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Metro | *Agenda*

Meeting: Metro Technical Advisory Committee

Date: Wednesday, June 15th, 2011

Time: 10 a.m. – 12:00 p.m.

Place: **Metro Regional Center, Council Chambers**

Time	Agenda Item	Action Requested	Presenter(s)	Materials
10:00 a.m.	**CALL TO ORDER AND INTRODUCTIONS**		Robin McArthur, Chair	
10:10 a.m.	**1. Employment Areas** *Objective:* Introduce purpose of project, work scope and timeline; get feedback on proposed development-readiness tiers	Discussion	John Williams / Susie Lahsene	In packet
10:45 a.m.	**2. Transit Oriented Development Strategic Plan** *Objective:* Brief MTAC on the TOD Program Strategic Plan to create effective partnerships across the region.	Discussion	Megan Gibb / Christopher Yake	In packet
11:25 a.m.	**3. Model Code for Infill Development** *Objective:* Provide a briefing of innovative code approaches that support infill development	Discussion	Deb Meihoff, Communitas	In packet
Noon	**ADJOURN**			

MTAC meets on the 1st & 3rd Wednesday of the month. The next meeting is scheduled for July 6, 2011.

For agenda and schedule information, call Alexandra Roberts Eldridge at 503-797-1839, email: Alexandra.Eldridge@oregonmetro.gov. To check on closure or cancellations during inclement weather, please call 503-797-1700#.

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Metro | *Memo*

Date: June 8, 2011

To: MTAC

From: Ted Reid

Re: Introduction to Regional Industrial Land Inventory and Site Readiness project

BACKGROUND

Traded-sector companies sell goods to buyers outside of the Metro region, bringing additional wealth into the region. Attracting and retaining traded-sector industrial companies is important for the Portland region's long-term economic prosperity. Establishing a supply of development-ready large sites is a critical component of a strategy to attract and retain large industrial firms and generate traded-sector jobs. Because the Portland region must compete with other metropolitan areas for such traded-sector industries, it must be able to provide a reasonable inventory of available sites.

To better understand the barriers to development of large industrial sites, Metro is undertaking a new project in partnership with the Port of Portland, the Portland Business Alliance, the National Association of Industrial and Office Properties (NAIOP), and Business Oregon. A summary of the work scope is attached to this memo. The focus of the Regional Industrial Lands Inventory and Site Readiness Project is to:

- Achieve regional alignment on the supply and market readiness of large industrial sites in the region;
- Identify the current inventory of market ready industrial sites greater than 25 acres;
- Identify additional industrial sites greater than 25 acres that could be available and assess the level of investment required to make them market ready;
- Identify the top 5-10 strategic large industrial sites greater than 25 acres and assess in more detail the costs and actions necessary to make them development ready for new traded sector investment;
- Support regional economic development efforts; and
- Inform future policy and public/private investment decisions in the region.

Request for MTAC comments
At the June 15 MTAC meeting, Metro and Port of Portland staff will describe the purpose and scope of this project and will specifically seek MTAC comments on Task 3 (definition of development readiness tiers). The draft scope includes the following definitions as starting points for discussion:

Tier 1: Over 25 net developable acres within the UGB and development-ready defined as a parcel available for sale or lease in single ownership or parcels in multiple ownerships that have an agreement in place to aggregate their parcels into a single site. Land that is owned by a company for future expansion would be excluded for Tier 1. The site needs to be zoned for industrial use (manufacturing, warehouse and distribution) and have infrastructure and services available to the property line or the ability to provide infrastructure and services within 180 days. Natural resource mitigation, brownfield remediation or other resource related issues must, if necessary, be resolvable within 180 days. The State's Shovel Ready site certification program can be used as a template for Tier 1 sites.

Tier 2 Over 25 net developable acres within the UGB; in single ownership or parcels in multiple ownerships that have an agreement in place to aggregate their parcels into a single site; not able to meet the 180 day time table for development due to one or more of the following constraints that can be addressed through public actions/resources: brownfield contamination; lack of available infrastructure to the site; lack of capacity in public system to meet water demand or sanitary sewer treatment; entitlement requirements; Title 3 Environmental designation (waterways, wetlands, riparian buffers, etc.) or applicable local significant resource overlay zone; transportation deficiency (within ¼ mile of major arterial roadway with V/C>1.0 (defined by Metro RTP); lack of zoning consistent with urban employment related development; redevelopment parcels in common ownership**.**

This definition of Tier 2 excludes sites unsuitable for most industrial development due to slope, ownership for future expansion, tax exempt ownership for non-development purposes or aviation flight overlay that prevents industrial development. The State's Decision Ready designation for industrial sites can be used as a template for Tier 2 sites.

Tier 3 Over 25 net developable acres in the UGB identified as industrial; lands with multiple ownerships that can be assembled to achieve 25 net developable acres (not currently bound by a sales agreement); brownfield sites with identified environmental issues requiring considerable assessment, cleanup, and liability costs and/or risks; redevelopment parcels in common ownership**;** and areas in Urban Reserves that are anticipated for industrial development. The analysis of these Urban Reserve areas will include the gross acreage of the area and the existing parcel ownership pattern. The analysis will not be based on the net 25 developable acres used for all of the other sites in the Project. This definition of Tier 3, as is the case in Tier 2 sites, does not include constraints such as slope, aviation flight overlay or tax exempt lot status that cannot be changed through public policy or investments. Tier 3 sites could include land that is owned by firms for future expansion. Tier 3 sites would not be able to meet the State's Decision Ready classification due to more extreme constraints requiring significant time and or dollars to make them development ready.

SUMMARY OF WORK SCOPE
This work is divided into two major phases, with the following tasks:

Phase I: regional inventory of large industrial sites, constraints, and investments required for market-readiness

Task 1 (June 2011)
Provide overview of the project to the Metro Council, Metro Policy Advisory Committee, Greater Portland, Inc., Community Investment Initiative Leadership Council, and developers/brokers.

Task 2 (June 2011)
Obtain base land inventory data from Metro. Review, confirm and refine the data as needed.

Task 3 (June 2011)
Define development readiness tiers in consultation with stakeholders and regional advisory committees.

Task 4 (June 2011)
Develop industry profiles, including infrastructure demands, site requirements, and employment and investment estimates for up to six industry sectors (including warehousing and distribution).

Task 5 (July – August 2011)
Summarize inventory of large industrial sites using development readiness tiers developed in Task 3 and industry profiles developed in Task 4 (to assess site suitability for different sectors).

Task 6 (July – August 2011)
For all non-Tier 1 sites, identify barriers to development and necessary actions/requirements, including high-level cost estimates, that would be necessary for each site to become Tier 1 development-ready.

Task 7 (August 2011)
Determine the approximate number of >25 acre industrial land transactions by industry type in the metropolitan area over the previous 3- 5 years. Also document lost projects due to lack of >25 acre sites, including the reasons why firms chose other regions.

Task 8 (September 2011)
Review draft Phase I work products with stakeholders, elected officials, and regional advisory committees.

Phase II: detailed assessment of strategically important large sites

Task 9 (September – October 2011)
Prepare a more detailed analysis of 5 to 10 strategically important, large industrial sites to determine market opportunities, economic impacts of potential industry users, and detailed actions/requirements/costs for addressing barriers to development.

Task 10 (October 2011)
Review draft Phase II products with stakeholders, elected officials, and regional advisory committees.

Task 11 (November 2011)
Prepare final report.

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Clean air and clean water do not stop at city limits or county lines. Neither does the need for jobs, a thriving economy, and sustainable transportation and living choices for people and businesses in the region. Voters have asked Metro to help with the challenges and opportunities that affect the 25 cities and three counties in the Portland metropolitan area.

A regional approach simply makes sense when it comes to providing services, operating venues and making decisions about how the region grows. Metro works with communities to support a resilient economy, keep nature close by and respond to a changing climate. Together we're making a great place, now and for generations to come.

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11425 May 2011

Transit orientation + market strength

The TOD typology clusters are based on an analysis of the region's station areas and frequent bus corridors. By plotting a composite measure of transit orientation (see 5 P's below) with a measure of relative market strength (real estate sales per building square foot), the typology matrix below organizes areas based on their likelihood of both supporting transit lifestyles and catalyzing private investment in the near term.

The 5 P's of transit orientation

Traditionally, the transit orientation of an area has been measured using the 3 D's of density, diversity of land uses, and design or built form. For the purposes of better capturing a more holistic view of the transit friendliness of station areas and corridors, the 5 P's used for the strategic plan are as follows:

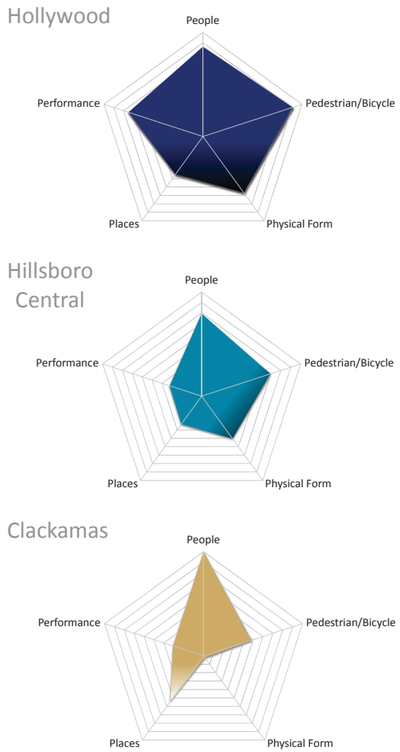
People: The number of residents and workers in an area.

Places: The number of neighborhood serving retail and service establishments.

Physical form: Average block size.

Performance: The frequency of bus and rail service.

Pedestrian/bicycle connectivity: Access to sidewalks and low stress bikeways.



Strategic Plan
May 2011

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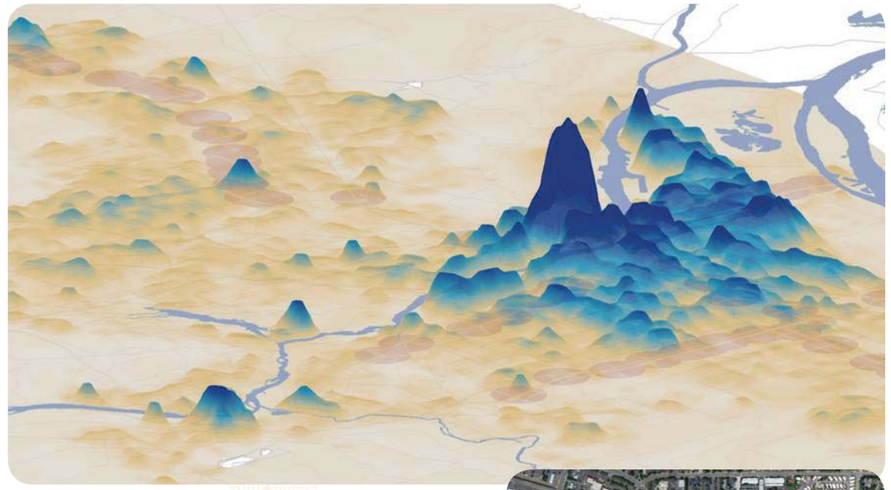
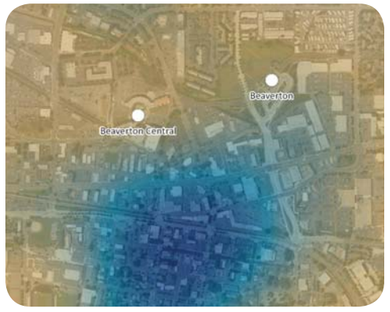
Transit-Oriented Development Program



Investing wisely

For more than a decade, Metro's Transit-Oriented Development Program has sought to implement the 2040 Growth Concept by investing in compact mixed-use projects near light rail stations, along frequent service bus corridors and in town and regional centers. Over that time, the TriMet system has more than doubled its number of MAX stations from 30 to 85 and increased the number of frequent bus corridors from four to 12. The TOD program's funding has not kept pace with this growth. To best capture existing and future development opportunities with limited resources, the TOD program must be highly strategic when targeting and investing in station areas and corridors.

In order to maximize its ability to leverage transit-oriented development and increase travel by transit, walking and bicycling, the TOD strategic plan provides clear policy and investment direction. For the near term, the plan guides the allocation of limited resources by identifying and prioritizing station areas and corridors with existing transit orientation and emerging market potential. The TOD typology cluster map on the following pages illustrates this strategic approach moving forward.

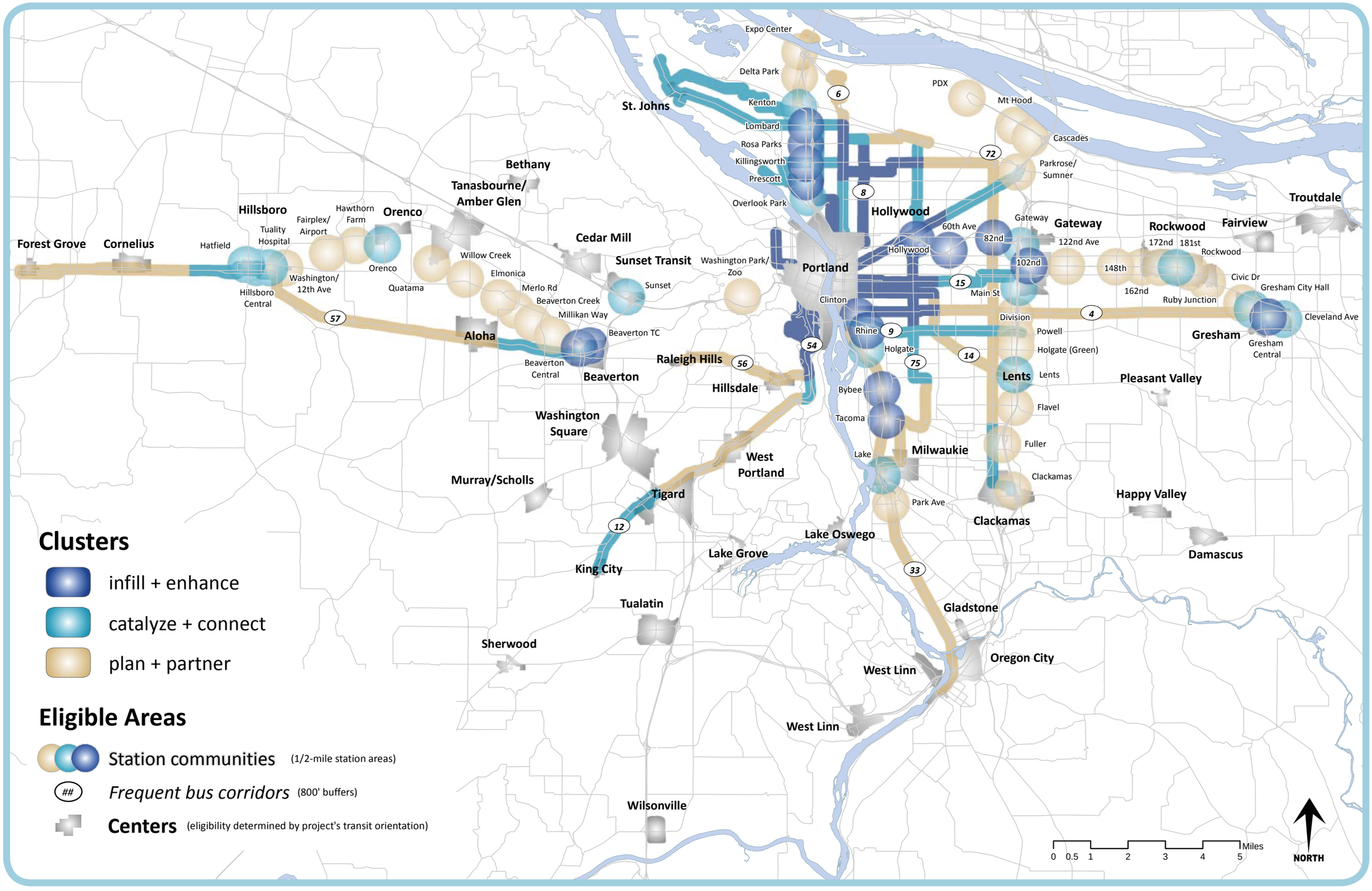


Transit orientation score

The two- and three-dimensional maps above display the relative transit orientation of the region. Those areas with higher concentrations of people, blocks, retail and services, pedestrian and bicycle infrastructure, and transit service are shaded blue.

TOD typology clusters

(transit orientation + market readiness)



infill + enhance

Infill and enhance transit communities are the most "TOD ready" areas in the region outside of downtown Portland. Given the relative strength of these areas, TOD program project investments should leverage significantly higher residential and/or employment densities, prototypical projects, urban living amenities (e.g. restaurants, shops), and/or workforce housing.

catalyze + connect

Catalyze and connect areas offer some physical and market foundation for supporting transit-oriented development. Projects that help catalyze future private development, and increase activity levels through density and/or urban amenities are appropriate. There is also an opportunity to work with local jurisdictions to identify placemaking and infrastructure needs to enhance the pedestrian orientation of the street network and provide better connectivity for all modes.

plan + partner

Plan and partner transit communities are not currently ripe for direct TOD program investments, since they generally lack the built form and market environment that would attract private investment. Given their transit accessibility, however, these areas are ideally suited for station area planning and development implementation technical assistance. The TOD program will work with local and regional partners as strategic opportunities arise to develop partnerships for future projects.

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Model Code for Infill Development

Catalyst Opportunity Overlay Zone

April 2011

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Prepared for Metro Development Center

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INTRODUCTION

Metro has been working with local stakeholders to determine the best ways to maximize land efficiencies while increasing livability in the region's downtowns and station areas. One element of the vitality of downtowns and station areas is high quality redevelopment.

As the region has grown and changed, local zoning has frequently been changed. The resultant pattern of development, combined with layers of code standards and extensive and unpredictable review processes, have made it more difficult to develop infill projects than to construct single-family residential subdivisions. There are examples in the region, wherein complex codes crafted with the intent of preventing 'bad' development have actually created multiple barriers to good development.

At the same time, local government resources for developing public facilities and amenities to support growth are on the decline. Communities are aware of the need to be more entrepreneurial to encourage private investment and development that includes high quality public amenities. This investment results in vibrant neighborhoods and increased property tax revenues.

There are many issues that affect viability of infill development; one important factor is land zoning and, thereby, the process for obtaining development permits. This study was conducted to look more closely at zoning elements that may be impacting the economic and physical feasibility of infill development.

The model code presented herein, adaptable to local governments, sets out to address both the need to less requirements for efficient, high value land use, and also to leverage new infill development into increased and enhanced community facilities.

BACKGROUND AND PROCESS

Development Code Scan

An initial survey of development standards in centers and station areas was conducted in order to determine the existing planning parameters and to verify how jurisdictions are addressing critical zoning elements such as density, parking, and setback requirements. More than 15 zoning districts[1] in 7 metro-area cities were reviewed (a full summary of the Code Scan can be found in Appendix A).

The Code Scan was focused especially on parts of development code that often render complicated infill sites nearly undevelopable or that create undue risk in the development review decision-making process. General findings are:

- **Setback** standards in the metropolitan region are aligned with industry standards for infill sites
- **Parking.** While there are variations, most communities are not requiring minimum parking for non-retail or restaurant commercial uses. However, nearly all of them require one space/dwelling unit in mixed use or multi-family developments and significant minimum standards for retail and eating establishments.
- **Height and density** standards vary between jurisdictions and each jurisdiction controls building mass through a different combination of standards. Most contain some level of minimum and maximum height restrictions and density targets. There is no standard approach for application of lot coverage. Moreover, it is unclear if jurisdictions have made a concerted effort to determine how the FAR, lot coverage maximums, densities, building height, and landscaping requirements would interact together on a site.
- **Design Standards**. With one exception, all of the zoning districts reviewed contain extensive design and/or development standards spread throughout many chapters of their development codes. Cross-referencing is prevalent and it is not easy to determine which standards apply to a zone. Some of the codes are simple and focus on key

[1] The term "zoning districts" is inclusive of land use, plan, and community plan districts.

elements of zoning. Others are extremely detailed in their design guidelines, design standards, massing, and allowable uses. This varies not only by jurisdiction, but also between districts within a jurisdiction.

- **Flexibility.** Most communities reviewed have provisions for planned development or master plan processes that allow for flexibility in various zoning elements. However, all of them require a more time-consuming process for a property owner to meet the outlined standards. Type III is a typical path, including planning/design commission decision-making. Typically, the master planning allows for adjusting lots sizes, setbacks, and transferring density within the development site, all things more geared toward large greenfield redevelopment projects. Not many districts allow for density bonuses, reduced parking, or the provision for other community amenities that would be more appropriate for an urban setting.

Many of the standards are responsive to the needs of infill development. However, the complexity and lack of accessibility of the development standards, combined with excessive requirements for parking, almost certainly necessitates a developer to hire a planning professional to decipher entitlements to his/her property and is likely posing barriers to infill development.

Expert Feedback

Once the Code Scan and literature review were complete, the project team engaged potential stakeholders in roundtable discussions. The discussion groups included developers, Metro planning staff, attorneys, economists, and representatives from local jurisdictions. Each session led to fruitful conversations between stakeholders and new ideas, resulting in refinements to the model code presented herein.

THE MODEL CONCEPT

Generally, infill development sites in the region's downtowns have land values that necessitate high quality design and construction. Even without complex development code, these sites require experienced development teams. Predictability of the development review process is not only mandated in Oregon land use laws, "clear and objective standards", but it is also demanded by experienced developers. However, many development codes in the region call for cumbersome discretionary reviews for infill

development. The risk inherent in these extensive processes has become a barrier to realizing the range of development demanded in the region.

Target and Streamline

The aim of the model code is to apply an overlay zone to a limited area that contains opportunity sites for redevelopment and wherein the jurisdiction is actively promoting higher-density and/or transit-oriented development. In this limited area, an overlay zone is used to minimize the development restrictions and process time/unpredictability, while also enhancing public amenities and protecting property values, community character, and walkability / bikeability of the area.

Jurisdictions should seek to apply the overlay zone only to areas that:

- Have adequate transit and infrastructure availability (including street network) to meet the increased development intensity,
- Contain a significant number of parcels or large parcels that are underused and/or vacant,
- Are not adjacent to low-density residential zones,
- Are not predominantly composed of properties with environmental resources that greatly affect redevelopment potential, and
- Are located within 2040 designated Downtowns and Station Areas.

Qualification of a property to utilize the overlay zone within the opportunity area will be triggered by meeting a minimum number of community-benefit elements and the applicant's early inclusion of stakeholders in crafting the development concept.

Extensive public process will take place in order for a jurisdiction to add the overlay zone to the development code. The streamlined approval process for overlay development does not include formal public hearings. Instead, stakeholders will be involved in the planning upfront through a meeting prior to submitting the application and one following submittal.

Subsequent to the second stakeholder meeting, the code administrator (frequently the planning department director) will be authorized to determine applicability of the overlay zone and will have the authority to approve the development review through a Type I or Type II process, depending on a jurisdiction's administrative land use review options, and in accordance with the code development criteria.

It is highly recommended the code administrator be authorized to make adjustments to basic elements of the overlay standards (within 20% of the requirement is suggested) to accommodate irregular site topography, lot size, and/or odd-shaped parcels. If the administrator determines these special conditions do not apply or if the request is beyond 20% of the standard, any requests for adjustment will be processed through the jurisdiction's typical adjustment/variance process. Given the limited scope of design standards within the opportunity overlay, adjustments greater than suggested 20% should be rare.

Innovate

This is a zone that encourages market-driven design innovation. Therefore, only the most necessary of design, land use, and site planning standards should apply. Innovative architecture, design, and use of materials – within the framework of a people-oriented community – are encouraged. Thoughtful application of the overlay zone and adequate and early public involvement will be critical for successful use of this tool.

HOW TO USE THE MODEL CODE

The model code was drafted with the intent of providing an additional tool for local governments who are actively pursuing infill development. The use of the model code is voluntary and may not be appropriate for every downtown or station area. Jurisdictions need to consider the existing development pattern, other development code elements or overlay zones, public sentiment, and policy direction before pursuing the opportunity overlay zone.

In the drafting of the model code, Oregon's land use laws, real estate economics, developer concerns, and successes of other cities have been considered. We believe this code to provide a solid foundation for local governments to begin code amendments. However, the region's jurisdictions operate under their own charters and regulations. Legal counsel should be consulted before embarking on amendments to include this model code. A community must also carefully consider the possibilities of unintended consequences or economic impacts that implementation of the overlay zone may have.

Opportunities for Customization

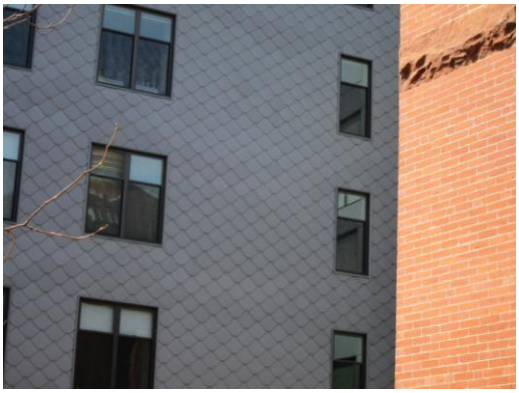
Each community in the region is unique and will have needs specific to express that uniqueness. This model code provides the framework to develop an opportunity overlay zone that balances the need to meet demand of growth while providing an increased level of amenities.

It is anticipated that local jurisdictions will have a robust public participation program when reviewing whether or not to add the overlay zone. The upfront citizen involvement will be critical to successful implementation of this streamlined code. The public process needs to include broad discussion on where to apply this overlay zone and to work through the menu of community benefit options. Jurisdictions are also encouraged to engage the local development community in determining the viability and best approach of such an overlay.

There are opportunities to tailor the overlay zone model code to meet the development context and needs of each local community: clear and objective, targeted, streamlined, and market-based.

- **Scaling for project size.** Consider more or fewer community benefit requirements, depending on a certain project size, or consider limiting application of the overlay zone to a smaller-sized development project. The local development patterns, parcelization, and neighborhood context will help to determine if scaling the model code is necessary.
- **Modified community benefits.** Different communities need different things from infill development. Some neighborhoods need more workforce housing close to jobs while others may require maximization of property tax revenue. The list of community benefit options needs to be tailored with great assistance from local stakeholders. The benefits should neither be so significant as to ward off any development under the overlay zone, nor so simple as to leave the community needs unmet.
- **Point-based menu.** There are examples of performance-based zoning that utilize a point-value system. Rather than having a minimum number of community benefits that must be provided, a local jurisdiction could instead choose to have a minimum number of points that a development must meet to qualify for the overlay zone and each benefit is assigned a value. For instance, inclusion of a public restroom, may rate one point, while developing a site within one-quarter mile of a transit station rates three points. This point-based system is more complicated for the community to develop and could prove difficult in the public process. However, it may also result in additional flexibility for the developers. Ideas for value and point targets would need to be vetted with the local development community and citizens.

- **Public process.** The model code suggests that public meetings related to specific development proposals (once the overlay zone is in place) be coordinated by the developer. There may be reasons to instead require that all meetings and communication go through the local jurisdiction. Both approaches have been proven to work. Before deciding if developer-led is better than city- or county-led, the local jurisdiction should consider past experiences with developer outreach, current relations between the jurisdiction and local community, other planning or development related activities underway in a public process, staff capacity, and general organization of neighborhoods or business districts.
- **Administrative adjustments.** The model code allows for adjustments up to 20% of standards for setbacks, density, FAR, building frontage or façade elements, so as to provide flexibility in non-standard development sites. Infill areas often have odd-angle streets or quirky lot layouts that make strict adherence to clear and objective development standards difficult. A local jurisdiction should consider the prevalence of non-standard situations when establishing the adjustment allowance. It may be that a 30% adjustment is necessary to make infill development viable, or 20% may be suitable.



CATALYST OPPORTUNITY OVERLAY ZONE

Objectives

The purpose of Catalyst Opportunity Overlay Zone is to provide for a complete and vibrant community with efficient land use and cost-effective delivery of urban services. The provisions of this overlay zone recognize the design challenges inherent to developing infill properties and ensure that new development is consistent with the community's vision and goals for a pedestrian- and transit-friendly area. The specific objectives of the Catalyst Opportunity Overlay Zone are to:

- Implement the Comprehensive Plan and *[insert relevant area plan, urban renewal plan, and/or redevelopment strategy]*, ensuring the quality, attractiveness, and special character of the area;
- Promote reinvestment in the overlay area by modifying development standards to support compatibility between new and existing development and certainty in the marketplace;
- Allow for development that will result in recognizable and substantial benefits to the ultimate users of the area and to the community in general;
- Promote neighborhood preservation and enhancement through redevelopment of distressed and underutilized properties;
- Encourage development of needed housing in close proximity to employment, transit, and services;
- Efficiently utilize existing public infrastructure investment by maximizing the density allowable and as directed by the Comprehensive Plan;
- Stabilize and/or improve property values in the overlay area and contribute to the tax base; and
- Facilitate development proposals responsive to current and future market conditions.

Applicability

Each of the three items listed below must be met for the Catalyst Opportunity Overlay Zone to be applied. The [*applicable code administrator*] shall determine applicability of the overlay zone according to these standards and will have the authority to approve the development review through a [*administrative land use review - Type I or Type II process, depending on a jurisdiction's options*].

1. **Zone**. The property must be located in the overlay area, as shown on the Zoning Map.
2. **Public Involvement**. Infill development proposals under the overlay zone must be presented to area stakeholders. At a minimum, the applicant will hold two meetings, one prior to submittal and one following, to review the project and highlight how it meets the intent and criteria of the overlay zone.

    - Meetings will be set at a time, place and location open and welcoming to the public, including those with disabilities, and in a manner that will maximize public involvement.

    - At a minimum, the applicant shall send written notice announcing the stakeholder meetings to adjacent property owners and/or tenants, leadership of neighborhood / business associations or community planning organizations (as applicable), city/county planning or neighborhood staff, general neighborhood interests and stakeholders. The notice shall include the date, time and location of the meeting and briefly discuss the nature and location of the proposal. The meeting shall be held within 30 days of the notification.

    - Prior to submittal of the overlay zone application, applicant must show proof of having had at least one stakeholder meeting to discuss the proposal. Materials of proof shall include copies of written invitations, log of outreach, sign in sheet from the meeting, and summary notes.

    - The second stakeholder meeting will be held following submittal of the application and prior to a decision being rendered, and will follow the same procedures as the first stakeholder meeting. The [*code administrator*] will coordinate with the applicant on the timing of the second meeting, so as to allow for adequate community input into the process.

    - The [*code administrator*] will consider stakeholder input and the applicant's responsiveness to stakeholder input that is applicable to the criteria herein.

3. **Community Benefit.** The proposed project must meet at least three of the following community benefits. The [*code administrator*] shall verify intent to meet benefits, thereby determining eligibility of overlay zone application. Once verified, [*jurisdiction*] and applicant will execute a development agreement outlining the agreed-to community benefits and anticipated schedule of provision.

Community Benefits Menu

Project must include at least three of the following (in any combination) to qualify for the overlay zone:

- ☐ Maximizes energetic street level with 18-hour activity, such as restaurants and retail outlets
- ☐ Visual landmarks and/or views incorporated
- ☐ Childcare or elder care facility
- ☐ Historic and cultural conservation/ preservation
- ☐ Cultural art facilities (e.g. museum, performing arts theater)
- ☐ Green building elements (as permitted by code): e.g. green roof/vertical landscape, onsite energy production, water recycling, LEED cert.
- ☐ Pedestrian connectivity through the site is provided (where appropriate)
- ☐ Affordable and workforce housing, or housing that expands housing choice in a given area
- ☐ Adaptive reuse of currently vacant or underutilized structure
- ☐ Personal open space / balcony for multifamily units
- ☐ Redevelopment of brownfield or other blighted properties
- ☐ Achieving minimum of 80% density/intensity allowance
- ☐ Net increase of family-wage jobs within the jurisdiction
- ☐ Commuting facilities: public showers, lockers, covered and/or secured bicycle storage
- ☐ Net increase of taxable value over current uses
- ☐ High quality of innovative design
- ☐ Strong relationship to light rail or high-frequency bus route
- ☐ Transit facilities: on site stop, shelter, etc
- ☐ Public restroom
- ☐ Open space/ parks / plazas open to the public at least 14 hours per day (or standard parks hours for the jurisdiction)
- ☐ Community garden, edible landscaping, or food production area
- ☐ Public meeting space, library, community center
- ☐ Vertical mixed use (commercial and residential)
- ☐ Structured or underground auto parking and/or loading
- ☐ Other _____

Development Standards

The proposed development shall be designed with due regard to its relationship with development and/or plans on surrounding properties and uses thereon.

The following standards and land use regulations apply to all development within the Catalyst Opportunity Overlay Zone. With the exception of public facility and street requirements, if a design standard found in this section conflicts with another standard in the [*Development Code*], the standards in this section shall govern, even if less restrictive than other areas of the code.

Element	Development Standard	*Typical Standard in Region*
Land Uses	Base Zone standards	
Setbacks		
Min	Base Zone standards	*0'*
Max	Base Zone standards	*5-10'*
Height		
Min	Base Zone standards[2]	*16-25' / 2 story*
Max	Base Zone standards	*45'-125'*
FAR	Base Zone standards	*No typical standard*
Density	Base Zone standards	*No typical standard*
Lot Standards	No minimum standard for lot size, width, or depth[3]	*No typical standard*
Maximum Lot Coverage	100%	*No typical standard*
Parking - auto and bicycles[4]		
Min	0	*Auto: 1/unit min residential* *0 min commercial*
Max	Maximum allowances follow Base Zone standards	*Auto: 20/1000 sf min retail* *175% of min is typ max residential*
Surface Parking Lots[5]	Any surface parking areas will be shadow platted to provide for future development opportunities.	*Not required*

[2] It is recommended that jurisdictions test base requirements to Metro's prototype model to ensure desired building form can be achieved with height, FAR, and/or density standards in existing code.
[3] Requests for land divisions shall be reviewed to ensure that new lots can meet the FAR/density, setback, and coverage standards.
[4] Landscaping/screening requirements for parking lots must be met.
[5] While surface parking lots are in place, base zone landscaping requirements for parking areas shall apply.

Element	Development Standard	*Typical Standard in Region*
Landscaping Min Standards	No minimum landscaping area required All areas not developed with structures, driveways, private streets, pathways, plazas, and similar usable areas shall be landscaped in accordance with the jurisdiction's landscaping standards for plant types, spacing, etc.	*No typical standard*
Density Bonuses	Base Zone standard	*No typical standard*
Building Orientation Frontage Entrances/ Facades	At least 75% of the minimum front setback shall be lined with a building face Primary facades and entries shall face the adjacent street with a connecting entry walkway that does not require pedestrians to walk through parking lots or across driveways.	*50-100%* *Primary at street.*
Pedestrian Access and Circulation	Continuous sidewalks shall be provided between primary entrances to buildings, parking areas, pedestrian facilities on adjacent properties, and existing public sidewalks along perimeter streets.	*No typical standard*
Materials	No requirement. A variety of building materials and architectural features are encouraged.	*Many, but not all, jurisdictions have extensive provisions for materials.*
Building Base Ground floor windows Ground Floor Design	Base Zone standard Building façades facing public streets, pedestrian gateways, or other public areas shall contain high quality architectural design elements and building materials that enhance the pedestrian environment. Building articulation is not required – however, architectural arrangement or elements to define the ground floor, in context with the surrounding area, should be included.	*Street orientation with some glazing required; specific standards vary*
Adjustment	The [*code administrator*] is authorized to make adjustments within 20% of each of the stated setbacks, density, FAR, building frontage or façade elements, following Type II notification process. The adjustment may be made in order to accommodate irregular site topography, lot size, and/or odd-shaped parcels. If the [*administrator*] determines these special conditions do not apply or if the request is beyond 20% of the standard, any requests for adjustment will be processed through [*the jurisdiction's*] typical adjustment/variance process.	*Some adjustment typically allowed through PUD or master plan process*

Submittal requirements

a. Narrative describing the intent of the proposed project and how it meets the overlay zone applicability criteria listed above (property located in the overlay area, intended public involvement and community benefits);

b. An existing site conditions analysis;

c. A site plan;

d. A grading plan;

e. A landscape plan;

f. Architectural elevations of all structures;

g. A copy of all existing and proposed restrictions or covenants.

INFILL DEVELOPMENT CASE STUDIES

To test elements of the model code and determine additional opportunities for tailoring the code, communities around the country were reviewed. The case study areas have comprehensive programs in place to actively encourage infill development and were selected to explore the role development codes have played in their success.

Sacramento, California

Focused on Infill

Earlier this decade, the City of Sacramento endeavored to draft a citywide Infill Development Strategy. City leaders recognized that a mature city, such as Sacramento, requires a specific approach to realize increased use of land and leveraging of existing infrastructure investments. As with many older cities, Sacramento has a number of vacant or underutilized parcels that can provide for future economic development of the city.

The Infill Development Strategy has six major goals: promote infill that positively contributes to the area, revise plans and policies to actively support infill, remove regulatory barriers, increase infrastructure capacity, provide focused incentives and assistance for targeted sites, and engage the community throughout the process.

The community selected four target areas wherein City staff, including an Infill Coordinator, dedicate time and effort to assist with innovative projects. The Infill Coordinator and department director are supported by a multi-department Infill Cabinet. The Cabinet's primary duties are to vet projects in the early stages, find solutions to unique problems and coordinate zoning adjustments as necessary. The additional support means a quicker turn-around and greater certainty during the entitlements process, which ultimately contributes to the financial feasibility of infill.

In the last building cycle Sacramento realized a significant increase in the proportion of infill development. Additionally, the infill property values have proven more resilient than greenfield development in the recent economic downturn. The City will continue to invest in the infill program and find ways to be more financially competitive for developers. Sacramento has recently completed their comprehensive development plan and an update to the zoning code to include new ways to streamline infill development.

Keys to Success

- Formally acknowledge differences between greenfield and infill
- Infill Coordinator position - someone with the skills and knowledge to understand the many challenges that arise with infill development
- Multi-prong approach - policy, financing, regulatory, planning
- Strategic plan for infill development focused leadership and city resources
- Infill development cabinet - quickly respond to problems, support administrative decisions, identify adjustments needed for the future

See also

Philadelphia Redevelopment Authority - Vacant Land Management

West Palm Beach, Florida

Market-based Approach

In the early 1990s, West Palm Beach, Florida was facing commercial vacancies up to 80%, concentrated poverty, considerable building demolitions, and massive social and financial disinvestment. A change in leadership led to a change in the approach to revitalization. The City incrementally began to build the case for affordable investment opportunities by removing process and permitting barriers.

Their initial approach was to increase mixed income housing within the downtown area. City staff contracted with real estate economists to create development proformas illustrating the financial potential for housing development in the short term. These proformas were then shared with property owners and the development community. Simultaneously, the City updated the zoning code to enable limited-term height bonuses, easily allow for mixed use development, and to streamline the development review process.

The City sought to catalyze development through a limited term opportunity, so the height bonuses were targeted and written into the code to sunset after two years. Rather than flood the market with too much zoning capacity, the bonuses were applied to small target areas. Once the two-year period expired, the bonuses were moved to the next target. The development proformas expressed the difference between immediate investment with bonuses and the financial impact of lost opportunity should a developer fail to initiate a project during the catalyst.

To ensure high quality design and development, a modified form-based code was implemented with an urban designer on staff for review - four building types were developed, focused mostly on the ground floor treatment and on building in flexibility for future uses. If a development could meet the code for one of the four building types and exemplify the Downtown Master Plan (with no site planning issues or variances required), a building permit could be issued over the counter. Projects requiring additional assistance were routed through the inter-departmental Downtown Action Committee.

Today, West Palm Beach is a thriving mixed use community. The population has grown by nearly 50% since 1990. The Downtown Master Plan housing goals were achieved within 10 years. Commercial vacancies are down and the last building cycle resulted in development of a variety of housing and shopping options.

Keys to success

- Financial proformas illustrating the benefits of developing, rather than holding
- Zoning provisions with a sunset period created incentive to develop in near term
- New leadership supporting infill
- Streamlined design review, supported by a Downtown Action Committee, to move quickly and keep down the costs to build

See also

Seattle Administrative design review

Montgomery County, Maryland streamlined development review

Ypsilanti, Michigan

Community Benefits · Development Agreement

Eager to attract private investment in targeted redevelopment areas while removing barriers to infill, the City of Ypsilanti pursued creation of a planned unit development (PUD) code that is applicable not only to large development sites, but also to downtown properties on small lots.

The City is completely built out, therefore the zoning flexibility of the PUD zone is a good fit for redevelopment efforts. The basic intentions of the PUD zone are to allow flexibility in zoning codes in order to encourage innovation and variety in design, achieve economy and efficiency in land use, encourage useful open space, provide for better service opportunities, facilitate the preservation and reuse of historic structures, and encourage development consistent with the city's land use plan.

Certain basic criteria must be met to enable the PUD on a site, including the provision for 'recognizable benefits' to the project user and community at large. Once an infill project qualifies as a PUD development, the zoning code enables development to fit into the context and constraints of the site by offering relief from zoning requirements: irregular lots sizes and shapes, expansion of historic structures, site planning to complement adjoining properties, etc. Eligible land uses are based upon the underlying zoning or the Comprehensive Plan designation.

The PUD process results in a simple development agreement negotiated between the city and developer, outlining each partner's contribution to the development (for example, reduced setback requirements or provision of a river front path). The City recognizes the need to ensure flexibility in the code is balanced with an increase in housing, shopping, recreation, or service amenities, or contributes to community vibrancy and revitalization efforts.

Metro Model Infill Code · Case Study

Keys to Success

- Zoning flexibility to fit development context
- Development agreement that clearly communicates the partnership
- Requiring new development provide public benefits

See also

Overland Park, Kansas infill standards

Oregon City Master Plan code

Appendix A Regional Code Scan

SUMMARY FINDINGS

Over 15 zoning districts in 7 metro-area cities have been reviewed to determine the available structure for planned development in centers and corridors and to verify how jurisdictions are addressing critical zoning elements such as density, parking, and setback requirements. The code scan included the following zones.

Beaverton

Regional Center Old Town RC-OT

Town Center Mixed Use TC-MU

Station Commercial Mixed Use SC-MU (within ½ mile of stations)

Gresham

Downtown Mixed Use DMU

Civic Neighborhood High Density Transit Development TDH-C

Station Centers SC

Rockwood Town Center RTC

Hillsboro

Downtown – under development

Mixed Use Commercial MUC (Tanasbourne)

Station Community Residential Village SCR-V (Orenco)

Lake Oswego

East End Commercial EC (Lake View Village / Downtown)

General Commercial / Lake Grove Village Center Overlay

Oregon City

Mixed Use Downtown MUD (Main Street, north to the Clackamas/Willamette Rivers)

Mixed Use Corridor 1 MUC-1 (includes 7th and High Streets)

Portland

Central Commercial / design overlay CXd (Gateway and Central City)

Storefront Commercial CS (portions of corridors, i.e. Mississippi Ave, 82nd Ave, Hawthorne)

Tigard

Mixed Use Central Business District MU-CBD (includes Main St)

Mixed Use Employment MUE (Tigard Triangle: 99W/I-5/217)

Setbacks

All districts reviewed have 0' setback minimums and most have maximums at 5-10'. Generally, the deeper setback is allowable only for ground floor residential uses to provide a buffer from the street.

There are additional rear and side yard setback requirements for properties abutting residential zones or uses.

No district allows parking between the building front and sidewalk or street. The modest front setbacks allowed are required to provide pedestrian amenities and/or landscaping, depending on the jurisdiction.

Setback requirements are generally easy to identify within the development codes.

Height / FAR / Density / Lot Coverage

The cities studied control building mass through different mechanisms. Some, like Portland, utilize only floor area ratio (FAR) with building height to address building form. Others have extensive requirements for all elements, in addition to form-based design codes.

Height

All but Beaverton set a minimum building height in the districts reviewed. Minimum heights range from 16'-25' and/or 2 stories.

Maximum heights range from 45'-125', with one district that has no maximum (RTC in Gresham).

Some of the districts measure height by stories, rather than in feet; Gresham and Oregon City allow height measurement to meet one or the other.

FAR and Density

There is no standard application of FAR or density requirements. Some districts apply FAR to all uses on the site; others apply only to commercial or industrial uses (as allowed).

Most cities appear to approach density targets and limitations through the combination of FAR and height. However, when applied, density measurements tend to reflect maximum housing units allowed.

Lot Coverage

Again, there is not a standard approach to whether or not lot coverage is regulated. When applied, the coverage requirements generally set maximum levels from 50-100%.

It is unclear if cities have made a concerted effort to determine how the FAR, lot coverage, densities, building height, and landscaping requirements interact on a site.

Parking

Most districts in the seven cities have no minimum parking standards for commercial/office uses. However, nearly all of them have a 1 space/dwelling unit minimum for multi-family developments or residential portions of mixed use buildings.

Parking minimums for retail or eating establishments in the transitional suburb/mixed use zones have significant minimum standards – around 20 spaces/1,000 square feet of floor area is typical.

Some, but not all, cities allow for reduction in minimum parking requirements for shared uses, proximity to transit streets, senior housing / low-demand uses, or other similar performance measures. The process to access reduced parking standards varies between jurisdictions, but ranges from planning director or city manager approval to planning/design commission approval.

PUD, Bonuses, and Other alternatives

Most cities have available a planned development or master plan process that allows for flexibility in various zoning elements.

All cities require a more time-consuming process than would be afforded to a property owner wishing to meet the outlined standards. Type III is a typical path, including planning/design commission decision-making.

Typically, the PUD's allow for adjusting lots sizes, setbacks, and transferring density within the PUD site, but not many allow for density bonuses, reduced parking, or the provision for other community amenities.

ORS regulates planned developments. Legal counsel is required to determine if a streamlined process or flexibility beyond the elements in ORS chapter 94 would be allowable for planned developments or master planning.

Design Standards and Code Usability

With the exception of Tigard's newly-adopted CBD zone and Oregon City's downtown zones, all of the cities have extensive design and development standards spread throughout their development codes. Cross-referencing is prevalent and it is not easily clear which standards apply to a zone. In the scan it was not unusual to have to consult four different chapters of the code to determine the basic zoning requirements for a district. Lake Oswego has been keeping recently adopted policy, design, and zone changes in an appendix to their community development code, adding to the confusion between the main document and the

formidable appendix. Gresham's newly adopted downtown code has not lessened the ease of document use.

Typically, parking, landscaping, and design standards are found in chapters, or sometimes volumes, separate from the base zone and site standards. A clear distinction of which elements apply to each zone is not always made, further frustrating a potential developer.

Some of the codes are simple and focus on key elements of zoning. Others are extremely detailed in their design guidelines, design standards, massing, and allowable uses. This varies not only by city, but also districts within a city.

The complexity and lack of accessibility of the development standards almost certainly necessitates a developer to hire a planning professional to decipher entitlements to his/her property. The combined effect of the complex system of standards is likely contributing to the barriers to infill development, as Metro has observed with recent projects.

Appendix B Other Resources

PRINTED MATERIALS

Barnett, J. (2003). *Redesigning Cities*. Chicago, IL: Planners Press, American Planning Association.

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ONLINE RESOURCES

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