement for R-1 and R-2.
18.15.070 –Corridor commercial (C-1), downtown commercial (C-2), and community commercial (C-3)	<p>Subchapters for each of the three zones consist of the following regulations subsections:</p> <ul style="list-style-type: none"> · Types of uses, including a Use Table which summarizes permitted, Conditional, and Prohibited uses. · Lot size requirements · Setback requirements · Height of building · Parking regulations · Sanitation regulations · Water regulations · Flood hazard areas · Lighting · Outdoor storage, trash collection, and loading areas · Landscaping and screening · Design review <p><i>(12) Design Review. All development in the commercial zones is subject to the Design Review Standards as applicable. [Ord. 933 § 3.7, 2019.]</i></p>	<p>Increase the range of housing types permitted in some or all of the zones.</p> <p>Assess the benefits or drawbacks of the approaches listed above in reference to R-1, R-2, and R-3 zones.</p> <p>Middle housing cannot be subject to design review if single dwelling residential structures in the same zone are not; criteria and procedures for approval need to be equal.</p> <p>During the assessment of code concepts, consider establishing a purpose statement for C-1, C-2, and C-3 zones.</p>

Chapter 18.15 – LAND USE ZONES		
Title 18 Development Code chapters	Relevant subsections	Amendments
18.15.080 –Neighborhood commercial (NC)	<p>NC consist of the following regulations subsections:</p> <ul style="list-style-type: none"> · Purpose · Types of uses, including a Use Table which summarizes permitted, Conditional, and Prohibited uses. · Lot size requirements · Setback requirements · Height of building · Parking regulations · Sanitation regulations · Water regulations · Flood hazard areas · Lighting · Outdoor storage, trash collection, and loading areas · Landscaping and screening · Design review <p><i>(12) Design Review. All development in the commercial zones is subject to the Design Review Standards as applicable. [Ord. 933 § 3.7, 2019.]</i></p>	<p>Increase the range of housing types permitted in some or all of the zones.</p> <p>Assess the benefits or drawbacks of the approaches listed above in reference to R-1, R-2, and R-3 zones.</p> <p>Middle housing cannot be subject to design review if single dwelling residential structures in the same zone are not; criteria and procedures for approval need to be equal.</p>

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TABLE 3 | CHAPTER 18.20 – PUBLIC IMPROVEMENT STANDARDS

Chapter 18.20 – PUBLIC IMPROVEMENT STANDARDS		
Title 18 Development Code chapters	Relevant subsections	Amendments
18.20.010 –Compliance required	Applicability: all development	No changes
18.20.020 –Streets	<p>No development may occur unless frontage or approved access to a public or private street; sets standards</p> <p>(4) <i>Minimum Right-of-Way and Roadway Width.</i> The street right-of-way and roadway surfacing widths must be in conformance with standards and specifications set forth in the design and construction standards.</p> <p>(5) <i>Extension of Streets.</i></p> <p>(6) <i>Frontage and Access.</i></p> <p>(7) <i>Continuation of Streets.</i></p> <p>(8) <i>Street Layout.</i></p>	Cottage clusters may need special consideration in relationship to these provisions, particularly requirement for frontage on a public or private street.
18.20.030 –Sidewalks and pedestrian amenities.	<p>(1) <i>Sidewalks.</i></p> <p>(2) <i>Bicycle Routes/Multi-Use Paths.</i></p>	

Chapter 18.20 – PUBLIC IMPROVEMENT STANDARDS		
Title 18 Development Code chapters	Relevant subsections	Amendments
18.20.040 –Access.	Every lot must abut a street (other than an alley) for at least 50 feet and access to all lots or parcels must comply with the access management strategies contained in the Transportation System Plan. Notwithstanding the foregoing, zero lot line subdivisions (as defined in MDC 18.60.110) may have as little as 25 feet of frontage where access is taken from a shared rear alley; properties abutting a cul-de-sac only require 30 feet of frontage; and properties within commercial zones may have as little as 30 feet, provided access is shared with at least one adjoining property with no less than 30 feet of frontage. [Ord. 933 § 4.4, 2019.]	
18.20.050 –Utilities	Underground utilities are required; governs utility easements; undergrounding of utilities may be deferred at the discretion of the Public Works Director	Assess the applicability of regulations to certain types of residential development, such as cottage clusters, particularly cottages in a cluster made up of fee simple lots.
18.20.060 –Street trees	Purpose; street tree list; tree spacing and planting standards; circumstances for waiving or deferring requirements	Probably no change; assess.
18.20.070 –General provisions	(1) <i>Street Lighting.</i> (2) <i>Fire Hazards.</i> (3) <i>Water/Sewer.</i>	No change
18.20.080 – Grading and drainage	No change	

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Chapter 18.20 – PUBLIC IMPROVEMENT STANDARDS		
Title 18 Development Code chapters	Relevant subsections	Amendments
18.20.090 –Special setbacks	Special setbacks may be required to meet TSP street classification widths, per the TSP	Assess the effect of regulations on specific or prototype housing sites (e.g., HURD sites). Assess the effect of regulations on housing in relationship to specific street types or functional classifications, e.g., arterial or major collectors.
18.20.100 –Improvement procedures	No change	
18.20.110 –Acceptance of improvements	No change	
18.20.120 –Public park dedication/park fund	Subdivision requirement of 8% of gross area to be dedicated to City; time of dedication, including for multi-phased development; location standards, trail access and easement rules; Public Works Director discretion to reduce; fee-in-lieu option described.	Assess the applicability of regulations to certain types of residential development, such as cottage clusters.
18.20.130 –Waiver, modification, and deferral of public improvement standards	No change	
18.20.140 –Improvement agreement	No change	
18.20.150 –Bond, cash deposit or guarantee	No change	
18.20.160 –Street dedications	No change	

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Chapter 18.20 – PUBLIC IMPROVEMENT STANDARDS		
Title 18 Development Code chapters	Relevant subsections	Amendments
18.20.170 –Minimum design standards	<i>The minimum standards of design and improvements for the dedication of a street shall be the same as set forth in the design and construction standards and must be in compliance with other applicable street standard regulations. [Ord. 933 § 4.17, 2019.]</i>	
18.20.180 –Procedure for street dedications	No change	

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TABLE 4 | CHAPTER 18.25 – SUPPLEMENTARY PROVISIONS

Chapter 18.25 – SUPPLEMENTARY PROVISIONS		
Title 18 Development Code chapters	Relevant subsections	Amendments
18.25.010 –Maintenance of minimum requirements.	<i>No lot may be reduced below the minimum square footage required by this Development Code except that legal nonconforming lots may be increased in size even if below the minimum square footage required by this Development Code. [Ord. 933 § 5.1, 2019.]</i>	Consider applicability of some regulations to certain types of residential development.
18.25.020 –Internal pedestrian circulation	Affected developments does not include residential Standards for walkway locations, connections, dedications, exemptions, routing, design, and ADA compliance	Consider applicability of some regulations to certain types of residential development.
18.25.030 –Fences	<i>Fences, hedges, and walls not more than eight feet in height are permitted on all front, rear, and side property lines of the parcel. However, the vision clearance areas must be maintained. [Ord. 933 § 5.3, 2019.]</i>	Assess the applicability of regulations to certain types of residential development, such as cottage clusters on fee simple lots.
18.25.040 –Off-street parking and loading	None / no change	

Chapter 18.25 – SUPPLEMENTARY PROVISIONS		
Title 18 Development Code chapters	Relevant subsections	Amendments
18.25.050 –Off-street parking	<p>Amount of parking required: Refers to MDC Table 18.25.050-1</p> <p><i>Location: (a) Except as allowed pursuant to MDC 18.40.040(8) [regarding parking orientation] no automobile parking, with the exception of accessible parking, is permitted between the building and an arterial or collector street unless the Community Development Director determines there is no feasible alternative to provide the required parking. If a building setback is provided, the setback area must be paved with a hard surface (concrete or unit pavers, not asphalt) and must incorporate seating and landscaping. A public entrance must be within 100 feet of the right-of-way of an arterial or collector street.</i></p> <p>Provisions regarding the amount and location of parking permitted between the building and the street; rules for parking lots with more than 50 spaces; frontage limitations of parking on pedestrian-oriented streets (33% maximum)</p> <p><i>(e) Off-street parking spaces for dwellings must be located on the same parcel with these dwellings. Other required parking spaces must be located not farther than 300 feet from the building or use they are required to serve, measured in a straight line from the building, unless otherwise approved by the Community Development Director.</i></p>	<p>Because the number of parking spaces required for each dwelling unit is critical to the physical and financial feasibility of middle housing— as is the ease or availability of on-street parking— these provisions will be closely reviewed.</p> <p>Possibly amend to allow for creative parking solutions that may involve shared parking over multiple parcels or blocks.</p> <p>Amend Accessory Dwelling Unit parking requirement to zero (see next page).</p>

Chapter 18.25 – SUPPLEMENTARY PROVISIONS																
Title 18 Development Code chapters	Relevant subsections	Amendments														
	<p>Table 18.25.050-1. Required Vehicle Parking</p> <table border="1"> <thead> <tr> <th colspan="2">RESIDENTIAL</th> </tr> </thead> <tbody> <tr> <td>Single-Family Dwelling</td> <td>1.0 space per dwelling unit</td> </tr> <tr> <td>Townhomes</td> <td>See MDC 18.30.190(3)(f)</td> </tr> <tr> <td>Accessory Dwelling Unit</td> <td>1.0 space per ADU</td> </tr> <tr> <td>Multifamily Dwellings</td> <td>1.0 space per dwelling unit</td> </tr> <tr> <td>Hotels</td> <td>1.0 space per bedroom</td> </tr> <tr> <td>Motels</td> <td>1.0 space per bedroom</td> </tr> </tbody> </table>	RESIDENTIAL		Single-Family Dwelling	1.0 space per dwelling unit	Townhomes	See MDC 18.30.190(3)(f)	Accessory Dwelling Unit	1.0 space per ADU	Multifamily Dwellings	1.0 space per dwelling unit	Hotels	1.0 space per bedroom	Motels	1.0 space per bedroom	
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18.25.060 –Design and improvement standards for parking lots	<p>Includes parking table and diagram (MDC table 18.25.060-1) which specifies stall dimensions.</p> <p><i>(7) Except for single-family and duplex dwellings, groups of more than two parking spaces must be located and served by a driveway such that their use will require no backing movements or other maneuvering within a street right-of-way other than an alley.</i></p>	<p>With the advent of contemporary middle housing, it is common to see parking dimensions and maneuvering requirements that typically apply to apartment development inadvertently applied to middle housing. Check that the threshold is set appropriately for developments that may include a small number of dwellings on a single lot, such as 4-6, and right-size parking lot design and improvement standards.</p>														

Chapter 18.25 – SUPPLEMENTARY PROVISIONS		
Title 18 Development Code chapters	Relevant subsections	Amendments
18.25.070 –Bicycle parking	<p>Applies to <i>multifamily development of four units or more</i>; exemptions are made for temporary uses; regulates number of spaces, location, dimensions, facilities (enclosures or racks), lighting, and signage,</p> <p>Prohibits parking space rental</p>	<p>High quality, safe, secure, and easy to access bicycle parking is a very important aspect to reducing car usage. There is likely no change to this section but these provisions will be closely reviewed in the context of middle housing layouts and site design.</p> <p>Possibly amend the prohibition of parking space rental and instead allow for creative parking solutions that may involve shared parking over multiple parcels or blocks.</p>
18.25.080 –Moving structures	No change	
18.25.090 –Vision clearance	<p>Vision clearance must be maintained in all zoning districts.</p> <p>Vision clearance areas are specified for:</p> <p><i>(3) At intersections including an alley, the minimum distance is 10 feet.</i></p>	<p>Consider impact of vision clearance requirement on alleys to prototypical block layouts.</p>
18.25.100 –Signs	No change	

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Chapter 18.25 – SUPPLEMENTARY PROVISIONS		
Title 18 Development Code chapters	Relevant subsections	Amendments
18.25.110 –Outdoor storage, trash collection, and loading spaces	<p>Requirements that may impact middle housing include:</p> <p><i>(3) Outdoor storage, trash collection and/or compaction, loading, or other such uses must be located in the rear of the lot where feasible.</i></p> <p><i>(4) Outdoor storage, HVAC equipment, trash collection or trash compaction, and other service functions must be incorporated into the overall site design. Views of these areas must be screened from visibility from all property lines and separated from sidewalks and on-site pedestrian walkways. Screening structures must be made of the same materials as the principal structure.</i></p>	Review provisions for impact on middle housing site and block layouts.
18.25.120 –Historic structure preservation	Includes provisions for <i>(2) Major Exterior Alteration Procedure.</i>	Review for impact on existing structure conversions to multiple units.
18.25.130 –Riparian habitat protection	No change	
18.25.140 –Wetland notification	No change	
18.25.150 –Flag pole standards	No change	
18.25.160 –Outdoor lighting standards	Regulates light trespass; refers to design and construction standards	No change

Chapter 18.25 – SUPPLEMENTARY PROVISIONS		
Title 18 Development Code chapters	Relevant subsections	Amendments
18.25.170 –Landscaping standards	<p>Minimum landscaping standards for the residential zones that are the focus of this project are:</p> <p>R-1: 15%</p> <p>R-2: 15%</p> <p>R-3: 15%</p> <p>C-2: 10% of off-street parking area</p> <p>C-3: 15% of off-street parking area</p> <p>There are separate landscaping standards apply to Single Family Dwelling and Multifamily, Manufactured Dwelling Parks, Other Residential Uses.</p> <p>Multifamily standards include:</p> <p><i>(c) Shared Areas. Usable outdoor recreation space must be provided for the shared use of residents in any residential development, as follows:</i></p> <p><i>(i) Units with one or two bedrooms: 200 square feet of lawn per unit.</i></p> <p><i>(ii) Units with three or more bedrooms: 300 square feet of lawn per unit.</i></p>	<p>Review provisions for impact on middle housing site and block layouts.</p> <p>Review to understand the appropriate threshold for landscaping standards that would apply to middle housing (1-4 or 5 units); application of multifamily standards may impact physical and financial feasibility of middle housing.</p> <p>Also review multifamily standards and threshold as they apply to conversion of an existing dwelling to multiple units.</p> <p>Discuss whether C</p>
18.25.180 –Transportation impact studies	<p><i>(a) A transportation impact analysis shall be required under the following circumstances:</i></p> <p><i>(ii) An access spacing exception is required for the site access driveway(s) or access is proposed from an arterial or collector street.</i></p>	<p>Consider applicability to certain types of middle housing residential development.</p>

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Chapter 18.25 – SUPPLEMENTARY PROVISIONS		
Title 18 Development Code chapters	Relevant subsections	Amendments
18.25.190 –Exterior colors	Applies to all structures. (Ordinance 845)	Check to see what this section regulates (Ord. 845 is on file in the City Recorder’s office.)