

BEFORE THE STAYTON PLANNING COMMISSION

In the matter of

) Development Code Amendments regarding
) Accessory Dwelling Units
) Land Use File 12-10/21

RECOMMENDATION OF APPROVAL

I. NATURE OF PROCEEDINGS

The proceedings are for legislative amendments to the Stayton Municipal Code, Title 17, known as the Stayton Land Use and Development Code revising the current standards for accessory dwelling units.

II. PUBLIC HEARING

A public hearing was held on the proposal before the Stayton Planning Commission on November 29, 2021. At that hearing the Planning Commission reviewed Land Use File #12-10/21 to amend the Land Use and Development Code and made it part of the record. The Planning Commission has considered the testimony at the public hearing.

III. FINDINGS OF FACT

1. In 2017, the Land Use and Development Code was amended by Ordinance 1010 to establish standards for accessory dwelling units.
2. Section 17.20.240 of the LUDC, as enacted by Ordinance 1010, allows accessory dwelling units on a lot with a single family detached dwelling in the Low Density Residential zone or Medium Density Residential zone.
3. There are seven existing single family detached dwelling on an individual lot with the High Density Residential zone.
4. Section 17.20.240 of the LUDC, as enacted by Ordinance 1010, also includes standards for accessory dwelling units, including a requirement that either the accessory dwelling unit or the principal dwelling unit be owner-occupied and that there be on off-street parking space for the accessory dwelling unit.
5. ORS 197.312, as amended by Chapter 639 of the Laws of 2019, prohibits a city from requiring owner-occupancy or off-street parking as part of the local regulations for accessory dwelling units.
6. The proposed amendments would allow an accessory dwelling unit on a lot with a single family detached dwelling in the High Density Residential zone and would repeal the requirements for owner-occupancy and off-street parking.

IV. PUBLIC COMMENTS

The Planning Department received no comments prior to the public hearing. There was no public testimony at the public hearing opposed to the proposed amendment.

V. ORDER

Based on the findings of fact, the Planning Commission voted on November 29, 2021 to recommend to the City Council enactment of proposed amendments to the Stayton Land Use and Development Code, as presented in a document entitled, "Proposed Amendments to Accessory Dwelling Unit Standards, For Planning Commission Public Hearing, November 29, 2021."

Ralph Lewis, Chairperson

Date

Dan Fleishman, City Planner

Date

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